Law and Compassion

A One-Day Symposium

Funded by the Socio-Legal Studies Association, with support from the Institute of Advanced Legal Studies

9.15am—4.45pm
1 July 2015
Keynote Speaker

Susan Bandes, Centennial Distinguished Professor of Law, DePaul University, USA, and author of *The Passions of Law*.

Aim

This symposium will provide a forum for presentations and discussion on the relationships between law and compassion, focusing on the conceptual and theoretical approaches to compassion, and the relationship of compassion to litigation, judging and regulation, with particular concern to learn from critical interdisciplinary and socio-legal approaches.

Rationale

There is emerging attention paid to compassion in legal scholarship. Law often entails recourse to considerations of compassion when determining matters such as release from detention and leave to remain. More importantly, judges have used compassion to determine the content of rights in some cases, such as the manual handling of disabled persons, and compassion is often used to inform legislative debates – as evidenced (problematically) in relation to assisted dying. At a policy level, compassion has been given a place, alongside dignity and respect, as a standard for achieving high-quality health and social care services.

Yet there is a relative dearth of attention to compassion in legal studies, which is perhaps itself sufficient reason for this symposium.

The symposium will seek to address a number of questions, including:

- What relevance, if anything, can compassion have for law?
- How should the concept of compassion be understood in respect of law?
- How can understanding of compassion from diverse cultures and disciplines, including philosophy and sociology, inform legal studies?
- What role, if any, does and should compassion have in litigation, judging and regulation?

Programme

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Academic Coordinators

**Dermot Feenan** LLB MA LLM Barrister-at-Law (Lead)
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Further Information

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**Professor Susan Bandes**

Discussant: **Maks Del Mar** PhD, Senior Lecturer in Law & Philosophy, School of Law, Queen Mary, London, author of ‘Judging virtuously: developing an empathic capacity for perceptual sensitivity’, *Jurisprudence* (2014)

**Iain Wilkinson** PhD, Reader in Sociology, University of Kent, author of *Suffering: A Sociological Introduction* and ‘The problem of suffering as a driving force of rationalization and social change’ *Brit. J. of Sociology* (2013)

Discussant: **Marinos Diamantides** PhD, Reader, School of Law, Birkbeck, author of ‘Law’s ignoble compassion’ in *Goodrich and Valverde (eds) Nietzsche and Legal Theory*

**Victoria Butler-Cole**, Barrister, 39 Essex Street Chambers. Experience of various tribunals including Mental Health Review Tribunals and the Court of Protection. An editor of the *Court of Protection Law Reports*. She is also the Chair of Compassion in Dying.

Discussant: **Professor Hazel Biggs**, Head of the Law School and Professor of Healthcare Law and Bioethics and co-Director of HEAL (the Centre for Health Ethics and Law), University of Southampton. She was a member of the GMC working group which formulated the guidance *Treatment and Care Towards the End of Life: good practice in decision-making* in 2010, and is currently Editor in Chief of *Medical Law Review*. 
2.00pm-2.45pm JUDGING AND COMPASSION

**Judge Anselm Eldergill**, Court of Protection. Author of *Mental Health Review Tribunals – Law and Practice*. Honorary Professor of Mental Capacity Law, University College London

Discussant: **Professor Jonathan Herring**, Faculty of Law, Oxford, author of *Caring and Law*

2.45pm-3.15pm DISCUSSION on Litigation and Compassion and Judging and Compassion

3.15pm-3.35pm AFTERNOON REFRESHMENTS

3.35pm-4.25pm REGULATION AND COMPASSION

**Professor Jonathan Montgomery**, Professor of Healthcare Law, University College London, author of *Health Care Law*, Chair of Nuffield Council on Bioethics, and an advisor to the Morecambe Bay Investigation


4.25pm-4.45pm PLENARY

4.45pm THANKS & CLOSE

**Final Programme**

A final programme will be available on the website [http://www.port.ac.uk/school-of-law/school-events/symposium-on-law-and-compassion.html] from mid-May.

Presentations will take place in the Council Chamber. Refreshments and lunch will be served in the Conference Room.

**Booking**

The fees are as follows:

- SLSA Full Members: £59.00
- SLSA Student Members: £30.00
- Non-members: £79.00

Register via the symposium website: [http://www.port.ac.uk/school-of-law/school-events/symposium-on-law-and-compassion.html].

**Cancellation**

Cancellations must be received in writing by Tuesday, 23rd June and will be subject to an administrative charge of £15. No refunds will be made after that time.

**Venue**

The Institute of Advanced Legal Studies is located in Charles Clore House, 17 Russell Square, London, WC1B 5DR.

Details of ways of getting to the institute can be found at: [http://ials.sas.ac.uk/about/GettingToIALS.htm]

**Accommodation**

Any accommodation must be booked by each delegate separately. A number of nearby venues are:

- **The Goodenough Club**, Mecklenburgh Square, London ([http://club.goodenough.ac.uk](http://club.goodenough.ac.uk)) – which is less than a mile from the Institute of Advanced Legal Studies. To book, e-mail: reservations@goodenough.ac.uk or tel. 44 (20) 7769 4727.

- **The Imperial Hotel**, Russell Square, London ([http://www.imperialhotels.co.uk/imperial1_hotel.aspx](http://www.imperialhotels.co.uk/imperial1_hotel.aspx)) – which is 200 yards from the Institute of Advanced Legal Studies. To book, e-mail: info@imperialhotels.co.uk or tel. 44 (20) 7278 7871 (or ending -2/-3).

We gratefully acknowledge the support provided by the SLSA and the Institute of Advanced Legal Studies for this symposium.

We acknowledge assistance from the University of Portsmouth, especially the School of Law and Portsmouth Business School.
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