W G HART LEGAL WORKSHOP 2015

Law and the Ageing of Humankind

ACADEMIC DIRECTORS:
Professor Jonathan Montgomery, University College London
Professor Richard Ashcroft, Queen Mary, University of London

Monday 22 June – Tuesday 23 June, 2015

PROGRAMME

DAY ONE: Monday 22 June

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<th>Time</th>
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<tr>
<td>13.00</td>
<td>Registration and lunch</td>
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<td>14.00</td>
<td><strong>SESSION I: KEYNOTE 1</strong></td>
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<td><strong>Professor Jonathan Herring</strong>, Professor of Law, Oxford University</td>
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<td><em>Should Elder Law Exist?</em></td>
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<td>15.00-16.30</td>
<td><strong>SESSION II: RIGHTS OF OLDER PERSONS</strong></td>
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<td><strong>Dr Eugenia Caracciola di Torella</strong>, Leicester University, and <strong>A. Masselot</strong>, Canterbury NZ</td>
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<td><em>The EU and the challenge of eldercare</em></td>
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<td><strong>Maeve O’Rourke</strong>, Durham University</td>
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<td><em>Older person’s rights to be free from torture and ill-treatment: the UK and Ireland</em></td>
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<td><strong>Ann Mumford</strong>, King’s College London</td>
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<td><em>Inheritance taxation, death duties and Piketty</em></td>
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<td>16.30-17.00</td>
<td>Tea break</td>
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<td>17.00-17.45</td>
<td><strong>SESSION III: KEYNOTE 2</strong></td>
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<td><strong>Professor Jean McHale</strong>, Professor of Health Care Law, Director of the Centre for Health Law, Science and Policy, Birmingham Law School</td>
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<td><em>Human rights and the older citizen: a case for special protection</em></td>
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<td>18.00</td>
<td>Reception</td>
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<td>Dinner</td>
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## DAY TWO: Tuesday 23 June

### PARALLEL PANELS

#### MORNING STREAM A - PROPERTY AND TAX

**Juliet Brook**, University of Portsmouth  
*Where there’s a will – presumptions, assumptions and litigation*

**Sidney Ross**, 11 Stone Buildings  
*Protection of estates against post-death claims*

**Richard Walters**, Queen Mary, University of London  
*Pensions: Perspectives from the Tax World*

#### MORNING STREAM B – DO NOT ATTEMPT RESUSCITATION DECISIONS

**Kate Beattie**, One Crown Office Row  
*Discussing death: Do not resuscitate orders and patient rights in the end of life decision-making*

**Dr L Osman**, King’s College London  
*‘Do not attempt resuscitation’ (DNAR) decisions – a mandatory decision to be routine and desensitised early in life for our ever-greying population*

**Professor Rosie Harding**, University of Birmingham  
*‘You can put a dog to sleep, but my mother had to go through hell’: Carer accounts of end of life with dementia*

### 10.45-11.00  
Coffee

### 11.00-12.00  
PARALLEL PANELS

#### MORNING STREAM A - DISCRIMINATION

**Dr Elaine Dewhurst**, Gary Lynch-Wood, **Dr Sheena Johnson**, University of Manchester, and **Dr David Horton**, University of Liverpool  
*The interconnection between job substitutability, retirement flexibility and age discrimination principles*

**Stuart Goosey**, Queen Mary, University of London  
*Identifying wrongful age discrimination*

#### MORNING STREAM B – ADVANCE DECISIONS TO REFUSE TREATMENT

**Isra Black**, King’s College London, **Ralf Jox**, University of Munich  
*‘When and how I shan’t die’: advanced decisions to refuse treatment as a human right*

**Ruth Horn**  
*Who should decide? Patient preferences and advanced decisions in England, France and Germany*

### 12.00  
Lunch
13.00-14.30  | PARALLEL PANELS
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**AFTERNOON STREAM A - RELATIONSHIPS**

**Dr Sue Westwood**, University of Surrey  
"My friends are my family": an argument about the limitations of contemporary law’s recognition of relationships in later life

**Barbara Jones**, AARP Foundation, California  
Emerging legal issues affecting grandparents who are the primary caregivers of their grandchildren

**Dr Mimi Zhou**, Hong Kong, **Dr Michael Dunn**, Oxford University  
Theorising ‘Elder Law’: towards relational account

**AFTERNOON STREAM B – INTO ‘CARE’?**

**Beverley Clough**, University of Liverpool  
Health and community care in an aging population: Accountability, equality and social justice

Craig Lind, University of Sussex, **Rod Edmunds**, Queen Mary, University of London  
Choosing where to live: aging, capacity and professional misunderstandings of the law

**Daniel Bedford**, University of Portsmouth  
Avoiding institutionalisation: dignity, vulnerability and exposure to risk

14.30-14.45  | Coffee/tea
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14.45-16.00  | PLENARY
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**SESSION IV: RIGHTS OF OLDER PEOPLE IN CARE**

**Helen Meenan** and **Nicola Rees**, Kingston University; **Professor Israel Doron**, Haifa University  
‘Towards Human Rights in Residential Care for Older Persons: International Perspectives’

**Dr Nicholas Kang-Riou**, University of Salford  
Revisiting the right to autonomy of older people in care homes from the lens of relational autonomy

**Alison Brammer**, **Professor Mo Ray**, Keele University  
Adult abuse in residential settings in England – analysis of care standards tribunal jurisdiction

16.00-16.45  | SESSION V: KEYNOTE 3
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**Professor Richard Ashcroft**, Queen Mary, University of London, **Professor Jonathan Montgomery**, University College London  
Aging without withering: the need for a positive spin?

16.45  | Close of workshop