

# Royal Faculty of Procurators in Glasgow



## Public Law Conference 2015

**Wednesday, 1<sup>st</sup> April 2015 9.30am-1pm**  
**Royal Faculty Hall, 12 Nelson Mandela Place**

Continuing the Royal Faculty's series of half-day conferences, the Public Law Conference is to be held in the Royal Faculty Hall on Wednesday, 1<sup>st</sup> April 2015.

The Conference will run from 9.30am to 1pm and will attract 3 hours' CPD time. The cost is £100 for members and £150 for non-members (trainees £30 and £50 respectively).

To reserve a place please contact the Royal Faculty of Procurators in Glasgow, 12 Nelson Mandela Pl., Glasgow, G2 1BT (tel. 0141 332 3593 – email: [library@rfpg.org](mailto:library@rfpg.org)) or fill in the form on the RFPG website.

### Conference Speakers

#### **Iain Nisbet (Head of Education Law, Govan Law Centre)**

Iain is Head of Education Law at the Govan Law Centre and has specialised exclusively in education law since 2002. He acts for parents and pupils in education law cases in courts and tribunals across Scotland. He is the principal author of the popular reference text for parents, "A-Z of Scots Education Law". Chambers UK 2015 notes that "the breadth of knowledge he possesses in regards to all aspects of the education sector is remarkable." Iain is also a member of the school attendance council for his local area.

#### **Adrian Stalker (Westwater Advocates)**

Adrian Stalker is an advocate. He practised as a solicitor for 14 years, before calling to the bar in 2007. Between 1999 and 2006 he was the principal solicitor of the Housing Law Service for Shelter Scotland. At the end of 2007 his book "Evictions in Scotland" was published by Avizandum. The second edition will be published later this year. He writes a regular "Housing Law Update" column for SCOLAG. He also chaired the Government's Repossession Group, the report of which led to the introduction of the new statutory code for mortgage repossessions of domestic properties. His practice at the bar extends to other areas of civil litigation, such as property disputes and professional negligence. He is regularly instructed in connection with judicial review proceedings.

#### **Prof. Tom Mullen (University of Glasgow)**

Tom Mullen is Professor of Law, University of Glasgow (2004 to date) (formerly Head of the School of Law) and a solicitor. Tom was for several years Convener of the Board of the Legal Services Agency, a community-controlled law centre, and has acted as expert adviser to the House of Commons Select Committee on Scottish Affairs (1996-1997). He is currently a member of the Scottish Tribunals and Administrative Justice Advisory Committee.

His research and teaching interests include constitutional law, administrative law including administrative justice and housing law, and he has written and/or edited numerous books, reports and articles on these subjects including *Judicial Review in Scotland* (Wiley, 1996) (with Kathy Pick and Tony Prosser), *The Use of Civil Legal Remedies for Neighbour Nuisance in Scotland* (Scottish Executive CRU: 2000) (with Rowland Atkinson and Suzie Scott), *The Use of Human Right Legislation in the Scottish Courts* (Scottish Executive Social Research, 2004) (with Greenhill, Murdoch, Craig & Millar), *Public Law in Scotland* (Avizandum, 2006) (with Aileen McHarg), and the "Protective Expenses Orders and Public Interest Litigation" *Edinburgh Law Review* (January, 2015) (forthcoming).

He has, along with various colleagues, carried out research funded by the Scottish Homes, the Scottish Office, the Scottish Executive, the Scottish Parliament, the Leverhulme Trust and the Joseph Rowntree Foundation into topics including judicial review, human rights legislation, tenancy rights, housing and anti-social behaviour and the impact of the Housing (Scotland) Act 2001.

# Conference Programme

**9.00 – 9.30 Registration and Tea/Coffee**

**9.30 – 9.35 Welcome and Introduction**

**9.35 – 10.20 Challenging Administrative Decisions: an overview**

**Prof. Tom Mullen**

There are many ways that a citizen might challenge an administrative decision, including statutory appeals to tribunals, statutory appeals to the courts, judicial review, complaints procedures and ombudsmen. The availability of the various mechanisms and the mix of them varies from one context to another e.g. housing is different from immigration control and community care is different again. Solicitors whose clients are in dispute with public authorities about their entitlement to public services or liability for administrative penalties, need to have an overview of this complex pattern of remedies, in order to work out the best way(s) to challenge adverse decisions. This session will provide an overview of the principal remedies and how they relate to one another together with some practical advice, e.g. on obtaining legal advice and assistance or legal aid for challenging administrative decisions.

**10.20 – 11.05 Judicial Review in Homelessness and Housing Allocation Cases**

**Adrian Stalker**

Adrian Stalker will examine the statutory code for Housing Allocations and Homelessness, in the Housing (Scotland) Act 1987; how disputes arising under those provisions would give rise to judicial review proceedings; and the typical sorts of case that one sees, procedure, remedies, etc.

**11.05 – 11.25 Tea/Coffee**

**11.25 – 12.10 Legal Remedies in Education Law Cases**

**Iain Nisbet**

This talk will focus on -

- Appeals to the Sheriff;
- Additional Support Needs Tribunals for Scotland;
- Judicial Review;
- School Closure Review Panel; and
- Section 70 referrals.

**12.10 – 12.55 Community Care**

**Details to follow**

**12.55 – 1.00 Final Questions and Conclusion**

## Booking Form –

Please reserve a place for me on the Royal Faculty's **Public Law Half-day Conference**

Name.....Email.....

Firm.....DX or LP.....

- I am a member of the Royal Faculty or belong to a firm holding Practice Unit member.....YES / NO \*
- I am a .....solicitor / trainee / paralegal / other \*

\* Please delete as appropriate

Payments either by cheque or BACS

Please return booking form with cheque made out to "RFPG" to

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Bank Details for BACS payments – Bank of Scotland, Gordon St., Glasgow G1 3RS

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