Regulation of Healthcare Professionals 2016 Conference

Keep abreast of current law and practice and consider the future regulatory landscape

27 September 2016
Central London

9.00 Registration

9.30 Welcome and Chair’s introduction
   Joanna Glynn QC, 1 Crown Office Row

9.45 The charge – particularisation and other developments
   - General principles
   - Application to particular allegations, including probity/dishonesty
   - Aggregation of less serious allegations
   Paul Ozin QC, 23 Essex Street

10.45 The PSA’s annual review of the health regulators – how it is undertaken and changes since the review of 2015
   - The purpose of the performance review process
   - The changes to the process in 2016
   - The performance review process and outcomes
   Philip Hallam, Professional Standards Authority

11.30 Refreshments

11.45 Getting to the heart of the regulatory concern
   - The searching spotlight of the High Court Appeal
   - How to learn the lesson
   - Developing case theory
   Anupama Thompson, Nursing and Midwifery Council

12.30 What’s a Licence to Practise For? Practising medicine whilst not on the Register or licensed to practise
   - “Cease and desist” letters sent by the GMC. What do they mean?
   - Statutory scheme for GMC registration and Licences to Practise
   - Definition of “practising medicine”. Is there one?
   - Relevant criminal offences
   - Options for reform/implications for other regulators
   William Edis QC, 1 Crown Office Row

13.00 Questions
1.15 Lunch

2.15 Case Law Roundup
   - Summary of leading cases 2015-6
   - Analysis of important healthcare decisions
   - Easy-to-follow A-Z format
   Kenneth Hamer, Henderson Chambers

3.15 Refreshments

3.30 Recent and prospective reform of healthcare professional regulation
   - Recent statutory changes to the procedures of the GMC / MPTS, including the right of the GMC to appeal relevant decisions and amendments to the procedure rules
   - An overview of recent changes that affect all the professional health regulators
   - s60 orders to be enacted in late 2016 and 2017
   Joanna Glynn QC, 1 Crown Office Row

4.15 The Privilege against self-incrimination in the Regulation of Health Professionals
   - The implications of the recent amendment of s.35A Medical Act 1983
   - Other statutory material and the ECHR
   - The relevant case law
   - The topic in the context of the duty of candour
   Sarah Campbell, 23 Essex Street

4.45 Chair’s concluding remarks and Questions

Conference Close 5.00

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CONFERENCE OVERVIEW
This conference, devoted specifically to the regulation of healthcare professionals, is designed to keep those working in the field abreast of recent statutory, jurisprudential, procedural and other developments affecting all the regulated healthcare professions. Expert speakers will provide insights into a variety of subjects. Chaired by Joanna Glynn QC, the speakers will address issues of significant practical application, including the ever-popular case law update from Kenneth Hamer, author of the Professional Conduct Casebook. Whether you are a regulator or you act for registrants, this is a conference not to be missed.

CHAIR
Joanna Glynn QC has extensive experience of professional regulatory and disciplinary work, acting for registrants and most of the health care regulators since the mid-1990s. She has been ranked as a leading silk (band 1) in the Chambers Directory for professional discipline for many years. She is co-author of "Fitness to Practise: Health Care Regulatory Law, Principle and Process" and "The Regulation of Healthcare Professionals: Law, Principle and Process" (Sweet and Maxwell, 2005 and 2012 respectively). She has established an LLM module on the regulation of health professionals at Queen Mary, University of London School of Law, the first of its kind.

EXPERT SPEAKERS
Sarah Campbell's principal areas of practice are fraud, regulatory work and general crime. Throughout her years in practice she has appeared in a number of large fraud cases, both prosecuting and defending in offences of conspiracy to defraud involving; a plc company, pension frauds, MTIC frauds, mortgage frauds and frauds conducted by financial advisors. Sarah is rated in chambers and partners for her regulatory work which involves appearing at a range of regulators including the General Medical Council, General Dental Council, Nursing and Midwifery Council and the General Chiropractic Council.

Philip Hallam is the Assistant Director (Performance) within the Professional Standards Authority’s Scrutiny and Quality Directorate. He leads a team which carries out the annual review of the performance of each of the health and care regulators. Philip has previously worked for the General Dental Council and General Optical Council, in roles within fitness to practise and registration.

Kenneth Hamer is a barrister and recorder of the Crown Court. He is a member of the prosecuting panel of the Bar Standards Board, former chairman of the Appeal Committee of the Chartered Institute of Management Accountants, and a legal assessor to the GMC, NMC and GDC. He is the joint editor of the Association of Regulatory Lawyers’ Quarterly Bulletin, and the author of Professional Conduct Casebook, published by Oxford University Press (2 ed June 2015).

Paul Ozin QC specialises principally in the fields of financial crime, regulatory and disciplinary proceedings and related public law and civil actions. He is an established writer and speaker in those fields. He is Standing Counsel to the Department of Business. His current work includes healthcare regulatory cases, cases for BIS and FCA and accountancy regulatory cases as well as a range of financial crime cases. He is top ranked in the leading legal directories. He is a Committee member of ARDL (The Association of Regulatory and Disciplinary Lawyers). He leads the 23 Essex Street Regulatory and Disciplinary team.

Anu Thompson was called to the Bar in 1994 and spent many years in private practice at the Criminal Bar before joining the NMC in 2008 as a case presenter. She went on to lead the appeal work at the NMC, appearing in many of the NMC’s leading cases. She is now responsible for the NMC’s legal services in fitness to practise, overseeing the work of the in house legal and case preparation teams, as well as being closely involved in the development of fitness to practise policy and training. She was appointed a Recorder of the Crown Court in January 2016.

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