



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

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

## DAY TWO: Tuesday 23 June

<p>09.15-10.45</p>	<p>PARALLEL PANELS</p> <p><b>MORNING STREAM A - PROPERTY AND TAX</b></p> <p><b>Juliet Brook</b>, University of Portsmouth <i>Where there's a will – presumptions, assumptions and litigation</i></p> <p><b>Sidney Ross</b>, 11 Stone Buildings <i>Protection of estates against post-death claims</i></p> <p><b>Richard Walters</b>, Queen Mary, University of London <i>Pensions: Perspectives from the Tax World</i></p> <p><b>MORNING STREAM B – DO NOT ATTEMPT RESUSCITATION DECISIONS</b></p> <p><b>Kate Beattie</b>, One Crown Office Row <i>Discussing death: Do not resuscitate orders and patient rights in the end of life decision-making</i></p> <p><b>Dr L Osman</b>, King's College London <i>'Do not attempt resuscitation' (DNAR) decisions – a mandatory decision to be routine and desensitised early in life for our ever-greying population</i></p> <p><b>Professor Rosie Harding</b>, University of Birmingham <i>'You can put a dog to sleep, but my mother had to go through hell': Carer accounts of end of life with dementia</i></p>	
<p>10.45-11.00</p>	<p>Coffee</p>	
<p>11.00-12.00</p>	<p>PARALLEL PANELS</p> <p><b>MORNING STREAM A - DISCRIMINATION</b></p> <p><b>Dr Elaine Dewhurst, Gary Lynch-Wood, Dr Sheena Johnson</b>, University of Manchester, and <b>Dr David Horton</b>, University of Liverpool <i>The interconnection between job substitutability, retirement flexibility and age discrimination principles</i></p> <p><b>Stuart Goosey</b>, Queen Mary, University of London <i>Identifying wrongful age discrimination</i></p> <p><b>MORNING STREAM B – ADVANCE DECISIONS TO REFUSE TREATMENT</b></p> <p><b>Isra Black</b>, King's College London, <b>Ralf Jox</b>, University of Munich <i>'When and how I shan't die': advanced decisions to refuse treatment as a human right</i></p> <p><b>Ruth Horn</b> <i>Who should decide? Patient preferences and advanced decisions in England, France and Germany</i></p>	
<p>12.00-13.00</p>	<p>Lunch</p>	

<p>13.00-14.30</p>	<p>PARALLEL PANELS</p> <p><b>AFTERNOON STREAM A - RELATIONSHIPS</b></p> <p><b>Dr Sue Westwood</b>, University of Surrey <i>'My friends are my family': an argument about the limitations of contemporary law's recognition of relationships in later life</i></p> <p><b>Barbara Jones</b>, AARP Foundation, California <i>Emerging legal issues affecting grandparents who are the primary caregivers of their grandchildren</i></p> <p><b>Dr Mimi Zhou</b>, Hong Kong, <b>Dr Michael Dunn</b>, Oxford University <i>Theorising 'Elder Law': towards relational account</i></p> <p><b>AFTERNOON STREAM B – INTO 'CARE'?</b></p> <p><b>Beverley Clough</b>, University of Liverpool <i>Health and community care in an aging population: Accountability, equality and social justice</i></p> <p><b>Craig Lind</b>, University of Sussex, <b>Rod Edmunds</b>, Queen Mary, University of London <i>Choosing where to live: aging, capacity and professional misunderstandings of the law</i></p> <p><b>Daniel Bedford</b>, University of Portsmouth <i>Avoiding institutionalisation: dignity, vulnerability and exposure to risk</i></p>	
<p>14.30-14.45</p>	<p>Coffee/tea</p>	
<p>14.45-16.00</p>	<p>PLENARY</p> <p><b>SESSION IV: RIGHTS OF OLDER PEOPLE IN CARE</b></p> <p><b>Helen Meenan</b> and <b>Nicola Rees</b>, Kingston University; <b>Professor Israel Doron</b>, Haifa University <i>'Towards Human Rights in Residential Care for Older Persons: International Perspectives'</i></p> <p><b>Dr Nicholas Kang-Riou</b>, University of Salford <i>Revisiting the right to autonomy of older people in care homes from the lens of relational autonomy</i></p> <p><b>Alison Brammer</b>, <b>Professor Mo Ray</b>, Keele University <i>Adult abuse in residential settings in England – analysis of care standards tribunal jurisdiction</i></p>	
<p>16.00-16.45</p>	<p><b>SESSION V: KEYNOTE 3</b></p> <p><b>Professor Richard Ashcroft</b>, Queen Mary, University of London, <b>Professor Jonathan Montgomery</b>, University College London <i>Aging without withering: the need for a positive spin?</i></p>	
<p>16.45</p>	<p><b>Close of workshop</b></p>	