

UK & EU Public Law and Policy Public Policy

Our UK & EU Public Law and Policy team offers a uniquely holistic approach to securing robust and effective policy, regulatory and legislative decision-making. We bring together substantial experience of administrative and public law litigation, public and parliamentary affairs and freedom of information capabilities, and draw on the firm's in depth legal and sectoral knowledge and strong Brussels presence.

We act for clients in both the commercial and public sectors, including central government departments and regulators, from policy inception through to implementation and any subsequent legal challenge.

PRIVATE SECTOR - POLICY ADVOCACY

In an increasingly dynamic and complex policy environment, we help businesses and trade associations to identify and analyse at an early stage the risks and opportunities associated with policy proposals at a domestic and EU level. We advise our clients on how best to influence and affect the development of such proposals, deploying the full range of legal and policy arguments and strategies throughout, and laying the groundwork for any subsequent legal challenge.

Our work for private sector clients includes:

- identifying and analysing policy, legislative and regulatory proposals at a domestic and EU level
- advising on and representing clients through engagement with regulators, government departments, legislators and the EU Commission in relation to such proposals, including:
 - engagement strategy
 - public consultation processes and regulatory impact assessments and drafting submissions in response
 - formal and informal oral and written advocacy
 - deploying legal arguments and tactics and laying the foundations for legal challenges, including advising on legal arguments and grounds for challenge
 - using freedom of information requests, and
 - EU and UK legislative procedures

- advising on (domestic and EU) Parliamentary proceedings, including Select Committees and Parliamentary Ombudsman investigations
- legislative interpretation and drafting.

PUBLIC SECTOR - GOVERNANCE AND DECISION-MAKING

We advise public sector clients across a wide range of sectors on the development and implementation of robust decision-making procedures and governance arrangements in compliance with the principles of better regulation, public and human rights law and their own statutory duties. This includes advising on the requirement for, and conduct of, public consultations, impact assessments and other forms of stakeholder engagement and internal governance arrangements.

Our work for public sector clients includes:

- advising on issues relating to proposed policy developments
- developing and advising on the application of legally robust decision-making processes, including:
 - consultation practice and procedure, as well as drafting consultation documents and impact assessments
 - codes of practice, disciplinary procedures and other governance arrangements including advising on the impact of human rights law
 - formal and informal stakeholder engagement, and
 - drafting and advising on the implementation of statutory and non statutory appeals mechanisms
- advising on domestic and EU Parliamentary proceedings, including Select Committee and Parliamentary Ombudsman investigations
- legislative interpretation and drafting.

"They are top advisers with a consistent high standard of service across the firm – they put a lot into the relationships they are building."

Chambers UK

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*Associated offices

Policy, regulatory and legislative proposals

- advising the Government of Iceland on its formal and informal engagement with the UK Government, regulators, parliamentary authorities and international bodies in connection with the banking crisis including potential and actual challenges in the UK
- advising British American Tobacco (as its global regulatory counsel) on domestic, EU and international regulatory and policy initiatives and the implementation of the WHO Framework Convention on Tobacco Control, involving the strategic analysis of key issues including most recently, proposals to introduce further point of sale display restrictions and plain packaging
- advising the British Healthcare Trades Association in relation to UK and Scottish legislative proposals regulating the supply and pricing of healthcare products, including negotiations with governmental and parliamentary authorities, formal consultation and impact assessment submissions and possible grounds for legal challenge
- advising the British Casino Association on an ongoing basis on its engagement with the Gambling Commission and Government departments on a range of issues from the licensing regime for casinos (including the introduction of "super-casinos") to fiscal policy
- acting for T-Mobile in relation to Ofcom's proposals for the auction of 4G mobile spectrum and related matters, including advising on the drafting of consultation responses and acting in substantial related litigation
- advising the Tobacco Manufacturers' Association on proposed new legislation relating to tobacco smuggling, including leading negotiations with HMRC and drafting detailed submissions on, and amendments to, the proposed legislation

Governance and decision-making

- advising Ofgem in connection with its major policy reviews of the governance and compliance regimes for the industry codes regulating the gas and electricity markets
- advising Ofgem on the implementation of a new statutory appeals regime and the related development of its internal decision making processes, and subsequently advising on numerous particular regulatory and policy decisions
- advising National Air Traffic Services on an ongoing basis on its consultation processes in relation to the redesign of UK airspace

- advising Post Office Limited on the rationalisation of its urban and rural branch networks, including advising on the decision making process generally and the consultation procedures in particular
- advising a Lottery fund distributor in connection with its decision making and governance processes and acting for it in relation to investigations by the Parliamentary Ombudsman
- advising the Banking Code Standards Board on the development and implementation of its compliance and disciplinary procedures, including the impact of human rights issues

Legislative and parliamentary

- advising a UK Government department on legal, legislative and policy issues in relation to the proposed sale to the private sector of a novel class of Government assets
- advising a major institutional investor in connection with the introduction of bank stabilisation (including nationalisation) powers through the 2009 Banking Bill
- advising and acting for numerous clients, including the Government of Iceland, Sport England, Post Office Limited and Equitable Life, in relation to Select Committee, Parliamentary Ombudsman and other domestic and EU Parliamentary proceedings
- advising major retail banks on the UK implementation of the Payment Services Directive
- advising the Port of London Authority on the interpretation and drafting of secondary legislation in relation to environmental matters
- advising clients called to give evidence to select committees on issues concerning confidentiality, legal and parliamentary privilege and official secrets

For questions or further information on how we can assist you, please contact:

Paul Dacam, Partner
paul.dacam@hoganlovells.com
T +44 (20) 7296 2615

Charles Brasted, Partner
charles.brasted@hoganlovells.com
T +44 (20) 7296 5025