



With the
collaboration of:



“Personal Injury Practice and Procedure: England vs. Spain”

Joint International Conference of the Association of Personal Injury Lawyers (APIL) and the Spanish Association of Personal Injury Lawyers “Abogados de Responsabilidad Civil y Seguro” (ARCS)

Granada 9th & 11th June 2016

**Law Society of Granada,
Calle de la Cárcel Alta, 3
18010 Granada
Spain**



With special thanks to our sponsor:

OuterTemple
Chambers

- **Conference Languages:** English/Spanish (simultaneous translation will be provided)

Why attend?

The interactive one and a half day event has been designed to provide delegates with the up to date knowledge and tools needed to successfully look after their international Anglo-Spanish clients.

Case studies, panel discussions and networking with leading practitioners will give delegates an experience-driven learning opportunity.

Who should attend?

All solicitors and professionals involved in English/Spanish Personal Injury.

PRELIMINARY PROGRAMME

THURSDAY 9TH JUNE

- 20.00** **Reception cocktail at Carmen de los Martires** (Calle de Antequeruela Alta, s/n, 18009, Granada – close to the Alhambra). **Speed dating.**
- 22.00** **Transfer to the Alhambra.**
- 22.30** **Guided visit to the Nasrid palaces of the Alhambra** – 60 minutes.

FRIDAY 10TH JUNE

- 09.00 **Conference registration**
- 09.30 **Opening and welcome to the Conference**
- APIL: Alberto Pérez Cedillo**
- AEAERCS: Javier López y García de la Serrana.** Lawyer-Doctor of Law. General Secretary of the Spanish Association of Personal Injury Lawyers “Abogados de Responsabilidad Civil y Seguro” (ARCS)
- 9.45-10.30 **Keynote speech: The State of Personal Injury in England, Spain and Europe**
- Representatives of the personal injury associations participating will highlight the latest developments in law and practice.*
- Speakers:**
- APIL, England (Association of Personal Injury Lawyers): Alberto Perez Cedillo,** Secretary of the International Interest Group of APIL.

ARCS, Spain (Asociación Española de Abogados especializados en RC y Seguro): **Mariano Medina**, President.

PEOPIL, Europe (Pan European Organisation of Personal Injury Lawyers): **Ana Romero Porro**, Spanish Board Member.

10.30-11.30 **The Spanish Baremo**

Assessment of damages in accordance with Law 35/2015

Speaker:

Miquel Martín-Casals, Professor of Civil Law, University of Girona. President of the Committee of Experts Concerning the New Scale of Compensation for Motor Vehicle Accidents. Spain.

11.30-12.00 **Coffee Break**

12.00-13.00 **European update**

The impact of EC legislation on personal injury law is growing steadily and this creates a need for knowledge of European legislation and a basic understanding of the Member States legislation in this field. The session will mainly address the issue of the jurisdiction and law applicable: the Service Regulation, Rome II and Brussels I reviewed.

Speaker:

Sarah Crowther, Barrister, Outer Temple Chambers, London, England

13.00-14.30 **Lunch**, Restaurant Pilar del Toro, located next to the Bar Association of Granada.

14.30-16.00 **Fatal Accident Claims and Road Traffic Accidents**

A selected panel of experts from both jurisdictions will examine:

- *System of liability and other differences under Spanish and English Law.*
- *Damages and level of compensation under English and Spanish law. Evidence of foreign law*
- *Criminal proceedings and implications under Rome I*
- *MIB and the Spanish equivalent CCS: how it operates in both countries?*

Speakers:

Matthew Stockwell, barrister, Outer Temple Chambers, Londres, Inglaterra.

José Antonio Badillo Arias, Regional Representative of the Consorcio de Compensación de Seguros, Spain.

M^a del Carmen García Garnica, Professor of Civil Law at the University of Granada.

16.00-16.30 **Coffee Break**

16.30-18.00 **Personal Injury Practice Part I: Practical aspects of cross border litigation between England and Spain. The initial steps**

Interactive participants' session. This session is designed to take a comparative look at competing personal injury claims in both jurisdictions to include the procedural advantages and disadvantages therein. The session will focus on the practical aspects of conflict of laws and international litigation and a discussion will be lead by a panel of experts with plenty opportunity for the audience to contribute to the discussion. The aim is to obtain the five top tips when litigating in each jurisdiction from a procedural and practical point of view. Bullet points to be determined but will include:

- *Founding*
- *Qualified one way costs shifting*
- *Pre-action protocol*
- *Negotiation, Alternative Dispute Resolution*
- *Acquiring evidence in respect of liability and quantum*
- *Limitation periods*
- *Protocols and negotiations out of Court vs. penalty interest*
- *Obtaining compensation within Civil Proceedings vs. Criminal Proceedings*
- *Forum shopping*

Speakers:

William Audland QC, Barrister, 12 King's Bench Walk Chambers, London, England.

Ana Romero Porro, partner and Head of the Tort Law and Personal Injury department in Cremades & Calvo-Sotelo.

20.00 **Gala Dinner**, Carmen de los Chapiteles (Camino Fuente del Avellano, 4, 18010 Granada, Spain).

SATURDAY 11TH JUNE

9.30-10.30 **Personal Injury practice Part II: Practical aspects of cross border litigation between England and Spain. A comparative study: the final steps**

Second part of the interactive participants' session dealing with:

- *Issue and service of the proceedings*
- *Claim Form vs. Spanish Demanda: structure and contents of both documents*
- *Claim and counterclaim*
- *Additional claims*
- *The different tracks vs. one single proceeding*
- *Disclosure*

- *Evidence of lay witnesses*
- *Expert evidence*
- *Interim payments*
- *Final hearing*
- *Enforcement of judgments*

Speakers:

Gerard McDermott QC, barrister, Outer Temple Chambers, London, England.

Javier López y García de la Serrana, CEO&Partner, HispaColex Servicios Jurídicos, Granada, Spain, and Associate Professor of commercial law at the University of Granada.

10.30-11.00 **Coffee Break**

11.00-12.00 **Basic differences in the practice of Medical Negligence Claims in England and Spain**

This session will provide a comparative overview of key legal issues in clinical negligence.

Speakers:

Xanthe Andrews, solicitor, Kennedys, London, England.

Joaquín Ruiz Echaury, partner, Hogan Lovells, Madrid, Spain and Professor of Tort Law at the University Pontificia Comillas (ICADE)

12.00-13.00 **How to handle Holiday Claims**

Package Travel, Package holiday and Package Tour Regulation 14992. Local Safety Standards.

Speakers:

Sarah Prager, Barrister, 1 Chancery Lane Chambers, Londres, Inglaterra

José María Pimentel, partner, DAC Beachcroft SLPU, Madrid, Spain.

13.00-13.15 **End of Conference**



With the
collaboration of:



“Personal Injury Practice and Procedure: England vs. Spain”

Joint International Conference of APIL and ARCS

Law Society of Granada,
Calle de la Cárcel Alta, 3
18010 Granada
Spain
9th & 11th June 2016

REGISTRATION FORM

All packages include attendance to the Reception cocktail at Carmen de los Martires and guided visit to the Nasrid palaces of the Alhambra on Thursday 9th June, access to the conference and Lunch at Restaurant Pilar del Toro on Friday 10th June and access to the conference on Saturday 11th June.

DELEGATE RATE: £300 (VAT included)

ADDITIONAL CHOICES		Please tick
Gala dinner on Friday, 10th June	£90 (VAT included)	
Spouse supplements Additional ticket to the welcome reception and guided visit to the Nasrid palaces of the Alhambra on Thursday, 9 th June Additional ticket to the Gala dinner on Friday, 10 th June	£75 (VAT included) £90 (VAT included)	

BOOKING FORM

Please return your completed form to: Anthony Lord, APIL, 3 Alder Court, Rennie Hogg Road, Nottingham, NG2 1RX; DX: 716208 Nottingham 42. **E-mail** Anthony.Lord@apil.org.uk
Telephone: 0115 958 0585

Name of APIL member: _____ APIL number: -

Firm: _____

Address: _____

Email: _____ Tel: _____

Confirmation of your booking will be sent by e-mail

Name of partner (for upgraded spouse bookings):

Please detail any access or dietary requirements (including vegetarian):

Please note that all dietary requirements can be catered for with prior notice, although if there is an additional charge for this by the venue or this has to be sourced externally, the charge will be passed onto the delegate.

PAYMENT DETAILS

I enclose a cheque for £_____ payable to APIL (a VAT receipt will be issued)

Please charge my debit card with the amount of £_____

Please charge my credit card (MasterCard/Visa/Amex) with the amount of
£_____

Please note that each credit card transaction will be subject to a £2.5 booking fee

Card number: _____ Valid from: _____ Expiry date:

Cardholder's name: _____

Cardholder's address: _____

Post code: _____ Cardholder's security number (last three digits on the

back of the card: _____ Signature: _____

Date: _____

Terms and conditions: By registering for this conference, you are agreeing to APIL'S terms and conditions. Please visit the APIL website for further details: www.apil.org.uk/terms-and-conditions

FURTHER INFORMATION

Recommended hotels

- **Hotel Fontecruz**
 - Single: 120€ per night
 - Double: 139€ per night

- **AC Santa Paula**
 - Single: 151€ per night
 - Double: 211€ per night

- **Vincci Granada**
 - Single: 98€ per night
 - Double: 108€ per night

- **Condor**
 - Single: 100€ per night
 - Double: 110€ per night

- **Five Senses**
 - Single: 100€ per night
 - Double: 110€ per night

- **Plaza**
 - Single: 95€ per night
 - Double: 105€ per night

All prices are inclusive of VAT. Breakfast is also included.

Please book your hotel directly with Viajes Genil, S.A.

Travel agency details:

Viajes Genil, S.A.

Juan Luis Torres – Director

Avda. de la Constitución 19 18014 – Granada, Spain.

Tel: +34 958 27 52 00

Fax: +34 958 27 70 56

Email: juanluis@viajesgenil.es