CONTINUING LEGAL EDUCATION

SEMINAR SERIES 2013/2014:

**The Scope of Judicial Review and the Meaning of a Public Function: Source or ‘Nature’ of Power?**

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**DATE & TIME:** 21 JANUARY 2014, TUESDAY, 1.00PM TO 2.00PM  
**VENUE:** LEE SHERIDAN CONFERENCE ROOM, EU TONG SEN BUILDING

**ABSTRACT**

In this paper I explore the amenability of bodies to judicial review in English law, my aim being to proffer a doctrinally and normatively convincing definition of the tricky threshold term 'public function', which determines whether review can lie against a given decision. I argue that a public function is a special legal power to make decisions in the public interest. In doing so I challenge the orthodox two-part view in this area, prevalent since the Court of Appeal’s landmark Datafin ruling, (i) that the courts’ focus has shifted in recent years from the source of the power in question to the nature of that power, and (ii) that such a shift is normatively desirable.

**ABOUT THE SPEAKER**

Alex Williams ([https://www.dur.ac.uk/law/staff/stafflist/?id=5913](https://www.dur.ac.uk/law/staff/stafflist/?id=5913)) researches in the broad field of public law and human rights, with particular emphasis on the public-private divide and horizontal effect of constitutional rights. He has published in leading commonwealth journals such as the *Modern Law Review* and *Public Law* and will co-author the forthcoming edition of *Public Law and Human Rights: Text, Cases and Materials* (Routledge, 2015) with Professors Helen Fenwick and Gavin Phillipson. He has presented numerous research papers in the UK and abroad (including at UNSW, Sydney, as a Visiting Fellow in July 2013) and greatly looks forward to presenting at NUS in January.

**REGISTRATION**

There is no registration fee for this seminar but seats are limited. To register, please [click here](#) and you will receive an automated message upon submission. For enquiries, please contact Alexandria / Shu Hui at Tel: 6601 2693 or email us at cemail@nus.edu.sg

Directions to the law school may be found at [http://law.nus.edu.sg/about_us/location.html](http://law.nus.edu.sg/about_us/location.html)