

OXFORD LAW NEWS

2017
No21

St Cross Building
Renovations

Meet our Rising Stars

Leaving the European Union



UNIVERSITY OF
OXFORD



FACULTY OF
LAW

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Dean's Letter



As I write this letter, the academic year is drawing to a close. The highlight of our social calendar, the Faculty of Law Feast, has taken place, and most of our students, both undergraduate and postgraduate, have received their degree results. I hope our students are looking back with a sense of great pride in their achievements: new subjects learned, skills honed, lasting friendships and memories made. Colleagues' thoughts are no doubt turning towards a well-earned summer break and more time to pursue their own research and writing.

At the same time, though, we are always looking forward. This week is one of two weeks during which we host a UNIQ summer school, giving Year 12 school students who meet particular academic and socio-economic criteria an opportunity to spend a week in Oxford, experiencing lectures and tutorials and, of course, the chance to stay in a college. We hope that some of these students will be inspired to apply to read Law at Oxford in due course.

This edition of Oxford Law News gives a flavour of the wide range of activities that have taken place in the Faculty over the past year. We are particularly pleased with the latest round of renovations of the St Cross Building. These have been carried out with great sensitivity to the building's status as a notable example of 1960s architecture, whilst making it much more user-friendly with more efficient use of space. The Institute for European and Comparative Law and the Centre for Criminology now have light-filled and welcoming offices at the heart of the St Cross Building.

Another notable achievement has been our Athena SWAN bronze award, which recognises our commitment to promote gender equality among staff and students in our Faculty. This is an award for UK higher education institutions and departments and was initially created to encourage gender equality initiatives in science departments, but it has now been opened up to humanities and social sciences departments as well. Of course, we recognise that there is much work still to be done to maintain and improve our record on gender and other equalities, but the award is a good start.

This year has been the first year of our new part-time MSc in Taxation. This is an exciting joint venture between the Law Faculty and the Centre for Business Taxation at the Saïd Business School, offering students an interdisciplinary education in tax law and broader questions of tax policy. The course has attracted a first cohort of students from a range of different countries, academic disciplines and career stages, and it is a welcome new addition to our portfolio of postgraduate degrees.

I have particularly enjoyed the chance to meet some of our alumni at receptions in Berlin, Hong Kong, Singapore, Toronto and Oxford this year, and to hear your stories about your time at Oxford. Although today's students generally have keys, and will therefore sadly be deprived of the opportunity to reminisce about climbing over walls to get back into their colleges late at night, I find that alumni of all generations have fond memories of a particular tutor who inspired or challenged them, or sent their career in an unexpected but fruitful direction. I love hearing these memories, and I am often reminded of the debt of gratitude I owe to my own tutors at Lincoln, who encouraged my academic aspirations and gave me the confidence I needed to pursue them. We now have a dedicated page on our website for profiles of alumni, so please do get in touch if you would like to be featured there.

Anne Davies
July 2017

Putting Disability on the Map:

Marie Tidball talks about the importance of including diversity in the curriculum at Oxford Law

Dr Marie Tidball, co-founder of the Oxford University Disability Law and Policy Project, is one of twenty subjects featured in the University's Diversifying Portraiture project, in recognition for her work on the importance of the greater inclusion of disability in teaching and research at Oxford.



Portrait credit: Clementine St. John Webster.
The Diversifying Portraiture Project at the University of Oxford

Sitters for the project were selected from over a hundred nominations of living Oxonians, made by staff and students at the University. The new portraits will be shown at an exhibition in Oxford later this year.

Marie is a research associate in Oxford's Centre for Criminology and a disability rights campaigner, and was painted by Clementine St John Webster. On being nominated she said:

'Rendering diversity to be more visible in the places and spaces of Oxford reinforces the importance of its more central role in the University's intellectual life. I was very moved to have been nominated, and delighted the University has recognised the importance of teaching and research about disability in academia. Better substantive inclusion of disability in research and taught course syllabi brings new perspectives to

our academic analysis of law and generates important academic output.'

Describing what motivated her to start the Oxford University Disability Law and Policy Project and what she was most proud of, Marie said:

'Embedding an inclusive approach to disability equality at the University is not only about raising disability awareness and improving access to University services; it involves using the University's intellectual resources to consider, research and discuss the myriad of intersecting issues relating to disability in its academic teaching and publications. Yet disability has, largely, remained at the peripheries of the taught course syllabi and academic research within the Social Science Division here. This is not so at other world-class Universities, where the issues that affect this

Photo: Stuart Cox

group of people and the way the concept of disability is constructed has led to a rich seam of academic teaching and research pursued in the discipline of Disability Studies.'

'When I finished my doctorate, I wanted to build on the intellectual work I had done in my thesis, to develop a disability perspective in criminology, and the achievements of the "Let's Get Disability on the List!" campaign. Establishing the Oxford University Disability Law and Policy Project seemed the best way to develop this work and provides an exciting opportunity for the University of Oxford to show leadership on curriculum diversity in relation to disability.'

'I think I'm still the most proud of the Herbert Smith Freehills Oxford Disability Mooting Championship, which I set up in 2014 with other law graduates. It is Oxford's first moot competition to focus on the intellectually interesting ways in which disability intersects with law. I can't believe we are now entering the fourth year of the competition and regularly attract audiences of over 200 people! This moot is what started everything and the momentum has grown from there.'

The Oxford Research Centre in the Humanities (TORCH) has awarded Marie the prestigious Mellon 'Humanities & Identities' Knowledge Exchange Fellowship. Marie's project will look at *Amplifying Inclusion: living disability narratives and law for the next generation*, working with the disabled people's

organisations My Life, My Choice and Getting Heard Oxfordshire. Talking about why diversity is such an important issue at Oxford and what she will be working on next, Marie said:

'Broadening the purview of the humanities and social sciences to better consider disability is not limited to the content of substantive research; it also involves increasing opportunities for better participation in research for people with disabilities. We have been granted £3,000 by the Faculty to hold an exciting interdisciplinary two-day Conference in 2018. This will bring together leading academics from Oxford and around the world and disabled people's organisations in dialogue about legal scholarship on disability.'

When asked what impact Marie hopes to have, she responded:

'Our diversity and the curriculum initiatives aim to achieve "consciousness-raising" for students and academics in law and across the social sciences. We provide the tools they need to better understand the experiences of people with disabilities and how to think critically about the application of law and policy to issues which affect people with disabilities.'

It is hoped that, in time, this might lead to the creation of dedicated undergraduate or graduate option courses in disability law and policy, or even a specialised MSc in the field.

Early Career Researchers

Many of our readers will associate the Oxford Faculty of Law with undergraduate lectures and tutorials in college. Although this is a large and vital part of our history and present, the Faculty is much more than that. Currently, the St Cross Building is home to several incredibly talented early career researchers (academics who have finished their PhDs, but do not yet hold professorships) who are looking at law in a different way. Here we meet 5 of them who have come to the Faculty through very different routes.

All of these colleagues have been awarded incredibly competitive research grants, and we think you will be inspired and fascinated by the tremendous work they are doing. We are honoured to have them conducting their ground-breaking research in Oxford and we will continue to support and promote them.

Jessie Blackburn

Research Fellow, Centre for Socio-Legal Studies

Last August, I joined the Centre for Socio-Legal Studies as a research fellow on a three-year contract. To do so, I gave up a permanent position as a lecturer in Politics at Kingston University. At my interview I was asked why I was willing to give up a secure, permanent position to take up a more precarious, temporary post. The answer was simple: I knew that a research fellowship in the Centre for Socio-Legal Studies would help me achieve my long-term career goals. However, I have taken a rather circuitous route to get here.

I started as a politics undergraduate at Queen's University, Belfast in 1999, and having graduated with a keen interest in Irish Politics, I undertook a Master's degree in that subject from 2003-2004. At that stage I knew that I wanted to continue on in academia, but it was not until the London bombings of July 2005, and the government's response to that attack that I discovered an interest in counter-terrorism. I commenced my PhD at Queen's in 2006 where my research examined the impact of new forms of terrorism on the peace process in Northern Ireland. Although my thesis started off in the field of politics, I soon became interested in the UK's legal responses to terrorism.

I finished my PhD in 2009 and obtained my first academic job as a lecturer in terrorism and security studies on a short-term contract at the University



of Salford. I left that job a year later to take up a position as a postdoctoral research fellow at the University of New South Wales, on a project funded by the Australian Research Council under Professor George Williams, Australia's leading scholar on anti-terrorism laws. The project's remit was to identify the democratic challenge posed by anti-terrorism laws. At UNSW, I was fortunate to be mentored by senior colleagues who were interested in helping me to advance my academic skills and develop my own research agenda on counter-terrorism review, which remains the current focus of my research. At the end of my postdoc, I knew that I wanted a career in legal academia, so when I returned to the UK in 2014, I enrolled in a two-year graduate law degree at Birkbeck College, which I completed whilst working full-time at Kingston University. I graduated shortly after I took up my position at the Centre for Socio-Legal Studies.

My research fellowship here will help me to consolidate the research and education that I have already achieved, and – I hope – progress on to a permanent academic career in law. Here my research focuses broadly on practices of counter-terrorism review. I am currently conducting research for a monograph on independent reviewers of anti-terrorism laws in Australia, Canada, and the UK, and in September this year, Professor Fiona de Londras from the University of Birmingham and I will start a project on counter-terrorism review in the UK, funded by the Joseph Rowntree Charitable Trust.

Once those projects end, it will be time to develop a new research agenda, beyond the narrow remit of counter-terrorism review.

What I have learnt from my academic experiences to date is that there is no single best route through academia; whilst some people secure a permanent position straight out of their PhD, and that works for them, for others it makes more sense to experience a range of positions in a number of disciplines. Finding the right fit for my research, and developing a long-term research agenda has been more important to me than simply progressing up the career ladder.



Rudina Jasini

Economic and Social Research Council Global Challenges Research Fund Postdoctoral Fellow, Centre for Criminology

A career in academia was once described to me as a road trip, in which one faces multiple rites of passage as well as finding oneself taking far too many detours. This has most certainly held true in my experience.

I am currently an Economic and Social Research Council (ESRC) Fellow at the Faculty of Law. My research project, which involves theoretical, doctrinal and empirical research, aims to contribute to the scholarly debate, policy discussion and policymaking on victim participation, and to its role, scope and implications in transitional justice. It also seeks to offer a deeper knowledge base regarding victim participation as both an approach and a principle. This project builds upon my doctoral research at the University of Oxford, which centred on the participation of victims of gross violations of human rights as civil parties in

international criminal proceedings. The interpretation of victims' participatory rights has been diffuse and at times divergent, betraying a far from cohesive and consistent approach, and making the study of civil party participation an excellent medium through which to explore the breadth of victim participation as a legal mechanism. As part of my doctoral research and current ESRC project, I have embarked on a number of fieldwork trips to Cambodia, where I have been privileged to interview and interact with legal practitioners and victims. I am particularly grateful to all those victims who participated in my study by sharing their stories of pain and loss, but also of incredible human dignity and resilience in the face of such adversity.

Prior to coming to Oxford as a fellow, I was a Postdoctoral Global Fellow at New York University Law School Center for Human Rights and Global Justice. I have also held appointments as a visiting scholar at Harvard Law School and the Max Planck Institute for Foreign and International Criminal Law, which I pursued in the course of my DPhil at Oxford. As part of my ESRC fellowship, I have had the opportunity to present my research and work at various conferences and symposia, which has been an incredibly enriching and rewarding experience.

While at Oxford, I have drawn particular satisfaction from teaching tutorials. Oxford has also offered an excellent opportunity to brainstorm with brilliant scholars. The conversations and discussions I have had with colleagues from across Oxford's various colleges and departments are perhaps my most treasured experience.

Whilst my research has been primarily an intellectual endeavour, it has also been strongly influenced by my professional background as a practitioner. In 2014, I led a research project with Impunity Watch on victim participation in transitional justice in Cambodia. Before coming to Oxford, I worked as an attorney for the

UN International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague on the defence team in the Haradinaj case. I also worked with the legal team providing representation and assistance to victims of the Khmer Rouge regime, in the prosecution of Kaing Guek Eav (aka Duch). In addition, in 2015 I was appointed as a member of the ILA International Committee on Complementarity in International Criminal Law.

I hold a DPhil and an MSc in Criminology and Criminal Justice from Oxford University, an LLM in International Legal Studies from Georgetown University Law Center and a BA in Law from the University of Tirana.

Throughout my scholarly and professional endeavours, I am sustained by the knowledge that this has been an incredible intellectual journey, but more than anything, it has been a journey within.

Francesca Menichelli

British Academy Postdoctoral Fellow, Centre for Criminology

The remit for this piece is to reflect on the path that has led me to Oxford, and talk about my work. As an exercise in trying to identify retroactively a coherent thread in the past nine years of my life, in a way this is not too dissimilar from looking for emerging themes in the transcripts of interviews I conduct with respondents. Only this time I am supposed to turn my attention inward, to myself. This is not something I commonly do.

I started my PhD in urban studies in late 2008 at the University of Milano-Bicocca and I have worked in academia ever since. I know no other professional environment, yet I feel very uncomfortable in portraying my journey as anything other than idiosyncratic, or ascribing any kind of general validity to my experience. In no particular order, the things that have helped me the most along the way have been curiosity, determination, a willingness to be a research nomad for long stretches of time, fluent English, luck. When I was starting out, I had no idea I would end up at Oxford, or even that this was possible for me. Career prospects for budding academics are so dire that I was socialised to expect failure, and even now sometimes I can't believe I have been here for almost two years.

What made a fundamental difference in my career path was being able to spend the final year of my PhD in Canada at the Surveillance Studies Centre at Queen's University, as part of a fantastic community of scholars and supported by a great advisor. Canada was followed by short term positions in Italy and Belgium, and then by a research associate position at Cambridge in January 2015. As soon as I knew I had been awarded a BA postdoctoral fellowship, I moved here in September 2015 to work on my own project.

My research looks at the local governance of community safety in England and Wales and Italy, to explore how the local provision of community safety services has changed the way local and national authorities interact with each other. At its heart, and in contrast to much mainstream criminology, this project decidedly rejects the assumption that the national level is the correct scale at which to investigate crime and related phenomena, and looks instead at the networks and partnerships established locally for community safety.

Theoretically, the research makes an argument about the larger significance of community safety partnerships within the wider restructuring of governance that is currently underway in the three countries I am studying and, as such, something that criminology should pay more attention to. I am also looking at ways to share the results of my work with community safety practitioners working in local government, as I want to bring the results of my work to as wide an audience as possible.

Oxford has given me the space, freedom and confidence to come into my own as a researcher, and the opportunity to engage with brilliant people doing interesting work in all areas of the social sciences. I also have teaching commitments in our MSc programme in criminology and criminal justice and I am a member of the research committee, so I feel very involved in the life of the Centre for Criminology, and of the Faculty of Law at large. Playing all these roles has enabled me to acquire vital skills for the next steps of my academic career and, wherever my work might take me, I am not scared at the prospect of entering the job market in the near future.



Camilla Pickles

British Academy Postdoctoral Research Fellow, Centre for Criminology

I am originally from South Africa but I have roots in Mozambique, Portugal, Germany, and the United Kingdom. My interest in law stems from some of my personal and social experiences as a girl and young woman living in South Africa and the need to challenge the status quo from a feminist perspective. My research focus area is pregnancy and childbirth-related issues in law, and I have delved into a number of topics including feticide, framing 'pregnancy' in law, involuntary sterilisation, management of foetal remains, and now obstetric violence.

I obtained my LLB, LLM, and LLD from the University of Pretoria. I was fortunate enough to have secured bursaries and scholarships for my LLM and LLD which allowed me to dedicate most of my time to establishing the foundations necessary for an academic career. I published several journal articles, presented my research at conferences, and I worked as an academic associate, researcher, and sub-editor for *South African Crime Quarterly*. In 2015 I served as Chief Justice Mogoeng Mogoeng's law research clerk at the Constitutional Court of South Africa. My clerkship was very inspiring. I worked among South Africa's leading jurists and exceptional law research clerks. I

came to learn that academic debates on established and emerging issues can play an important role in the judgment drafting process and this encouraged me to continue working to secure an academic career. During my clerkship I was awarded a postdoctoral research fellowship at the South African Institute for Advanced Constitutional, Public, Human Rights and International Law, University of Johannesburg. I researched the implications of gender stereotyping in reproductive health care and involuntary sterilisation of women, and submitted my findings for publication in academic journals. During my time at the Constitutional Court and the Institute for Advanced Constitutional, Public, Human Rights and International Law I converted my doctoral thesis for publication, *Pregnancy Law in South Africa: Between Reproductive Autonomy and Foetal Interests* (Juta, 2017).

I was awarded the British Academy Postdoctoral Fellowship in 2016 and I commenced my fellowship in January 2017. My project is focused on understanding obstetric violence as a form of gender-based violence and establishing how the law can be used as a tool to prevent and respond to instances of obstetric violence and ensure accountability. Obstetric violence is found around the world and includes disrespectful, abusive and coercive treatment of women during pregnancy and childbirth which results in a violation of their autonomy, bodily and psychological integrity, human rights, and sexual and reproductive health. Very important activism is taking place in the reproductive health and maternity care sector which is aimed at developing guidelines and protocols to improve quality of care and overcome obstetric violence but violations continue and in many instances there is no accountability. Currently, legal perspectives on obstetric violence are sparse and this postdoctoral fellowship project aims to fill this void. To this end, I am using this fellowship as an opportunity to write a monograph which considers what legal mechanisms are available in select domestic, regional and international spheres, which questions the adequacy of these mechanisms to obstetric violence, and which explores what the ideal legal mechanisms would be if these needed to be developed. It is hoped that this project will be used to ignite or inform existing debates about obstetric violence and the role of the law within the interconnected relationships shared between pregnant women, obstetric care providers and the state. Further, it is hoped that some of the issues addressed in this project can be used in the development of policies, legislation, and in obstetric violence litigation strategies.

Julia Viebach

Leverhulme Trust Early Career Fellow, Centre for Criminology

'I am a sociologist undercover in Law' is my typical response when asked where I am based. I have come to be interested in the realm of the law in so far as its systems and rules make sense of, mediate and structure accounts of memory and trauma. From political science and development studies, with venture into peace and conflict studies and then transitional justice – this probably describes best the way I came to Oxford.

My longstanding curiosity has been why some societies descend into violence and how they try to recover from this experience. During my graduate studies in sociology and politics in Germany, I was particularly drawn to Rwanda. I asked myself again and again, 'Why do people harm each other in such horrible ways and how is co-existence (and I deliberately choose not to use the term reconciliation here!) possible in its aftermath? So I started reading many books on the 1994 Rwandan genocide. The stories I encountered were horrific, but I knew that I wanted to write a thesis about it. I began my doctoral research exploring the aftermath of the genocide, particularly the democratisation process and the role of development aid. This topic was overlapped nicely with the research I was doing at the Institute for Development and Peace at that time too. After a short burst of fieldwork, I decided to change my topic to peacebuilding in Rwanda, but the question of how people, individuals, manage their everyday life never really left me.

When I changed institutions to start a researcher position at the Centre for Conflict studies at the University of Marburg I knew I had to satisfy this intellectual itch, and changed my topic again. I wanted to understand what memorials and commemoration meant for survivors of the Rwandan genocide. I started my trip to Rwanda with consultancy work for the German Civil Peace Service before I immersed myself in the life worlds of survivors working at the memorials. Between 2011 and 2014, I went back several times, visited many memorials, observed annual commemoration ceremonies and came to understand the personal meanings of memorials for survivors and the practice of care-taking (survivors clean and preserve dead bodies and human remains that are displayed at some memorials).

At the time, Oxford seemed very far away; if you had asked me then where I saw myself in one year, I would probably have said in Kigali doing

consultancy work on memorialisation. But I saw the Faculty of Law's advertisement for a one year postdoctoral position on 'Ways of Knowing Atrocity'. That sounded like me! The phone call came on a cold December day just before Christmas and I could not believe that this

was really happening: I got the job. A month later, in January 2013, I found myself in Oxford. Juggling the postdoctoral position with finishing off my PhD was a formidable task and one I cannot say I'd recommend, but both tasks were completed by December 2013. I was set to return to Germany, but was fortunate in the end to stay on in Oxford as a career development lecturer at the Centre for Criminology, during which time I developed the Centre's social media platforms and taught on the MSc in Criminology and Criminal Justice (and went back to Rwanda, of course).

Keen to conduct more empirical research in Rwanda, my new project 'Atrocity's Archives' was soon to be born. This time round though, I was keen to get a bit more distance from the horrific stories and traumatic accounts that came with researching the aftermath of genocide. Although not often talked about in academia, such research is challenging not just intellectually, but also emotionally. My new project sought to analyse and compare the archival records of the International Criminal Court for Rwanda (ICTR) and those of the local Rwandan Gacaca courts. Much has been written on the ICTR and Gacaca, but the archives remain totally underexplored.

In May 2014, an email from Andreas Heiner (I will never forget this name) ended up in my inbox, offering me a Leverhulme Early Career Fellowship. In utter disbelief, it dawned on me that I would have the wonderful opportunity to embark on another period of research – it's been described as a bit like a second doctorate, just less stressful – doing what I love most: speaking to people in an effort to understand how and why things work the way they do. It has been a bumpy ride with gaining access to the archives, but momentum is building and the Faculty of Law's undercover sociologist is looking forward to returning to the field.



Supporting Early Career Researchers



Centre for Socio-Legal Studies Workshop

The Centre for Socio-Legal Studies held its annual Early Career workshop in June 2017. It brought together 10 postgraduate and early stage postdoctoral researchers who presented fascinating papers on cutting-edge topics of socio-legal research, including cause marketing by supermarket chains, and a mobile money scheme in Kenya, amongst other innovative research connecting key fields including anthropology, social work, and economic modelling with the study of socio-legal practice. Professor Penelope Andrews from the editorial team of the *International Journal of Law in Context*, and Dr Rebecca O'Rourke from Cambridge University Press, provided a session on 'How to get published'. Fellows of the Centre also offered advice sessions about article publications and applications for post-doctoral research projects for each individual workshop participant. Last but not least the workshop provided opportunities for informal conversations, socializing and networking, also during a convivial dinner at St. Anthony's College.

I have thoroughly enjoyed the Early Career Workshop at the Centre for Socio-Legal Studies. The workshop gave to early career scholars the opportunity to discuss their research, engage with a variety of interesting projects and receive insightful feedback from both academics and editors. During the workshop I have received very useful advice to publish my paper in the *International Journal of Law in Context* and incredible support for my postdoctoral research project. Staff and participants all contributed to create an engaging and inspiring space for intellectual exchange and thought-provoking conversations.

Dr Serena Natile, School of Law, University of Kent

The workshop managed to be both eclectic and intimate, allowing for a really enjoyable exchange of perspectives and ideas. The feedback and discussion was very useful.

Owain Johnstone, Centre for Socio-Legal Studies, University of Oxford

Criminology DPhil Symposium

In Trinity Term DPhil candidates at the Centre for Criminology showcased their work which spanned the broadest range of topics, demonstrating the varied subjects brought together at the Centre for Criminology. We started the day hearing about criminal anthropology, race and border control, considered the outcomes of police practices in the UK and crime talk in Bermuda, followed by projects on the sentencing process and restorative justice. The day ended with textured accounts of prisons and the meanings of punishment and an innovative experimental project linking brain science with postcards dropped on the street! The eclectic range of papers were testament to the breadth and depth of research going on at the centre, as well as the sense of collegiality and support amongst the criminology DPhil community.



The St Cross Building Project

The St Cross building project was officially completed last December. It was an ambitious project to refurbish large sections of this Grade II* listed building, jointly with the English Faculty.

The Centre for Criminology is settling well into its beautiful new space on the first floor. The Centre has offices for staff, open plan desks for students and visitors, a seminar room and a small meeting room equipped for on-screen conference calls. The Bodleian Law Library has a remodelled entrance, greatly improved office and meeting spaces, and a large new area of rolling stack shelving on the ground floor to accommodate its ever-increasing stock.

The main reception area for the building has been completely remodelled and refurbished, though thanks to the quality of the craftsmanship of the University carpenters you would be forgiven for thinking it was part of the original 1960's decor. A new, welcoming entrance to the English Faculty Library has been created next to the main reception, and an entire new staircase and lift added to the core of the building, providing much better access to all floors. These improvements open up the space, and improve the legibility of the building for visitors.

wheelchair users and those with restricted mobility. The English Faculty has been remodelled, providing a distinct entrance and much-needed improvements to the academic and administrative office spaces.

On the second floor, the old common room areas have been refurbished to create a bright new common room (café soon to be installed) and a well-equipped seminar room. These rooms are separated by a sliding partition wall, to enable us to use the larger space for receptions, student events and conferences outside term. And on the top floor, an area of the library has been converted into offices and teaching space for the Institute of European and Comparative Law.

A new accessible entrance has been added to the front of the building, and improvements have been made to the access routes throughout the building for



What next?

This marks the end of Phase 2 of the refurbishment of the building. Phase 3, which was conceived many years ago, is now under review, and we are working on plans to create workspace for research students, offices for research staff, and space for the Centre for Socio-Legal Studies which is currently based in a different building.

Charlotte Vinnicombe



A new staircase leads to the Institute of European and Comparative Law



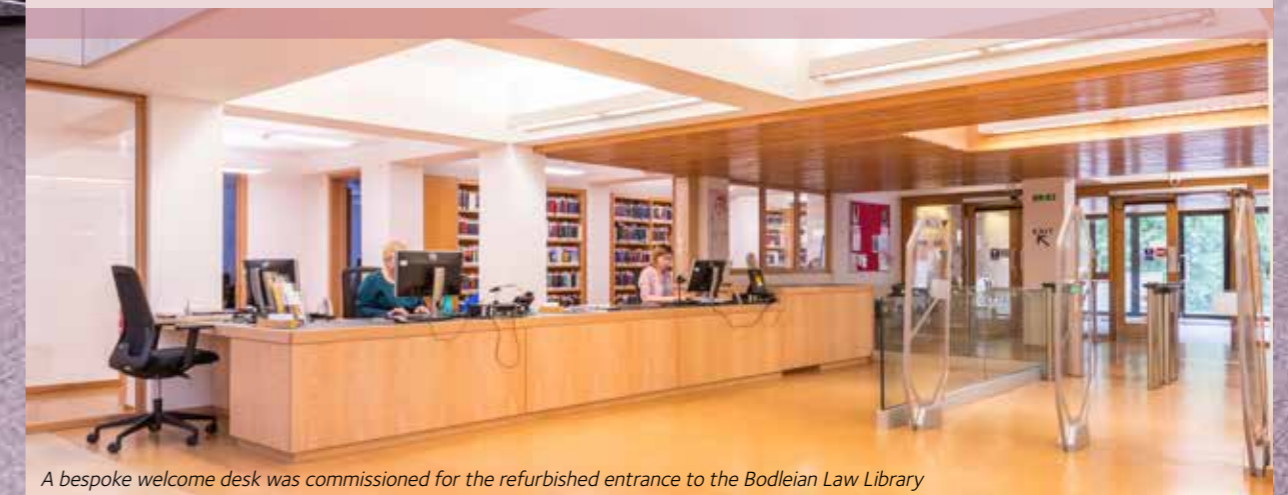
Our new Law Board Room



Building social and teaching space

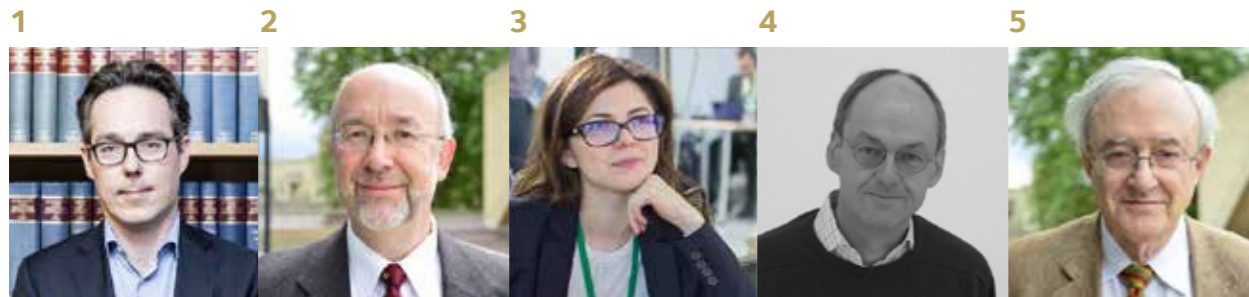


The Bodleian Law Library



A bespoke welcome desk was commissioned for the refurbished entrance to the Bodleian Law Library

HONOURS



1. John Armour

Hogan Lovells Professor of Law and Finance John Armour was elected as a **Fellow of the British Academy** in July 2017.

2. Adrian Briggs

Professor Adrian Briggs was **appointed Queen's Counsel honoris causa**. His nomination focuses on his book on private international law which is relied upon by the courts.

3. Anzela Cedelle

Dr Anzhela Cédelle received a **British Academy Rising Star Engagement Award**.

4. Wolfgang Ernst

Professor Wolfgang Ernst, Regius Professor of Civil Law was awarded an **honorary doctorate** by the University of Edinburgh

5. John Finnis

Professor John Finnis was awarded the title of **Honorary QC**. Professor Finnis is a leading legal philosopher and legal scholar at the Faculty of Law, and also lectures at the University of Notre Dame Law School.

'Professor Finnis has made a prolific and peerless contribution to legal scholarship.'
Lord Chancellor's Office

6. Judith Freedman

Judith Freedman, Pinsent Masons Professor of Taxation Law was elected as a **Fellow of the British Academy** in July 2016.

7. Miles Jackson

Dr Miles Jackson was awarded, *ex aequo*, the **Antonio Cassese Prize for International Criminal Law** (2015-2016). The Cassese Prize is awarded to the author of the most original and innovative paper(s) published in the *Journal of International Criminal Justice* in the preceding two years.

8. Tarun Khaitan

Dr Tarun Khaitan has been awarded the **Future Fellowship** by the Australian Research Council to spend four years working on the resilience of democratic constitutions at University of Melbourne Law School. The Future Fellowship supports research by outstanding mid-career researchers.

9. Kate O'Regan

Justice Kate O'Regan, the Inaugural Director of the Bonavero Institute of Human Rights has been elected as an **Honorary Fellow of the British Academy**.

10. Jenny Payne

Professor Jennifer Payne has been **elected to the International Insolvency Institute** in recognition of her work in the field of debt restructuring.



Establishing the Bonavero Institute

A dedicated Institute for the study of human rights law, hosting a cohort of outstanding visiting scholars and practitioners, collaborating with human rights scholars in other disciplines and working with legal practitioners engaged in human rights across the globe.

Core principles and strategic plan

After consultations were held with Institute donors, key advisers and Faculty colleagues, the Institute's management committee adopted a set of guiding principles within a strategic plan, to shape core activities in the years ahead. These principles provide that –

The Institute studies and supports all fundamental human rights as they have been, or should be, protected in law, for example, those rights in the Universal Declaration of Human Rights.

The Institute acknowledges and welcomes debates about the content, foundation, and best forms of protection for human rights. It supports vigorous and diverse scholarly discussion of all these issues.

There are many people and organisations working in the field of human rights law both at Oxford and beyond. The Institute will seek to ensure that we work openly and collaboratively with others working in the field of human rights wherever possible.

Judicial Conversation series

Directly supporting one of the institute's core principles, the Bonavero Institute launched its inaugural series of judicial conversations in April 2017. The Institute invited judges from a wide range of jurisdictions, including national and supranational courts, to address questions about the separation of powers in the context of their jurisdictions. Visiting judges included: The Right Honourable Dame Sian Elias, Chief Justice of New Zealand; Manuel José Cepeda Espinosa, former president of the Constitutional Court of Colombia; Paulo Pinto de Albuquerque, Judge of the European Court of Human Rights and Justice Dikgang Moseneke, former Deputy Chief Justice of South Africa. The series explored legal and political factors that determine the role of the judiciary, the relationship between the judiciary and other institutions, and the concept of judicial independence. Conversations will continue throughout next academic year and the Bonavero Institute will continue to foster robust and open conversations on key questions concerning the role of the judiciary in adjudicating rights for constitutional and human rights lawyers everywhere. These events will look to deepen understanding of the variation in the role of the judiciary across the world and bring fresh perspectives to debates on the separation of powers.

Research Visitor Programme

Establishing collaborative working relationships with individuals and organisations engaged in work in the broad field of human rights is a key strategic goal for the Institute. The Research Visitor programme welcomes individuals working in the broad field of human rights as visitors to the Institute. Research visitors will work independently on writing projects at the Institute and will be given the opportunity to join in the collegial life of the Institute and Faculty of Law and will work towards enhancing academic diversity at the Institute. Details of all research visitors are on our website.

Student Fellowships

The Institute has also established a portfolio of student fellowship opportunities, enabling Law students to fulfil a number of internships at partner organisations working in human rights law and practice. Fellowships are tenable at a range of institutions including Reprieve UK, the Bingham Centre for the Rule of Law and The Public Law Project as well as the Namibian Supreme Court and The Supreme Court of Appeal in South Africa. These fellowships have been made possible through a generous donation made personally by Eric L. Lewis. The Bonavero Institute also administers a travelling fellowship through the Samuel Pizar Endowment Fund and is working in partnership with Oxford Pro Bono Publico (OPBP) providing a number of placements for students wishing to undertake public interest work.

Opening of new building

The Institute will open its doors in Michaelmas Term 2017. Staff being recruited include a Head of Programmes and three postdoctoral research fellows. The Helena Kennedy Reading Room in the institute will provide an open plan working space for visiting researchers, associate research fellows and selected doctoral students with an interest in human rights law. A lively programme of events is also planned which will utilise both the shared auditorium with Mansfield College and the Gilly Leventis Meeting Room housed within the Institute itself.

For further details regarding Institute events, research updates and programme activities please visit the Institute's website.

www.law.ox.ac.uk/bonavero-institute

Learning Lessons from Litigators:

Realising the Right to Education through Public Interest Lawyering



The Oxford Human Rights Hub in partnership with the Open Society Foundations has created a free online resource ***Learning Lessons from Litigators: Realising the Right to Education Through Public Interest Lawyering***. This is for anyone engaged in campaigning for the right to education and explains the potential and risks of litigation and how it can complement other forms of activism.

The right to education guarantees that everyone is entitled to free, quality education, without discrimination. Education is not only an intrinsic right in itself, it is also a multiplier right, a key to the full development of both the individual and her society. Yet the fundamental right to education of millions of children all over the world is being routinely breached. Not only are governments failing to deliver, they are increasingly arguing that their legal responsibilities can be met by permitting the involvement of private providers who offer 'low-fee' schooling. This is deeply troubling as private schools in many jurisdictions are resisting regulation to provide equal and quality education to all, especially the most marginalised children. The UN Special Rapporteur on the Right to Education, Kishore Singh, warned in 2014 that 'in many parts of the world inequalities in opportunities for education will be exacerbated by the growth of unregulated private providers of education, with wealth or economic status becoming the most important criterion to access a quality education.'

How then can the state be required to fulfil its obligations to realize the fundamental right of everyone to free, quality education, and what role can civil society, lawyers, parents, learners and public interested citizens and other stakeholders play in holding their governments to account? Is this a legally enforceable right which can be upheld in court?

The aim of the online course *Learning Lessons from Litigators: Realising the Right to Education Through Public Interest Lawyering* is to examine the extent to which courts and international human rights bodies can be effectively utilized as part of a campaign to realize the right to education. It situates public interest lawyering within the strategies to advance the right to education. It asks how litigation and resort to international human rights bodies interact with other strategies, such as campaigning, protest or political

activism, and how litigation might be shaped to create constructive synergies with these other strategies. It does so by drawing on the extensive experience of litigating the right to education in several jurisdictions, particularly, South Africa, the US, India and Europe, in order to draw out best practices and highlight the risks of such strategies. Litigation carries risks: it may be slow, expensive, and it risks adverse decisions. But, the process of litigation can be used to enforce the law, to gain publicity for the issue at hand, and to put pressure on governments to change. The famous US case of *Brown v Board of Education* became the beacon for many other struggles for desegregated education; and the seminal decision of the European Court of Human Rights in *DH v Czech Republic* set a legal precedent for the use of indirect discrimination in education cases.

The course aims: to share the experience from several jurisdictions of using strategic litigation in relation to the right to education so that others can draw on that experience to decide whether and how to use litigation in the optimal way; to demonstrate the potential of international human rights mechanisms as a further complement to other forms of activism, especially in relation to international and regional human rights treaties; and to open up the possibilities of extrapolating from the experience of strategic litigation and the use of international human rights mechanisms in relation to other human rights.

The online resource will consist of a four-part series of online videos each of about 40 minutes duration. Its approach will be lively and engaging, raising the key questions and airing a range of possible responses which can then be applied by stakeholders in their own contexts. Detailed interviews will be conducted with the key players in several major campaigns for the right to education, including (i) the South African mud schools and textbook context, (ii) the US (Campaign for Fiscal Equity) cases for more resources for disadvantaged inner city schools; and (iii) the Indian experience with litigation on the right to education culminating in a constitutional amendment and the Right to Education Act.

Look out for more information on the course at ohrh.law.ox.ac.uk.

Meghan Campbell

Leaving the European Union



What do our academic experts think about Brexit? We have been blogging about the referendum since it was announced, and many Faculty members have appeared on the news and radio offering expert advice on the events as they have unfolded.

Brexit and the UK Constitution

The referendum outcome in favour of withdrawal from the EU has already had a dramatic impact on the law, the Oxford Faculty of Law and its alumni. Following the referendum outcome, we have witnessed a change of prime minister, the creation of a new government Department for Exiting the European Union, led by David Davis, MP, the Minister for Exiting the European Union, a snap general election, using the provisions of the Fixed Term Parliaments Act 2011, and the formation of a minority Conservative government, shored up by a 'confidence and supply + Brexit' agreement with the Democratic Unionist Party. We have also witnessed a High Court decision, criticism of the lack of response of the Lord Chancellor to judicial criticism, a Supreme Court decision, white papers on the policy for the UK's exit from and future relationship with the European Union and on the legislation required to achieve this objective, as well as a vote in the Scottish Parliament in favour of a second Scottish independence referendum.

The most dramatic event for constitutional lawyers was the case brought by Gina Miller and others, who argued that the Government's decision to use the prerogative to trigger Article 50 TEU – the provision of EU law governing withdrawal from the EU – was

unlawful. The Government argued that the prerogative power of foreign affairs empowered them to enter into and withdraw from treaties. As such, they could use the prerogative to withdraw from the EU Treaties. Miller's legal team argued that this was not the case. They agreed that the prerogative power of foreign affairs existed, but that it did not include the power to withdraw from the EU. This was because withdrawal from the EU would modify domestic law, frustrate the European Communities Act 1972 and other legislation, as well as remove rights UK citizens currently enjoy through the UK's membership of the EU.

Even before the case was brought, members of the Oxford Faculty of Law and others were writing what would turn out to be influential blog posts on the UK Constitutional Law Association website. The blog posts multiplied, commenting not only on the decision of the High Court in favour of Gina Miller, but also on the criticism of the judges in that case and the lack of action by the Lord Chancellor to protect the independence of the judiciary and the rule of law. The challenge culminated in *R (Miller) v Secretary of State for Exiting the European Union*, a Supreme Court case which will go down in history as the first case heard by a plenary Supreme Court, the first Supreme Court case to be broadcast live on mainstream media, and the first time a crowd-funded applicant appeared before

the Supreme Court. The faculty played its role, with commentary from current members of the faculty, and Oxford alumni representing both the applicants and the government and sitting on the High Court and Supreme Court.

Despite these historical milestones, in one sense the impact of the decision of the Supreme Court was minimal. The government introduced a bill before Parliament within days of the decision of the Supreme Court, which was enacted without amendment by the House of Commons. Although the House of Lords successfully proposed amendments, these were defeated in the House of Commons, this defeat then being conceded to by the House of Lords. The *European Union (Notification of Withdrawal) Act 2017* came into force and the UK officially notified the EU of its intention to withdraw on 29 March, within the prime minister's intended timetable.

With no conditions being placed on the triggering of Article 50 – save a political commitment to a vote in both Houses on the deal reached with the EU – one would be forgiven for wondering why *Miller* generated such excitement. Moreover, the decision contains very little disagreement about constitutional principles concerning the sovereignty of Parliament, the separation of powers between the legislature and the executive and the legal controls over prerogative powers. Where disagreement arose was as to how these principles were to be applied to the facts. Was the European Communities Act 1972 a means of creating a new source of law and rights, which requires

legislation to remove, or are those rights conditional on EU membership, where the executive decides when we join and leave the EU? The Supreme Court, by a majority, concluded in favour of the former. Academics may well continue to debate whether this was the right outcome, as well as discussing how we should classify controls over prerogative powers, but that in and of itself is not enough to trigger such general excitement.

What *Miller* does provide is an illustration of how the UK constitution works, broadcast to the general public. It triggered debate about the relative powers of Parliament, the government and the courts, as well as the relationship between UK law and European Union law. With a vote of the Scottish Parliament in favour of a second independence referendum, growing tensions between Scotland, Wales, Northern Ireland and Westminster (despite the existence of the Joint Ministerial Committee on EU Negotiations), and a minority Government with a slim working majority through its agreement with the DUP, the constitutional implications of Brexit are not over yet. Whether the UK's uncodified, partly legal/partly political constitution is able to weather the storm remains to be seen. But it is clear from *Miller* that these issues may well be decided in the courts and not just in parliament, where the courts are sensitive to ensuring their decisions concern the law and not politics, including being wary of enforcing conventions. That alone marks a significant milestone in the ever-evolving UK constitution.

Alison Young

Oxford Faculty of Law participates in Supreme Court Brexit case

Professor Dan Sarooshi (Queen's College) was invited by Lord Pannick QC (Fellow, All Souls College) to join the team of Counsel representing Gina Miller in the landmark Supreme Court case of *R (Miller) v. Secretary of State for Exiting the European Union*. The Supreme Court's central finding by an 8 to 3 majority was that the UK Government cannot give notice to withdraw the UK from the EU without authorisation by an Act of Parliament.



Credit: Getty Images

Lord Pannick QC is pictured holding papers and Professor Sarooshi is immediately behind on the left.

Armour/Eidenmüller

Negotiating Brexit

C.H. BECK · HART · NOMOS

Negotiating Brexit

Brexit is on its way. The formal withdrawal process under Article 50 TFEU was initiated on 29 March 2017. The United Kingdom and the European Union now have two years in which to negotiate the terms of the UK's withdrawal,

and will seek at the same time to pursue a closely linked deal over the terms of their future relationship. By mid-2019, the UK will, it seems, have left the EU.

Brexit will have fundamental political, economic and legal consequences – for Britain, Europe and, indeed, the world. These consequences will be shaped by the features of the agreement that is to be negotiated. These negotiations will be complex, involving multiple parties and issues.

In March, we organised a workshop at St Hugh's College, Oxford, on 'Negotiating Brexit'. The day's discussions brought together leading academics, practitioners and policymakers who are involved in the Brexit negotiations. Their unifying perspective was how to realize the best (or least-worst) outcome in these negotiations.

The discussions were divided into three sections: the first ('Brexit Stakes') was concerned with what is at stake, and in particular for the UK. The focus here was on crucial policy fields such as financial services,

corporate activity, and legal (dispute resolution) services. In the second section ('Brexit Analytics'), the negotiating framework of Article 50 TFEU, political constraints on the negotiations and the WTO framework as an outside option were analysed. Finally, in a third section ('Brexit Process') negotiation specialists and mediators discussed negotiation strategies and process design/management for 'making Brexit a success' – or at least avert a lose-lose outcome.

Contributions to the conference were originally published in a special 'Brexit Negotiation Series' of the Oxford Business Law Blog roughly in the order of the conference contributions, grouped together by conference themes. The posts were later published in a conference volume together with new contributions on the subject matters covered by the conference (Armour/Eidenmüller (eds), *Negotiating Brexit*, Munich and London: Beck and Hart, 2017). For publication in this volume, the authors updated and revised their posts, adding references where deemed appropriate or necessary. However, the conversational character of the contributions as blog posts was in general retained. We hope that the volume is of interest to practitioners and policy-makers involved in or interested in the legal, economic and political consequences of Brexit and to scholars researching 'Brexit Stakes', 'Brexit Analytics' and/or 'Brexit Process'.

John Armour is the Hogan Lovells Professor of Law and Finance

Horst Eidenmüller is the Freshfields Professor of Commercial Law

Oxford Business Law Blog
www.law.ox.ac.uk/oblb



Widening Access and Participation

INTRODUCTION



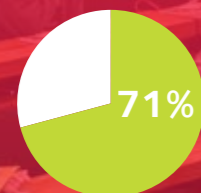
We welcomed our fourth cohort of Pathways to Law students this academic year. They have taken part in a variety of sessions on subjects such as careers in law, criminology, and mooting. We hosted our first event, a criminal mock trial in conjunction with Maitland Chambers, with Year 10 and 11 students as part of our bid to continue into Phase 4 of the programme. This is a very exciting development as it means we have now started working with younger students than before, aiming to catch them before their all-important GCSE exams. In connection with this we are also delighted to announce that as part of our Linklaters Oxford Law Access Ambassador scheme, which we launched this year, we have trained 76 current undergraduates who have already started to continue the faculty's vital outreach work in schools. In another new initiative, this time with the Brilliant Club, Stephen

Daly, who has just finished his Oxford DPhil, has written a course entitled 'What are Rights?' This will be delivered by postgraduates to Key Stage Two students in schools in disadvantaged areas across the country, with the aim of broadening their horizons beyond their school work.

As I write we are in the process of welcoming 30 students to each of our two UNIQ summer schools. The UNIQ programme is so successful in encouraging able students to apply to Oxford, and in supporting them through that process, that this year we are also running the Freshfields Explaw Summer School for students for whom there is currently just not space on the two UNIQ weeks we already run. We are also examining other ways in which we might bridge the gap between school and university so that we really are able to admit the brightest and best students, regardless of background. All our schemes play a vital role in enabling us to achieve this role, and of course for the individual students who benefit from them, their significance is even greater.

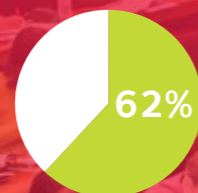
Rebecca Williams, Associate Dean for Undergraduate Studies and Access

There were **1717** applicants for law in 2016



OF THOSE WERE FROM STATE SCHOOLS

VS.



STATE SCHOOL APPLICATIONS ACROSS THE UNIVERSITY

14% OF THOSE RECEIVED OFFERS

WHEREAS **28%** OF APPLICANTS WHO HAD BEEN ON OUR UNIQ SUMMER SCHOOL RECEIVED OFFERS



Photo by Steve Allen

UNIQ

UNIQ

Getting the call that I was being given a space at the UNIQ summer school, was something which did not only make me happy, but something which represented a unique opportunity for me. I can honestly say that this summer school gave me a truer representation of what studying at Oxford, what studying law or just studying at university, would be like, making it easier to set on the decision that university is the right path for me.

Oxford, as an academic institution, became less intimidating and a more imaginable destination for me, and everyone else who was there with me. The whole week there was a blend of many different experiences, allowing us to explore different sides of what Oxford has to offer. The week gave me a taste of what my subject would be like and what my general routine would be when studying at university, while also showing me the more exciting and fun things that are offered, as demonstrated by our night out clubbing. I was given the confidence that the subject which I have chosen to do is the right one for me, and I would absolutely recommend the UNIQ Summer School to everyone who wants a taste of what university life would be like.

Lilia Raykova, UNIQ Law Summer School 2016

After the UNIQ summer school Lilia applied to the BA in Jurisprudence programme, and starts her degree this year.



Photo by Steve Allen

Pathwaystolaw

Oxford Pathways to Law aims to support and encourage academically able students in Year 12 and 13, from non-privileged backgrounds, who are interested in pursuing a career in law. Over the last year, our third cohort graduated from the scheme in summer 2017, we welcomed our fourth cohort who started in autumn 2016 and, as part of the Phase 4 of the programme, we held our first event, a mock criminal trial, with Year 10 and 11 (pre-GCSE) students.

Law at Oxford are words I never thought I would say, yet here I am, part of the Pathways to Law cohort at Oxford. Last year, when I received the email about it I was unsure whether to apply as my A-levels were all sciences, however, I decided to step out of my comfort zone and try something new so I went for it and I got accepted. Since then my first year as part of the cohort has been full of fun and varied events such as taster lectures and a day on making a strong university application – both of which were very interesting and informative.

There was also a mooting day which I found extremely valuable as I had to present a case in front of a panel of judges, something I dreaded doing, yet I did it! My favourite part has been the work experience I have undertaken and fortunately I was able to have 2 work placements at leading firms: one at Travers Smith and the other at Maitland Chambers, which I enjoyed as it allowed

me to see both the work of a solicitor and a barrister and it was the confirmation I needed that law is the degree for me. I found both placements really enjoyable and the people there went out of their way to help me to understand the various aspects of their work. The lawyers I worked with were very welcoming and the atmosphere was relaxed which was not what I had expected – I thought they'd be too busy to give me any of their time! I have found these to be very valuable experiences and they have really increased my motivation to study law at university.

Pathways to Law has given me an invaluable experience and the confidence to apply to Oxford and other top universities. I can't wait to study law in the future and I recommend this programme to everyone as it has given me the confidence to aim higher and try harder.

Maryam Zamir, Pathways 2017



In autumn 2016, we saw 83% of our second graduating cohort going on to a Russell Group university (an increase of 13% from our first graduating cohort), 64% of whom are studying Law, including 3 here at Oxford.

Qi-Lin with two of her fellow Ambassadors at an open day

Credit: Stuart Cox



Linklaters Oxford Law Access Ambassadors

Law at Oxford was never a serious consideration for me. It simply did not seem like the type of place that little old me from a rural market town could ever fit into. This was the type of misconception that I wished to dispel as a LOLAA. It is upsetting to think that anyone should risk missing out on the opportunity to study Law here because they do not think they are the mythical 'Oxford type'. Given that there is no such 'type', prospective applicants deserve to know that they could make it here and fit in, just like at any other University.

The work we do as LOLAAs serves to take apart this misconception. I particularly enjoy working at the Faculty of Law open days, as prospective students are able to converse with current students, and find that we are very much relatable – while we do work hard, we are not averse to watching reality TV. And yes, we do find time to socialise! Further, being able to see the enthusiasm of prospective students at Open Days serves as the best reminder to myself and my fellow LOLAAs of how lucky each of us at Oxford are.

Being a LOLAA has also given me the opportunity to help with the faculty's Pathways programme. As such, I have guided an aspiring law student with visual impairments to various access events throughout the year, including a week-long work experience at a Magic Circle firm. The breadth of my role as a LOLAA has truly been very rewarding. I feel I have been able to help make a great step towards proving to prospective students that the study of Law at Oxford is open to them, should they wish to pursue it.

Qi-Lin Moores, LOLAA Ambassador 2016-2017

Baker McKenzie Supports Oxford Law Outreach

Thanks to a generous donation from Baker McKenzie, we are delighted to announce the creation of a new post of Baker McKenzie Access Officer. This additional member of the admin team will be responsible for running the Faculty's access and widening participation activities, helping to organise the Pathways to Law programme, the UNIQ summer schools, Faculty open days and other similar events. He or she will also help to develop new outreach projects for the Faculty, supporting academic colleagues responsible for access and admissions in Law. All our access students in outreach to all UK colleges and schools for our widening access programmes.

ACCESS

NEWS

Centre for Criminology

Global Criminal Justice Hub

In June 2016, as part of its 50th anniversary celebrations, the Centre for Criminology launched a new Global Criminal Justice Hub to promote understanding of, and dialogue about, criminal justice responses to crimes around the world.

The topics the Hub will look into include:

- Cybercrime
- Trafficking in persons
- Justice responses to migrants and asylum seekers
- Conflicts, aggression, and war crimes
- Law enforcement in developing democracies
- The use of judicial and non-judicial executions around the world.

As the first step towards realising this ambitious goal the Centre created a series of collaborative exchanges with partner universities around the world. In 2017 Oxford welcomed the first visiting student under this scheme from the University of Pompeu Fabra, Barcelona, Jose M. Lopez-Riba. While in Oxford, Jose worked with Ian Loader and Alpa Parmar on his doctoral research about immigration policing in Spain, he also presented his research at an informal lunchtime seminar organised by Border Criminologies. Through the Global Criminal Justice Hub the Centre for Criminology hopes to support critical intellectual exchange that can work towards imagining and implementing global justice.

Find out more at www.law.ox.ac.uk/crimjusticehub

Public International Law

Global Justice Internship programme awards

This year, the Oxford Global Justice Internship Programme, initiated by the Public International Law Group within the Oxford Faculty of Law and funded by the Planethood Foundation, provided financial assistance to four Oxford law graduates seeking valuable work experience in international law:

Stergios Aidinlis interned at the International Criminal Court, providing legal assistance to the Bemba defence team led by Ms Melinda Taylor in the so-called 'Article 70 case'.

Clara Ludot joined a team of international lawyers while serving her internship within the Office of the President of the Mechanism for International Criminal Tribunals (MICT).



Louis Tran Van Lieu served his internship in the Policy Branch of the Office for the Coordination of Humanitarian Affairs, at the United Nations Headquarters in New York.

Zac Barnett interned at the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), New York, experiencing both the 71st session of the General Assembly and the appointment of the new Secretary-General, António Guterres.



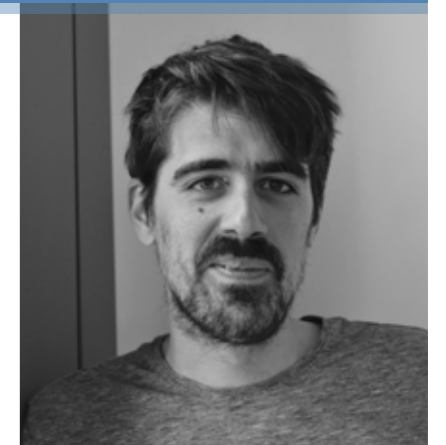
Read reports from these students at bit.ly/gjinternships.

Public International Law

International Court of Justice Traineeship Programme

The Oxford Law Faculty is one of a group of leading law faculties around the world invited by the International Court of Justice (ICJ) to participate in the ICJ's traineeship programme. The traineeship programme is similar to a judicial clerkship or judicial assistantship and provides an opportunity for one Oxford student or recent graduate to work for nearly a year at the principal judicial organ of the United Nations. The person selected will work closely with the members of the Court by providing research assistance in support of their tasks, such as drafting opinions, orders and other court documents; preparing case files and researching a variety of legal issues.

As the result of a very generous donation and further funds raised by members of the Oxford Public International Law subject group, the Oxford Law Faculty is able to offer funding to Mr Sotirios-Ioanis Lekkas, who was selected by the International Court of Justice to undertake the traineeship. The traineeship will run from 1 September 2017 to 30 June 2018.

Daniel Kaasik
ICJ trainee 2016-17

From 1 September 2016 to 30 June 2017, I worked as one of the university trainees at the International Court of Justice, the principal judicial organ of the United Nations. I was assigned to HE Judge Peter Tomka (Slovakia). My traineeship coincided with a number of very different cases currently on the Court's docket, including disputes concerning diplomatic immunities, financing of terrorism, racial discrimination, and maritime delimitation. It was extremely useful for me to engage with the different areas of international law in a more practical fashion than I have been used to in academic life, and to learn about the general procedure followed at the Court for hearing and deciding cases.

My ten months at the Court were largely structured according to the Court's calendar and the oral hearings thus appear as particular highlights. It was most interesting to see how differently cases can be argued in terms of strategy and style even before the International Court of Justice, where the procedure is rather inflexible. Alongside the hearings and working on the cases for Judge Tomka, I also benefitted more generally from discussing questions of international law with my colleagues from diverse backgrounds and jurisdictions. I thoroughly enjoyed the debates both before and inside the Court, and emerge from my traineeship with a considerably enriched perspective of international law.

It was both a pleasure and a privilege to work at the Court, and I would like to thank the Faculty of Law and particularly the Public International Law Group for providing me with the opportunity and financial support for the duration of my stay at The Hague. Oxford's continuing involvement in this programme is a testament to the strong tradition of public international law in the University.



Daniel is on back row second from left (University Trainees of 2016/2017 at the Peace Palace)

Oxford Transitional Justice Research Network

JusticeInfo.net

Oxford Transitional Justice Research (OTJR) has continued its editorial collaboration with the Swiss NGO, Fondation Hironnelle, and the Harvard Humanitarian Initiative. JusticeInfo.net, the online platform that resulted from this joint effort, has established itself as a major media outlet for specialists working on these topics and the general public. OTJR has provided academic analysis of ongoing developments in conflict and post-conflict countries (such as Kosovo, Kenya, Sri Lanka, Ukraine, Colombia) through its team of editors and its extensive research network.

For more information, visit www.justiceinfo.net/en/oxford-research.html.

Law and Finance

New members on the MLF advisory board

The MSc in Law and Finance is now in its 6th year and the Advisory Board has played a key role in the development of the programme. This year the board has said goodbye and thank you to some of the members who have helped shape the programme from the start and has welcomed five new members, including one alumna.

Nick Segal of Freshfields, Mark Campbell of Clifford Chance, George Karafotias of Shearman and Sterling and Paul Lewis of Linklaters have stepped down from the board after seven years of invaluable contributions to the shaping and development of the Course.

Alessandra Sollberger is the first alumna to join the Advisory Board. She graduated from the MLF programme in 2012 and next worked in M&A at Goldman Sachs and in private equity at Blackstone before moving on to venture capital at Mosaic Ventures. She has now set up her own business – Evermore Health. She says 'I'd like to bring to the advisory board an entrepreneurial, international perspective to career-building and approaching sectors with a multidisciplinary approach. I think that multidisciplinary thinking has become particularly relevant in this modern age and economy – that's something that the MLF brings through and encourages particularly well'.

It is vital that the advisory board of a programme that cuts across the disciplines of law and finance reflects the various disciplines. Lisa Rabbe of Stratosphere Advisors, who has been featured on Financial News's annual list of the 100 most influential women in finance every year since 2010, joins the board this year. She brings a wealth of experience in banking and policy, most notably as Credit Suisse's previous Head of Public Policy for Europe, the Middle East and Africa.

A close connection with the legal sector is crucial for the development of the MLF programme and to keep it relevant in the current climate of political and economic change. New MLF board members Emma Matebalavu, Partner at Clifford Chance, Vanessa Havard-Williams, Partner at Linklaters and Flora Mclean, Partner at Freshfields, represent magic circle law firms who are keen to be involved with the MLF and see the value in a programme which bridges the world of finance and law.

Luca Enriques, Allen & Overy Professor of Corporate Law and Director of the MLF programme, said: 'We welcome our new board members and look forward to their inputs on how to make the programme even better at opening up new career avenues for our students. Diversity within the Board is instrumental to this goal. We aim to further broaden the range of backgrounds and experience within the Board in the coming years'.

OxHRH RightsUp #RightNow Podcasts

The *RightsUp #RightNow* podcast series from the Oxford Human Rights Hub is developed out of a desire to apply a human rights lens to current events and headlines in a way that is accessible and engaging to both a legal and non-legal audience. Law is often perceived to be an elite and relatively inaccessible field, but it has tremendous implications for the way we live our daily lives. In both content and format, *RightsUp #RightNow* addresses the chasm between law in the abstract and law in society. Listen to the podcast on Soundcloud at soundcloud.com/oxhrh.



Athena Swan

In May 2017 the Faculty of Law was able to announce that it had been awarded a Bronze award by the Athena SWAN review panel. The Athena SWAN Charter was designed to promote gender equality in academia. It is based on ten principles, including the following:

1. We acknowledge that academia cannot reach its full potential unless it can benefit from the talents of all.
2. We commit to advancing gender equality in academia, in particular, addressing the loss of women across the career pipeline and the absence of women from senior academic, professional and support roles.
3. We commit to making and mainstreaming sustainable structural and cultural changes to advance gender equality, recognising that initiatives and actions that support individuals alone will not sufficiently advance equality.
4. All individuals have identities shaped by several different factors. We commit to considering the intersection of gender and other factors wherever possible.

Jonathan Herring



Part-time DPhil in Law

From October 2018 the Faculty will begin admitting students to the DPhil in Law on a part-time basis. Part-time DPhil students will be given twice as long on the student register as their full-time counterparts, and will not need to be in residence in Oxford during their studies, though will need to meet certain attendance requirements and undergo the same research training as full-time students.

This new initiative will make the DPhil accessible to a number of different communities. It will contribute to the Faculty's widening access and participation agenda, providing an opportunity for students to combine paid employment and graduate research (an important consideration given that graduates are often burdened with significant debt) and making it easier for those with child-care responsibilities to pursue studies at doctoral level. It will also make the DPhil available to legal professionals, who are increasingly expected to engage in continuing professional development while simultaneously occupying important and demanding roles in a variety of legal and political contexts; and to legal academics in tenured Faculty positions who wish to gain a prestigious research degree from the University of Oxford, without having to take an extended faculty sabbatical to do so.

Commenting on the new arrangement, Professor Alan Bogg, the Associate Dean for Graduate Research Students, writes:

'As a place of learning the Faculty of Law can only benefit from the presence of professionals from the world of legal practice and policy work within its student body, and development of a part-time DPhil is integral to the Law Faculty's commitment to being an inclusive environment for work and study.'

Over 500 attend Putney Debates 2017 to debate UK's constitutional future

Over 500 people attended The Putney Debates 2017, organized by the Foundation for Law, Justice and Society (FLJS) at St Mary's Church, Putney, and over 2,000 more have watched online, in what has come to be regarded as a significant milestone of public engagement in the ongoing debate over the UK's constitutional future.

The Debates, convened by FLJS on 2-3 February in association with the Faculty of Law, the Centre for Socio-Legal Studies, and Wolfson College at the University of Oxford, addressed the constitutional challenges raised by the vote to leave the European Union, and questioned the need for a written Constitution for the UK.

More than thirty speakers debated the issues over four sessions, chaired by the UK's leading legal commentator **Joshua Rozenberg**, Cambridge philosopher and Cross-bench Peer **Baroness Onora O'Neill**, and members of the Law Faculty including **Professors Denis Galligan, Alison Young, and Paul Craig**.

The Debates were conceived by **Professor Denis Galligan**, Professor of Socio-Legal Studies at the Faculty of Law and Director of Programmes at the Foundation for Law, Justice and Society, Wolfson College.

Professor Galligan was struck by the parallels between the constitutional uncertainties posed by the result of the EU Referendum, and those faced in 1647, when the original Putney Debates were convened in the wake of the English Civil War, and gave rise to many of the civil liberties we value today.

Speaking about the inspiration for the event offered by recent political events, Professor Galligan said:

'Government has been toppled, a new leadership has emerged, the two main parties are in a state of internecine warfare, parliamentarians do not understand how to reconcile their duty to act for the common good and the result of the referendum. The referendum, a device unknown in British constitutional



history, is being thrust into the constitutional arena without explanation or justification. The people are divided and the four nations comprising the United Kingdom are at odds.'

The debaters included a panel of pre-eminent figures including renowned philosopher and prominent Brexit critic **AC Grayling**; former Lord Justice of Appeal **Sir Stephen Sedley**; **Rob Murray**, representing Gina Miller in the Article 50 case; constitutional expert (and tutor to David Cameron) **Vernon Bogdanor**; prominent human rights lawyer **Michael Mansfield QC**; Political Economist **Will Hutton**; the historian and *Guardian* columnist **Timothy Garton Ash**; and **Robert Hazell CBE**, founder of the Constitution Unit at UCL.

Over two days, speakers and audience debated the relationship between parliamentary sovereignty and popular democracy; contemporary trends to strengthen the voice of the people through direct democracy, referendums, and social media; the Article 50 case, the Royal Prerogative, and the role of the law; and constitutional principles and how to preserve them.



Common themes that were consistently raised throughout the debates included:

- the tension between the will of the people and representative government,
- the need for greater civic education to confront political apathy and misinformation,
- the importance of preserving free speech and the popular voice in a post-truth society, and
- the widespread ignorance of constitutional principles, even within Parliament itself, and the case for a written constitution for the UK.

A collected volume of the speakers' contributions entitled ***Constitution in Crisis: The New Putney Debates***, featuring an introduction by Professor Galligan, was published in August and can be ordered from www.fljs.org/putney-book. Copies will be distributed to every MP and higher court judge in the land, and will be available to buy online and in High Street bookshops.

Other notable events organized by the Foundation for Law, Justice and Society in 2017 include a book colloquium on the award-winning *East West Street: On the Origins of 'Genocide' and 'Crimes against Humanity'*, which won the most prestigious non-fiction prize in the UK last year.

The author and highly respected international lawyer Philippe Sands QC gave a moving account of the origins of the human rights movement, in discussion

with Professors Dapo Akande of the Faculty of Law and Stephen Humphreys of LSE. The event, held in collaboration with Oxford Transitional Justice Research, proved to be a thought-provoking discussion of his Baillie Gifford Prize-winning memoir that tells the personal histories of the key legal protagonists at the Nuremberg trials.

Upcoming FLJS events for Michaelmas Term include a book colloquium on Ivan Krastev's provocative new book on the future of the EU, *After Europe*, and a keynote lecture by one of the Putney Debaters, renowned philosopher A. C. Grayling, who, on 6 December, will make: The Case for a Written Constitution. A follow-up event to the Putney Debates is being planned for February 2018. To find out more and register, visit: www.fljs.org/events

Phil Dines



www.fljs.org

To receive updates of the Putney Debates book launch event, invitations to our full events programme, and links to our free resources, please follow us on Twitter at **@OxfordFLJS** or subscribe to the FLJS bimonthly e-newsletter: www.fljs.org/e-news.

The debates were livestreamed to a global audience, and can be watched again at the Law Faculty YouTube channel and at www.fljs.org/PutneyDebates2017-Videos.

To order your copy of *Constitution in Crisis: The New Putney Debates* at a special discounted price, please visit: www.fljs.org/putney-book.

Blackstone Lecture, Pembroke College

Juries: Past and Present:
by Dame Heather Hallett



The annual Blackstone Lecture took place in May, and was given by Dame Heather Carol Hallett, the current Vice-President of the Court of Appeal Criminal Division.

Dame Heather began the lecture by reflecting on the place of juries in our legal system. She explained that the role of juries is confined to criminal cases, with civil cases not being well-suited to trial by jury. She then discussed the difficulties that juries face when deciding multiple counts, and the controversial issue of whether or not the jury should hear of the defendant's character. This latter issue was resolved by the Criminal Justice Act 2003, which she argued remedied the previous problem of juries not being allowed to hear of a defendant's character or judges being obliged to give a good character reference to 'bad' defendants.

Dame Heather discussed whether judges are wrong to place so much faith in juries. She explained that trial by jury is seen as unfair and time-consuming in some instances, as well as being a luxury that is very expensive. Moreover, juries can misbehave: jurors have sometimes made approaches to the accused or certain advocates; however, a far more troubling problem is the increasing trend of jurors ignoring directions against using the internet. This has prompted the phrase 'trial by Google'; with 12% of jurors looking for information on the internet, which she argued has to be a cause for concern.

Dame Heather expanded on the historical role of the jury. When the King was all-powerful, and the Star Chamber was active, the judiciary was generally seen as a branch of the executive. The major milestone came, she argued, with Blackstone's insistence that the jury should not be dominated by judges; conceiving its role to be that of defender of individual liberty and human rights. Importantly, this role was performed by the public itself, and became the only means by which law could not be used as a tool for oppression.

She concluded that one can accept that the jury's role has been overtaken by the separation of powers and growth of democracy without accepting that trial by jury has stopped preventing oppression. Furthermore, she warned that we cannot overlook the jury's role, especially in the light of Brexit. Trial by jury is especially

important, she argued, in terms of democratic participation, and in forming the democratic branch of the judiciary. This is further emphasised, she added, by the fact that juries are diverse: the BME community is not underrepresented on juries as it is with regards to judges. Most significantly, she argues that a fair hearing by lay people increases the confidence people have in the system, with statistics showing that citizens are more likely to vote in elections following participation as jurors.

Finally, Dame Heather considered the merits of the jury as truth-seeker. She argued that whilst critics blame the collapse of some high-profile trials on juries, the fault is actually with the investigators. Prosecutions should be intelligible to the public, she urged, as well as stating that she is unsure where the evidence exists that shows that judges are better-placed than juries. Moreover, Blackstone's theory was that it is better that ten principals escape than one innocent defendant suffer. She further supported this view by advocating that it is easier to attack a decision made solely by a judge than one made by jury, since juries provide an additional layer of legitimacy. Recent empirical studies also show that juries carry out their role effectively. Therefore, she submitted that it would not benefit society to have judge-only decisions, especially with the trend of verdicts becoming increasingly reasoned; the jury play an important role where evidence comes into play.

In her concluding remarks, Dame Heather stated that she does not advocate a return to trial by jury in civil cases, with one reason for this being that consistency is needed in terms of damages. On the other hand, she gave support for the continued role of juries in criminal cases which are sufficiently serious in their effect on society or the individual. She further added that more academic research is needed in this area in order to ensure that the jury process remains a robust, central and democratic part of the judicial system.

Matthew Terry

Border Criminologies

Race, Migration and Criminal Justice

The Border Criminologies Race, Migration and Criminal Justice workshop was held at St Anne's College in May. The papers from this workshop will appear in a book edited by Mary Bosworth, Alpa Parmar and Yolanda Vázquez and published by Oxford University Press.

Race is at once a scientifically discredited category and an important social one. Precise definition eludes us, but we know that race is entangled with a range of ideas about group membership, difference and nationhood, often surfacing in discussions about justice and citizenship. It's no surprise, then, that when it comes to enforcing the law, we ask ourselves who gets criminalized and why some people are said to belong but not others. Both criminal justice and migration control are fertile ground for race construction. Arresting and imprisoning people are already socially permissible ways of 'othering' people. Such processes are sharpened by internally inclusive and externally exclusive concepts like race. Our Border Criminologies workshop held earlier this year on Race, Migration and Criminal Justice, organized by Alpa Parmar, Mary Bosworth and Yolanda Vázquez, began by inviting us to reflect on why and how race is socially constructed in criminal justice and migration control. Starting from the premise that order and borders are racialized, our discussions focused on conceptualizing race and uncovering how it works.

In everyday speech, 'racism' usually refers to prejudiced beliefs of individual people. Racism is about words and deeds, implying malign intent and distorted information. Racist attitudes are, in principle, amenable to rational persuasion, since spurious beliefs can surely be corrected by truthful ones. To call a person or practice 'racist' is to say they are wrong, factually and morally. Racist incidents allow a shameful legacy – long since defeated by decolonization, civil rights movements, and anti-discrimination legislation – to rear its ugly head.

To many race scholars, this account is incomplete in several ways. Its conception of race and racism is too narrow and individualistic. Viewing racism as a set of spurious propositions is only part of the story. There certainly is a psychological side to race and racism, as Yolanda Vázquez reminded us, pointing to studies on implicit bias and variable warmth towards different groups. That being said, race scholars broaden and deepen our conception of race and racism, focusing on how race is embedded in all forms of social relations –

the economy, law, political institutions – produced and renewed over time.

Viewing race as a pervasive social phenomenon brings everyone into the fold, turning the spotlight on 'whiteness' as much as 'Muslims' or 'young black men'. We now see that a white sexagenarian judge is also racialized, just as men are gendered and the wealthy are marked by social class. As Ana Aliverti's paper on the construction of difference showed, some English Court of Appeal judges are adept at conferring racial status on others, making armchair speculations about the 'cultural' origins of domestic violence among foreign-born men, or purporting to know that a particular nationality explains women's responses as victims. Such thinly substantiated claims imply that domestic violence is alien to a dominant national way of life, despite its existence in all societies. In a similar vein, tropes of Latino machismo and female hyper-vulnerability are often used as justifications for clampdowns on illegal migration between the US and Latin America, as Lirio Gutiérrez Rivera and Gabriella Sanchez suggested. This image is contrasted with a vision of wholesome American family life, as Jennifer Chacón and Tanya Golash-Boza pointed out. A routine association between migration and terrorism, race and threat, was also criticized by Hindpal Singh Bhui when discussing Muslim prisoners in England.

If race is pervasive within societies, we naturally wonder to what extent it is an international phenomenon. Our workshop reflected this curiosity, with scholars from across the globe. Despite the obvious attractions of such a wide-ranging group, international scholarship brings some problems of its own. On the face of it, we are unlikely to discover a single theory of race linking Serbian politics (Sanja Milivojevic) to Indian Caste (Rimple Mehta) to Australian policing (Louise Boon-Kuo). After all, we cannot expect a scientifically spurious concept to lend itself to clear and consistent analysis. Even the very concept 'race' does not always translate easily, as scholars of Latin America reminded us, nor are the historical and institutional forms of race always

easy to compare. However, the alienating effects of racialized law enforcement are common to practices as geographically distinct as US Fourth Amendment jurisprudence on unreasonable searches and seizures, and nationality checks of black British men in police custody, as Devon Carbado and Alpa Parmar suggested.

Many participants noted that law enforcement is a particularly powerful instrument for the illusion of 'racelessness', given its publicly declared neutrality and low visibility application. This dual quality of theoretical objectivity and racialized practice helps sanitize the law, disguising how it works and weakening public scrutiny. The facts frequently confound this myth of equality when, for example, more than 90% of US deportations are of Latinos. Although we may think of law and order policies as the outcome of committed nativist activism by groups like the Minuteman Project, deportations and tough immigration policy are bi-partisan affairs, even if one side tends to be more vocal than the other. The zero-sum politics of crime and immigration continues, with devastating effects for minority groups whose lives are reducible to rhetoric.

However we conceptualize race, we can be sure that it has not disappeared. A running theme of our discussions was race as something coded and disguised, translated into more comfortable idioms like nationality and culture. There is a methodological debate to be

had about inferring what people are *really* saying based on them saying something else, but it seems unlikely to hear a white Brit complain about an influx of Antipodeans or being swamped by Danes. Within this more veiled racial language, racial hierarchies are normalized. Thousands of ethnic minority men and women languish for unknown periods in immigration detention centres where the innocuous concept of 'diversity' is celebrated, as Mary Bosworth discussed; posters showing a mass of refugees crossing into Slovenia are used as a reason for Britain to leave the EU; vans are piloted in certain communities to encourage illegal migrants to 'go home'. Sometimes these are called out as dog-whistle politics because the message went a little too far. Political actors occasionally distance themselves after the fact if it goes wrong, not because the message was abhorrent, but because the medium was a bit blunt. The list goes on and things may yet get a lot worse, so what is to be done? The political agenda is hardly inspiring, but despair doesn't help anyone. Conceptualizing race and understanding how it works is one important step towards a better politics of migration and criminal justice.

Dominic Aitken

Dominic Aitken, DPhil student in Criminology, is researching responses to deaths in prisons and immigration removal centres.

Border Criminologies funding

It with great pleasure that Border Criminologies announces a series of new partnerships with **Goldsmith Chambers, Garden Court Chambers** and the research group headed by Professor Maartje van der Woude at **Leiden University** Law School. Through generous funding from Goldsmith and Garden Court Chambers, the core work of Border Criminologies will continue, while new plans are afoot to hold events bringing together legal practitioners and academics. Working with the wider Oxford Faculty of Law and the Centre for Criminology we hope also to encourage students to consider working on the intersections of criminal and immigration law. The Criminal Justice, Citizenship and Migration SSRN series which makes academic research free to access, which was previously covered by the Leverhulme Trust, will be funded through Prof. van der Woude's VIDJ grant. The two research groups are working together to plan student exchanges and seminars.

We would like to take the opportunity to thank some of the funding bodies that have underpinned Border Criminologies from the start as a number of grants are winding down. We are thankful for the generosity of those funding bodies, particularly the Leverhulme Trust and the European Research Council. We are also grateful for the ongoing support of the Centre for Criminology through the Global Criminal Justice Hub, to the John Fell Fund at the University of Oxford and to the Economic and Social Research Council.

Want to know more about Border Criminologies research and events?

Read our blog www.law.ox.ac.uk/border-criminologies

Listen to podcasts from Border Criminologies events at bit.ly/bcmitunes

Oxford Transitional Justice Research Network

OTJR 10th anniversary

In June, OTJR celebrated its 10th anniversary year with a one-day workshop for PhD candidates and early career researchers working on transitional justice. The workshop, organised by DPhil candidates and OTJR members Daniel Franchini and Elena Butti, was attended by more than 40 researchers from the UK and overseas. The participants engaged in an extensive discussion on the current challenges of transitional justice research under the guidance of scholars and former OTJR members Phil Clark, Nicola Palmer, Miles Jackson, Julia Paulson, Katherine Saunders-Hastings, and Eleanor Pritchard. **Pablo de Greiff**, UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, delivered a keynote talk on how to bridge the gap between academia and practice in the field of transitional justice. A performance by Javier Ormeno, from the Theatre of Transformation

Academy, concluded what has been a major event for transitional justice research in 2017.

As part of its weekly seminar series, in 2016/2017 OTJR has brought to Oxford leading scholars and practitioners working on issues of justice, truth, and reparations in societies recovering from conflict and authoritarian rule. The list of the prestigious guests includes, among many others, ICC Judge **Chile Eboi-Osuji**, **Sir Geoffrey Nice QC**, **Philippe Sands QC**, and key negotiators in the Colombian peace process.

The podcasts of these events are available at bit.ly/otjrpodcasts

More details and the calendar of future events can be found at www.law.ox.ac.uk/otjr

Institute of European and Comparative Law

Current Issues in Arbitration and Dispute Resolution

The biennial conference on *Current Issues in Arbitration and Dispute Resolution* was held on in St Catherine's College in December, organised by Geneviève Helleringer, Horst Eidenmüller and Andreas von Goldbeck on behalf of the Institute of European and Comparative Law, in collaboration with le Comité Français de l'Arbitrage and ESSEC Business School. The conference, supported by Orrick Rambaud Martel, brought together leading academic writers and practitioners in the fields of commercial arbitration and mediation from England, Continental Europe and the United States and—as always—gave rise to a rich and lively debate between the presenters of papers, their discussants, and the conference participants generally.

The programme this year included a wide range of papers grouped around the themes of international commercial arbitration: Brussels I recast (Andreas von Goldbeck, Oxford), competition in the arbitration market (Martin Fries, Munich) and arbitrator impartiality (Peter Ayton, London City University); arbitration and mediation: comparative economic analysis of arbitration and mediation (Sarath Sanga, Northwestern University); and evolutions and trends in negotiation and mediation: process design in complex business mediations (Andreas Hacke, Düsseldorf and Munich), and concluded with perhaps the most topical of all current issues: negotiating and mediating Brexit. Horst Eidenmüller presented his paper which analyses the negotiation position of the parties (UK, EU, Member States) and proposes an international, tailor-made mediation process as a means to efficiently steer the withdrawal negotiations and help the parties agree on a value-preserving 'withdrawal agreement' ('Brexit Mediation').

John Cartwright

Centre for Criminology

Thirty Years on Death Row: When Reality Confronts Critical Theory

Centre for Criminology's Roger Hood Annual Public Lecture by Professor Bernard E. Harcourt (Columbia University) chaired by Professor Carolyn Hoyle (University of Oxford), Friday, 2 June 2017.

The highly prestigious Roger Hood Annual Public Lecture series was launched in 2006 to honour and celebrate the long and distinguished career of Professor Roger Hood and his contribution to Oxford Criminology. The inaugural lecture was given by David Garland, and other lecturers have included John Braithwaite, Jonathan Simon, Andrew Ashworth, the late Nils Christie, Alison Lieblich and Lucia Zedner. In 2017, we returned to the theme of our first lecture and the topic closest to Roger's heart; the death penalty.

Does the death penalty pose moral dilemmas that force us to commit uncritically to the preservation of life, irrespective of broader intellectual and practical implications? In a passionate and engaging lecture, Bernard Harcourt explored this and other complex questions, inviting us to reflect on the ethical choices we, as researchers, lawyers, and ultimately human beings, are forced to face when the life of another individual is at stake.

As a critical theorist, Harcourt has dedicated significant thoughts and efforts to highlighting how liberal values contribute to reinforce traditional social hierarchies and power structures. At the same time, as a death penalty defence lawyer, he has unwittingly reinforced the same values he has tried to deconstruct through his scholarship. This contradiction, as Harcourt acknowledged in a deep self-reflection on his role as a researcher and a defence lawyer, poses significant questions about the possibility of reconciling an intellectual critique of the universality of human rights with a professional activity dedicated to safeguarding due process, equality before the law, and other constitutional rights.

Alongside his academic commitments, Harcourt has dedicated almost 30 years to the defence of death row prisoners in Montgomery, Alabama. During the Roger Hood lecture, Harcourt investigated the nature and implications of this moral necessity, starting from the

discussion of the case of Doyle Hamm, a man detained on death row in Alabama.

Doyle's case is a typical example of inadequate legal representation, a widespread problem that affects many indigent defendants charged with capital crimes in the US. In the penalty phase of the trial that led to Doyle's capital sentence, the defence lawyer presented his mitigating evidence in only nineteen minutes. He called no mental health experts and presented no medical or educational records. The jury that sentenced him to death never heard any mitigating evidence about Doyle's past and, after just four hours of deliberation, were ready to decide that his life was not worth sparing.

Taking up the case in 1991, Harcourt investigated Doyle's past to paste together the life that was never presented to the jury. Here he found extreme poverty, abuse, mental health problems, and learning disabilities. Notwithstanding robust efforts to find relief in state and habeas courts, Doyle is still on death row and suffers from a malignant cancer that has spread throughout his body. There are only two possibilities before him: natural death or execution, which could paradoxically turn into a form of euthanasia that frees Doyle from the pain of his disease.

As a critical theorist, Harcourt has never made the death penalty the focus of his scholarship. He never felt he could reflect on it from the safe position of the intellectual. Yet, Harcourt recognizes that his activity as a lawyer might have indirectly contributed to legitimize the American capital punishment system. With its long stream of rules and procedures, the law has indirectly contributed to humanize capital punishment in the eyes of the public, without substantially addressing the daily violations that the system regularly performs. Could it be that lawyers' attempt to defend defendants' rights and freedoms might contribute to the survival and preservation of

the very system they are trying to defeat?

Harcourt admits that this is a real possibility, and yet he never gave up his work with Doyle. He felt that Doyle needed him and that at the same time he needed Doyle, perhaps to fulfil his human need to give a part of himself to somebody else. Perhaps the reason for this humanitarian urge lies in what Kant called the inviolability of life, Harcourt argues. Perhaps confronted with the necessity to save a life we have no choice but to defend

due process and constitutional rights even if by doing so we further entrench a cruel and inhuman punishment. If you have the privilege and power to defend the rights of those in need, is it possible or desirable to refrain from doing it simply because it might reinforce the system as a whole?

Chloë Deambrogio



You can watch the 2017 Roger Hood Annual lecture by Professor Harcourt online at bit.ly/rogerhood.

Centre for Criminology

Life without Hope: Irreducible Life Sentences in the UK and Italy

MSc Criminology student, Giulio Pagano and Carolyn Hoyle from the Centre for Criminology hosted an event exploring the use of life sentences in the UK and Italy. Although irreducible life sentences are prohibited in Europe, some member states of the Council of Europe provide for sentences that are de facto irreducible. Judge Paulo Pinto de Albuquerque of the European Court of Human Rights provided a rich analysis of the recent case-law of the Court, from *Vinter* to *Hutchinson*, considering not only whether such sentences are acceptable but also what conditions life prisoners are and should be kept under.

Liora Lazarus provided a response, and the ensuing debate was followed by the screening of a powerful film-documentary, *Spes contra Spem*, which shed light on the experiences of those persons subject to *ergastolo ostativo*, a particular type of life imprisonment only applicable to those who have been convicted of serious crimes related to the Mafia or terrorism. This moving film was introduced by Elisabetta Zamparutti, Italian member of the Committee for the Prevention of Torture of the Council of Europe, and of the NGO, Hands Off Cain.

Carolyn Hoyle

Annual Socio-Legal Lecture

Professor Kieran McEvoy from the Law School of Belfast University presented the 2017 Annual Socio-Legal Lecture. Now a well-established and well-attended highlight of the busy events calendar of the Centre for Socio-Legal Studies, this year's lecture examined 'Lawyering, Professionalism and Struggle in Conflict and Transition'. The lecture explored through four heuristic models how lawyers who represent clients in highly politicised causes handle cases and thus contribute to performing the 'legality' of legal institutions, such as courts. The models were informed by analysis of an original data set of 170 in-depth qualitative empirical interviews with cause lawyers and political activists that explored whether and how cause lawyers share information between politically motivated prisoners and those on the outside, whether they recognize the court at all and which lines of argumentation they adopt. Also through the rich empirical data the lecture illuminated cause lawyering as a significant and controversial socio-legal phenomenon in a range of conflicted and transitional societies, including Northern Ireland, South Africa, Israel/Palestine, Cambodia, Chile and Tunisia, thus raising fundamental questions about the relevance of specific political and economic



circumstances for shaping ideals of professionalism among lawyers.

The lecture was preceded by an internal Centre workshop which stimulated lively debate among its fellows, including postgraduate and postdoctoral researchers as well as visitors, also in response to presentations by Elena Butti and Dr Jessie Blackbourn about the criminal prosecution of a US cause lawyer defending Islamic terrorism suspects.

Centre for Socio-Legal Studies

The Impact of Terrorism Law on Law and Legal Processes

In March, the Centre for Socio-Legal Studies hosted a one-day workshop on 'The Impact of Terrorism Law on Law and Legal Processes'. The body of laws that comes under the rubric of 'terrorism law' is often thought of either as a distinctive area of law in itself, or one that interacts with a single other legal discipline, most often criminal law, human rights law, or immigration law. However, in reality, domestic state and transnational terrorism laws have a significant impact on multiple areas of law simultaneously, but the effect of that impact is often lost due to the constraints of legal disciplinary boundaries. The aim of the workshop was to overcome those constraints, by crossing legal disciplinary boundaries to discuss the intersection between anti-terrorism law and other areas of the law, including constitutional law, EU law, immigration and citizenship law, international, regional and domestic human rights law, criminal law, and family law. The workshop saw the presentation of new work in these areas from Alan Greene, Durham, Cian Murphy, Bristol, Devyani Prabhat, Bristol, Rumyana Grozdanova, Liverpool, Adrian Hunt, Birmingham, and Lawrence McNamara, York/Bingham Centre for the Rule of Law. The discussion that followed explored the variety of ways in which terrorism law has shifted perspectives on core legal values and challenged some of the fundamental assumptions about a 'normal' constitutional order and the appropriateness of anti-terrorism law's place within it.

Oxford Human Rights Hub



Women at Work

Despite making impressive gains, women continue to face significant disadvantage in both formal and informal work. The law, as currently conceived, has been unable to fully achieve women's equality in the labour force. However, while it is important to question whether we can rely exclusively on the law to fully address the continuing and emerging obstacles to women's employment, it is equally as important to recognize that law still retains a vital role in modifying cultural norms that underpin women's role in the labour force. Legal and policy strategies can and do empower women around the globe.

On 18 and 19 May the Oxford Human Rights Hub (OxHRH), The International Labour Organization and the University of Kent hosted *A Better Future for Women at Work*. The conference began the process of developing transformative legal and policy strategies to ensure that work leads to a better future for all women.

We brought together a wealth of experience from practitioners, academics, policy-makers from around the world and across disciplines to explore eight inter-related themes:

- Legal Strategies and Informal Work
- Achieving Transformative Equality for Women in the Rural Economy
- Women and Fragmented Work
- Recognising, Rewarding, Reducing and Redistributing Care Work

- A Better Future for Women at Work: Intersectionality at Work
- Responding to Inequality in Earnings and Income
- Combating Violence and Harassment at Work
- Women and Vertical and Horizontal Occupational Segregation

The conference discussions were energetic and moved beyond traditional debates on women's role in the labour force. Panels looked at the importance of zoning regulations for informal women workers, the desperate necessity of guaranteeing decent working conditions for formally employed care workers, the importance of transforming men's gender roles and understanding how class structures and power relations can exacerbate gender inequalities. The presentations and discussions made bold claims such as arguing that labour rights are inherent to the person and not to the contract of employment, and that to achieve decent work for all women there must be universal provision of high quality public services. The conference concluded with a call for universal solidarity and, at the same time, being attentive to local political, legal and social culture.

The findings of the conference will be drawn together for publication. In the lead up to the conference, the OxHRH published a special blog series drawn from the conference papers that explores these themes. You can find the blog series on our website ohrh.law.ox.ac.uk.

We are grateful to all who participated who devoted their time and energy into making the conference such a success, and especially to the International Labour Organization and the University of Kent.

Different Ways of Working

The legal regulation of work is back in the news: be it the prime minister's review of employment law for the 21st century or her Chancellor's infamous U-Turn on increasing National Insurance contributions for the self-employed. At the same time, however, many of the legal and policy discussions seem to take place in narrow silos: tax lawyers worrying about tax classification, employment lawyers discussing workers' rights, and labour economists baffled by their legal colleagues' narrow focus on classification.



Associate Professor Abi Adams, Pinsent Masons Professor of Taxation Law Judith Freedman, Emeritus Professor Mark Freedland, Paul Morton from the Office of Tax Simplification, Sarah O'Connor from the Financial Times and Associate Professor Jeremias Prassl

In the early summer of 2017, Abi Adams (Oxford Economics & New College), Judith Freedman (Oxford Tax Law & Worcester), and Jeremias Prassl (Oxford Employment Law & Magdalen) organised a joint conference to tackle the underlying questions from an interdisciplinary perspective. Oxford Law colleagues Anne Davies, Hugh Collins, Mark Freedland, and Glen Loutzenhiser joined a line-up of more than 20 speakers drawn from across the fields of economics, tax, and employment law; bringing together perspectives from legal practice, policy think tanks, government, and academia. One of the key aims was to look beyond domestic law for solutions, with a comparative session offering different perspectives from the French Inspector General of Social Affairs, a senior Swedish Trade Union Official, and academic colleagues from the United States and Australia.

With attendees ranging from trade unionists to members of Uber's policy team, tax and employment practitioners as well as civil servants and journalists, fiery debates were soon underway. One of the few principles most attendees agreed on was the need for neutrality in tax and social security provisions: all forms of work need to be treated equally in order avoid perverse incentives. Furthermore, whilst the tests used in employment and tax law have (at least in theory) long been closely aligned, discussion highlighted a clear need to rethink a purposive approach specific to each category. The most important lesson, however, was the need for dialogue: tackling the legal regulation of 21st-century labour markets will require system-level thinking, integrating perspectives from across all relevant disciplines.

Find out more about the conference, see the presentations and watch clips at bit.ly/workconf.

The conference was sponsored by the ESRC, the British Academy, the Faculty of Law and the Oxford Centre for Business Tax.

Centre for Competition Law and Policy

Online Markets and Offline Welfare Effects

In May the University of Oxford Centre for Competition Law and Policy (CCLP) hosted a conference on 'Online Markets and Offline Welfare Effects - The Internet, Competition, Society and Democracy'. The event brought together more than 170 delegates from academia, practice, industry, enforcement agencies and the judiciary, to discuss the changing dynamics of competition. Representatives from the press attended as well, and reported during the event and in subsequent days.

The first panel, under the chairmanship of Sir Peter Roth (President of the UK Competition Appeal Tribunal)

focused on consumer welfare and digital markets. Panel members included Tommaso Valetti (Chief Economist, European Commission, DG Comp), Munesh Mahtani (Google), Agustin Reyna (BEUC), Philippe Chappatte (Slaughter and May), and Alec Burnside (Dechert). Speakers debated the need for antitrust intervention, and explored the dynamics of online competition, the level of innovation, disruption and the possible effects on consumer welfare.

The second panel was chaired by Barry Lynn (New America), and moved beyond the core competition values. A lively discussion between Maurice Stucke

(Tennessee University), Timothy Cowen (Preiskel & Co), Brian Message (ATC Music Management), John Naughton (Cambridge University) and Martin Moore (KCL Centre for the Study of Media) centred on the importance of the digital economy in our everyday lives and the possible inclusion of wider interests such as fairness, privacy, and democracy in the competition analysis. Speakers debated the increased use of big data and big analytics and the impact these have on society, businesses, and sectors in the economy.

The third panel was chaired by Liza Lovdahl Gromsen (BIICL) and focused on digital consolidation, citizen and community. Panel members included Philip Blond (ResPublica), Christian D'Cunha (Office of the European Data Protection Supervisor), Maurits Dolmans (CGSH) and Rebecca Williams (Oxford University). A heated debate developed among the panellists on the adequate level of antitrust intervention. Interestingly, the implications of increased market concentration and the rise of a key 'gatekeeper' were disputed, and there were opposing views as to the true level of online competition, market access and innovation.

The fourth panel, chaired by William Kovacic (UK CMA) included leading enforcers. Lord Currie (Chairman, UK CMA) discussed recent enforcement actions in the UK and shared his view on emerging technologies and practices. Isabelle de Silva (Head of the French Competition Agency) explored the novelty of the digital economy and implications of large scale data usage. She noted the need for faster procedures and enforcement action, to keep up with the dynamics of online markets. Terrell McSweeney (Commissioner,

US FTC) emphasised the interface between law and technology and the need for better understanding of the technology at the core of modern markets and strategies. Andreas Mundt (President, German Bundeskartellamt) discussed the competitiveness of digital markets. He noted that 'while the competitor may be a click away', competition isn't. He further emphasised the role privacy may play in competition analysis. Mario Monti (The Senate of the Italian Republic), reflected the role of economic considerations in competition enforcement and the possible politicisation of the debate. He noted that while the 'consumer welfare test' may be imperfect, it serves as a useful anchor against winds of economic nationalism. Lord Whitty (House of Lords) discussed the House of Lords' Committee report on *Online Platforms and the Digital Single Market*, and explored the competitiveness of online markets and possible competitive threats.

The fifth and final panel of the day was chaired by Spencer Waller (Chicago Loyola University). Panel members included Adi Ayal (BIU), Pepper D. Culpepper (Oxford University), Josef Drexl (Max Planck Institute, Munich), Harry First (NYU), and Michal Gal (Haifa University). The discussion focused on the future implications of current technology on enforcement, individual autonomy and society. Themes discussed included the future implications of the digital economy on choice, media, innovation, labour markets, the distribution of power in society, and the democratic ideal.

Vassilios Copetinas



Pictures, and a select number of videos from the event, are available on the CCLP website: www.competition-law.ox.ac.uk. Views and comments posted by delegates during the event are on Twitter, under the CCLP hashtag #OxfordCCLP.

Counting Votes and Weighing Opinions: Collective Judging in Comparative Perspective



Photo credit Steve Allen

In July, All Souls College hosted a distinguished group of judges and academics from around the world for a conference on collective decision-making by judicial bodies. The conference was co-organised by Professor Wolfgang Ernst and Linklaters Professor Birke Häcker in response to an identified lack of attention given to the processes underpinning collective judging. It sought to redress this lacuna through presentations explaining the practices of courts in various jurisdictions, followed by lively discussions about the advantages and disadvantages of those practices. Civil law and common law courts from all over the world, supra-national judicial bodies and even the ecclesiastical jurisdiction were all represented at the conference.

It became readily apparent that collective decision-making processes vary significantly from court to court, including between courts of the same jurisdiction. These differences begin at the outset of the decision-making process with the constitution of the appellate panel. Depending on the court, the composition of the panel may be determined by automated processes, in accordance with established rules, or at the discretion of the head of the court. Factors going to these determinations may include the desire to have a mix of specialists and non-specialists on the panel and expressions of interest by individual judges. The size of appellate panels was also a focus of discussion. The challenges posed by very large panels and those with an even number of judges were explored.

Once a panel is constituted, another significant difference immediately emerges. Some courts formally

or informally adopt a judge rapporteur system while others do not assign any kind of 'lead' judge prior to the hearing of the matter. This can have ramifications for the manner in which judges prepare for hearings as well as the manner in which hearings proceed.

Divergent views were expressed as to the importance of oral hearings to judges' deliberations. Some conference participants regarded oral hearings as mere formalities that add little to written submissions; others considered that they play an integral role in shaping judges' views of the case. There appeared to be a correlation between the value placed on the hearing and the extent to which the hearing involves exchange between judges and advocates.

All the presentations addressed the post-hearing deliberation practices of appellate panels. Most jurisdictions utilise a mix of face-to-face and written discussions, but the balance between the two formats varies. Conferences between judges can range from formal meetings in which judges speak in a particular order and with limited opportunities for exchange of views, to informal and free-ranging discussions. The issue of whether judges' deliberations should be made public excited considerable debate. Jurisdictions such as Switzerland and Brazil provide for public deliberations, but for most courts the disclosure of deliberations is expressly prohibited or refrained from as a matter of practice. Conference participants discussed at length the transparency benefits of public deliberations versus concerns that public deliberations would drive judges to be less candid in their discussions.

Two key issues emerged in relation to the final step of the deliberation process: the determination of the outcome of the case. The first was the use of voting in determining outcomes. A number of speakers provided striking examples of where the formal issue-by-issue voting process adopted in many civil law jurisdictions can lead to a result at odds with that which would obtain in a common law jurisdiction. Take, for example, the case where all the judges agree that an appeal should be dismissed, but they disagree on the reasons for dismissal such that no ground for dismissal has a majority. An issue-by-issue voting process leads to the result that the appeal is upheld, whereas a more holistic assessment would result in the appeal being dismissed. This exposes a fundamental underlying debate about whether the function of appellate courts is to determine discrete legal issues or to reach the right outcome in the particular case.

The second issue to emerge was the extent to which courts should strive for a unified voice in their judgments. There was general consensus that unanimous judgments tend to carry greater authority and have the benefit of providing a clear ratio that can be applied by lower courts. However, it was also observed that the need to achieve unanimity can undermine the quality of the judgment: the need to find common ground between a number of diverse views may necessitate sketchier reasoning than would otherwise be the case. One aspect of this debate is the place of dissenting and concurring opinions. A variety



Chief Justice Susan Kiefel of the High Court of Australia

of practices were reported, from dissents/concurrences being impermissible to being reasonably common.

The two days of the conference thus illuminated a remarkable diversity of collective decision-making processes. The information-sharing and frank discussion throughout the conference will hopefully encourage participants to scrutinise closely the practices adopted in their own jurisdictions as they strive to achieve best practice.

A book based on the conference proceedings is expected to be published in 2018.

Julia Wang



Sir Jack Beatson, Professor Wolfgang Ernst and his wife Katharina and Judge Harry T Edwards



Virtual Markets and Competition

E-commerce has brought us all closer to the promised land of competition – where ample choice, better quality and lower prices reside. Our online environment is seemingly delivering constant waves of innovation and competitive pressure. It has led to reduced barriers to entry, increased market access, increased market transparency and lower search costs.

Alongside these positive developments – somewhat behind the scenes – a range of strategies have emerged, which may undermine these developments – limiting transparency, price competition, choice and access to markets. Indeed, following the wave of innovation and competitiveness introduced by e-commerce, increasingly powerful anti-competitive undercurrents have come into play.

At times, anti-competitive strategies may be unilateral, and include behavioural discrimination or exclusionary practices. At other times, novel contractual frameworks may limit competition, such as online marketplace bans and wide parity clauses. Also noteworthy are instances in which advanced algorithms may be used to facilitate coordinated action and establish algorithm-driven collusion.

These developments raise challenging policy and enforcement questions. Should they call for antitrust intervention or should we put our trust in the market's ability to correct itself? To what extent can exiting competition and disruptive innovation safeguard consumer welfare from new algorithm-driven business strategies?

Consider, for example, the challenges presented by the shift to dynamic pricing. As industries are shifting to automated dynamic and differential pricing, where sophisticated computer algorithms rapidly calculate and update prices, an interdependence may emerge. The algorithm's ability to detect and quickly react to price changes in a highly transparent market, may (somewhat counterintuitively) chill competition and result in price increases. This phenomenon which may emerge under certain market conditions is known as tacit collusion. In itself it is not illegal. But, should it be condemned when companies use algorithms to change the market dynamics and artificially create parallelism?

Ariel Ezrachi is the Slaughter and May Professor of Competition Law and a Fellow of Pembroke College, Oxford. He serves as the Director of the University of Oxford Centre for Competition Law and Policy.

His recently published papers focus on the digital economy, e-commerce, parity clauses, marketplace bans, vertical agreements, buyer power and the limits of competition law. His research on the digital economy has been featured in *The Economist*, *The New Yorker*, *Wall Street Journal*, *Financial Times*, *The Guardian*, *Nikkei Times*, *New Scientist*, *Wired*, *BBC*, and other international outlets.

Another interesting strategy which raises enforcement challenges is that of price discrimination. Increasingly, online operators are harvesting our personal data and can adjust pricing accordingly. Online platforms are able to create a mirage of competition – a seemingly competitive environment – which in fact has been altered to maximize profitability, by identifying the user's willingness to pay and charge at that level. The user's postcode, computer brand, search history and other data points, all play a role in personalizing the shopping environment, and the price displayed. As a result, the seller is able to engage in discriminatory practices and charge higher prices, while retaining the façade of competition. The customer is often unaware of the information gathered, the method used to calculate the price and of it being targeted by these strategies.

Stealth, and asymmetry of information, are two striking characteristics of our online dystopia. Also noteworthy is the increased concentration online – as the key information and search junctions are captured by a select number of players who benefit from network effects. The majority of us trust a few search interfaces and service providers. As we increasingly depend on these providers to shape our online interface, their gatekeeper's power increases. Worryingly, we may lack the ability to detect whether the marketplace has been distorted and through which means.

While many are concerned about the shift in power from consumers to the platforms, key questions remain: Is the shift in power transient or here to stay? Is competition law an adequate tool to address our concerns? And if it is, how effective might it be in addressing these strategies?

These questions are at the top of the agenda of

most competition agencies. Enforcers in the UK, the EU and elsewhere grapple with the various theories of harm and the role competition law should play in these evolving markets. Possible remedies may include ex-ante and ex-post measures and may go beyond the narrow scope of competition law. They could, for example, focus on consumer empowerment, privacy and data mobility.

The risk of over intervention is clear – it may chill innovation and investment. At the same time, the risk of under enforcement is also notable and significant, and may result in clear consumer harm.

We should all hope, that our enforcers and elected representatives will rise to the challenge, resist capture, and develop an inclusive data-driven economy which safeguards both innovation and consumer welfare and which benefits society as a whole.

Read more about these themes:

A Ezrachi & M Stucke *Virtual Competition – The Promise and Perils of the Algorithm Driven Economy* (Harvard University Press)

A Ezrachi and M. Stucke, 'Algorithmic Collusion: Problems and Counter-Measures' 2017 OECD Round table on Algorithms and Collusion (available on OECD.org)

The End of ET Fees: A Good Day For The Rule Of Law

Access to justice is the bedrock of the Rule of Law. The recent unanimous Supreme Court judgment vindicates one of the most fundamental principles of our Constitution, dating back to Magna Carta: everyone has the right to be heard before the courts.

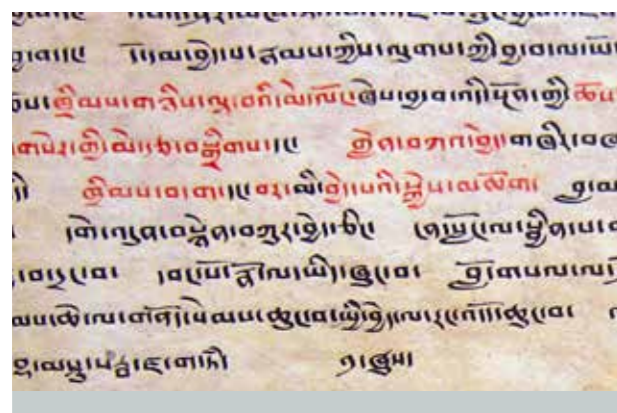
Everyone? Well, at least until 2013. Nearly four years ago, Chris Grayling introduced fees of up to £1,200 for employment tribunal claims. Even relatively straightforward claims (e.g. for unpaid wages, median value just under £600) cost £390 to bring – with no guarantee of recovery, even for successful claimants. The impact was swift and brutal: within months, claims had dropped by nearly 80%. And it was entirely predictable: when we crunched the government's own numbers, it became clear that 35-50% of those who won their case risked losing out financially. Most workers with low-value claims simply gave up.

The Supreme Court's powerful judgment could not have disagreed more strongly: the Fees Order, the Justices unanimously agreed, 'effectively prevents access to justice, and is therefore unlawful.' Their conclusion was built both on fundamental constitutional theory, 'elementary economics', and 'plain common sense'.

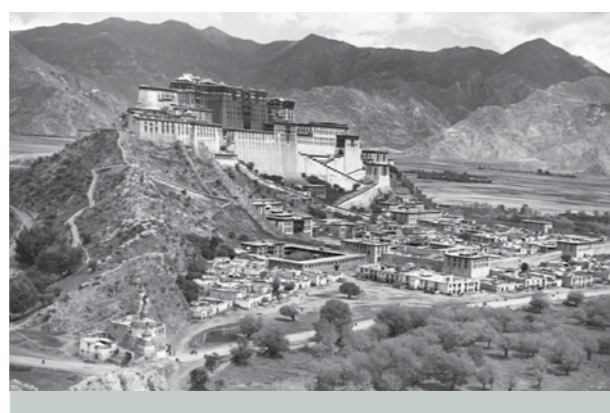
Where does this leave us? In the short term, things will get messy (and expensive) for the Ministry of Justice, but, for now, it's time to celebrate: employment tribunals have already begun to scrap the fees, and claimants across the country will once more have access to the 'easily accessible, speedy, informal and inexpensive' system first set up nearly 50 years ago.

'An unenforceable right or claim', the late Lord Bingham reminded us, 'is a thing of little value to anyone.' The Supreme Court did well to heed his words, and restore the Rule of Law.

A longer version of this post by Jeremias Prassl (Associate Professor in the Faculty of Law) and Abi Adams (Associate Professor in Economics) originally appeared on the Huffington Post. The original research by Jeremias and Abi was published in the *Modern Law Review*.



A fifteenth-century legal text



The Potala palace in Lhasa. Reproduced with permission from the Pitt Rivers Museum

The Roar of the Turquoise Dragon: Investigating Law in Medieval Tibet

The concept of law was as great a puzzle for traditional Tibetan scholars as it is for contemporary legal theorists. Over the course of several centuries, Tibetans tried to make sense of what law was, or should be, and to account for the relationship between law, morality, and religion. Yet the issues they faced seemed as intractable as those that confront scholars of modern jurisprudence.

People everywhere have means of resolving conflict, and jurisprudence develops when they begin to write down their rules. In seventh-century Tibet, trading links with merchants on the silk roads and warfare with China led tribal leaders to develop written forms of government and law. Early legal texts indicate a hierarchical system of compensation for injuries, laws to regulate interest, land sales, and guarantees, and complicated rules for legal procedure. So far, so pragmatic. But then the Tibetans adopted Buddhism. The religion already had ancient roots in India, and its emphasis on compassion, non-violence, and renunciation was hardly suited to the activities of the war-like Tibetans. But their kings were entranced by the cultural sophistication of their neighbours in China and India, so they adopted its practices and ideas, and sent their scholars off to work out what Buddhist government could look like.

The next few centuries were a time of upheaval and change on the Tibetan plateau – the collapse of the early empire gave way to local monastic government, before the Mongols invaded and introduced new bureaucratic practices. Legal processes were fragmented and localized. In the midst of this turmoil, religious scholars continued to wrestle with ideas about law. They developed a new account of their history, according to which the early kings had received Buddhist texts – which either dropped from the sky, or were brought over the Himalayas from India – and used them to write their laws. But how were practices of punishment

to be accounted for? The texts refer to mutilation punishments for adultery, and we know that these continued into the twentieth century. And how were the basic Buddhist virtues to be turned into law, and reconciled with rules about compensation payments, oath-taking, ordeals, divorce settlements, and fees payable to court officials? Buddhism prohibited lying, anger, avarice, gossip, and ‘wrong religious views’, but these principles hardly provided a useful basis for the pragmatic business of government. Scholars did their best to develop a Buddhist jurisprudence, but reconciling moral ideals with positive practices was a challenge.

These difficulties and challenges are evident in a set of guidelines for judges and mediators, written in the early fifteenth century. Clearly based on actual practices, though prefaced with an idealistic account of Buddhist law, it is presented as ‘the roar of the turquoise dragon’. The metaphor is still a puzzle, and the legal language is mind-bendingly obscure, but the text offers glimpses into the issues that faced contemporary mediators—it describes the outraged claims of a victim’s family, the difficulty of reconciling feuding nomads, and the clever strategies by which an (alleged) thief might try to wrong-foot his accuser in court. The text was written by, or for, a local ruler shortly after the collapse of the Mongols’ empire, when it seemed that a new Tibetan state would be established. The writer was clearly attempting to centralize and systematize fragmented legal practices, but by prefacing his guidelines with a long discussion of religious morality, he clearly wants to present himself as a Buddhist ruler.

The instinct to bring together law and morality motivated medieval Tibetans just as much as it exercises modern legal scholars.

Fernanda Pirie

This project was funded by the AHRC.

BOOKS

Changing Contours of Criminal Justice

Edited by Mary Bosworth, Carolyn Hoyle, and Lucia Zedner

Published by Oxford University Press



2016 was the 50th Anniversary of the founding of the Oxford Centre for Criminology. Amid a busy year of celebrations, the Centre’s members past and present joined together to produce an edited collection of essays intended to showcase the best of Oxford Criminology and, more importantly, to explore the changing contours of criminal justice over the past half century.

All the authors of the 19 essays in this volume have, or have had, a connection with the Centre for Criminology either as staff or students. Much of the ground-breaking scholarship undertaken in the Centre relates as much to Criminal Justice as to Criminology and it is the ‘changing contours’ of criminal justice that these essays address. All the authors eagerly took up the invitation to reflect on the impact Oxford criminology has had, throughout its history, on the evolution of criminal justice scholarship and the wider world of criminal justice practice. Oxford has played a leading role in identifying new research areas now accepted as central to the study of criminology – victims, restorative justice, security, privatization, terrorism, citizenship and migration (to name just a few). All were topics unknown to the discipline half a century ago. Indeed, most criminologists would have once stoutly denied that they had anything to do with it. Addressing diverse domains, the essays reflect on the changing interactions between criminal justice scholarship and developments in policy and practice. They appraise the current state of criminal justice around the world and consider the future of relations between academics and criminal justice professionals. The volume was launched at a day conference in the Faculty of Law in December 2016, at which it was warmly received. A recent review in the international journal *Theoretical Criminology* concludes, ‘the Oxford Centre researchers whose work is showcased in *Changing Contours* ... certainly transmit a principled optimism about the uses and futures of criminal justice research. The verve with which they write, their proven interest in searching out new fields of interest, and the acuity of the analyses presented suggest that their optimism is not without foundation.’ The editors are similarly hopeful that the volume will prove to be an enduring commemoration of a very happy fiftieth anniversary.

The Law of Contract in Myanmar

Adrian Briggs and Andrew Burrows (2017)



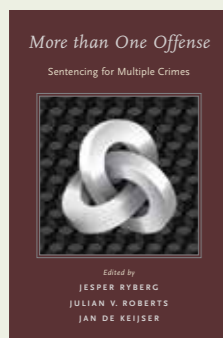
This is the second volume produced under the auspices of the Oxford-Burma/Myanmar

law programme, and made freely available on the Faculty website (with a limited number of hard copies being printed through the generous help of OUP). This volume, by Adrian Briggs and Andrew Burrows, is the first comprehensive textbook on the law of contract in Myanmar. The principal aims of the book are as follows. First is to show those teaching and learning (and, one hopes, soon writing about) contract law in universities in Myanmar how the law actually works and should be thought about as Myanmar reintegrates itself into the world of commerce: the country is going to need good lawyers, and robust tools will be needed to make them.

Another is to show those dealing with counter-parties in Myanmar that the local law of contract is sensible, functional, predictable, and fit for use. A third is to pave the way for such limited law reform as seems to be required, which may yet prove to be of interest to those in Myanmar charged with such tasks.

In addition to the assistance that the authors hope to have offered to Myanmar, the research required for the book proved fascinating. Burma adopted (or had foisted upon it, depending upon one’s perspective) the *Contract Act 1872* drafted for British India; and the courts in Rangoon, from 1900 to 1970, produced a distinctive jurisprudence upon it. Most of the judgments from the courts are clear, concise, and to the point. They deal with familiar common law principles, not always in familiar ways. The way the Burmese courts dealt with consideration and privity provides an interesting contrast to the English common law; and the idea (now out of fashion at home) that a contract may be rescinded for breach is shown to have its own logic but also to pose some challenges, not the least of which are the remedial consequences

when a contract 'becomes void' in this way. The law which we explain as restitution or unjust enrichment appears in the Act under the heading of 'certain relations resembling those created by contract', and is much illustrated, in particular, by cases of intervention, necessitous or opportunistic, in the affairs of another in time of war and foreign invasion. A common lawyer will find much of interest, and much to admire, in the way the common law of contract flourished in Burma, and may flourish again in Myanmar.



More than One Offense. Sentencing for Multiple Crimes

Edited by Jesper Ryberg, Julian V. Roberts and Jan De Keijser

Published by Oxford

University Press, October 2017

Most people's image of a sentencing hearing involves an offender being sentenced for a single crime. Questions about legal punishment are framed from this perspective: What is an appropriate sentence for a crime of this seriousness, committed by an offender

with this level of culpability? How much time in prison does the offender deserve for this offence? The sentencing exercise is simplified when there is only a single crime for which sentence must be imposed. As often as not, however, the offender stands convicted of multiple crimes. These may be multiple counts of the same offence (a series of burglaries or thefts) or they may be a constellation of diverse crimes (two burglaries; an assault; possession of stolen property and possession of a weapon). Can the approach to sentencing single crimes be directly applied to multiple count cases? Not easily. Transposing the logic of single offence sentencing – assigning a specific sentence for each crime independent of the other, and cumulating the total sentences – creates a number of problems. Sentencing multiple offences has been described as 'the most complicated topic in criminal law – in those countries that care about it at all.' This is the first scholarly volume to examine the sentencing of multiple crimes from an interdisciplinary perspective. Contributors explore the justifications for adopting a different approach when sentencing multiple offenders, one which results in more lenient sentences than would be the case if the crimes had been committed (and punished) as single offences. The contributions are drawn from a range of disciplines, including law, philosophy and criminology, and the authors represent a range of countries.

Gender Equality in Law: Uncovering the Legacies of Czech State Socialism

Barbara Havelková

Gender equality law in Czechia, as in other parts of post-socialist Central and Eastern Europe, is facing serious challenges. When obliged to adopt, interpret and apply anti-discrimination law as a condition of membership in the EU, Czech legislators and judges have repeatedly expressed hostility and demonstrated a fundamental lack of understanding of key ideas underpinning it. This important new study explores this scepticism to gender equality law, examining it with reference to legal and socio-legal developments that started in the state-socialist past and that remain relevant today.

The book examines legal developments in gender-relevant areas, most importantly in equality and anti-discrimination law. But it goes further, shedding light on the underlying understandings of key concepts such as women, gender, equality, discrimination and rights. In so doing, it shows the fundamental intellectual and conceptual difficulties faced by gender equality law in Czechia. These include an essentialist understanding of differences between men and women, a notion that equality and anti-discrimination law is incompatible with freedom, and a perception that existing laws are objective and neutral, while any new gender-progressive regulation of social relations is an unacceptable interference with the 'natural social order'. Timely and provocative, this book will be required reading for all scholars of equality and gender and the law.

Professor Judy Fudge, of Kent Law School said, 'Tracing gender equality norms from their origins under state socialism, Havelková shows how the dominant understanding of the differences between women and men as natural and innate combined with a post-socialist understanding of rights as freedom to shape the views of key Czech legal actors and to thwart the transformative potential of EU sex discrimination law. Havelková's compelling feminist legal genealogy of gender equality in Czechia illuminates the path dependency of gender norms and the antipathy to substantive gender equality that is common among the formerly state-socialist countries of Central and Eastern Europe.'



Alan Bogg speaks at the presentation at Brasenose College

Book launch for *The Contract of Employment*

In the course of this academic year, two book presentations have been held for *The Contract of Employment*. The book, published by Oxford University Press in May 2016, is a comprehensive treatise on law of the contract of employment, comprised of chapters by twenty authors, six of whom are members of the Oxford Faculty of Law.

The first presentation was held at Brasenose College, Oxford at the kind invitation of the Principal, John Bowers QC. This was a venue of historic significance to the labour law community as the Oxford college at which Professor Sir Otto Kahn-Freund, the founding father of labour studies in the United Kingdom, held the Chair of Comparative Law.

After a welcome by the Dean, Professor Anne Davies, the first session was chaired by Sir Nicholas Underhill, Lord Justice of Appeal; the session concentrated on some of the key doctrinal issues which are discussed in the book. An initial and external perspective was provided by Professor Andrew Burrows, and presentations drawing upon their contributions to the book were made by Professor Lizzie Barmes and Professor Alan Bogg.

The second session was chaired by Professor Mark Freedland, the general editor of *The Contract of Employment*. It focused on future work arising out of the chapters of the book. Plans and projections for further work on the themes of the book were presented by Dr David Cabrelli, Professor Wanjiru Njoya and Professor Jeremias Prassl.

A second presentation was held, at the Law Faculty of the University of Toronto, as part of the proceedings of the Third Biennial Conference of the Labour Law Research Network. This session was more specifically directed at academic specialists in labour law; contributions from among the authors were made by Professor Anne Davies, Professor Joellen Riley, and Professor Hugh Collins; and on this occasion the external perspective was provided by Professor Diamond Ashiagbor who has been a friend and supporter of the project from its outset.

The editors and authors of this book have greatly valued these opportunities to make the work better known both within the United Kingdom and the English common law world and to an international audience of employment lawyers.

Philippa Collins

Book prizes

Cathryn Costello

Associate Professor Cathryn Costello received the Odysseus Network prize for her book *The Human Rights of Migrants and Refugees in European Law* (Oxford University Press, 2015).

Sandy Steel

Associate Professor Sandy Steel was the runner-up for the SLS Peter Birks Prize for his book *Proof of Causation in Tort Law* (Cambridge University Press, 2015).

ARRIVALS

Miles Jackson



Miles Jackson has been appointed as an Associate Professor in Law, in association with a tutorial fellowship at Jesus College. He holds MA and DPhil degrees from the University of Oxford and an LLM degree from Harvard Law School. His doctoral research, supported by a Rhodes

Scholarship, was on complicity in international law and was published by Oxford University Press in 2015. Before taking up his Associate Professorship, Miles was a Departmental Lecturer in International Law and Global Justice Research Fellow at the University of Oxford. His research focuses on a range of issues in international law, including jurisdiction, immunities, and the law of state responsibility, as well as in international and domestic criminal law. He has published in a number of leading journals, including the *European Journal of International Law*. His work was awarded the Cassese Prize for International Criminal Law in 2017, a biennial prize given to the most original and innovative article published in the *Journal of International Criminal Justice*.

Miles was previously the Convenor of Oxford Transitional Justice Research and currently sits on the Faculty Board of Oxford Pro Bono Publico. He has also practiced law in the United States and clerked at the Constitutional Court of South Africa and International Court of Justice.

John Vella



John Vella joins the Faculty of Law this year as Associate Professor of Taxation Law and Harris Manchester College as a non-tutorial fellow. Prior to his appointment, John was a Senior Research Fellow at the Oxford University Centre for Business Taxation and before that

Norton Rose Career Development Fellow in Company Law at the Faculty of Law in Oxford. John studied law at the University of Malta (BA and LLD) and the University of Cambridge (LLM and PhD). His recent research has focused on the taxation of multinationals, financial sector taxation, and tax compliance and administration, and he has given evidence on these issues on a number of occasions both before UK Parliamentary Committees and Committees of the European Parliament. John has held visiting research positions at the IMF, and the Universities of New York, Sydney and Georgetown, and he has been a convenor of the Tax Section of the Society of Legal Scholars. John's appointment allows the Faculty of Law to further develop the tax courses it offers, especially those on the newly launched MSc in Taxation. We are delighted that the success of the MSc has made this appointment possible.

Helen Scott

Helen Scott studied classics and law at the University of Cape Town and subsequently completed BCL, MPhil and DPhil degrees at Oxford. Her research interests fall within the comparative law of obligations and civilian legal history (particularly Roman law). Although the subject of her DPhil (and subsequent monograph) was unjust enrichment, her major research project at the moment concerns the history of the foreseeability concept which dominates both Aquilian liability in South African law and the tort of negligence in the common law, and she is also working on a textbook on the South African law of delict. Before taking up her current position at LMH she was a Professor of Private Law at UCT, where she taught comparative legal history, delict, unjustified enrichment, and Roman law. Between 2005 and 2009 she was a Fellow and Tutor in Law at St Catherine's College, and before that a Fixed Term Fellow in Law at Trinity College; she was also a visiting professor at the Université Panthéon-Assas (Paris II) for six years until 2014. She will be teaching Roman law, tort, contract, and unjust enrichment at Oxford.



Shona Minson

After graduating from St Anne's College with a BA in Jurisprudence Shona was called to the Bar of England and Wales and practised criminal and family law from 1 King's Bench Walk, London. She obtained an MSc (Distinction) from the University of Surrey in Criminology, Criminal Justice and



Social Research in 2012. Her Masters research explored the impact of motherhood as mitigation in criminal sentencing using interviews with members of the judiciary and an analysis of sentencing transcripts.

Shona then moved to the Centre for Criminology at the University of Oxford and funded by the ESRC she undertook DPhil research which analysed the place of children in maternal sentencing decisions in England and Wales. She explored the status of children of prisoners in English law and engaged directly with children and their carers to explore the nature of the impact of maternal imprisonment. She also interviewed members of the Crown Court judiciary to examine sentencing practice. She completed the DPhil in early 2017.

Shona is now Research Officer on an ESRC Impact Acceleration Award funded project in association with the Prison Reform Trust and Dr Rachel Condry. 'Addressing the Impact of Maternal Imprisonment: Developing Collaborative Training' aims to build on the findings of her doctoral work and provide information, in the form of films, to sentencers and legal professionals to aid consistency and understanding in maternal sentencing decisions.

NEW RESEARCH STAFF

Rudina Jasini – ESRC GCRF Fellowship

Camilla Pickles – British Academy Postdoctoral Fellowship

Marie Tidball – TORCH KE Fellowship

You can read more about Rudina, Camilla and Marie in this issue.

DEPARTURES

Ruth Bird



In February, the Bodleian Library and the Faculty of Law held a joint event to mark the retirement of Ruth Bird as Law Librarian. Many of Ruth's friends and colleagues from the Law Library, the faculty and the wider university came together to celebrate Ruth's remarkable contribution to the Law Library over the past thirteen years and to wish her well for the future.

Ruth came to Oxford in 2004 from Melbourne, where she had been working as the legal information manager for a large law firm. The Bodleian Law Library has undergone significant development under Ruth's leadership, including a reclassification of the text collection, and the provision of improved resources and workspaces for postgraduate students. More recently, Ruth has steered the library through the St Cross Building refurbishment project, working to secure substantial improvements to the library for readers and staff, whilst continuing to provide the best possible reader services during a time of significant disruption.

Ruth has played an important role in the wider world of law librarianship and in the legal community more generally. She was a member of the Council of the British and Irish Association of Law Librarians from 2008 to 2011, and is currently First Vice President of the International Association of Law Libraries. She was made an Honorary Bencher of Middle Temple in 2010.

Ruth will be remembered for her passionate advocacy for the Bodleian Law Library, both within Oxford and the wider world, for her inspirational leadership of the library staff, and for her deep commitment to improving readers' experience. Ruth was presented with some reminders of her years in Oxford, including a Bodleian book stand and a watercolour of the Law Library reading room, and moves on to the next chapter in her life with the warmest wishes of her friends and colleagues here.

Alan Bogg



Alan received his undergraduate and graduate education in Oxford, being awarded his BA in Law (first class) in 1997. Thereafter, he was awarded the degrees of BCL (first class) and DPhil. Following a period as a lecturer at the University of Birmingham, Alan returned to Oxford in 2003 to take up his fellowship at Hertford College.

Alan's research focuses predominantly on theoretical issues in domestic, European and International labour law. His book *The Democratic Aspects of Trade Union Recognition* was published in 2009 by Hart Publishing. It was awarded the SLS Peter Birks Prize for Outstanding Legal Scholarship in 2010. The book has been reviewed in the *Cambridge Law Journal*, *Law Quarterly Review*, *Modern Law Review*, *Industrial Law Journal*, *British Journal of Industrial Relations*, *International Journal of Law in Context*, *Industrial Relations Journal (UK)*, *Journal of Industrial Relations (Australia)*, *Osgoode Hall Law Journal*, and *Canadian Journal of Employment and Labour Law*. Additionally, his work in labour law has been published in a wide variety of international journals.

He is currently coordinating a Leverhulme International Research Network with Professor Tonia Novitz at the University of Bristol following the successful award of a large scale grant. The network includes academics from Stanford, Osgoode Hall, and Monash Universities. Alan is leaving the Faculty for a chair at the University of Bristol to continue his work there.

Ben Bradford



Ben Bradford is leaving the Centre for Criminology to take up the post of Professor of Global City Policing at University College London. Ben's research focuses primarily on issues of trust and legitimacy as these apply to the police and the wider criminal justice system. International and cross-national comparisons

of these issues are a growing research interest, and his work has a particular emphasis on procedural justice theory and the intersection of social-psychological and sociological explanatory paradigms. He is the author of numerous articles on these topics and has recently written a book on *Stop and Search and Police Legitimacy* (Routledge: 2016). He has collaborated with the London Metropolitan Police, the College of Policing and other agencies on research projects concerned with improving police understanding of public opinions and priorities. Ben will continue to collaborate with members of the Centre for Criminology.

Ian Loader

Alexandra Braun



Alexandra Braun was Professor of Comparative Private Law based at Lady Margaret Hall and a Research Fellow at the Institute of European and Comparative Law. Alexandra arrived in Oxford as a JRF at St. John's College in 2004 and took up her post at Lady Margaret Hall in 2010. In 2014 she became a Deputy Director of the Institute of European and Comparative Law in Oxford and the Academic Director of Undergraduate Exchange Programmes.

Alexandra has published in the fields of succession law and the law of trusts, particularly in historical and comparative contexts. She has also researched the development of legal scholarship and its impact upon judicial decision-making. Alexandra has recently published a collection of papers on will-substitutes and is currently completing a monograph on testamentary promises.

Her teaching interests include comparative private law and legal history as well as core areas of private law such as Trust Law, Succession Law and Contract Law. Alexandra taught A Roman Introduction to Private Law, Trust Law, Land Law and Comparative Private Law in the undergraduate programme as well as Advanced Property and Trusts on the BCL/MJur course.

Alexandra is moving to the University of Edinburgh to take up the Lord President Reid Chair of Law.

Martin Brenncke



Martin joined the Faculty of Law in 2015 as Erich Brost Career Development Fellow in German and European Union Law. He holds degrees from the University of Rostock, Germany (first state examination in law), the University of Cambridge (LLM) and the University of Zurich, Switzerland (Dr. iur.).

Martin's research interests lie mainly in EU law, financial services law and legal methodology. In the past, he has been a Visiting Fellow or Researcher at the Institute of Advanced Legal Studies (London), the British Institute of International and Comparative Law (London) and the University of Cambridge.

Martin was based at St. Hilda's College, and is moving to Aston Business School.

Paul Davies



Paul read Oriental Studies (Japanese) and then Law at Downing College, Cambridge, and spent a year in Poitiers studying French Law. After graduating, Paul worked in the Property and Trust Law Team at the Law Commission, and was called to the Bar by Lincoln's Inn. He remains an Associate Member of Maitland Chambers.

He became a Fellow and College Lecturer in Law at Gonville and Caius College, Cambridge, in 2008, and was also a Newton Trust Lecturer in the Faculty of Law. He joined the Oxford Faculty of Law as a CUF Lecturer in April 2013, and is a Fellow of St Catherine's College.

Paul's teaching and research interests lie primarily in the law of obligations and property. He is the author of *Accessory Liability* (Hart Publishing, 2015), which was the joint second prize winner of the 2015 Society of Legal

Scholars Peter Birks Book Prize for Outstanding Legal Scholarship. Paul is also a co-author of *Equity and Trusts: Text, Cases and Materials* (2nd ed, OUP, 2016 (with Graham Virgo)), the author of *JC Smith's The Law of Contract* (OUP, 2016) and is one of the editors of *Snell's Equity*. Paul's work has been cited by the Supreme Court and the Court of Appeal, as well as by courts in Australia, New Zealand and Singapore.

Paul is taking up the Chair in Commercial Law at University College London.



Denis Galligan

Professor Denis Galligan (LLB 1970, BCL 1974, MA 1976; DCL 2000) joined the Faculty of Law at the University of Oxford in 1993 as Chair in Socio-Legal Studies and Professorial Fellow at Wolfson College. He also became Director of the Oxford Centre for Socio-Legal

Studies, and led it until 2008. His academic career has included teaching at universities in Australia, Britain, Italy, the USA and Eastern Europe, at various times becoming Dean of the Law School at Southampton, Jean Monnet Professor of European Public Law at the Università degli Studi di Siena, Visiting Professor at the Woodrow Wilson School of Public and International Affairs at Princeton University and Visiting Professor at the Central European University in Budapest. His many publications include *Law and Modern Society* (2007), *Due Process and Fair Procedures* (1997) and *Discretionary Powers* (1997).

Denis Galligan's research deals with the role of law in society, the social foundations of constitutions, the relationship between law and justice in transitional societies, and the theory of administrative law. His recent work seeks to demonstrate the relationship between constitutions and their social foundations, moving well beyond the assertion of normative ideals or the doctrinal analysis of constitutional texts. Instead Denis examines the role that constitutions play in the social, economic, and political order; the historical

formation and development of key constitutional concepts; the place of the people within western constitutions with an emphasis on the meanings and understandings that are attributed to constitutional issues; and the notion of constitutional success and failure.

Throughout his career, Professor Galligan has combined academic work with making a solid contribution to practice and policy making. In 2001–2002 he was commissioned to advise Pakistan on its constitution, working with a high-level team under government supervision. He has frequently been invited to advise on governance issues, both by organisations such as the OECD, the OSCE, the World Bank, the UK Department for International Development and the European Commission, and by individual governments including those of Albania, Bulgaria, Estonia, Hungary, Macedonia, Georgia, Poland, and Slovakia. He is co-Director of the *Foundation for Law, Justice, and Society*, an independent institution based at Wolfson which brings the fruits of academic research to a wider professional audience.

Marina Kurkchian

Sarah Green



Sarah joined the Oxford Faculty of Law in September 2010, as a fellow of St Hilda's College. Her research focuses on the causal element of the negligence inquiry and the interface between tort and property, with a particular emphasis on the law's treatment of intangibles. In December 2014, Sarah published a monograph

entitled *Causation in Negligence* with Hart Publishing. Her previous book was *The Tort of Conversion* (Hart Publishing, 2009) with John Randall QC, the first major work on the subject in English law. She has published various articles on aspects of tort, property and contract in a wide range of journals, including the *Conveyancer and Property Lawyer*, *Journal of Business Law*, *Law Quarterly Review*, *Lloyds Maritime and Commercial Law Quarterly*, *Medical Law Review* and *Modern Law Review*. In terms of teaching, Sarah's principal interests lie in Torts, Personal Property and Contract, reflecting her research interests in the fields of private law and commercial law.

Sarah is leaving the Faculty for a chair at the University of Bristol.

Ines Hasselberg



Upon completing her postdoctoral research at the Centre for Criminology in March 2017, Ines Hasselberg was awarded a postdoctoral fellowship with the Centre for Research in Anthropology (CRIA) at the University of Minho, in Portugal. Ines is particularly interested in how state policies translate into

everyday lives and has conducted extensive ethnographic research on deportation, punishment, prisons, family life and border control. At the Centre for Criminology Ines developed the project *The Postcolonial Prison*, which formed part of the broader research endeavour *Subjectivity, Identity and Penal Power: Incarceration in a Global Age*, led by Prof Mary Bosworth, and funded by the European Research Council. Now at CRIA, Ines is to develop the research project *Uneven Borders. Citizenship, Mobility and Inequality* (2017–19) funded by Fundação para a Ciência e a Tecnologia. This project examines border control in Portugal, scrutinizing mobility as a marker of social (and racial) inequality. She is also to prepare the manuscript of her next book *The Postcolonial Prison*, which is coming out of the research she carried at Centre for Criminology. Other publications resulting from her work at Oxford include a special issue with *Criminology and Criminal Justice* on the incarceration of foreign nationals and an article on *Punishment and Society*.
Mary Bosworth

Charles Manson



The Tibetan subject consultant librarian at the Bodleian Libraries may be an unlikely member of the Faculty of Law, but Charles Manson has provided invaluable support as a researcher on the AHRC-funded project, *Legal Ideology in Tibet*, over the past two years. Based at the Centre for Socio-Legal Studies, Charles has spent hours painstakingly

scouring medieval sources for references to law and carefully translating their frustratingly difficult prose. Metaphorical references to dragons, conch shells, and avalanches have provided subjects for hours of heated debate – what could the demon-subduing sword possibly mean in the context of life-compensation? – but gradually he and I have turned ourselves into experts on the technical and metaphorical language of early Tibetan legalism.

The project has now reached its conclusion, with the establishment of a website of sources in both the original and translation. Charles will continue his work at the Bodleian Libraries and with the Tibetan collections at the British Library, but the experience he has acquired while working on this project will mean that he remains a valuable source of expertise on Tibetan law for many people in the years to come.

Fernanda Pirie

MOOTING

Herbert Smith Freehills Oxford Disability Mooting Championship

The issues of law on appeal in this year's competition were about equal access to education for people with disabilities. Lead Counsel for the championship winning team, Katie Ratcliffe, on participating in the competition: 'Through competing, my eyes were opened to the challenges involved in establishing genuinely inclusive spaces for people with disabilities. It was a privilege to take part in such an inspiring event.'



Photo credit: Oliver Braddy

Professor Anne Davies, John Bowers QC (Principal of Brasenose college), Samuel Dayan and Mathew Hoyle the runners up (both St John's), The Rt Hon Dame Elish Angiolini QC (former Lord Advocate of Scotland and current Principal of St Hugh's College), Katie Ratcliffe (Merton), Ian Gatt QC (Head of the Advocacy Group at Herbert Smith Freehills) and Thomas Foxtton (St Peter's)



Mr David Mumford QC, Mr Thomas Pausey (St Catherine's), Mr Joseph Johnson (Queen's), Mr Ramganes Lakshman (Queen's), Mr Jonathan Lam (St Catherine's), Professor Catherine O'Regan and Mr Nicholas Peacock QC

Maitland Chambers Intercollegiate (Cuppers) Mooting Competition

The moot problem for this year's Grand Final was based on the facts in the *Miller* case. The Grand Final was presided over by Professor Catherine O'Regan, a former Justice of the South African Constitutional Court, and now Director of the Bonavero Institute of Human Rights. She was joined by Mr Nicholas Peacock QC and Mr David Mumford QC of Maitland Chambers. All the four finalists, Mr Thomas Pausey and Mr Jonathan Lam of St Catherine's College for the appellant, and Mr Joseph Johnson and Mr Ramganes Lakshman of the Queen's College for the respondent, received praise for their skill and legal knowledge from the bench, but ultimately Mr Johnson and Mr Lakshman triumphed.

Shearman & Sterling University of Oxford Moot Competition

The Grand Final was judged by the Rt Hon Sir David Keene PC, a former Lord Justice in the Court of Appeal of England and Wales. The finalists were Mr Robert Bellin and Mr Daniel Freud (appellants), and Mr Thomas Lowenthal and Ms Melody Ihuoma (respondent), all from Balliol College. The winners, pictured here, were Mr Lowenthal and Ms Ihuoma. Congratulations to all who took part.



Mr Thomas Lowenthal, the Rt Hon Sir David Keene PC and Ms Melody Ihuoma

The University of Oxford 7KBW Commercial Law Moot



Keith Chan (Oriol) and Esther Mak (Univ)

Hosted by leading commercial law chambers 7 King's Bench Walk ('7KBW'), and organised by the St Hilda's College Law Society, the competition brought

together 24 students from across the university. The moot problem concerned the defence of illegality and exemplary damages in tort.

Presiding over proceedings were the Rt Hon Sir Stephen Tomlinson, Adam Fenton QC, Julia Dias QC. While the bench praised all four finalists for their skill and legal knowledge, ultimately Esther Mak (Univ) and Keith Chan (Oriol) triumphed over Sebastian Bates (Keble) and Thomas Foxtton (St Peter's).

International Roman Law Moot Court Competition



Brian Lee (coach), Thomas Pausey (St. Catherine's), Edward Armitage (Magdalen), Professor Wolfgang Ernst, Shane Finn (Christ Church), Anna Lukina (Hertford)

The Tenth International Roman Law Moot Court Competition was held in Trier. This year's *libellus* involved two claims, one concerning the requisite formality for creation of wills at times of plague, and the other surrounding the effect, if any, of a person raising his hand to wave at his friend in an auction. Although *the libellus* is set in the AD 500s, similar questions have continued to trouble modern day jurists, as is evidenced by the often-discussed 'Trier wine case' in modern textbooks. The Oxford team eased through the preliminary rounds, but was unfortunately beaten by the narrowest of margins in the semi-final by the University of Tübingen.

Monroe E Price Media Law Moot Court Competition

The International Rounds of the 10th Annual Price Media Law Moot Court Competition were held at the Centre for Socio-Legal Studies, University of Oxford with 38 teams from across the world. The team representing the University of Oxford comprised of two undergraduate students, Mr Alex Benn (St. Catherine's) and Ms Ioana Burtea (Merton), and was coached by Ms Mansi Sood (MSc Candidate, Balliol). After defeating several strong teams including the University of Amsterdam and the University of San Carlos, Philippines, the team had a chance to compete in a scintillating Grand Final against the Singapore Management University. This is only the second time that Oxford has reached the Grand Final of the Price Media Law Moot Court Competition. The panel for the Grand Final consisted of several eminent judges including Sir Nicholas Bratza (Former President of the European Court of Human Rights), Professor Kate O'Regan (Director of the Bonavero Institute of Human Rights), Monika Bickert (Head of Policy Management at Facebook) and Dr. Harjinder Obhi (Director of Litigation at Google). In a very closely contested final round, the team lost out by a narrow margin and were declared Overall Runners Up.



Ms Ioana Burtea (Merton) and Mr Alex Benn (St. Catherine's)

Oxford International Intellectual Property Moot

The 15th annual Oxford International Intellectual Property Moot competition was held at the Faculty of Law and Pembroke College with 24 teams from across the world. The 2017 problem concerns the case *Whispering Gums Winery v Loddon River Vineyards* [2016] HCE 12. Bucerius Law School was eventually named the Allen & Overy winner.



The finalists with the Grand Final judges and Organising Committee: Shane Thomas (Toronto), Graeme Dinwoodie, Emily Hudson, Sam Keen (Toronto), Victoria Hale (Toronto), Monty Silley (Bucerius), Stefan Case (Toronto), Fabian Flüchter (Bucerius), Lord Justice Floyd, Karsten Windler (Bucerius), Mr Justice Birss, Her Honour Judge Clarke, Jakob Rehder (Bucerius), Katharina Watzke (Bucerius), Felix Tann (Bucerius), Alvaro Fernandez de la Mora Hernandez

Philip C Jessup International Law Moot Court Competition

The UK national rounds of the 58th Philip C. Jessup International Law Moot Court Competition were held at Gray's Inn, London. The Oxford team for this year, coached by Sanya Samtani (MPhil Candidate, Magdalen), consisted of five undergraduates: Gilbert Lim (Christ Church), Niamh Kelly (Merton), Shalaka Phadnis (St Peters), Qin hao Zhu (Christ Church), and Nazeerah Akbar (Magdalen).

The Oxford team ranked third in the competition overall. Shalaka Phadnis secured the second-highest speaker scores in the entire competition, whilst Niamh Kelly ranked sixth overall and Gilbert Lim eighth. Furthermore, the team secured the highest scores for their applicant memorial, and the second highest score for both memorials cumulatively. The Oxford team narrowly lost to University College London in the Semi-Finals (after having defeated UCL in the preliminary rounds).



Shalaka Phadnis, Nazeerah Akbar, Niamh Kelly, Gilbert Lim, Qin hao Zhu

LSE-Featherstone Sexual Identity and Gender Orientation Moot

Two Oxford teams have competed in the inaugural LSE-Featherstone Sexual Identity and Gender Orientation Moot, named after the LGBT rights campaigner Baroness Lynne Featherstone. The weekend saw more than 150 participants tackling discrimination and harassment law in a case modelled on the Northern Irish Ashers bakery dispute, where one Oxford team emerged victorious, and the second reached the semi-final.



Ms Charlotte Kelly (Balliol), Ms Eilis O'Keefe (Balliol), Ms Alice Irving (Merton), Ms Clara Ludot (St Hugh's), Karon Monaghan QC (Matrix Chambers), Ms Aileen McColgan (Matrix Chambers), Ms Gillian Phillips (Guardian), Ms Sarah Hannett (Matrix Chambers), BPP Team, Justice Ross Cranston

Ms Clara Ludot (St Hugh's), Ms Eilis O'Keefe (Balliol), Ms Charlotte Kelly (Balliol), and Ms Alice Irving (Merton) proceeded to the grand final of the competition against a team from BPP Law School. The panel judging the grand final consisted of: Justice Ross Cranston (Justice of the High Court, former Solicitor General), Gillian Phillips (Director of Editorial Legal Services for the Guardian News and Media Limited and Employment Tribunal Judge), Karon Monaghan QC (Barrister at Matrix Chambers), Aileen McColgan (Barrister at Matrix Chambers and Professor of Human Rights Law at King's College London), and Sarah Hannett (Barrister at Matrix Chambers). The Oxford team won the competition in the grand final, with Alice Irving being named Best Advocate.

Nelson Mandela World Human Rights Moot Court Competition 2017

The University of Oxford, participating for the first time in the competition, finished second in the oral rounds of the Nelson Mandela World Human Rights Moot Court Competition held in Geneva in July 2017. In the final results, Oxford finished second out of the 36 teams with a final average percentage of 89.60%, just 0.03% behind eventual winners St Thomas University, Canada. However, because Oxford falls in the same UN region as St Thomas, the University of Buenos Aires, who had finished third, instead qualified to argue in the final which was won by St Thomas. Our team members, Tsvetelina van Benthem and Weiran Zhang, both finished in the top 10 individual oralists, Tsvetelina finishing 6th and Weiran 3rd overall.



University of Oxford team: Tsvetelina van Benthem (left) and Weiran Zhang (right), Palais des Nations, Geneva

STUDENT NEWS

Peace Palace Visit

Professor Antonios Tzanakopoulos, convenor of the International Dispute Settlement (IDS) course of the MJur and BCL, organised a trip to the Peace Palace, the seat of the International Court of Justice and the Permanent Court of Arbitration in The Hague for IDS students. A highlight of the trip for students was sitting in the provisional measures hearings of a case between Ukraine and Russia at the ICJ, after which they met with ICJ Judges Christopher Greenwood, James Crawford, and Giorgio Gaja, as well as Counsel for Ukraine Prof Harold Koh and Counsel for Russia Prof Zimmermann and Sam Wordsworth QC.



Counsel for Russia in conversation with the IDS students in the Peace Palace Refectory

The LMH Oxford ADR Competition 2017

Sponsored by Herbert Smith Freehills and run by the Lady Margaret Hall Law Society, the LMH Oxford ADR Competition remains the only legal negotiation competition run for Oxford University students.

As the competition entered its second year, it proved bigger and better than ever. The number of applicants tripled and the standard of applications was incredibly high. The LMH Law Society doubled the number of competitors such that 32 people from 11 different colleges had a chance to take part and test different skills to mooting across the 8 weeks. We doubled the number of rounds which meant that the live final was a truly astonishing display of negotiation techniques and strategy.

Our panel of judges for the Final was phenomenal and including a range of professionals, all of whom were experts in their respective fields: independent

commercial mediators Jonathan Lloyd-Jones and Stephen Walker alongside Daniella Horton, the Honorary Secretary at the London Maritime Arbitration Association, and Sid Shukla from HSF.

At the prize giving ceremony, trophies were awarded to the winners: Jan Schwarzfischer and Alistair Hankey, both from St John's College. Trophies were also awarded to the runners-up: Wenyi Gaia Shen, from Somerville, and Oluwatoni Adejuyigbe, from St Hilda's College. Special Awards were also given out for a range of achievements in round one, such as Best Public Speaker and Best Relationship Building.

The prize-giving ceremony was followed by a drinks reception with a chance to talk to the panel of judges and other members of HSF.

Sanja Bogojevic



New Fintech and SmartLaw Society

A group of current MLF students has set up a Fintech & SmartLaw Society (Oxford FSS). The society's goal is to discuss the impact that disruptive technologies are having on the landscape of business, legal practice and regulation. FSS is being supported by the Faculty of Law.

www.fintech-smartlaw-society.webnode.com

The aim is to invite academics and professionals with industry experience to lead the discussion on these topics, and we aim to encourage all attendants to voice their opinion.

Blockchain presentation

The aim of this event was to develop an understanding of blockchain as a disruptive technology and in particular to explore the implications of blockchain for the legal and financial industries. The guest speakers were Dr Philipp Paech, Professor of Law at the London School of Economics and Ivo Sluaganovic who completed his DPhil in Computer Science at Oxford. Ivo's thesis focuses on blockchain, and he is the co-founder of Vibby.com. Philipp is the director of the LSE's Law and Financial Markets Project and he specialises in blockchain and its potential applications within the legal field.

Fintech seminar

This seminar focused on the current state of the fintech industry, the challenges that it faces and why it may be a desirable career path for graduate students. The members of the discussion panel were John Armour, Hogan Lovells Professor of Law and Finance at Oxford, and Lisa Rabbe, director on the board of several fintech companies. John is currently carrying out research on fintech and its regulatory challenges. He has published widely in the fields of company law, financial regulation and corporate insolvency. Lisa is also working on a regtech initiative with the FCA. Prior to this, Lisa was head of Government Policy at Goldman Sachs and Credit Suisse. She has been recognised by Financial News as one of the '100 most influential women in Finance'.

The DAO Heist: How to Steal \$50 Million

The DAO - a virtual venture capital fund that raised over \$150 million in 2016 through one of the largest crowdfunding campaigns in history. Strikingly, a hacker managed to steal \$50 million from The DAO by exploiting a feature of the code. This raised all sorts of novel questions: Do virtual organisations have a legal personality? Had the hacker committed a theft? Can the tasks of company agents be successfully automated? The guest speaker was Laurence Kirk, an experienced programmer who resides in Oxford. Laurence is a blockchain consultant at Extropy.io and founder of the Ethereum Oxford meet up group. He often delivers talks to banks and law firms on blockchain technology.

Alfonso Delgado de Molina Rius

L-R: Flavio Ciotti, Luca Enriques, Xenia Lapin, Alfonso Delgado de Molina Rius, Robin de Vogelaere



MSc in Taxation – the First Year

Photography by John Cairns



The students have worked exceptionally hard and have also enjoyed many social events at Oxford, both formal and informal. Many students have children and most have challenging jobs to manage alongside their studies. They have juggled these demands on their time cheerfully and effectively.

Thomas Gernay, holder of the James Bullock Scholarship, is a lawyer at Tiberghien, a Belgian tax law boutique. He has been working in tax for 5 years, specialising in corporate tax and international tax issues. He commented that the degree helped him to further his knowledge within his field of specialisation, learn about new areas and better understand the fast-changing tax scene and that the interdisciplinary approach offers real added value.

Karabeth Ovenden, a US lawyer living in the UK, finds that 'the Oxford MSc in Taxation programme provides the right balance between stimulation and manageability. The part-time nature of the course allows me to focus intensively on my studies during the residential stints, while preserving the flexibility needed to balance my family and other commitments.'

The latest addition to the Faculty of Law's menu of degrees is the MSc in Taxation, a part time degree taken over two years. Our first cohort of students has come from all over the world, clocking up many air miles to attend the intensive electives and residential courses that make up the degree. The students are mainly working in the area of taxation already and include practising lawyers and accountants, in-house tax directors and academics at other universities, with some more recent graduates who are still engaged in training. It has been exciting, challenging and enjoyable to teach such a diverse and lively group. In addition we hosted students from Sydney, UNSW and Melbourne Universities who are able to take electives in Oxford and gain credits for tax degrees from their home institution. We have also welcomed a number of occasional students who are able to take just one course that interests them.

Teaching on this interdisciplinary degree is shared between academics in the Faculty of Law and at the University of Oxford's Centre for Business Taxation, a leading centre for tax law research.

In addition to the Faculty and Tax Centre staff (Anzhela Cedelle, Richard Collier, Michael Devereux, Judith Freedman, Glen Loutzenhiser and John Vella), the degree is taught by Visiting Professor Philip Baker QC and Visiting Lecturer Tom Scott. Other visiting lecturers this year were Adam Zalasinski, Legal Officer at the

European Commission, Joachim Englisch, Professor of Tax Law at the University of Muenster, Steve Shay, Professor of Practice at Harvard University and Jeff Vanderwolk of the OECD Centre for Tax Policy and Administration. Topics covered include international taxation, UK corporate tax, EU taxation, comparative taxation, the economics of taxation and tax ethics.

The first year students have worked together well, despite living far apart, and have kept in touch through social media groups so that they can share study experiences. The excellent electronic tax resources available from the Bodleian Law Library have helped to make this course a possibility for people living as far away as Hong Kong and Shanghai, whilst those living close to Oxford have been able to visit more often and attend other tax events and conferences organised by the Tax Centre and the Faculty of Law.

Although most of the students have jobs already, some are looking for new opportunities and have been able to access the services of the Oxford Careers Office, as well as other specific tax opportunities. Students have obtained offers of training contracts and one student, Styliani Ntoukaki, has been offered an internship with the International Tax Cooperation Unit United Nations Department of Economic and Social Affairs over the summer.

Judith Freedman, Pinsent Masons Professor of Taxation Law

Students range from 25 – 60 years old.

They currently live in 12 different countries.

A law degree is not a prerequisite for this degree programme. Teaching is delivered in short intensive residential blocks in Oxford so that students can fit their studies around other responsibilities.



If you are interested in learning more about the tax degree or occasional courses visit our website or contact us at msctax@law.ox.ac.uk.

www.law.ox.ac.uk/msctax

ALUMNI

Alumni events



Oxford Law Asia Weekend

IP Diploma Alumni Event 2017

OWL: Being Yourself; Being Successful

Each year the Faculty of Law holds many events for our alumni all over the world. In 2016/17 our academics and development team visited alumni in London, Berlin, Singapore, Hong Kong and Toronto.

You can read details of these visits on our website www.law.ox.ac.uk, and see more photos on our Flickr page bit.ly/oxlawflickr.

Oxford Law Forum

www.law.ox.ac.uk/oxford-law-forum

We asked some of our alumni and current students why they chose to study law and what they loved about their time at Oxford University. These profiles are together in the new Oxford Law Forum, and we're looking for more submissions. If you're interested in telling us about what you're doing now and how your degree at Oxford helped you get there, please email publications@law.ox.ac.uk.



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In the Faculty of Law we educate the brightest and best students from across the world and undertake research in areas from public international law to EU law, from jurisprudence to criminology. Our work has huge impact in the legal world for human rights and for thousands of individuals across society.

As we look to that future, we would like to ensure that our research endeavour and teaching provision is sustainable for generations to come.

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Indeed, if you have already left a gift in your will, please think about letting us know so that we have a chance to thank you during your lifetime.

If you would like to know more about leaving a gift to the Faculty in your will, please contact Maureen O'Neill on 01865 281198 or Maureen.oneill@law.ox.ac.uk.

www.campaign.ox.ac.uk/donate/legacies-and-bequests

Thank you

The Oxford Careers Service is for life

Stalled career, new ambitions, returning to work after a career break or just curious to raise your head above the parapet? Anyone who went to Oxford can contact **Dr Michael Moss, the University's first alumni-dedicated careers adviser**.

Since moving to Oxford from a senior scientific post within Procter & Gamble in Brussels, he has been offering more than 20 Skype calls per week to alumni all over the world.

So who is he seeing and for what sort of advice? There is no stock answer where Oxonians are concerned, but he is seeing a lot of people in their late 20s and early 30s who have already made their mark but want a change. Some of them are lawyers, consultants and bankers. It prompts Moss to note how much Oxford students are still targeted by these types of employers, even to the point of promotional leaflets getting into fresher packs. 'Another big segment is alumni a year or so out of Oxford, who have been travelling, completed a long internship, or have found their first job did not meet their high expectations.'

Moss has 54 patents to his name and is an inventor, a marathon runner with four daughters and a wine and olive oil producer at a small holding he owns in Italy. He says all of this by way of confirming his belief in work-life integration. 'That's not the same as work life balance,' he adds. 'There's just life, and work is part of it.'

So what are most common categories of advice he gives to Oxonians? 'Obviously every conversation is unique but there are three general categories: alumni who are confused about what to do, those making a lot of applications but not getting many interviews – in which case we work on the documents, and those attending a lot of interviews but not getting offers – in which case we work on the interview preparation.'

So how does he advise those who are confused about what to do? 'The most important tool is networking, and the social media platform 'LinkedIn' is the most powerful way to expand one's personal network in a targeted way. There are 134,000 Oxonian profiles on LinkedIn, 1300 in Hong Kong, 248 at the BBC, 4400 in the marketing sector, 12,000 studied history and 7100 claim to have the skill of "change management" – and you can search on all of these vectors, connect with individuals and conduct information interviews.'

Do Oxonians present any unique problems? 'Highly intelligent people can get a long way doing the wrong thing brilliantly so a few tips and tricks can make all of the difference. We can sometimes decide to think less and trust our intuition more. And sometimes when changing career we need to talk less about our past successes as they happened, but translate them into the new context and the new language of the organization we are trying to enter, so that their relevance to the recruiter is more immediate and obvious, as it needs to be with an average of 6 seconds spent on a CV.'



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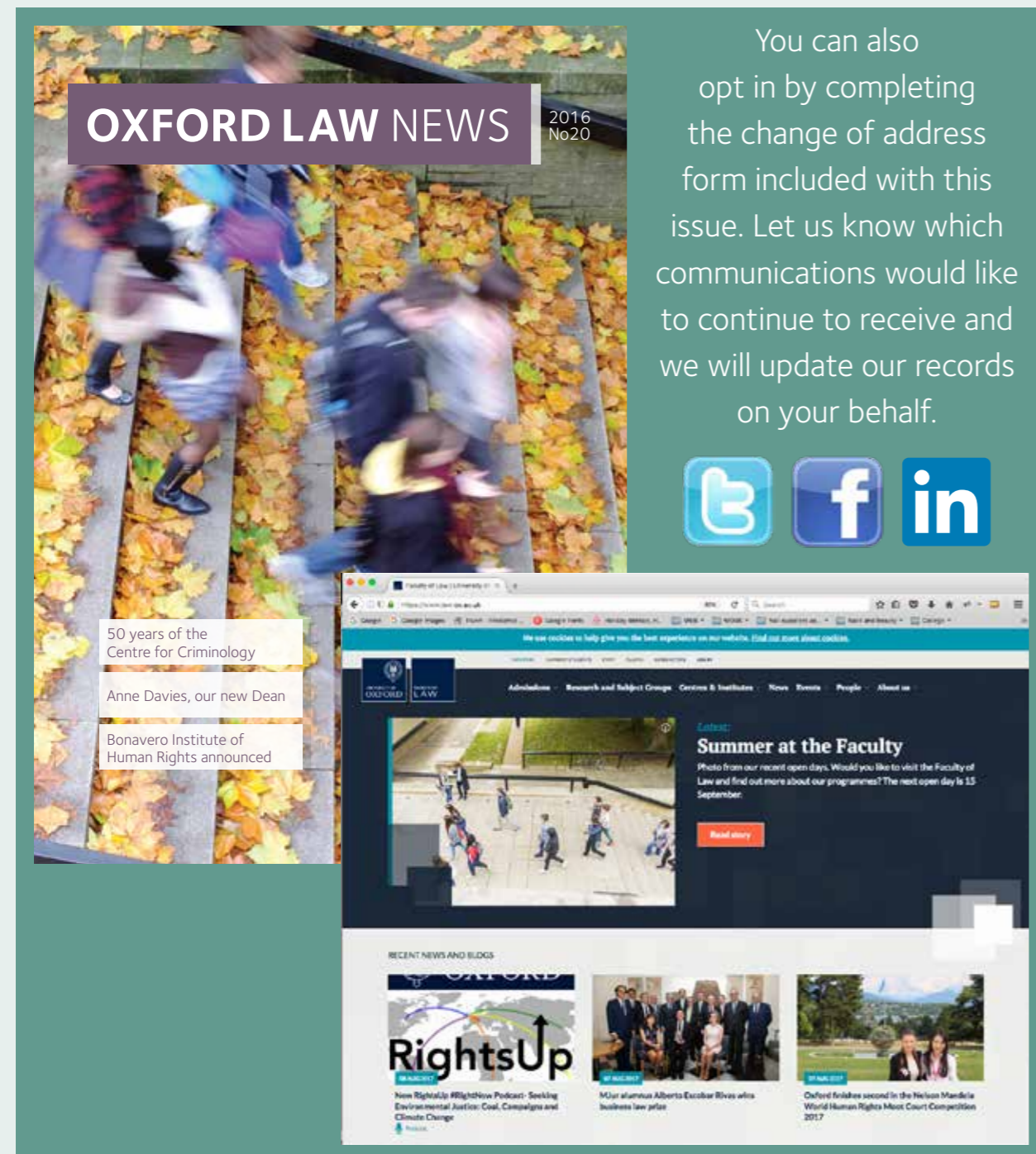
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OXFORD LAW NEWS 2016 No20

50 years of the Centre for Criminology
Anne Davies, our new Dean
Bonavero Institute of Human Rights announced

Summer at the Faculty
Photo from our recent open days. Would you like to visit the Faculty of Law and find out more about our programmes? The next open day is 15 September.

RECENT NEWS AND BLOGS

RightsUp
New RightsUp #RightNow Podcast: Seeking Environmental Justice: Coal, Campaigns and Climate Change

MLur alumnus Alberto Escobar Rivas wins business law prize

Oxford finishes second in the Nelson Mandela World Human Rights Moot Court Competition 2017

Dates for your diary

Hamlyn Lecture

Professor Andrew Burrows
1 November 2017
Gulbenkian Lecture Theatre,
St Cross Building

Great Brasenose Lawyers Annual Series

Barry Nicholas
2 November 2017
St Cross Building

Clarendon Law Lectures

Professor Dan Kahan, Yale Law School
21, 22 and 23 November 2017
Gulbenkian Lecture Theatre,
St Cross Building

MLF Alumni Reunion

November 2017
Slaughter and May offices,
London

Jeremy Lever Lecture

February 2018
Gulbenkian Lecture Theatre,
St Cross Building

Alumni Meet-Up, Rome

16 March 2018

MLF Alumni Reunion

March 2018

IP Diploma Alumni Event

Date TBC, between
March-May 2018
Royal Society, London

Alumni Events in America

April 2018
San Francisco and
Washington DC

Clarendon Law Lectures

Jane Stapleton
14, 15 and 16 May 2018
Gulbenkian Lecture Theatre,
St Cross Building

Being Successful: Creating Well-being and Mental Resilience in the Workplace

The Oxford Women in Law Group held a meeting on 'Being Successful-creating well-being and mental resilience in the workplace' earlier this year. The group was delighted to hear experiences and good advice from speakers Kate Armstrong (management consultant, McKinsey & Company and novelist), Emily Clark (Tax Partner at Travers Smith), James Petkovic (Barrister from One Essex Court) and Elizabeth Rimmer (CEO of LawCare).

The event was open to men as well as women, and focused on the need to maintain balance in order to work at optimal capacity. All the speakers pointed to the need to seek support should it be needed, and they gave valuable information about external sources that are available as well as how to protect oneself using personal change and internal resources. We all need to think about these issues and act before we feel really overwhelmed, and most people and employers will be sympathetic and helpful - it is in their interests as well as that of the employee.



Looking for further support?

Visit the LawCare website: www.lawcare.org.uk

For more information about OWL, please contact our alumni team with any ideas for future events, or visit the OWL website.

alumni@law.ox.ac.uk

www.law.ox.ac.uk/alumni/oxford-women-law

COLLEGES AND SCHOLARSHIPS

LaidLaw Scholarship

Maïa Perraudeau, who has just completed her BA in Jurisprudence with Law Studies in Europe, will be staying in Oxford this summer; Maïa was awarded a place on the prestigious Laidlaw Undergraduate Research & Leadership Programme, enabling her to develop her research career. The programme, which is running at Oxford for the first time in 2016-17, builds upon Lord Laidlaw's commitment to supporting student development and education. This year, 18 undergraduates from across the University have been funded to undertake research projects around the world, as well as gaining a leadership qualification and membership of the Institute of Leadership and Management.

Maïa's project, 'Mapping the challenges for environmental law after Brexit: accountability and the courts', aims to look into the ways in which membership of the EU affects how UK courts enforce environmental legal obligations, to understand what challenges environmental law will face when the UK leaves the EU.

Under EU law, a number of factors contributed to strengthened enforcement of environmental obligations, whereas the domestic mechanisms for legal accountability of public authorities traditionally place a greater emphasis on the discretion of the decision-maker. In light of the deregulatory current animating the 'Leave' campaign, the ability of domestic accountability mechanisms to ensure material environmental protection is to be questioned. Maïa's project will examine in particular the case law of the Environmental Impact Assessment Directive, to understand what role domestic courts have played in holding decision-makers to account for environmental protection, to what extent this role was dependent on EU mechanisms, and how such a role could be maintained after Brexit.

Maïa's supervisor, Professor Liz Fisher, said, 'This is an impressive research project. Maïa has shown great initiative in identifying her research questions.' Maïa herself said, 'For me, the dual aspect of research and leadership is invaluable. I believe the challenge of many environmental problems is to motivate citizens and governments to transform our environmental impact, and much of the leadership training focused on connecting people to a vision. Equally, the undergraduate law course does not include a dissertation so it is an exciting challenge to have a project of my own, which will help me decide whether to pursue a PhD.'

The Laidlaw Programme is open to all undergraduate students from all disciplines, and hopes to support up to 50 Laidlaw Scholars over the next two years. Projects are defined by the student, and can be undertaken at any research-intensive institution worldwide, with funding provided for living costs, travel, and lab costs where appropriate. Applications for 2017-18 will open in Michaelmas Term; further details are available from www.careers.ox.ac.uk/the-laidlaw-undergraduate-research-and-leadership-programme.

Karen Walker



Keble College: Jim Harris Lectureship in Law

Keble College has created a Lectureship in Law to be named after Jim Harris, a Fellow in Law for 31 years from 1973 to 2004. The post has been funded for an initial two years (2018-2020) by a kind donation from one of Jim's former students, and the College is fundraising to continue the post thereafter. This newly created post will support the teaching already provided by the College Law Fellows, Professor Edwin Peel and Associate Professor James Goudkamp.

For more information, contact: Rebecca Greeves, at Rebecca.greeves@keble.ox.ac.uk.

Somerville College: The Cornelia Sorabji Law Programme



L-R: Navya Jannu, His Excellency Mr Dinesh K. Patnaik, Professor Anne Davies, Professor Timothy Endicott, Divya Sharma

Divya Sahai

Navya Jannu

November 15th 2016 marked the 150th anniversary of Cornelia Sorabji's birth, the first Indian woman admitted to Oxford and the first woman to practise Law in India. The Faculty of Law and Somerville College are proud to celebrate her achievements through the creation of scholarships for outstanding Indian graduate students in Law, made possible by through the generosity of alumni and friends of Somerville.

The Cornelia Sorabji Law Programme is based at the Oxford India Centre for Sustainable Development, which provides a thriving postgraduate and postdoctoral programme for talented Indian graduate students who seek to lead change on their return to India. Chandigarh-born Divya Sharma was selected as the first recipient of the Scholarship. Through the generosity of Mr Hemant Sahai of New Delhi, the College has also awarded the HSA Advocates Award to another Indian BCL student, Miss Navya Jannu, under the Cornelia Sorabji Law programme.

After graduating from Somerville with a degree in Jurisprudence in 1892, Cornelia Sorabji returned to India to work on behalf of women living in purdah and later became a distinguished member of Lincoln's Inn. Sorabji was only able to take up her place at Oxford thanks to the help of a subscription raised by progressive Indian and British men and women including Madeleine Shaw Lefevre, the first Principal of Somerville.

Today, many gifted Indian student lawyers find they cannot afford to study at Oxford. The scholarship will provide the opportunity for a trainee Indian lawyer to study at Oxford's Faculty of Law and live at Somerville College. It will be awarded to a candidate with an exceptional academic record who wishes to return to India and serve their country.

For more information on either of these or how to give to Somerville College, contact Sara Kalim, sara.kalim@some.ox.ac.uk.



Mr Ratanshaw Bomanjee Zaiwalla

Somerville College: The Zaiwalla Scholarship

Mr Sarosh Zaiwalla, Senior Partner at Zaiwalla & Co LLP, London has very generously supported a law scholarship at the Oxford India Centre for Sustainable Development (OICSD) at Somerville College. The scholarship is named in memory of his father Mr Ratanshaw Bomanjee Zaiwalla. We are delighted to announce that Ms Shreya Prakash who completed her undergraduate degree at the National Law School of India University, Bangalore, has been awarded the scholarship and will start her BCL in Michaelmas at Somerville.

Mr Ratanshaw Bomanjee Zaiwalla was an English qualified solicitor. He qualified in 1925 and after working for one year in firm called Warwick & Warren in the City of London went back to India and established Zaiwalla & Co Solicitors in Bombay. He was probably one of the first Indians to qualify as an English solicitor because in those years many Indians used to qualify as Barristers but not solicitors.

Mr Zaiwalla commented: 'My aim to create the scholarship is to give opportunity for young Indians who wish to study law in a prestigious university like Oxford University but are unable to do so because of financial constraints. As the world becomes smaller and more global, I hope Shreya in some ways will contribute in placing an Indian footprint on the global international field. As it happens, my firm which was established in 1982 was the first English Solicitors firm in the one square mile commercial district in the City of London started by a solicitor born in India.'

How to Fund Your College for Law

Many of our alumni give generously to their colleges to support the study of law, for example, by helping to endow tutorial fellowships or by funding graduate scholarships. As a faculty, we would like to recognise and encourage these wonderful gifts by providing information on our website about college fundraising appeals for law. Our page 'Alumni Giving: How to Fund your College in Law' is still under construction, but please check back regularly as we add more detail over the coming months.

www.law.ox.ac.uk/alumni-giving



One Essex Court Scholarship

The Faculty is thrilled to announce a new scholarship commencing in 2017/18. The chambers One Essex Court will fund an Oxford Law scholarship for one BCL student of £10,000 each year for the next three years. The inaugural scholar, Paul Findley, will have the option of a mini-pupillage at Chambers. Open to all BCL students, applications are sought from students with

an excellent academic record, financial need and strong preference will be given to candidates who have an interest in proceeding to the commercial bar.

We thank One Essex Court for this new opportunity, and congratulate Paul on his award.



John Armour

John Armour is the Professor of Law and Finance at Oxford. He read Law at Oxford, completing the BA in Jurisprudence and the BCL, before doing the LLM at Yale Law School. He began his academic career at the University of Nottingham, then moved to the University of Cambridge, where he worked in the Law Faculty and the interdisciplinary Centre for Business Research. In 2007 he returned to Oxford to take up his chair. John's main research interest lies in the integration of legal and economic analysis, with particular emphasis on the impact on the real economy of changes in company law, corporate insolvency law and financial regulation.

John is one of the authors of *The Anatomy of Corporate Law*, the third edition of which was published in January 2017 by Oxford University Press. This well-known and highly-regarded volume offers a comparative overview of corporate laws around the world from a functional perspective, explaining why the rules have converged in some areas and not in others. The new edition takes account of the many legislative changes which have occurred since the global financial crisis of 2007-9. John is also an author, with colleagues, of *Principles of Financial Regulation* (OUP 2016). This is an ambitious attempt to reconfigure the way we think about the field of financial regulation. The problems of the financial crisis resulted from the intersection between banks and markets, and so effective responses to these problems must span both fields. Consequently, the book takes as its starting point not the scope of existing regulation, but the way the financial system functions. The book asks: 'How can this functioning be improved by regulation?'. It uses the economic theory of markets as a framework within to consider the goals of financial regulation, and presents an overview of measures traditionally aimed at markets and banks, before moving on to look at cross-cutting measures that target systemic risk and consumer protection. Substantive measures are presented in comparative context, with a focus in particular on regulatory choices in the EU (especially UK) and US. The final section considers the institutional architecture of financial regulators. The book is aimed at graduate students, regulators, practitioners and anyone wanting a high-level overview of the field.

Like many colleagues in the Faculty, a theme of John's recent work has been Brexit and its potential implications for his field of law. He has blogged about this issue on the Oxford Business Law Blog and published a number of longer pieces, including articles in the *Oxford Review of Economic Policy* and *The European Business Organization Law Review*. Together with his colleague Horst Eidenmüller, the Freshfields Professor of Commercial Law, he organised a very successful workshop in Oxford on 'Negotiating Brexit' in March 2017, the proceedings of which have resulted in a new edited collection on the topic (John Armour and Horst Eidenmüller, eds, *Negotiating Brexit*, Hart/Beck Publishing, 2017).

A developing interest for John is what he terms the 'mechanisation of law': the increasing use of big data and smart technology within law. This has implications for law both as a development to which the law needs to respond, and a development with significant potential to shape the law itself. John has organised a series of interdisciplinary workshops in the Faculty to explore these issues in a variety of different legal fields, alongside his own research on its implications for corporate governance.

John teaches on two courses, Comparative Corporate Law and Principles of Financial Regulation, which are offered to graduate students taking the MLF, BCL and MJur programmes. He has in the past also taught Company Law, Corporate Insolvency Law and the core MLF course Law and Economics of Corporate Transactions. This brings together legal and economic analysis in the study of business transactions, culminating in a series of case-study workshops in which students have an opportunity to analyse real-world deals.

John has since 2014 served as a member of the European Commission's Informal Company Law Expert Group, which advises the Commission on matters of policy related to the operation and reform of company law within the EU.

We were particularly delighted that John's eminence was recognised in 2017 with the award of a Fellowship of the British Academy. This honour is reserved for the most distinguished scholars in the humanities and social sciences, and we extend our warm congratulations to him on this mark of particular distinction.

Anne Davies

Graduate Scholarships 2016/17

Scholarship	Recipient
3VB	Gillian Hughes
Cape Town Convention	Anton Didenko
Des Voeux	Raymond Roca
Faculty of Law and Corpus Christi College	Stephanie Wilkins
Faculty of Law and Hertford College	Dáire McCormack-George
Faculty of Law and Jesus College	Lewis Graham
Faculty of Law and Jesus College	Kim Pham
Faculty of Law and New College	Alix de Zitter
Faculty of Law and Worcester College	Joshua Pike
Family Subject group	Philippa Coore
Fountain Court	Alexandra Clarke
Graduate Assistance Fund	Thomas Lowenthal
Graduate Assistance Fund	Kalina Arabadjeva
Graduate Assistance Fund	James Bradford
Graduate Assistance Fund	Marco Cappelletti
Graduate Assistance Fund	Daniel Franchini
Graduate Assistance Fund	Mustafa Eker
James Bullock Scholarship	Thomas Gernay

Scholarship	Recipient
Merton Lawyers' BCL & MJur Scholarship	Eva Zahradnikova
MLF Financial Aid Awards	Emily Chan, Kate Surala, Hiu Shuen Lo and Aeneas Nalbantis
Myers Scholarship	Christopher Lum
Myers Scholarship	Julia Wang
Myers Scholarship	Andrew Lunardi
Myers Scholarship	Kalia Laycock-Walsh
Need Access	Onur Başol
Peter Birks	Charlotte Elves
Planethood Foundation	Talita de Souza Dias
Pump Court Tax	Emma Hughes
Roy Goode	Talita de Souza Dias
South Square	Emma Loizou
St Edmund Hall William Asbrey BCL Studentship	Jake White
Trust subject group	Aleksi Ollikainen
Wadham (Peter Carter taught)	Rory Gregson
Wadham Peter Carter	Rachel Clement
Winter Williams	Eleni Katsampouka

Prize Winners 2017

Prize	Recipient
3 Verulam Buildings Prize for Legal Concepts in Financial Law	William Day
3 Verulam Buildings Prize in Commercial Law	Alexander Georgiou
5 Stone Building Prize for Trusts	Paul Fradley
All Souls Prize for Public International Law	Sebastian Bates
Allen & Overy Prize in Corporate Finance Law	Nupur Upadhyay
Allen & Overy Prize in European Union Law	Samuel Dayan
Clifford Chance (Proxime Accessit) for the Second Best Performance in the MJur	Alexander Wentker
Clifford Chance Prize for the Best Performance in the MJur	Thomas Reyntjens
Clifford Chance Prize in Principles of Civil Procedure	Jonathan Mellor and Nicholas Condylis
DLS Prize (Overall Best Performance)	Joyce Esser
Falcon Chambers Prize for Land Law	Samuel Dayan
Francis Taylor Building Prize in Environmental Law	Sam Hancock
Gibbs Prize Book	Olivia Retter, Rachel Griffin and Katie Ratcliffe
Gibbs Prize Proxime	Alexander Georgiou and Paul Fradley
Gibbs Prize Winner	Samuel Dayan
Herbert Hart Prize in Jurisprudence and Political Theory	Joshua Pike
John Morris Prize in The Conflict of Laws	William Day
Law Faculty Prize for Copyright, Patents and Allied Rights	Rachel Griffin
Law Faculty Prize for Copyright, Trade Marks and Allied Rights	Daron Tan
Law Faculty Prize for Criminal Law	Matthew Marchello
Law Faculty Prize for Human Rights Law	Matthew Moriarty
Law Faculty Prize for Medical Law and Ethics	Rio Hoe
Law Faculty Prize for Moral and Political Philosophy	Nicholas Bushnell-Wye
Law Faculty Prize for Personal Property	Paul Fradley
Law Faculty Prize for Roman Law (Delict)	Daniel Shihun Kim
Law Faculty Prize in Advanced Property and Trusts	Ka Yee Lee
Law Faculty Prize in Children, Families and the State	Tristan Cummings

Law Faculty Prize in Commercial Negotiation and Mediation	John Maslen
Law Faculty Prize in Commercial Remedies	Keith Chan
Law Faculty Prize in Comparative Corporate Law	Emily Rumble
Law Faculty Prize in Comparative Equality Law	Tristan Cummings
Law Faculty Prize in Comparative Public Law	Ka Yee Lee
Law Faculty Prize in Constitutional Principles of the EU	Elle Tait
Law Faculty Prize in Constitutional Theory	Samuel Hodge
Law Faculty Prize in Corporate Tax Law and Policy	Orla Fenton
Law Faculty Prize in Criminal Justice, Security and Human Rights	Lewis Graham
Law Faculty Prize in European Private Law: Contract	Alberto Escobar Rivas
Law Faculty Prize in Intellectual Property Law	Amrutanshu Dash
Law Faculty Prize in International Commercial Arbitration	Hin Ting Liu
Law Faculty Prize in International Law and Armed Conflict	Alexander Wentker and Valerio Letizia
Law Faculty Prize in International Law of the Sea	Brian Lee
Law Faculty Prize in International Trade	David Kasal
Law Faculty Prize in Law and Society in Medieval England	Rory Gregson
Law Faculty Prize in Law in Society	Jan Philipp Köster
Law Faculty Prize in Medical Law and Ethics	Alexandra Clarke
Law Faculty Prize in Philosophical Foundations of the Common Law	Gillian Hughes
Law Faculty Prize in Private Law and Fundamental Rights	Natalie So
Law Faculty Prize in Regulation	Emily Rumble
Law Faculty Prize in Roman Law (Delict)	Julia Wang
Law Faculty Prize in The Roman & Civilian Law of Contracts	Not awarded
Linklaters Prize for Principles of Financial Regulation	Emily Rumble
Linklaters Prize in Competition Law and Policy	Wen Pei Rebecca Han
Littleton Chambers Prize in International and European Employment Law	Elle Tait
Littleton Chambers Prize in Labour Law	Paul Fradley
Monckton Chambers Prize in Competition Law	Joshua McGeechan
Norton Rose Fulbright in Constitutional Law	Georgina Brett
Penningtons Manches Family Law Prize	Sahar Abas
Peter Birks Prize Restitution of Unjust Enrichment	Emma Hughes
Pinsent Masons Prize in Taxation Law	Benjamin Blades
Planethood Foundation Prize in International Criminal Law	Tsvetelina van Benthem
Ralph Chiles Prize in Comparative Human Rights	Emma Ainsley
Red Lion Chambers Prize in Criminology & Criminal Justice	Izzy Garratt
Slaughter and May Prize in Contract	Mollie MacGinty
Slaughter and May Prize in Legal History	Rory Goodson
South Square Prize for Corporate Insolvency Law	Keith Chan
The D'Sousa Prize (Senior Status) (Overall best 2nd BA)	Raphael Tulkens
Vinerian Scholarship (Proxime Accessit) for the Second Best Performance BCL	Sinziana Hennig and Keith Chan
Vinerian Scholarship for Best Performance in the BCL	Tristan Cummings
Volterra Fietta Prize for International Dispute Settlement	Andrea Raab
White & Case Prize in Company Law	Zera Ong
White & Case Prize in Comparative Private Law	Alexander Georgiou
Winter Williams Prize in European Business Regulation	Valerio Letizia
Winter Williams Prize in International Economic Law	Vivian van Weperen
Wronker Prize (Overall Best Performance) 1 of 2	Alexander Georgiou
Wronker Prize (Overall Best Performance) 2 of 2	Samuel Dayan
Wronker Prize for Administrative Law	Jeffrey Fong
Wronker Prize for Jurisprudence	Samuel Dayan
Wronker Prize for Tort	Edward Pickup
Wronker Proxime (Second Best Performance)	Rachel Griffin and Paul Fradley



Fatema Orjela

Fatema studied the BA Jurisprudence at Brasenose College, graduating in 2005. After completing her LPC she trained at Lovells International LLP, and has worked at Kirkland & Ellis International LLP as a partner. Fatema moved as a lateral partner to Sidley Austin LLP in 2016.

What do you use from your Oxford Law degree in your job?

As a solicitor, in the narrowest sense, part of my role includes applying the law. I am able to do so more effectively as a result of my understanding of the underlying principles standing behind such application – such as how third party rights apply in contract – which I gained from my degree. In a wider sense, that same understanding helps me to have a good gut sense as to what application is likely required by the law (in advance of confirming the point) so that I can advise clients ‘live’ in a dynamic way. I am able to use law as a universal language across multiple jurisdictions, so that I can apply local laws in such other jurisdictions in the same manner that I would English law.

What is special about studying Law at Oxford?

Training to think first what the outcome ‘should’ be, what ‘should’ the law say in order to reach that outcome, what ‘should’ be changed if there is a gap... Studying law at Oxford trained me to be a ‘thought leader’, to distil down a wealth of information into the most pertinent points and to be able to always take a step back and see the ‘bigger picture’.

What’s your best memory of your time at Oxford?

I have so many incredible memories – law and non-law related; from the adrenaline rush of reading through the week’s reading list, working through all of the angles to settle on my own position, hammering out the essays, running to the pidge to drop it in time, debating with peers, tutorial partners, tutors, law dinners, bops, balls etc. My favourite work memory is of that feeling when suddenly something clicks – when all the reading, discussions and debates just come together and there’s a wave of clarity.

Who was the biggest influence on you when you studied here?

Everyone I met was an influence. The wealth of the network is one of the best parts of being in Oxford. However, the biggest influence has to have been my tutors. To be able to directly sit with and speak to the likes of William Swadling, Anne Davies, Arianna Pretto, John Davies – leaders in their respective fields – to hear their insights first hand, is a privilege which I continue to feel incredibly fortunate to have experienced.

What’s your specialism? And, would you recommend that as a specialism to current Law undergraduates?

Private Equity/M&A. I would highly recommend this as a specialism as it brings together so many other practice areas: (i) contract law for the various agreements (including the sale and purchase agreements and terms of acquisition or disposal), (ii) antitrust/competition law for the acquisition approvals required, for example where the target is a market leader, (iii) land law, employment law, intellectual property law etc. for diligence over the target business, (iv) company law for structuring the investment or co-investment by other parties between equity/debt/hybrid securities (including the management equity and terms of repurchase of the equity in certain scenarios from management), (v) tax law to maximise returns, (vi) insolvency law for winding up the portfolio/fund structure on exit or at the end of the fund cycle, etc., the list goes on.

Conor McLaughlin



Conor McLaughlin studied the BA in Law with Law Studies in Europe and graduated from the University of Oxford in 2013. He will begin a pupillage at Erskine Chambers in October 2017. We asked him about what he’s been doing since graduation, his time at Oxford and who he remembers most.

What have you been doing since graduation?

After graduation in 2013, I spent a year in the Stiftung Maximilianeum in Munich, studying for an LLM and working for Professor Horst Eidenmüller (now the Freshfields Professor of Commercial Law at Oxford). I then worked as a research assistant at the Law Commission on a project concerning the protection of consumer prepayments – such as deposits and gift vouchers – on retailer insolvency, before completing the BPTC and teaching contract and tort law at King’s College London. I have just finished a six-month internship at the European Court of Justice in Luxembourg in the chambers of Judge Vajda and Advocate-General Sharpston, which was a great experience.

What aspects of your law degree have proved to be the most useful in your career so far?

Studying law at Oxford offered a lot more than an understanding of the subjects I studied as part of my law degree. It also taught me a lot of important skills that will never stop being useful: weekly reading lists teach you how to get through a large amount of information in a short space of time; having to produce essays regularly for tutorials provides good practice for writing and improves your ability to make reasoned arguments; and leaving everything until the last minute helps you deal with crises. As for the law: many legal disputes in practice revolve around principles of contract and tort law, and I am especially glad to have received a solid grounding in these two subjects during my degree.

What did you most enjoy about your degree?

Studying law at Oxford was (hectic, intense) fun, but I enjoyed the challenge of struggling to understand things (and then wondering why it took so long). There are a lot of moot opportunities, and I think these are worth getting involved in even if you don’t want to go to the Bar. As I did the Law with French Law programme, I was able to study for a degree in French law during my third year and enjoyed my time in Paris.

Who was the biggest influence on you when you studied here?

Jeff King, who is now Professor of Law at UCL, was my constitutional and administrative law tutor, as well as my personal tutor at Balliol. He was an excellent tutor and extremely encouraging and supportive during my time as an undergraduate – and beyond!

What was the best thing about your time at Oxford?

Making wonderful friends during my time as an undergraduate. While some of them studied law, one of the biggest advantages of Oxford is how many people studying different subjects you can meet. I am lucky to have friends who studied other subjects and who have ended up doing wildly different things from me.

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