

# NHS Continuing Healthcare & the Law

## PROGRAMME

- 09:30 Registration
- 10:00 **Professor Phil Fennell**  
Welcome  
- Morning session Chair
- 10:10 **Pamela Coughlan**  
Key Note Address:  
a filmed introduction
- 10:30 **Professor Luke Clements**  
The Health / Social Care  
Interface : the basic legal  
principles.
- 11:10 **Pat Brand** Cardiff's  
pioneering *pro bono* Clinic
- 11:15 Questions / Discussion
- 11:30 Coffee
- 11:50 **Jo Webber**  
The revised Framework :  
the NHS Confederation  
Perspective
- 12:30 **Stephen Knafler QC**  
Follow the money:  
commissioning responsibility  
and budgets
- 12:50 Discussion
- 13:00 **Lunch**
- 14:00 **Pauline Thompson OBE**  
Welcome back :  
Afternoon session Chair
- 14:10 **Lisa Morgan**  
Funding challenges and the  
Decision Support Tool in  
England and Wales
- 14:50 **Paul Morgan**  
The revised Framework:  
A Local Authority Perspective
- 15:30 Panel discussion and  
questions
- 16:00 **Close**

## Kings Fund\*, London

5th November 2010



### NHS Continuing Healthcare & the Law

A National Conference on the impact of the new NHS Continuing Healthcare criteria in England and Wales, in the context of the major NHS reforms announced in the new Westminster Government's 2010 NHS White Paper. The Conference is promoted by the Centre for Health and Social Care Law at Cardiff Law School with sponsorship from Hugh James solicitors.

The Conference will open with a videoed introduction from Pamela Coughlan, whose case led to the landmark 1999 ruling by the Court of Appeal.

The event is marked by presentations from leading academic, legal, local authority and NHS commentators on the operation of the law and guidance concerning the boundary between NHS and social care responsibilities for persons with significant health care needs.

The guidance under consideration will include the 2009 Revised NHS Framework and Decision Support Tool in England together with the 2010 practice guidance, and the new Welsh Continuing Care guidance that became effective in August 2010.

The Conference provides an opportunity for discussion, questions and debate and will be of especial relevance to those who are affected by the legislation, be they service users, advocates, health and social care practitioners, lawyers, researchers, independent sector service providers and policy activists.

*Cardiff Law School runs an award winning student law office which operates pro bono (without charge) like a law firm and which specialises in NHS Continuing Healthcare cases. Cardiff is the only Law School in the UK that undertakes this kind of work. The students assist clients who are seeking or experiencing difficulties in relation to Continuing Healthcare decisions.*



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# NHS Continuing Healthcare & the Law

## SPEAKERS



**Pamela Coughlan** was the applicant in the landmark 1999 Court of Appeal ruling which settled the law concerning entitlement to NHS Continuing Healthcare funding. Pam has contributed to many programmes concerning the NHS Continuing Healthcare debate including BBC Panorama and 'You and Yours'.

**Pat Brand** teaches on the Legal Practice Course at Cardiff Law School and is the coordinator of the School's Pioneering Specialist Student Law Clinic which assists members of the public seeking advice on entitlement to NHS Continuing Healthcare funding.

**Luke Clements** is a solicitor and Professor of Law at Cardiff University Law School and author with Pauline Thompson of Community Care and the Law (4th edition).

**Philip Fennell** is a Professor of Law at Cardiff University Law School. He has written widely including Treatment without Consent (Routledge) Mental Health: the New Law (Jordans) and co-editor and author of Principles of Mental Health Law (Oxford University Press – 2010).

**Lisa Morgan** is a Senior Associate Solicitor with Hugh James and specialist in the niche area of NHS Continuing Healthcare. She has been instrumental in developing a large niche team specialising in the recovery of wrongly charged care fees. She lectures widely on the subject of NHS Continuing Healthcare and is the supervising solicitor for the award winning Cardiff Law School's Continuing Healthcare *pro bono* scheme.

**Paul Morgan** is Strategic Commissioning Manager Adult Services Dorset County Council. Paul is a founder member of the ADASS/LGA Continuing Healthcare National Reference Group which worked closely with the Department of Health in drawing up both the original and revised Continuing Healthcare Frameworks and the 2010 practice guidance.

**Pauline Thompson OBE** is a member of the Law Society's Mental Health and Disability Committee, a training consultant and author with Luke Clements of Community Care and the Law (4th edition).

**Jo Webber** is Deputy Policy Director of the NHS Confederation and a member of the Continuing Healthcare National Reference Group which worked closely with the Department of Health in drawing up both the original and revised Continuing Healthcare Frameworks and the 2010 practice guidance.

**Stephen Knafler QC** is the general editor of the community care law reports. He is a barrister at Garden Court Chambers and has appeared in over 150 leading cases in the areas of community care, health, mental health benefits, immigration and housing. He regularly advises local authorities and individuals on community care and health issues, sometimes primary care trusts.

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