

# OXFORD LAW NEWS

2016  
No20

50 years of the  
Centre for Criminology

Anne Davies, our new Dean

Bonavero Institute of  
Human Rights announced



UNIVERSITY OF  
OXFORD

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LAW

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# Dean's Letter



Photo: Piranha Photography

It gives me great pleasure to write this, my first letter for the Law News as Dean. I should begin by paying tribute to my predecessor, Professor Timothy Endicott, who, as the Faculty's first Dean, did much to define and develop the role, and has been an invaluable source of wise advice. I would also like to thank my predecessor as Acting Dean, Professor Hugh Collins, for keeping a steady hand on the tiller during Timothy's sabbatical. Although I have worked in Oxford for many years, I have had a lot to learn in my new role and I am grateful to the Associate Deans and the administrative staff in the Faculty office for their support.

People often ask me to outline my 'vision' for the Faculty. There is much to be proud of in Oxford Law: both in terms of Faculty members' research, ranging widely across all aspects of the discipline; and in terms of our outstanding and increasingly diverse cohorts of graduate and undergraduate students. But no institution can afford to rest on its laurels, particularly in the globally competitive higher education environment. Nevertheless, asking about *my* vision for the Faculty is not to ask quite the right question. The Faculty is run by its members through the Law Faculty Board and its committees, and so the role of the Dean is to help the Faculty to formulate and implement its own vision. I look forward to the particular challenges of this facilitative role.

At the time of writing there is much uncertainty surrounding the UK's future relationship with the EU,

following the majority vote in favour of leaving the EU in the recent referendum. I know that students, colleagues, alumni and supporters will have a range of views on the outcome and on the next steps, and that we will see some lively debate over the coming months. From the Faculty's perspective, the key message is that we strive to create a welcoming environment for students and scholars of all nationalities here, and this is something we intend to maintain in the future.

One of the great privileges of my first few months as Dean has been the opportunity to meet the Faculty's many alumni and supporters around the world, and to hear about your memories of, and connections with, Oxford. I hope to get to know many more of you over the coming months.

Anne Davies

## Profile of the Dean

Professor Anne Davies started her tenure as Dean of the Law Faculty in October 2015. Anne is one of the leading public law and labour law scholars of her generation. The formal definition of 'leading' is obvious from her CV: she is a Martin Wronker Prize winner, was an All Souls Prize Fellow, a Tutorial Fellow at Brasenose for over 14 years, and received the title of Professor of Law and Public Policy in 2010. She is the author of five books, numerous articles, and has taken on a variety of editorial roles including General Editor of the *Oxford Journal of Legal Studies*.

But Anne is a 'leading' scholar in other senses. Much of her scholarship has been about placing law on solid intellectual foundations, which has served as a basis for others to build upon (including, I should say, myself). Moreover, she has

long had a reputation for her straightforward and decent approach to academic life – a trait that is fundamental in the collaborative governance context of Oxford.

She is also very down to earth. Walk into Anne's office and you will find a VW campervan that she has painstakingly made from LEGO. Some may think that law professors are too grand for LEGO, but academic scholarship and leadership are really just more sophisticated forms of brick building: hands-on activities which require tenacity, a commitment to rigour, pragmatism and – dare I say it – playfulness. So a LEGO VW van is a very fitting thing to have in the Dean's office, and it is particularly fitting that it is in an office inhabited by Anne.

Professor Liz Fisher

# Bonavero Institute for Human Rights: A New Focal Point for Human Rights Law

'Under its aegis, the new Institute will produce, and deploy in the field, academic research of such calibre that the lives of men, women and children worldwide will be improved.'

Yves Bonavero



The Bonavero Institute for Human Rights (BIHR) is a new specialist centre for human rights law within the Law Faculty. The Institute's focus will be on the development of world-class research in human rights law, broadly defined, and on the facilitation of links between research and practice. This bridge-building between scholarship and practice will be central to the Institute's mission and will include helping our students to gain practical experience (for example, through internships) and helping practitioners learn about and draw on the outstanding research taking place in Oxford. As articles elsewhere in this edition of Law News reveal, there is already a lot going on in human rights law within the Faculty, and we anticipate that the new Institute will build on existing strengths as well as developing new research programmes and practical projects.

The Institute will open its doors in new, purpose-built premises designed by Rick Mather Architects at nearby Mansfield College in October 2017. Spread over two floors, the Institute will include office space, a seminar room and a lecture auditorium to be shared with Mansfield. The rest of the building will house 74 of Mansfield's undergraduates.

The Institute has been made possible through the vision and leadership of Baroness Helena Kennedy QC, the Principal of Mansfield College. As a barrister, Baroness Kennedy is well-known for championing civil liberties

and human rights and it was she who took the initiative in raising funds for the Institute. The Institute is funded by a generous donation from the AB Charitable Trust, providing the Institute with an endowment to fund its Director and core staff. The Trust was founded by Yves Bonavero and his wife Anne, to defend and promote the cause of human dignity, and the Institute is named for the Bonavero family. The Institute is also supported by donations from the A G Leventis Foundation, a personal donation from Mr Harry Leventis, the Sir Joseph Hotung Charitable Settlement, Nest Investments, the David & Elaine Potter Foundation, the Garfield Weston Foundation and Peter Baldwin and Lisbet Rausing. The Faculty is grateful to all of the Institute's benefactors for their generosity towards, and enthusiasm for, the project.

The inaugural Director of the Institute will be Justice Catherine (Kate) O'Regan, an internationally-renowned figure in the field of human rights law.

See page 68: Kate O'Regan – Arrivals

Human rights law addresses some of the most pressing challenges to the realisation of human dignity around the world today, and the new Institute offers an exciting opportunity to shape and enhance Oxford Law's contribution to addressing those challenges.

Anne Davies

# The Centre for Criminology: 50th Anniversary

Fifty years ago, in 1966, Dr Nigel Walker established the Oxford Penal Research Unit; the forerunner of today's Centre for Criminology. This year, the Centre celebrated everything it has achieved over the last 50 years, and its position at the forefront of teaching and scholarship in criminology.



Photos: Stuart Cox

## A Brief History of the Centre

While criminology had existed in the University since 1939, when émigré scholar Dr Max Grünhut was offered rooms in All Souls to continue his research on crime and justice, the creation of the Penal Research Unit signalled the first attempt to draw together a collective group of scholars, working towards a common goal.

The Unit became a Department of the University in 1971, with some responsibility for teaching on the undergraduate law course, and two years later, under the stewardship of Professor Roger Hood, it was renamed the Centre for Criminological Research. In 2001, the Centre developed further and established an MSc in Criminology and Criminal Justice. Under the Directorship of the late Professor Richard Ericson it changed its name to the Centre for Criminology in 2003 to better reflect the balance of its commitment to teaching and research, and the Centre moved to its current home in the Manor Road Building in 2004.

When Professor Ian Loader took over the Directorship in 2005, he reconfigured the goals of the Centre according

to a number of intersecting themes. These have been added to under Professor Carolyn Hoyle, who succeeded him in 2012. Today, the Centre continues to lead the way in many longstanding areas of criminology (e.g. prisons, policing and sentencing) whilst also forging new ground and whole new subfields of the discipline in victims, security, family justice and border criminologies. In 2016, the Centre commenced a part time DPhil and a part time MSc is in development.

## Anniversary Events

During 2016, the Centre and the Faculty of Law have hosted an exciting programme of events and activities to commemorate this anniversary, and to capture life at the Centre today.

Our year of celebrations started in January with the first of a series of **50th Anniversary Lectures**, delivered by Professors Downes, Newburn and Rock from the LSE and appropriately entitled '*In the Beginning: Crime, Criminology and Criminal Justice in 1966*'. Other lectures during the year have included papers delivered by distinguished international scholars, including Professor David Garland (New York University) and Professor Lisa Miller (Rutgers



Photo: Stuart Cox

University), and 'conversations' between academics and practitioners, including Frances Crook OBE, Dr Jamie Bennett, David Anderson QC and Dr Liora Lazarus. Professors Jill Peay (LSE), Ben Crewe (University of Cambridge) and Ian Loader will deliver our Michaelmas Term Anniversary Lectures.

In March we hosted a drinks party at the Howard League Annual Conference at Keble College and two academic and practitioner conferences. The first, generously supported by Green Templeton College and hosted by Professor Carolyn Hoyle, Dr Rachel Condry and Jasmina Arnez, was on '**Crime and Mental Health: Vulnerability and Resilience in the Face of Trauma**', and the second, held at Wadham College and hosted by Professor Julian Roberts, brought together academics and legal practitioners to discuss '**The Role of the Prosecutor at Sentencing**'.

In May, Lady Edwina Grosvenor hosted a high profile drinks reception in London focused on **transforming incarceration** (catered by The Clink Charity, theclinkcharity.org) to showcase research at the Centre for Criminology on the changing nature of incarceration, as well as the important policy work of Dr Stephanie Covington, who was our guest speaker.

Early June saw a series of successful events. Our **alumni tea party** brought together MSc and DPhil alumni from around the world for high tea in Wadham College, where we published our first '*Alumni Stories*' book. That evening Professor of Criminal Justice, Lucia Zedner, gave the **Annual Roger Hood Public Lecture** on *Criminal Justice in the Service of Security* to a packed lecture theatre.

On 4 June the Centre hosted our largest and most ambitious event of the year: an anniversary conference at the Maths Institute bringing together 200 academics, practitioners, politicians and policy-makers to discuss, in a series of panels, '**Contemporary Dilemmas in Criminal Justice**'. Each panel was hosted by well-known journalists: David Rose hosted David Davis MP, Lord Ian Blair, Dinah Rose QC and Andrew Hall QC in a lively discussion on '*Criminal Justice, Security and Human Rights*'; Mary Riddell hosted a discussion on '*Women in Prison*' with the former Chief Inspector of Prisons,

Professor Nick Hardwick, Felicity Gerry QC, Vicky Pryce and Frances Crook OBE; and Alan Rusbridger, Principal of Lady Margaret Hall and former Editor-in-Chief of the *Guardian* generated a passionate discussion about '*Criminal Justice in an Age of Austerity*' with Dame Elish Angiolini QC, Sara Thornton CBE, QPM, Rick Muir, and Dominic Grieve QC MP.

The day started with the launch of the **Centre's Global Criminal Justice Hub** and during the afternoon Lord Justice Gross spoke eloquently about the need to support young scholars of modest means heading for the criminal bar in launching our new **Kalisher Trust-Wadham College MSc Criminology & Criminal Justice scholarship**.

Our Anniversary year will end on 5 December with a conference on the '**Changing Contours of Criminal Justice**' to launch a collection of essays edited by Professors Mary Bosworth, Carolyn Hoyle and Lucia Zedner, exploring the ways in which research carried out at the Centre over the last half century has engaged with, shaped, and been shaped by changes in criminal justice policy. All contributors have a connection to the Centre and their essays demonstrate the breadth and ambition of enquiry of those at the Centre.

The Centre blog provides a record of the success of these events: <https://www.law.ox.ac.uk/centres-institutes/centre-criminology/50th-anniversary-events-blog>

## 50th Anniversary Campaign

The Law Faculty launched the Centre's '50th Anniversary Campaign' to secure and enhance the Centre's next fifty years of research and teaching. A key goal of the campaign is to establish a Global Criminal Justice Research Hub that will include a series of initiatives, from a new Lectureship in Quantitative Criminology to funded studentships. The Hub reflects and will build upon our existing interests and expertise in global criminal justice matters.

The Centre's 50th Anniversary Campaign is about ensuring that the Centre will continue to flourish for the next 50 years. We need to protect its unique education for the next generation, and guarantee that financial need is not a barrier to qualified candidates.

**If you would like to support the 50th Campaign, please visit the Faculty's online donation page and select 'Centre for Criminology 50th Anniversary' from the designation list. [www.law.ox.ac.uk/benefactors/online-giving](http://www.law.ox.ac.uk/benefactors/online-giving). For more information, please download the funding proposal.**

# Faculty Profiles



Rebecca Williams



Liz Fisher



Photo: Steve Allen

## Rebecca Williams

From sexual fraud to overpaid taxes; from intoxication to jurisdictional review for errors of law, Associate Professor of Law, and Associate Dean for Undergraduate Studies and Access, Rebecca Williams's wide-ranging set of publications defy ready classification. But, her research spanning public law, unjust enrichment and criminal law has opened up some novel and important areas of research. Few academic criminal lawyers are brave enough to tackle corporate crime, fewer still EU financial crime. She has developed a strong reputation in these fields, with her work cited in the Supreme Court, the European Court of Justice and the High Court of Australia. Her book, *Unjust Enrichment and Public Law – A Comparative Study of England, France and the EU* was awarded runner-up for the Peter Birks Prize for Outstanding Legal Scholarship in 2000.

Further, Becca has long been an extremely popular lecturer and tutor. She is known for her dedication to ensuring she brings out the very best in her students, and giving them every opportunity to excel in examinations. Her enthusiasm for her subjects, and the clarity of her presentation, has meant her exemplary lectures are always well attended.

Having completed her BCL at Worcester College and her PhD at Birmingham University, Becca was a fellow of Robinson College Cambridge, before taking up her Fellowship at Pembroke. Becca has been the Director of Undergraduate Studies at the Law Faculty for the past few years. This is a demanding post and she has navigated with considerable skill a wide range of tricky issues including reforms to assessment; the recording of lectures; and the introduction of several new courses.

Jonathan Herring

## Liz Fisher

Professor of Environmental Law and Vice Dean, Liz Fisher has been a Fellow of Corpus Christi College since 2000. Her undergraduate degree was a combined one: Law and Science and Technology Studies. It is perhaps not surprising that her academic career has focused on environmental law. She was instrumental in setting up the environmental law courses on the FHS and BCL, both of which have attracted passionate students who have greatly appreciated her famously enthusiastic teaching. To those who know of her lecturing, it will be no surprise to learn she won an Oxford University Teaching Award and has been shortlisted for the OUP National Law Teacher of the Year Award.

Taking a comparative and interdisciplinary approach, Liz's research has particularly focused on the administrative law issues relating to environmental matters. She is the General Editor of the *Journal of Environmental Law* and has held visiting positions in the United States and Australia. Her book, *Risk Regulation and Administrative Constitutionalism* (Hart, 2007), won the Peter Birks Prize for Outstanding Legal Scholarship in 2008. She has also co-written a very highly regarded textbook (*Environmental Law: Text, Cases and Materials*, OUP, with Bettina Lange and Eloise Scotford). These, combined with a wide range of articles, chapters and blogs, have contributed to Liz being recognised as one of the UK's leading environmental lawyers.

Since October 2013, Liz has been Vice Chair of the Law Board, but she will be stepping down from that role in October 2016. She has worked extremely hard in preparing the Law Faculty's bid for an Athena Swan award, and has also done an enormous amount in the last few years to make the Law Faculty an even more jolly place in which to work.

Jonathan Herring

See pages 58-59: New Associate Deans

## Oxford Women in Law (OWL)

Established in 2014, OWL is a network for graduates of the University of Oxford working in the law to discuss career issues (especially those facing women), to share experiences, and to enhance their relationship with each other and the Oxford Faculty of Law.

We are delighted that our alumni (both men and women) have been so supportive and engaged with this initiative and have, over the past year, organised two successful events.

In May 2015, Hogan Lovells hosted a panel discussion: *'Your career in law – the next step'*. Panellists included: Christina Blacklaws (Director of Legal Services, Cripps), Angus Coulter (Partner, Hogan Lovells), Dana Denis-Smith (Obelisk, Founder & CEO) and Harini Iyengar (Barrister, 11KBW). Our fantastic Chair was Claire Pointing, organisational consultant and executive coach.

In March 2016, Pinsent Masons hosted *'How to work a room'*, which appropriately coincided with International Women's Day. To celebrate this, OWL joined forces with Oxford 10 (the official young community of Oxford University) to jointly organise a networking session for our members. Full of practical tips and

inspiring advice, speakers included: Christine Fairchild (Director of Alumni Relations, University of Oxford), Liz Heathfield (Head of Business Development (Groups) for Pinsent Masons LLP), Fatema Orjela (Partner at Sidley Austin LLP and founder of Women in London Law (WILL)), Piers Prichard Jones (Partner, Freshfields Bruckhaus Deringer LLP) and Claire Wright (Graduate Recruitment Partner, Allen & Overy LLP). Ariana Adjani from Oxford 10 (an Oxford alumna and co-Founder of innovative medical devices business, Fine Treatment) chaired the discussion.

We plan to organise two events each year to facilitate networking and information sharing. Please email Dr Elizabeth Hodges ([elizabeth.hodges@law.ox.ac.uk](mailto:elizabeth.hodges@law.ox.ac.uk)) with ideas for future events or if you'd like to be added to the OWL mailing list. We are also on LinkedIn at 'OWL: Oxford Women in Law'.



## Oxford Law communications and your preferences: make sure you opt in!

How do you want to receive termly eBulletins, the annual Oxford Law News, invitations to alumni events and other communications from us?

Because of recent changes to legislation and data protection, we will soon be unable to send Faculty of Law communications to any alumni or friends of Oxford Law who have not formally opted in to receive Faculty communications.

We have recently created and launched the 'Law Faculty Alumni Area' on our website so that you can log in with your alumni account and manage your communication preferences.

**Register for a University of Oxford Alumni account: [www.alumniweb.ox.ac.uk/secure/page.aspx?pid=1330](http://www.alumniweb.ox.ac.uk/secure/page.aspx?pid=1330)**

If you are not eligible for an Oxford Alumni account, or do not wish to register for one, but would like to receive Faculty of Law communications, please let us know by emailing: [publications@law.ox.ac.uk](mailto:publications@law.ox.ac.uk)

# Blogging

Communication is key to academic research. Collaboration and dialogue are needed to initiate and develop rigorous research; and outcomes must be effectively expressed and shared in order to inform or advise those affected.

It is not surprising that blogging has become a valuable, often vital, resource for academics. It has the potential to build communities and enable creative exchange, and is easily accessible for interested readers. From the very recently launched Oxford Business Law Blog, to the well-established Border Criminologies and Human Rights Hub Blogs, the Faculty's many blogs play an important role in reporting on cutting edge research and facilitating scholarly and public policy debate.

## Oxford Business Law Blog

**The recently-launched Oxford Business Law Blog (OBLB) demonstrates the important role of blogs as a tool for sharing academic research with policy makers, lawyers and the business world, and enables contributors to comment on news and events as they are happening.**

The OBLB was launched in March 2016, and is generously supported by Travers Smith. Reporting on new business law research and current developments in business law policy and practice around the globe, the OBLB has enjoyed early success: since going live, the blog has featured over 100 posts that have already reached over 32,000 readers across 125 countries.

The OBLB aims to facilitate global conversation, reporting on key developments in Europe, the Americas, Australia, and emerging markets in Asia and Africa, as well as on UK developments. In addition to commenting on current developments around the world and providing a forum for the exchange of ideas, the blog also enables the breadth and depth of new business law related research at Oxford to be made publicly available.

The blog has already become a global forum, with contributors coming from over 20 countries and from varied disciplines. Within Oxford, those from the Saïd Business School, the Blavatnik School of Government and elsewhere, including the Law Faculty, have posted to the OBLB, and we welcome submissions from external contributors to extend and deepen links with other academic institutions, law firms, regulatory institutions and related organisations.

The OBLB editorial team comprises Professors Luca Enriques, Jennifer Payne and Associate Professor Kristin van Zwieten, along with graduate students Clara Martins Pereira, Thom Wetzer and Antonios Chatzivasileiadis. The editorial team warmly welcomes the submission of new posts by Oxford alumni, supporters and benefactors (submission guidelines are available at [www.law.ox.ac.uk/business-law-blog/submission-guidelines](http://www.law.ox.ac.uk/business-law-blog/submission-guidelines)).

The OBLB can be followed on Facebook, Twitter, and LinkedIn. Daily or weekly emails are also available by subscription.

*The OBLB's contributors' locations shown in dark blue*



See page 46: Business Law Hub News



## Border Criminologies Blog

**Border Criminologies is a good example of a blog that has helped to bring together interested parties, where engagement, communication and cohesion had not previously existed.**

Launched in April 2013 and supported by a core group based at the Centre for Criminology, the blog is a particularly important feature of outreach. It showcases original research from around the world, includes first-hand accounts of border control, and features book reviews. The Border Criminologies website and blog were created as part of Professor Mary Bosworth's European Research Council five-year Starter Investigator Grant, 'Subjectivity, Identity and Penal Power' to provide a virtual research space for scholars and students interested in the growing interconnections between migration control and criminal justice.

The blog has addressed the gap in communication and helps facilitate collaborative work in the study of border control. It reaches out to, and includes, diverse groups of academics, practitioners, and



those with lived-experience, from around the world and across disciplinary boundaries. It appeals to specialists by creating interdisciplinary dialogue, and gives the public access to a huge range of resources and information, developed with a general audience in mind. In recognition of its impact, this year Border

Criminologies won the OxTALENT award at the University of Oxford for outreach and public engagement (in local and regional communities).

Our website statistics indicate that in the first six months of 2016 the blog has been viewed more than 45,000 times, with more than 10,000 unique visitors per month,

and it continues to grow. While the main viewers are from the United Kingdom and the United States, Border Criminologies also has viewers from countries in Europe, Africa, Asia, and Central and South America. In addition to the blog, we have over 4,500 followers on Twitter, 1,700 'likes' on Facebook, and almost 150 blog subscribers. These forms of social media have played an important role in driving traffic to the blog.

*Professor Mary Bosworth*

## Oxford Human Rights Hub Blog

**The Oxford Human Rights Hub (OxHRH) Blog has built up an international community of human rights lawyers, academics and policy-makers and promotes dialogue and knowledge exchange (without accruing the cost of travelling) to enable analysis and development of human rights law across the world.**

When we launched the OxHRH Blog in 2012, we had a clear aspiration: to offer an intellectual space that could be resourced and shaped by contributors from all over the globe, sharing their analysis of cutting edge human rights law developments. The blog has featured over 1,200 posts written by more than 400 experts, from 40 different countries. It is now a well-known resource, reflected by the 12,000 unique views each month to the OxHRH website, over 8,000 followers on the OxHRH Twitter page and 3,780 'likes' on Facebook.

Our rapid expert assessments on new developments on the same issue in different jurisdictions provide a unique opportunity for comparative research. The organically emerging themes are drawn out in our anthologies, which group the blogs into themes, prefaced with an introduction by an academic expert. We have published two



anthologies so far, and the third is in preparation. (See <http://ohrh.law.ox.ac.uk/publications/oxhrh-antology/>). The blog is regularly referred to in reading lists on the Faculty's graduate human rights courses.

The blog has been recognised by Oxford University, winning the OxTalent prize for outreach work and a Teaching excellence award. It is funded by a prestigious British Academy award and the generosity of the Bertha Foundation, ensuring we continue to remain an important global resource.

*Professor Sandy Fredman, Richard Martin and Meghan Campbell*

# ACCESS

## INTRODUCTION

2015-16 has been a good year for Access in the Oxford Law Faculty. We welcomed our third cohort of Pathways to Law students, who have taken part in a variety of sessions on subjects such as careers in law, criminology, and mooting, and we have been successful in our bid to continue into Phase 4 of the programme. This means that we will be able to work with younger students than before; this is a very exciting development given how crucial those years are in students' academic development. In connection with this we are also delighted to announce the launch of our Linklaters Oxford Law Access Ambassador scheme, training current undergraduates to continue the Faculty's vital outreach work in schools.

Over the summer we look forward to 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 we are hoping in future years to run a similar course for some of the students for whom there is currently just not space on the two UNIQ weeks we already run. We have also been working with The Brilliant Club, which sends postgraduate students into schools in disadvantaged areas to work with students on subjects beyond their usual curriculum. We are hoping in the near future to develop a specific law-based course for postgraduates across the country to run with Key Stage 3 students. 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 goal, 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.*

# 1,598

 applicants for law in 2015

### FACULTY OF LAW

43% GOT AN INTERVIEW

16% RECEIVED OFFERS

### FACULTY OF LAW OFFERS TO UK STUDENTS

30% INDEPENDENT SCHOOLS

70% STATE SCHOOLS

### UNIQ STUDENTS

93% GOT AN INTERVIEW

38% RECEIVED OFFERS

### OXFORD UNIVERSITY OFFERS TO UK STUDENTS

44% INDEPENDENT SCHOOLS

56% STATE SCHOOLS

**In June, 60 sixth form students from state schools around the country were welcomed to the Faculty for the UNIQ programme, a week long taster experience of studying law at Oxford.**



Oxford Pathways visit to Norton Rose Fulbright

## FOLARIN AND EMILY, UNIQ PARTICIPANTS SUMMER 2014, NOW OXFORD UNDERGRADUATES

During our time on the UNIQ summer school, we took part in various activities that allowed us to gain an insight into life at Oxford. We attended lectures on Roman and Constitutional law which provided an invaluable opportunity to understand and gain experience of possible topics that we would go on to study during our first term. We were also given the chance to take part in a moot competition considering a case involving criminal damage. In order to prepare, we worked in groups with second year students to construct arguments and anticipate opposing arguments. The feedback given from the judges allowed us to improve our public speaking skills. Mid-way through the week, we were given the exclusive opportunity to visit Linklaters, one of the 'Magic Circle' firms in London. It was a particularly eye-opening experience, having never come across such an influential and global firm before, and was a real source of inspiration for a possible career path.

UNIQ also had an active social scene, which allowed us to meet students from different subjects and colleges. We were given the opportunity to take part in a mid-week sports evening with various activities including rounders and football. It was really enjoyable and allowed us to meet others on the scheme in a slightly more competitive situation! We were also given the opportunity to take part in an essential aspect of Oxford student life – the bop! This fancy dress party presented the chance to showcase our creativity with impressive costumes. It was a brilliant night ending in another important aspect of Oxford student life – clubbing.

Regarding applications to university, the summer school was particularly helpful as we attended a personal statement workshop with current students.

They gave us invaluable hints and tips on what to include and how to structure our personal statements. It was also very useful to be able to ask questions of these students in order to further our understanding of the UCAS application process. Within smaller groups we practised LNAT questions which improved our confidence for tackling the real test as part of our application.

Having attended the UNIQ summer school, the interview for our places at Oxford seemed a little less daunting as we had experience of the University and it meant there were some friendly faces to help make the process less stressful.

The awesome experience of UNIQ did not finish when the week ended. It was instrumental in deciding to apply to Keble College, as the week allowed time for college tours, culminating in our decision to choose Keble for its welcoming atmosphere and numerous opportunities to become involved with different societies and clubs. This has enabled us to seamlessly settle into Oxford life and due to lifelong friends we met on the week, we have been able to attend other colleges for formal dinners.

UNIQ was therefore an exceptional insight into Oxford life and we both encourage everyone to apply for an amazing week and opportunity to strengthen your personal statement!

Mid-way through the week, we were given the exclusive opportunity to visit Linklaters, one of the 'Magic Circle' firms in London. It was a particularly eye-opening experience, having never come across such an influential and global firm before, and was a real source of inspiration for a possible career path.

UNIQ

Oxford Pathways to Law aims to support and encourage academically able students in Years 12 and 13, from non-privileged backgrounds, who are interested in law. Over the last year, our first cohort graduated from the scheme in summer 2015, we welcomed our third cohort who started in autumn 2015, and were successful in our bid to be involved in Phase 4, which will also enable us to work with students in Years 10 and 11 (pre-GCSE).

## MY PATHWAYS EXPERIENCE

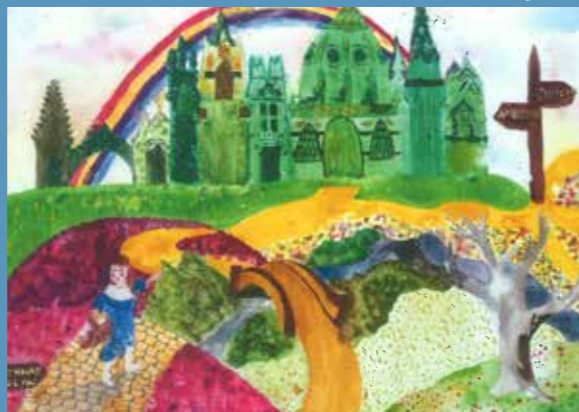
On paper and in the grander scheme of things two years is a relatively insignificant period of time; I would be the first to admit this, but also the first to note how much my life has changed in that very time frame. Two years ago, after being approached by my school's feared Head of English and asked if I was interested in applying for what she described as being an 'exciting opportunity' I immediately said yes. Admittedly, I was so desperate to get out of the conversation with her that it wasn't until I got home and opened the application forms she'd slipped into my hands that I realised exactly what it was she'd been talking about. I can clearly remember looking at the words 'law' accompanied by 'Oxford University' and wondering just how these two things, both of which I believed to be entirely inaccessible to myself, had made their way into an envelope with my name on it.

When asked why I wanted to take part in Pathways to Law my 16 year old self wrote that 'two of my most defining characteristics are my dedication to learning and enthusiasm for debating'. The former was true but the latter was entirely fictitious. Two years ago I was timid and any 'debate' I was involved in would have seen me nervously agree with my opponent and save my opinions for myself (or my mum over a heated dinner-table argument). If I was to make this claim now it would be far more accurate. I vividly recall one of the first events I attended with Pathways to Law was a West End production of 12 Angry Men. It is the tale of a jury-room turnaround which remains the classic expression of liberal humanity in which sympathy for fellow man triumphs over the easy certainties of instant judgement. Long after watching the play, the story-line lingered in my mind and fuelled my desire to voice my viewpoints. Whilst being assertive in my points of view may be beneficial in a future career in law, the new-found confidence it brings with it is something I can and will carry with me everywhere.

I was nervous at my first meeting with Pathways to Law. I doubted I was worthy of a place on the programme and feared that the other students would be elitist and people I could not relate to. Not only was I wrong but I learnt that in fearing I would be a victim of prejudice I was actually making unfair judgments about those I didn't know. Later that day, when we were encouraged to partake in group activities I surprised myself: I joined in and I had fun. I remember feeling uncomfortable on entering St Catherine's College that day but leaving with solid friendships and an entirely new approach to challenging situations.

Two years ago when I browsed the Sutton Trust website, it was the first time that law had been presented to me as being a possible part of my future. Now, I am in the middle of writing my personal statement to apply to university to study law in the hope of eventually practising as a solicitor. I am not naïve in believing that my future pathway to law will from now on be straightforward but I am certain that it is the right choice for me and that this programme has provided me with the skills to face a future which may not otherwise have been possible. Pathways to Law noticed the value of those less privileged, and yet I am nothing but privileged to have been allowed this experience.

Lucy Willis



## LINKLATERS OXFORD LAW ACCESS AMBASSADORS

This spring we have been busy advertising, recruiting, interviewing, and training our new team of Student Ambassadors. We hope that those we have chosen reflect the diversity of the University and the Faculty itself, and will be an excellent asset to us in all of our outreach work. Having this trained pool of Ambassadors to call on for all of our widening access and participation schemes will greatly increase our impact (we know prospective applicants really value their interactions with current students), and also our ability to increase our provision.

This new scheme, generously sponsored by Linklaters LLP, will allow us to do so much more, not least in terms of access and outreach work in schools. We will be able to send our fully-trained undergraduates out into the community to give talks on a range of subjects from admissions information and finance, to what studying Law at Oxford is really like and what might come after.

During this pilot year, we are also starting to think about new programmes such as those involving sustained contact over an extended period, or short residentials here in Oxford. We very much look forward to working with both Linklaters and the Colleges (whose individual regional Link schools scheme already does excellent work in and out of Oxford) on future plans. For now, the first year of the programme has already produced a strong set of Ambassadors, many of whom are itching to get started. Training was – and continues to be – key, and we were pleased to have Alecia Ani and Sophie Thomas from Linklaters involved in our training evenings, providing excellent sessions on presentation and networking skills alongside the Faculty-led training. For many of the Ambassadors, their first event was the University Open Days in June, so we will be keeping an eye and an ear out to see if the training has been fully absorbed!

## Freshfields Stephen Lawrence Scholar

It is a huge honour to have been awarded a Freshfields Stephen Lawrence 2016 Scholarship. Through speaking to previous scholars during the assessment days, I am aware of the help Freshfields gives in ensuring all of the scholars have the capacity to succeed in the legal profession. I am therefore very excited to begin the programme and develop my interest, understanding and knowledge of commercial law.

My tutors, Professor Edwin Peel and Dr James Goudkamp at Keble, were instrumental to my application as they introduced me to the Scholarship, and were extremely supportive during the application process. I therefore owe a massive thank you to them for their support in helping me gain the Scholarship.

The work of Freshfields, and the other organisations that support the programme, in tackling the under-representation of black men from low-income households in the legal profession, is crucial to addressing the social mobility issues the profession currently faces. I am therefore extremely grateful to be given the opportunity to use the platform the Scholarship offers to pursue a legal career, and I am eager to begin the development process.

Folarin Odunubi



# ACCESS



# Internships

Our graduate students get involved in a wide variety of roles during their time here, to inform and enhance their research and working lives. Internships with various organisations around the world are just one opportunity that the Faculty helps provide.



left to right: Ndjodi Ndeunyema, Helen Taylor (Internships co-ordinator); Sanya Samtani, Louis Tran Van Lieu; Gitanjali Keshava; IVO Gruev (Chairperson); James Rooney.



## University Traineeship - International Court of Justice:

Miles Jackson

I spent the year at the International Court of Justice working as a law clerk to Judge Giorgio Gaja, which was a fantastic experience. On the legal side, there were an interesting set of cases before the Court; most of these were at the jurisdictional stage, and involved matters relating to disarmament, maritime delimitation and territorial sovereignty. On the institutional side, the traineeship was a wonderful opportunity to see the inner workings of the Court. It is quite different from a domestic constitutional court in the relationships between the judges, in the ways that hearings and pleadings are conducted, and in its understanding of the judicial role. On the personal side, it was a chance to work with a group of excellent lawyers, to learn from Judge Gaja, and to be exposed to the practical side of the resolution of inter-state disputes. I am grateful to the Faculty and its funders for the opportunity.

## Global Justice Intern: Camilla Barker

Last summer, I undertook a United Nations Headquarters Internship at the UN Office for the Coordination of Humanitarian Affairs (OCHA) in New York. Some of the more substantial tasks I was assigned included collecting conflict situation information for a joint OCHA/PAX mission on the use of explosive weapons in Ukraine; drafting a briefing note for Under-Secretary-General Stephen O'Brien on types of protected areas



UN Headquarters in New York

and no fly zones during armed conflict; researching the UN's legal relationship with the International Criminal Court and preparing advice regarding witness cooperation requests. I attended meetings on counter-terrorism operations and the UN sanctions regime and assisted in the preparation of a UN Security Council Informal Expert Group Meeting on Protection of Civilians in advance of the renewal of the UN Assistance Mission in Iraq mandate in July 2015.

The internship gave me unparalleled access to policy-makers and expanded my appreciation of the global humanitarian system. Crucially, it also gave me a better understanding of the relationship between international law and humanitarian operations, which has been of immeasurable benefit to my doctoral research.

## Global Justice Intern: Hasan Dindjer: Reprieve

I was very fortunate to spend my summer at Reprieve's London office. Reprieve is an NGO that uses the law to hold governments to account for human rights abuses. I worked in the Abuses in Counter-Terrorism Team, whose work focuses on issues such as torture, secret prisons, and drone strikes.

My role was to support the team in its legal and non-legal advocacy, which included researching points of law related to clients' cases. These touched on questions of public international law as well as domestic public law. I also conducted broader background and policy research into issues on which Reprieve campaigns, such as the drone programme in Pakistan and Yemen.

This experience was invaluable in showing me how strategic litigation works in practice, and in demonstrating how public international law can be brought to bear in proceedings before national courts.

See page 39: full list of Global Justice Internships

## OPBP Internships

Oxford Pro Bono Publico (OPBP) runs an Internship Programme which assists Oxford graduate students undertaking unpaid or poorly paid internships in public interest law. This year, OPBP is funding students pursuing human rights related work in numerous jurisdictions. Louis Tran Van Lieu will be interning at the UN Office for the Coordination of Humanitarian Affairs. Sanya Samtani will be working for the International Court of Justice. Ndjodi Ndeunyema will be clerking for the African Court on Human and Peoples' Rights. James Rooney will be interning for the Legal Resources Centre in South Africa.

OPBP has also partnered with the Southern African Judicial Assistance Project to fund Gitanjali Keshava to clerk at either the Supreme Court of Botswana or Namibia. Further, OPBP will coordinate the granting of the Samuel Pisar Travelling Fellowship in the area of human rights. These internship schemes allow us to achieve greater impact in the area of human rights law and expand our reach as an organisation.

See page 52: OPBP news

## Ndjodi Ndeunyema: OPBP internship at the African Court on Human and Peoples' Rights, summer 2016

Ndjodi Ndeunyema is a Namibian Rhodes Scholar currently reading the BCL after completing the MSc in Criminology at Oxford. Ndjodi has been awarded a grant to pursue an internship at the African Court on Human and Peoples' Rights in Arusha, Tanzania. Being a new institution (est 2007), the cases before the Court will continue to lay the foundation for its jurisprudence and Africa's unique human and peoples' rights paradigm more generally, to which Ndjodi is eager to add value.

## Michael Rhimes: OPBP internship at the Supreme Court of Namibia, 2015

I worked as research clerk at the Supreme Court of Namibia for three months until the end of 2015. The work was interesting from a black-letter law view and there was also an engaging socio-legal backdrop to my work. Many of the constitutional judgments make reference to the country's racist past under South African apartheid but Namibia is also a forward-looking constitution moving to greater independence from its neighbour. The understandings of the past and drive toward a future make for a vibrant constitutional identity.

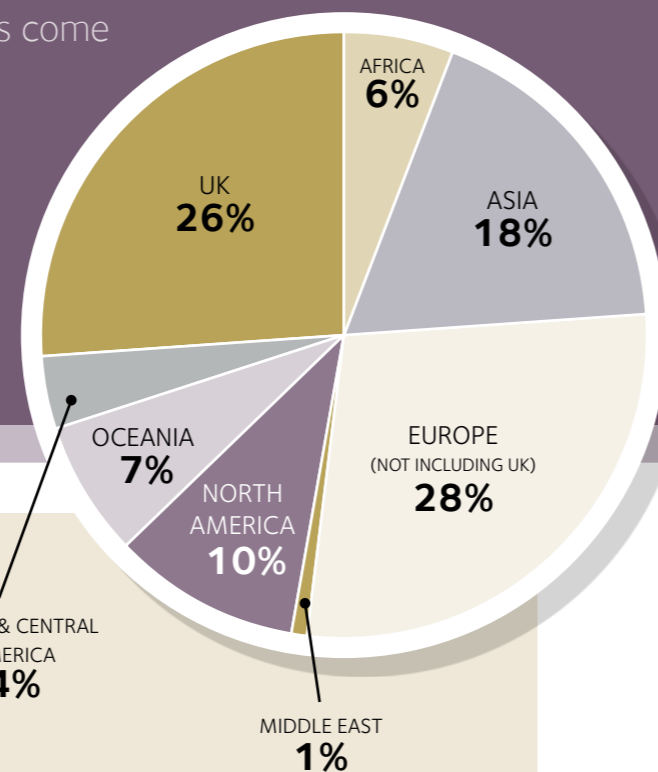
The Court's judges were inspiring, and the staff tremendously welcoming. I recommend the internship thoroughly.



Michael Rhimes

# Graduate Students

At Oxford, 55% of current graduate students come from outside the UK. At the Faculty of Law, however, this figure is over 70%. Here is a breakdown of where our 2015-2016 cohort come from, as well as details of the various postgraduate programmes they are engaged in:



## Postgraduate Taught Programmes:

**BCL and MJur:** the Faculty's world-renowned, nine-month masters level degree in law, the BCL is for students from a common law background and the MJur for those from a civil law background. There are no compulsory courses on the BCL. Instead students choose four options from a selection of around 40, which can include a dissertation of 10,000-12,500 words. The BCL and MJur are the only taught graduate courses in the world which make use of tutorials as a central part of their teaching.

**MSc in Criminology and Criminal Justice:** In this nine-month full-time programme, students cover core courses in criminological theory and the study of criminal justice. They can take optional courses in subjects including policing, sentencing, crime and the family, human rights and youth justice and also write a dissertation.

**MSc in Law and Finance (MLF):** launched in 2010, this ten-month programme is taught jointly by the Faculty of Law and the Saïd Business School and offers students with a background in law the opportunity to develop an advanced interdisciplinary understanding of relevant economic and financial contexts. The MLF combines a highly analytic academic core (including up to two BCL options), with tailor-made practical applications taken from partner practitioners in law firms, banking and regulatory organisations.

**MSc in Taxation:** launching in 2016, this two-year part-time programme will be taught by the Faculty of Law in association with the Centre for Business Taxation based at the Saïd Business School. The MSc has been designed by both lawyers and economists in order to appeal to a range of students from varied disciplinary backgrounds.

**MSt in International Human Rights Law:** the Law Faculty and University's Department for Continuing Education jointly provide this part-time programme, which is taught over 22 months. It has been designed to appeal to lawyers and other human rights advocates who wish to study international human rights law but may need to do so alongside work responsibilities.

**Postgraduate Diploma in Intellectual Property Law and Practice:** this one year, part-time vocational course is designed to give junior practitioners grounding in the fundamentals of intellectual property law and practice. It is taught by senior practitioners and academics in a unique collaboration between the Law Faculty and the Intellectual Property Lawyers' Association.

## Postgraduate Research Programmes:

**DPhil in Law:** the apex of the Faculty's research degrees, the DPhil requires candidates to write a thesis of between 75,000 and 100,000 words that makes a significant and substantial contribution to its specific field of research.

**DPhil in Socio-Legal Studies:** the Centre for Socio-Legal Studies is able to accommodate doctoral research in a wide variety of areas within the general field of Socio-Legal Studies.

**DPhil in Criminology:** as with the other DPhil programmes, candidates must write a 75,000 -

100,000 word thesis, which makes a significant and substantial contribution to the field. A part-time programme is also available.

**MPhil in Law:** this one year research degree, which requires candidates to write a 30,000 word thesis, is only available as an add-on to the taught BCL, MJur and MLF degrees, and is conditional on good performance in those degrees. The MPhil can also double as the first year of the DPhil in Law programme.

**MSt in Legal Research:** this one year research degree requires candidates to write a supervised thesis of up to 30,000 words, which can lead on to DPhil status, should they choose to progress their research.

## New Electives

Our graduate taught programmes undergo constant change as we seek to evolve and address the interests and needs of our students, and the expertise of our academics. The following new electives have been introduced into the BCL, MJur and MLF over the past two years.

### Commercial Negotiation and Mediation

This course was offered for the first time in 2015-16. Led by Freshfields Professor of Commercial Law, Horst Eidenmüller, it seeks to introduce students to a conceptual understanding of negotiation and mediation from various perspectives, whilst also developing practical skills in these areas through concentrated workshops involving role plays and other exercises. In addition to expert teaching, students had the benefit of learning from some seasoned practitioners in the field. Overall, the course was very well received and saw enthusiastic participation from students.

### Children, Families and the State

This year saw the first in which the Faculty offered the course, *'Children, Families, and the State'*. Taught by three Faculty members (Dr Lucinda Ferguson, Professor Jonathan Herring and Dr Rachel Taylor), the course explores issues ranging from international children's rights and poverty and international procreation and parenthood to religion and families, and alternative family law systems. This is the first Oxford law graduate course to specialise in the law regulating children and families, enabling students to pursue their

interests in these areas at the graduate level. This first year's cohort certainly made their impression with lively seminar discussion and debate! We hope this course will further enrich the contributions our graduate students can make in this important area of law in their careers beyond Oxford.

### Legal Concepts in Financial Law

This course started in 2014-15, and aims to explore the most significant private law concepts used to allocate, manage and transfer risk in transactions on the financial markets. It is jointly taught by Professor Louise Gullifer and Dr Christopher Hare, and leading banking silk, Richard Salter QC. The course is rooted in current legal practice, which is examined from an analytical and a critical perspective. The link with practice is further enhanced by the participation of leading experts from various City law firms.

### New Finance Stream in MLF

Following feedback from the first few years of MLF students, a finance stream was introduced in 2014-15 which allowed MLF students to elect to take additional finance courses taught by the Saïd Business School, in lieu of one of the two BCL courses they are otherwise required to study. They study courses including corporate valuation, asset management, cases in finance and investment, entrepreneurial finance and private equity, alongside MBA and MSc in Financial Economics students.

*'I took the finance stream and that was certainly one of the things that attracted me to Oxford and to the MLF programme. I got the chance to get my hands dirty and to dive into the financial models ... to really learn what my clients are going through across the table.'*

*Christian Carlson, MLF 2014-15*

## NEWS & EVENTS

### Ruth Deech chaired the Lords' Equality Act 2010 and Disability Committee

Baroness Ruth Deech chaired the Lords' Equality Act 2010 and Disability Committee which was set up in June 2015 to examine the impact of the Equality Act on disabled people. Now that disability has lost its specific protection and is just one of the nine 'protected characteristics' of the 2010 Act there was a feeling that disabled people were not getting their fair share of support in this wide agenda.

The Report in March 2016 (which can be found at <http://www.publications.parliament.uk/pa/ld201516/ldselect/ldselect/117/11702.htm>) concluded that the implementation of the Equality Act had, indeed, failed disabled people.



Photo: Stuart Cox

### Clarendon Law Lectures 2015

Professor Roberta Romano, Sterling Professor of Law at Yale Law School, delivered the 2015 Clarendon Law Lectures, supported by Oxford University Press. Her aim was to assess the quality of the welter of legislation which, on both sides of the Atlantic, has followed the financial crisis that began in late 2007.

Her theme was that legislators were ill-prepared to respond to the enormous popular political pressure that was placed on them to enact rules to prevent (or reduce substantially) the re-occurrence of such an event. Governments could not afford to wait for a dispassionate analysis of why the crisis had occurred. Politically, they had to act quickly and so acted often in a state of partial ignorance.

Professor Romano's solution to this problem was 'sunsetting'. Legislation would automatically terminate at a certain future date unless it was re-enacted, in its original or an amended form. The review process would be accompanied by an expert report, which would lead to an informed debate about which parts of the legislation had successfully achieved their objective.

### The Sir Jeremy Lever Lecture 2016

The fifth annual Sir Jeremy Lever Lecture took place on 5 February 2016. This event, organised jointly by the Law Faculty and All Souls College and generously supported by Monckton Chambers, honours the contribution of Sir Jeremy Lever QC to the development of European law, broadly defined, in the UK and beyond.

The lecture was delivered by former President of the European Court of Human Rights, Dean Spielmann. He addressed the topic of *'Personal data protection: the contribution of the European Court of Human Rights'* and gave a masterful survey of this important body of case-law, exploring how it seeks to balance the rights of the individual against the interests of the state. The lecture gave rise to a lively discussion chaired by Sir Stephen Richards, Lord Justice of Appeal. The event was followed by dinner at All Souls.

Anne Davies



Photo: Steve Allen



Photo: Keith Barnes

### The High Sheriff's Law Lecture 13 October 2015

The High Sheriff of Oxfordshire, Tom Birch Reynardson, marked the opening of the legal year with the annual High Sheriff's Law Lecture held in the Examination Schools. This year, the Right Honourable Lord Dyson, Master of the Rolls and Head of Civil Justice, delivered a lecture entitled *Magna Carta and the Compensation Culture*. Since this was the 800th Anniversary Year of Magna Carta, the Bodleian generously agreed to have one of their copies on display.

Along with guests from the University and the legal profession, students from many of the local sixth form colleges attended and were then invited to enter an essay competition considering *Is a Compensation Culture a bad thing?* Due to the strength of the submissions, three winners were selected (Khadija Khatun, Marina Aspinall, and Giles Stratton) and given awards at a special ceremony on 14 December at Henmans Freeth LLP.



Photo: Maureen O'Neill

### Horst Eidenmüller and Luca Enriques' Inaugural Lectures

Inaugural lectures have rather gone out of fashion in recent times, but on 9 June tradition was reinvigorated in a novel and emphatic way. Two inaugural lectures were given, running consecutively. Horst Eidenmüller, the new Freshfields Professor of Commercial Law (St Hugh's), and was followed by Luca Enriques, the Allen & Overy Professor of Corporate Law (Jesus).

In the presence of the Vice-Chancellor, 'transgendered' on this occasion into the Principal of Harris Manchester College, and the Senior Proctor, the event began with all due ceremony. However, Professor Eidenmüller's topic was anything but traditional. His theme was the futuristic one of how the law should treat robots and he took as his core example the (perhaps) not-too-distant future where all cars would be driverless. Liability issues were relatively easy to deal with – the manufacturer would carry the can – but should robots be treated as having legal personality? This, the Professor thought, was a step too far, not because it was impossible conceptually, but because it would challenge our fundamental notions of humanity.



Horst Eidenmüller



Luca Enriques

Professor Enriques' lecture took on a different challenge – the harmonisation of corporate law in the EU. Given the date of the lecture, this was not an easy topic to present to a British audience, but he did so with panache and good humour. Professor Enriques is already associated with the argument that EU efforts to harmonise the company laws of the Member States have produced only 'trivial' results. He now expanded this theme to argue that such top-down harmonisation was neither necessary nor possible. On the 'possibility' side deeply different traditions of judging in different member states would mean that even uniform law on the (EU) books would not produce uniform law in the (national) courts. So, there was something for both 'ins' and 'outs' in the lecture.

Paul Davies QC (hon), Senior Research Fellow

## NEWS & EVENTS

### Reflections on Being President of the Society of Legal Scholars

#### Professor Andrew Burrows

In serving as President for the Society of Legal Scholars (SLS) 2015-16, I have followed in the footsteps of two of my great mentors: Professors Harry Street and Peter Birks. First, Professor Street. When I arrived on the Law Faculty in Manchester in 1981, Professor Street advised me to join the SPTL, as it then was, adding that 'They have very good discount rates for young members'. One of the best pieces of advice he gave me was to start writing and publishing straightaway: 'Young Burrows, you need to start publishing. There's an interesting recent case called *Perry v Sidney Phillips* on damages in contract and tort. Write a case-note on it and I'll look over it for you'. I replied, 'Thanks, when do you want it by?', this being a Friday. 'Well any time on Monday would be fine.' Professor Street had an amazing knack for foreseeing future trends in academia so that in much of his writing he was ahead of his time.

After Manchester I returned to Oxford and ultimately joined forces in teaching Restitution on the BCL with Professor Peter Birks. Peter had interviewed me for admission to Brasenose, had been my tutor for four years, and remained my academic inspiration on all matters until his untimely death at the age of 62 in 2004. He was passionate about the SLS.

In addition to a recruitment drive (including a revamp of our website, [www.legalscholars.ac.uk](http://www.legalscholars.ac.uk)) and attempts to raise the Society's profile, there have been two issues of concern on which we have focused this year. The first is the proposed reform to legal education on which the Bar Standards Board and the Solicitor's Regulation Authority (SRA) have been consulting; the proposal to downgrade the importance of an aspiring solicitor having a degree is, we think, especially worrying.

The second issue is to draw attention to the poor quality of much of our legislation in this country. Increasingly, secondary legislation is being drafted by

those who are not trained, and we also have a growing quantity of primary legislation so unclear and complex that, in some areas, even lawyers and judges cannot determine the meaning. Parts of the Consumer Rights Act 2015 are a good example. This is not a criticism of Parliamentary Counsel: on the contrary, they are brilliant lawyers for whom I have the highest regard. Rather, it is a call for us all to recognise the importance of more resources being put into the Office of Parliamentary Counsel. It is hard to resist the conclusion that the cutbacks and particularly the culling of the senior drafters – a false economy if ever there was one – are coming home to roost.

At this year's annual conference, being held at St Catherine's College in early September, the theme is *Legislation and the Role of the Judiciary*. As well as the 28 subject groups, there are plenary sessions on the modern approach to statutory interpretation; the extent to which judges should develop the common law or should leave reform to the legislature; and on the present and future work of the Law Commission.

At the President's Reception, held at the Middle Temple in March, a theme of my speech was that our law schools are exciting places, and the last 15 years or so have seen developments in the range of – and attention devoted to – legal research. While I am very much of the view that the core focus must remain on doctrine – on rigorous analytical reasoning which seeks to provide the best interpretation of the detailed rules of law and directly enable students to understand and apply law and legal reasoning as a practical discipline – at the same time it is, I believe, important that every student should have exposure to legal history, sociological theories of law, philosophical reasoning about law and the economic analysis of law. My essential message is that, without sacrificing the doctrinal core, and with apologies to Mao Tse-Tsung (who is attributed as saying 'Let a hundred flowers bloom, let a hundred schools of thought contend'), many types of flower are blooming, and should be encouraged to bloom, in our law schools.



### International Gathering for Professor Guy S Goodwin-Gill

In April, a celebration of the scholarship of Professor Guy S Goodwin-Gill, Professor of International Refugee Law and Emeritus Fellow of All Souls College, was convened at All Souls College by Professor Jane McAdam (UNSW), Dr Cathryn Costello (Refugee Studies Centre & Faculty of Law, Oxford), and Dr Ruvi Ziegler (University of Reading).

The first day featured 14 of Professor Goodwin-Gill's former doctoral students (two joining by Skype from Haiti and Saskatchewan). The speakers paid homage to Professor Goodwin-Gill's influence. They discussed contemporary challenges on a variety of topics under three broad themes: migration and protection; international criminal law, security, and terrorism; and international institutions, development, and democratic participation.

Senior scholars and practitioners in the field of international refugee and migration law offered thought-provoking papers on the second day with themes ranging from the current predicament in Europe and the old-new notion of a 'safe third country', to the role of international organisations in advancing protection and the duty to rescue. Professor Goodwin-Gill concluded with a truly moving speech, impressively bringing together the themes, and injecting a cautious optimism in those assembled.

The gathering was generously sponsored by All Souls College, the Law Faculty, the Refugee Studies Centre and the Department for International Development, Oxford; the Kaldor Centre for International Refugee Law, University of New South Wales; and the *International Journal of Refugee Law*, which will publish a special volume in honour of Professor Goodwin-Gill, its Founding Editor.

See page 70: Guy S Goodwin-Gill - Departures



Photos: Keith Barnes

# SPOTLIGHT ON RESEARCH

## Contributory Negligence in the Twenty-First Century: An Empirical Study

James Goudkamp and Donal Nolan

Legal scholarship in the United Kingdom (and in much of the Commonwealth) is dominated by doctrinal and theoretical research. Such research tends to concentrate on a relatively small number of cases of significant precedential value. Our current research project, which is concerned with contributory negligence – a doctrine of immense practical significance in private law – concentrates instead on decisions of courts at all levels. The project was inspired by the explosion in the online availability of judgments, which has made empirical analysis of court decisions much more feasible than it used to be. Nevertheless, empirical analysis of this kind is very time-consuming, and our research would not have been possible without a grant from the Oxford University John Fell Fund, which enabled us to employ research assistants and a statistician.

Contributory negligence reduces the amount of compensation payable to victims of wrongs by a percentage of the total award where the victim is partly to blame, for example where a passenger injured in a car accident had failed to wear a seatbelt. Because the doctrine of contributory negligence deals with everyday situations it is frequently considered by the courts, and relatively small adjustments in its scope can have sizeable financial consequences, for wrongdoers and victims, but also for the size of the liability insurance premiums payable. Although academic writing and judicial decision-making regarding the contributory negligence doctrine are often heavily influenced by perceptions about its practical operation, remarkably little is known about how it works ‘on the ground’.

The first article generated by our research was recently published in the *Modern Law Review* ((2016) 79 MLR 575). It reports the results of a study of 368 first instance decisions on the contributory negligence doctrine handed down in England and Wales between 2000 and 2014. Some of the most important findings discussed in this article include: (1) the plea of contributory negligence succeeded in 60% of claims; (2) where contributory negligence was found, the average discount was 40.5%; (3) courts are slow to find contributory negligence in professional negligence cases, but when contributory negligence is found, the discount imposed is relatively high; (4) contrary to prevailing wisdom, it seems unlikely that judges are particularly reluctant to find claimants guilty of contributory negligence in employers’ liability claims; and (5) again contrary to prevailing wisdom, children aged over 10 are more likely to be found guilty of contributory negligence than adults, and when they are found guilty the discount is likely to be higher as well.

Our article on first instance decisions will be followed by three further articles. The first will look at the operation of the contributory negligence doctrine in the appellate courts, and the other two will look at the operation of the doctrine in particular contexts of special importance, namely road traffic accident cases and employment cases. The outcome of our research should be of interest to both legal scholars and practitioners, and will shed new light on the operation of the contributory negligence doctrine in the twenty-first century.

SUCCESS IN PLEA OF  
CONTRIBUTORY NEGLIGENCE:

60%

AVERAGE DISCOUNT  
WHERE CONTRIBUTORY  
NEGLIGENCE WAS FOUND:

40.5%



EMPLOYERS’ LIABILITY  
CLAIMS: CLAIMANTS ARE  
**JUST AS LIKELY**  
TO BE FOUND GUILTY OF  
CONTRIBUTORY NEGLIGENCE  
AS IN OTHER CASES



PROFESSIONAL NEGLIGENCE  
CASES:  
**LESS LIKELY**  
TO FIND CONTRIBUTORY  
NEGLIGENCE, RELATIVELY HIGH  
DISCOUNTS IMPOSED



CHILDREN ARE  
**MORE LIKELY**  
TO BE FOUND GUILTY OF  
CONTRIBUTORY NEGLIGENCE, HIGHER  
DISCOUNTS LIKELY TOO

## Human Enhancement Technologies: Bringing the Regulation Debate into the Public Eye

Imogen Goold

Increasingly, technological and medical developments are providing people with ways to enhance themselves. Such developments include cognitive enhancement drugs (e.g. Ritalin), devices (e.g. transcranial direct current stimulation or tDCS, which stimulates the brain with electricity) and germline technologies (e.g. CRISPR). The emergences of these technologies poses important legal and ethical questions about whether, and how, to regulate their use. This includes concerns about the workplace pressure to enhance, the risks of off-label drug use and the unregulated use of brain-stimulating devices to improve concentration.

A good example is modafinil, a drug used to treat narcolepsy. In non-narcoleptics, modafinil can combat fatigue-related decreases in cognitive capacity and it is increasingly used by students and professionals to maintain wakefulness. The US military is known to require its use by those undertaking long missions, and recently the Royal Society and others suggested that some high-responsibility professions such as surgeons and pilots might be obliged to enhance themselves.

My work has focused on exploring whether such an obligation could be established to support a claim of negligence. This resulted in two papers; the first, published in the *Modern Law Review*, rejected the idea that a medical practitioner could have a duty to take an enhancing drug. The second, published in the *Medical Law Review*, argued that even if such a duty could be found, it would be nigh on impossible to establish a causal link between a failure to take a drug (like modafinil) to combat fatigue, and any harm a patient might experience due to a doctor’s error. These papers were written as part of the Enhancing Responsibility project, funded by the Dutch Research Council. With the support of an Arts and Humanities Research Council Networking Grant, I went on to build a network of legal scholars working on enhancement technologies.

It became apparent that while there was considerable debate about the issues in the philosophy literature – and growing interest from lawyers – there had been relatively little attention paid in the media, and not much informed debate within the community and amongst policy-makers. This is problematic given that in the near future the use of these technologies is likely to have a significant impact. Information currently available is either too academic, or largely hype and hyperbole. The matter is usually seen as somewhat esoteric or simply futuristic fantasy; this is short-sighted. Universities such as Duke are already developing policies to respond to the use of enhancing drugs by students. tDCS devices are being marketed to help gamers ‘focus’ (despite the risks) and at least one overseas government department has done a risk-benefit analysis on medical practitioners taking modafinil. There is a clear need for regulation, and therefore a concurrent need for public debate and balanced information.

I began to explore ways to engage the public with the goal of promoting two-way sharing of information and views. I am currently working on developing an informational website and a series of interactive films to facilitate this. My next project will involve a series of installation events around London. My work is funded by three grants: an AHRC Follow-On Funding for Impact and Engagement Award, a University of Oxford Knowledge Exchange Seed Fund Award and a grant from the University to create an interactive presentation for the Oxfordshire Science Festival.



Imogen presented her talk, ‘Humans 2.0 – how to regulate human enhancement technologies?’ at the Oxfordshire Science Festival in June.

# Forming a View: Visualisation in Research

Legal scholarship often considers systems, institutions and rules: the means by which law functions and its macro impact. However, academics are also interested in the individual, their experience of law, and how to enhance understanding of its impact on everyday life. In an age of icons, logos, Facebook and Instagram where the visual is so heavily relied upon, the use of images is both a means of tapping into an individual's experience and an accessible means of communicating findings.

## Visualising the Border Professor Mary Bosworth

With her unique access to immigration removal centres in the UK, Professor Mary Bosworth has been able to use cameras and take pictures inside detention, and to gather art work and paraphernalia, as an alternative way of representing life inside.

The Immigration Detention Archive is unique in its basis within a wider, ongoing research project (Bosworth's European Research Council-funded '*Subjectivity, Identity and Penal Power*'). It collects a range of types of material produced by, and about, detention (music CDs, detainee letters, artwork, photographs, life histories, cookbooks, copies of official regulations, and other documentation). In digitising the physical archive, Bosworth has been working with art historian and artist Khadija von Zinnenburg Carroll, who is also putting together an art work based on these items.

Other members of the research team are also gathering visual material, including post-doctoral Research Fellow, Ines Hasselberg, who asked men to create images of items important to their immigration case, and DPhil student Alice Gerlach, who distributed disposable cameras to deportees in Jamaica, asking them to document their day-to-day lives, and Sarah Turnbull's work with artist Tings Chak. In these ways the Border Criminologies research group seeks to make visible the hidden nature of border control and shed new light on the nature and impact of migration policies. This visual material also offers an enduring reminder of people's creativity, even during periods of great uncertainty and distress.



## Migrant Detention: Stories from the United Kingdom

### Dr Sarah Turnbull, Post-doctoral Research Fellow

I recently had the privilege of working with multidisciplinary artist Tings Chak, author of '*Undocumented: The Architecture of Migrant Detention*', for a collaborative magazine article, in *The Funambulist Magazine*. The article is based on ethnographic data from my post-doctoral research project on British immigration detention, funded by Professor Mary Bosworth's ERC Starter Investigator Award. Tings, who is trained in architecture and is an experienced migrant justice organiser, was well-placed to understand the qualitative data I've collected, and to co-create a piece capturing certain aspects of the lived-experience of immigration detention. Using a graphic novel approach to 'visualise' the data helps increase accessibility to this research and engage audiences beyond the academy, to bring to life the hidden world of immigration detention and humanise those who are subject to this form of state power.

## Bearing Witness to Memory, Justice and Truth in Post-genocide Rwanda

### Dr Julia Viebach, Leverhulme Trust Early Career Fellow

'What it means to me', Jean replies, when I inquire about his cleaning of dead bodies, 'I give them [the dead] back their dignity. It is a resting place for them. I feel like coming home to my family here'. Jean is a survivor of the Rwandan genocide against the Tutsi. He works at the Cyahinda memorial in the south of Rwanda, where he cleans and preserves dead bodies and the remains of those who perished in 1994. There are around 300 memorials in Rwanda and every year from April to July the country commemorates its dead. My research explored how survivors deal with the



trauma of genocide, and how they remake their worlds through the commemoration and the care-taking of the dead at memorials. As well as interviewing survivors, I photographed the memorials to use as visual data, showing the ways in which memorials mediate the past and present and how the genocide is remembered today. More specifically, the images bear witness to the materialisation of memory, justice and truth.

## Human Enhancements Brought into the Public Eye

### Dr Imogen Gool

I wanted to find a way to help people learn about human enhancement technologies and the issues they raise in a way that would enable them to develop their own points of view.

Storyboard for the interactive animated film.



This led to the production of a website, setting out what enhancement is and the ethical and legal issues it raises, and its centrepiece: an interactive animated film. The film, designed by Seed Animation, leads the viewer through a scenario in which

a tired surgeon faces the choice of whether to take modafinil before undertaking a surgery. The viewer can choose what the surgeon does and then sees the possible consequences followed by some exploration of the issues and links to further information. The site will collect and report responses anonymously, forming a dataset to be used by me and Dr Nadira Faber, Research Fellow at the Department of Experimental Psychology and Oxford Centre for Neuroethics. Funding is being sought from the Wellcome Trust to produce more animations, and other interactive elements for the site, as well as to create a series of live installation events that will enable direct interaction with the public.

## Adolescent to Parent Violence: Raising the Profile

### Dr Rachel Condry

Rachel Condry, Associate Professor in Criminology, commissioned two films about her research on adolescent to parent violence (APV) as part of a project funded by an ESRC Impact Acceleration Account Knowledge Exchange award. They can be found at [www.law.ox.ac.uk/content/adolescent-parent-violence](http://www.law.ox.ac.uk/content/adolescent-parent-violence).

Rachel worked with Jim Franks, an independent film maker who produces accessible films about the findings of academic research. Together, they made two films about the project: one 15-minute film focusing on the findings of the study and a second shorter five-minute film about the impact of those findings.

One of the key aims of Rachel's APV research has been to raise the profile of a previously hidden form of family violence. The films contribute to this endeavour and convey some of the key findings of the study, but also narrate the journey from the academic research to the policy guide and its dissemination. Data from the film maker's Vimeo site shows that either the entire films or extracts thereof have been embedded by people on their own websites or blogs over 5,000 times. The actual number of views will be many times this, which demonstrates that the films have proved to be a strong medium for reaching a wider audience. Rachel's research was a runner up of the ESRC's Outstanding Impact in Public Policy award.

# Research and Grants: Knowledge Exchange Fellowships

## Border Criminologies Research – Mary Bosworth

In Trinity Term, Professor of Criminology, Mary Bosworth, was awarded £25,000 from the University's ESRC-IAA Fund for a visiting Knowledge Exchange Fellowship for Dr Hindpal Singh Bhui. Dr Bhui is team leader at Her Majesty's Inspectorate of Prisons (HMIP) with particular responsibility for immigration detention. Whilst in Oxford he will work with members of the Border Criminologies research group on a series of projects including the role of staff in immigration removal centres, the role of inspection bodies monitoring immigration detention in the UK and elsewhere, and the influence of race and ethnicity on the experience of detention. This Fellowship will help Dr Bhui to reflect on, broaden, and improve HMIP's practice, and the practice knowledge from HMIP will help to develop academic understanding in this under-researched area. It continues the knowledge exchange work of Border Criminologies more broadly, and its engagement with policy-makers in the UK and further afield.

## Local Authority Inclusion Services and School Exclusion – Lucinda Ferguson

As part of her developing expertise in Education Law, Associate Professor of Family Law, Lucinda Ferguson, has been awarded funding for an embedded Fellowship with Oxfordshire County Council's inclusion services team, which works with schools, teachers, parents, and independent review panels to support children either at risk of exclusion or who are in the process of being excluded from school and in need of alternative education provision.

Lucinda's earlier research identified local authority inclusion services as the only actor independent of schools, governors, and independent review panels that could improve outcomes for children by supporting and challenging how these decision-makers exercise discretion in individual cases. The valuable work of these teams is overlooked in the research and policy literature and financially under threat, yet they are the practitioners best placed to make a positive difference

to children. The Fellowship is driven by a concern over inconsistent exclusion rates across UK, between local authorities within England, between schools within the same local authority area, and the rapidly-increasing rate of exclusion at the primary level.

The Fellowship will involve Lucinda being placed full-time with the Council's team from September to December 2016. Working together during her placement and thereafter, Lucinda and the Council's team will produce and disseminate best practice guidelines for exclusion decision-making.

## Future Proofing Flats – Sue Bright

Professor of Land Law, Susan Bright, was awarded funding to work with Knowledge Exchange Fellow David Weatherall, an energy efficiency policy specialist who works for Future Climate and the Energy Saving Trust. They will be collaborating on a project that seeks to explore how to overcome legal and consent barriers to energy efficiency in flats.

Tackling climate change means improving the energy efficiency of our homes (insulation, double glazing and efficient heating systems) but in blocks of flats the legal and practical difficulties of reaching agreement between multiple leaseholders and the freeholder makes it difficult for energy efficiency works to proceed. 21 percent of English households live in flats, and flats are less likely than houses to be refurbished.

For the last 13 years, David has been working for government and non-profit organisations on programmes and policies to promote home energy efficiency. The legal issues around energy efficiency in flats are largely ignored by policy makers: they are seen as too difficult and complicated. A key output of the Knowledge Exchange Fellowship has been a set of recommendations explaining how changes to leasehold law could unlock action on energy efficiency in flats, and – for the first time – these issues are now getting the attention of government, housing and energy efficiency industries. In addition, the project explores how collective decision-making operates within multi-owned buildings (both in the UK and elsewhere in Europe) and how this impacts on the opportunities for energy efficiency upgrades.

## Public Engagement and Research Impacts

Many members of the Law Faculty conduct research in collaboration with policy makers, NGOs and practitioners. They speak at conferences, seminars and workshops, give evidence to politicians and select committees, advise charities, legal practitioners and government departments and they encourage public debate. At [www.law.ox.ac.uk/research/impacts](http://www.law.ox.ac.uk/research/impacts) you can read more about the impact of our research outside academia: case studies written in an engaging and clear format. Here are some examples.

### Trusting the Middle-Man: Impact and Legitimacy of Ombudsmen in Europe

Research by Dr Naomi Creutzfeldt, ESRC Fellow at the Centre for Socio-Legal Studies has improved understanding of how the ombudsman process is perceived by its users and has highlighted important differences between private and public sector ombudsmen. Her research will be directly relevant to the development of national policies and EU level networks of policy-making.



### Government-Sponsored Voluntary Regulation

Recommendations made by Dr Chris Decker and Professor Christopher Hodges about legislation surrounding Government-Sponsored Voluntary Regulation (GSVR) were adopted by the government, as announced in the Autumn Statement on the 3rd December 2014. GSVR, often referred to as 'pledges' made between businesses and the government, has grown significantly in recent years.



### Building a Public Philosophy of Punishment

Work by Ian Loader, Professor of Criminology, has contributed to penal reform policy, including policies relating to alternatives to imprisonment. In his work Professor Loader has developed the concepts of excess and moderation in relation to punishment. His research shaped the commission's final report and in 2008, the Home Office Select Committee's Inquiry into Justice Reinvestment invited Professor Loader to give evidence.



### The Use and Consequences of Solitary Confinement

Research by Dr Sharon Shalev, Research Associate at the Centre for Criminology, has informed and helped to shape the debate on the use and consequences of solitary confinement, an issue which has, in recent years, become increasingly pressing for politicians and policy makers in a number of jurisdictions across the world. Dr Shalev was invited by the World

Health Organisation to speak about the health effects of solitary confinement, and issues of medical ethics at meetings of the WHO's Health in Prisons group.

### Enhancing Sentencing in Common Law Jurisdictions

Professor of Criminology Julian Roberts' publications on victim impact, public attitudes, prior convictions and mandatory sentences have helped to shape sentencing in England and Wales and have been cited as authority by trial and appellate courts in Canada and England and Wales. His empirical studies explored ways such input could inform the sentencing process. More recently he has published research on the effects of prior convictions at sentencing.



# Research Workshops

The Faculty hosts and organizes many research workshops and conferences every year. A selection of our funded workshops is represented below, to provide a flavour of what has gone on in 2015-16.

## Leverhulme International Network on External Border Control

**Mary Bosworth, Professor of Criminology**

The Leverhulme International Network on External Border Control brings together research groups at the Universities of Oxford, Oslo and Monash working on criminal justice and border control. The network is specifically designed to mentor and support emerging interdisciplinary scholars through a schedule of events. The first two seminars occurred in June and July 2015, in Oslo and Oxford. In February, Monash University hosted the third and final workshop in Melbourne, Australia. In Oslo we discussed transnational policing, particularly the work of FRONTEX; in Oxford, immigration detention; and, in Monash, internal policing. All three explored methodological challenges. Workshop papers are forthcoming in an edited book with Routledge. The Leverhulme grant also funds a Social Science Research Network (SSRN) journal on criminal justice and migration set up by Border Criminologies in May 2014. The SSRN Criminal Justice, Borders & Citizenship Research Paper Series currently includes nearly 160 papers, freely available to download. At the time of writing, papers have been downloaded over 20,000 times.



## Modern Law Review Seminar: Enduring Property Relationships

**Sue Bright, Professor of Land Law**

In May 2016, Professor Susan Bright hosted a seminar at New College sponsored by the *Modern Law Review*, to discuss a project on the *'Dynamics of Enduring Property Relationships in Land'*. The seminar brought together leading international property law scholars from common law jurisdictions and decision-makers from England (judges and mediators) to discuss a scoping paper written by Professor Bright, together with Professor Sarah Blandy (Sheffield) and Professor Sarah Nield (Southampton). Their work explores the ways in which the legal, regulatory, social and commercial norms that inform property relationships may adapt and evolve over time to

reflect the fact that they are lived relationships with changing patterns and understandings of spatial use, relationship needs, external dynamics, and so on. Further details about the project can be found at: [www.law.ox.ac.uk/enduringpropertyrelationships](http://www.law.ox.ac.uk/enduringpropertyrelationships).



## Philosophical Foundations of Children's and Family Law Seminar

**Lucinda Ferguson, Associate Professor of Family Law**

On 15-16 June 2015, with thanks to funding from the Society of Legal Scholars and the University of Oxford, we hosted a two-day seminar on the philosophical foundations of children's and family law at Oriel College, Oxford. Speakers were drawn from both law and philosophy, as well as from a number of jurisdictions – the UK, the US, Canada, and Germany. In addition to the speakers, there were around twenty further attendees, which ensured a lively exchange when discussing papers.

The aim of the seminar was to foster inter-disciplinary conversations about key issues in the field. To facilitate the cross-fertilisation of ideas and insights, discussion was organised according to themes, rather than the particular subject-matter: definitions and influences, relationships, rights and obligations, and regulation and intervention. Speakers explored issues such as whether there is anything distinctive about 'family law'; whether parents have distinctive rights in respect of their children and on what basis; whether children have children's rights, or if their interests ought to be prioritised over those of others; whether maintenance (spousal support or alimony) is justified and on what basis; which adult-intimate relationships the law should recognise and how; and how the law should respond to surrogacy as a means of procreation.

The resulting papers are under contract with OUP for 2016 publication as a volume in its Philosophical Foundations series, edited by Elizabeth Brake (Associate Professor, Arizona State University) and Lucinda Ferguson.

## British Academy Workshop: Protecting Rights – Engaging Parliament

**Aileen Kavanagh, Associate Professor of Law**

On 16 October 2015, Dr Aileen Kavanagh organised a one-day workshop at St John's College entitled *'Protecting Rights – Engaging Parliament'* which drew together a prestigious group of academics, judges, parliamentarians and parliamentary officials to discuss the ways in which Parliament engages with rights. The event was generously funded by the British Academy, as part of Dr Kavanagh's British Academy Mid-Career Fellowship for a project entitled *'Rights and the Collaborative Constitution'*.

There was lively discussion throughout the day, where different perspectives were shared, debated and analysed. The distinguished programme of speakers included the former Attorney General The Rt Hon Dominic Grieve QC MP; former Director of Prosecutions, Lord Macdonald of River Glaven QC and Warden of Wadham College, Oxford; as well as Lord Justice Sales and Lord Justice Bean of the Court of Appeal.

Further details about the project can be found at [www.law.ox.ac.uk/rights-collaborative-constitution](http://www.law.ox.ac.uk/rights-collaborative-constitution).





# Centre for Criminology

The Centre for Criminology is dedicated to pursuing an innovative programme of criminological research and to delivering high-quality graduate education in criminology at both masters and doctoral level. In this, the Centre's fiftieth year, the Centre has remained busy with new and ongoing projects, as well as celebrating everything it has done over the last fifty years.



Photo: Stuart Cox

## Death Penalty Law

Professor of Criminology, Carolyn Hoyle, went to Delhi in Michaelmas Term to continue her collaboration with National Law University, Delhi (NLU Delhi) and the Death Penalty Project UK on support for abolition of the death penalty, and in May Professor Hoyle, with MSc students Katie Xu, Arpita Mitra and Sanjay Vashishtha, contributed to a meeting with the Legal and Parliamentary Affairs Committee of Uganda on draft revisions to the Death Penalty Law.

See page 79: Interview with Anup Surendranath, Death Penalty Project NLU Delhi

## Innovative Media for Change Report

The Centre is pleased to announce the publication of the report *'Innovative Media for Change: Opportunities and Challenges of Media Collaboration in Transitional Justice'*. This report is the result of a workshop held in June 2015 and generously funded by the ESRC and run by Oxford Transitional Justice Research in conjunction with its partner the Swiss NGO Fondation Hironnelle and with the support of the Centre for Criminology and the Faculty of Law. Further details are available online.

## Fellowships and Grants

**Professor Ian Loader** has been awarded a 'mid-career fellowship' from the Independent Social Research Foundation for a project entitled *'In search of a better politics of crime'* which aims to recover and appraise the crime-relevant claims of a range of ideological positions and shed new light on creating social and penal institutions which contribute to the realisation of more cohesive societies.

**Francesca Menichelli** was awarded a British Academy Postdoctoral Fellowship, September 2015 to August 2018. Her project understands security as a governmental strategy and adopts a comparative perspective in order to analyse how its deployment has opened up new spaces for governing in three different jurisdictions: Italy, France and England and Wales.

**Professor Mary Bosworth** and **Dr Alpa Parmar** were awarded a grant from the University of Oxford's John Fell Fund for research to explore the policing of migration in the UK. The research aims to shed light on the changing nature of policing under conditions of mass mobility by conducting two case studies with (a) Thames Valley Police and (b) immigration case workers

who determine whether to detain and deport. In so doing, their project will provide unique empirical material to understand better the relationship between criminal justice and immigration control.

**Dr Alpa Parmar** and **Coretta Phillips** (London School of Economics) have been awarded a British Academy Small Grant to research the experiences of young people considered to be at risk of offending. The project is entitled *'Black, Asian and White Minority Ethnic Offending: Unravelling the Mechanisms at the Level of Agency, Structure and Culture'*, and will run from April 2016 to April 2018, using life histories and visual methods to capture data.

## Events

Apart from the many events arranged to mark our 50th anniversary, two key events for the Centre this year were:

- A seminar hosted by the Centre at St Hilda's College, with NLU Delhi law professors, discussing *'Sex Crime in India'*.
- 11th Annual Roger Hood public lecture, which was delivered by **Professor Lucia Zedner** in June, who spoke to a packed audience of barristers, politicians, policy-makers and academics on *'Criminal Justice in the Service of Security'*.

## Honours and Recognition

Our congratulations go to:

- **Dr Alpa Parmar**, nominated for the Oxford University Press Higher Education Law Teacher of the year 2016.
- **Dr Ben Bradford**, winner of an Oxford Teaching Excellence Award.
- **Dr Rachel Condry**, runner up of the ESRC Outstanding Impact in Public Policy award.

## Student News

This year the Centre welcomed its biggest cohort of MSc students, with 33 taking up places, and seven new doctoral students, including our first two part-time DPhil students.

Hilary Term saw the emergence of the Critical Race Theory and Criminology Discussion Group. Convened by MSc student Jordan Konell and Dr Alpa Parmar, the student-driven group explores the racialization of crime and the criminalization of race, with critical race theory as a theoretical foundation.

Most recently, during Trinity Term, the MSc students hosted a series of guest lectures and in early June, the cohort organized a Dissertation Symposium to help them to disseminate academic research. Also in June, and following the success of last year's event, the Centre held a colloquium for DPhil students to present their research.

Here are some of our students' achievements from this year:

- Angelika Adensamer was invited by the Austrian Ministry of Justice to speak about her work on the new Austrian State Protection law. Angelika has also been appointed convener of the Gender Based Violence Research Group, and has organised a reading group on this topic.
- MSc student Arpita Mitra presented a paper on *'Gendecide: the war on baby girls in India'*, at the 'Catz Exchange 2016'. Arpita was also selected to attend the US Department of State-organised workshop in Morocco, entitled *'Elevating Women's Voices'*.
- DPhil students Richard Martin and Arushi Garg along with MSc students Angelika Adensamer, Ellie Brown, Jacob Burnett, Laura Fritsch, and Sahng-Ah Yoo have been actively involved with the Oxford Pro Bono Publico.
- Recent DPhil graduate, Rudina Jasini, was invited to serve on an expert committee assisting the UN Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees on Non-recurrence.
- Shona Minson, whose DPhil is on the harm experienced by children as a consequence of maternal imprisonment, was lead author of a paper for the Prison Reform Trust on *The Sentencing of Mothers*.
- DPhil student, Marie Tidball, was elected to represent the Labour Party in Hinksey Park, Oxford.

## Social media

 @OxfordCrim  facebook.com/ox.crim

The Centre continues to develop its online presence as a means to share the important work undertaken by its members. **Twitter:** @OxfordCrim **Facebook:** facebook.com/ox.crim  
**iTunes U:** podcasts.ox.ac.uk/series/criminology **Criminology@Oxford blog:** crim.law.ox.ac.uk



## Oxford Transitional Justice Research Network

Oxford Transitional Justice Research (OTJR) is an interdisciplinary network of over 200 academics and students in Oxford working on processes of transition in societies recovering from conflict and/or repressive rule. Based at the Centre for Criminology, and founded in 2007, it is now one of the largest and most diverse academic communities dedicated to producing high-quality scholarship on topics such as the role of international trials, truth commissions, local justice mechanisms and memorialisation.

At the heart of OTJR's activities is our weekly seminar series, which brings leading scholars and practitioners including judges, artists and activists, to Oxford. Last year, OTJR hosted International Criminal Court Judge Cuno Tarfusser, Professor Ruti Teitel (New York Law School) and Professor Kai Ambos (University of Göttingen) amongst others. These seminars foster critical discussion on cutting edge scholarship and contribute to the creation of an international Transitional Justice research community.

OTJR is also always at the forefront of new and bold research in transitional justice. In 2015, together with our partner, the media NGO, Fondation Hirondelle, OTJR launched the 'Innovative Media for Change' (IMC) project to explore the role of new and traditional media in conflict and post-conflict contexts. We organized a workshop in Oxford to bring academics, practitioners and journalists together to discuss the

challenges of media cooperation in transitional justice. In collaboration with Fondation Hirondelle, we also launched the website Justiceinfo.net to better engage affected communities and the public at large in transitional justice processes.

If you have any questions or would like to join our mailing list, please contact OTJR's Convenor, Leila Ullrich (leila.ullrich@crim.ox.ac.uk).

**You can also follow us on twitter @OTJR\_OTJR and join our Facebook group.**



IMC report cover



Innovative Media Workshop

OTJR Committee with Judge Meron (centre)

## Centre for Competition Law and Policy

In June 2016, the Centre for Competition Law and Policy (CCLP) hosted the sixth Antitrust Enforcement Symposium, in collaboration with the *Journal of Antitrust Enforcement*. Leading competition officials, academics and practitioners from around the world took part in the intensive two-day discussion on recent enforcement trends and considered, amongst other things, the impact of Brexit on competition law and policy.



### The Antitrust Enforcement Symposium 2016

The Symposium was organized around three different themes: (1) Data, Technology and Competition, (2) the Scope and Limits of Competition Law, and (3) Enforcement and the International Dimension. A session on each theme consisted of presentations of four papers, followed by comments from additional experts, and concluded with an opportunity for all participants to ask questions and comment on the papers. In addition, three key note speeches were provided by enforcers from the UK, the US, and the EU: Alex Chisholm, Chief Executive of the Competition and Markets Authority (CMA), reflected on the first years of the CMA and the challenges ahead; FTC Commissioner, Terrell McSweeney, provided illuminating remarks on the protection of competition, consumers and privacy in the Digital Age; and Director Paul Csiszár, of the European Commission, reviewed recent developments in EU merger control and provided insights on the EU appraisal process.

The Symposium was held the day after the results of the UK Referendum on EU membership were released, and began with a vivid discussion on Brexit and its implications for competition law and policy. Participants discussed the possible changes to enforcement priorities, merger control and private litigation, which are likely to affect both the EU and the UK. Focusing on competition law enforcement, one of the participants commented that it was ironic that Brexit was an attempt to gain greater control, but that it could lead to less control and loss of influence for the UK in the field of competition law. Another shared observation was that with the UK's withdrawal from the EU, the push toward an 'effect based analysis' may weaken, as

it may have less support within leading authorities in continental Europe.

The interaction between underlying policy objectives, and effective enforcement, was an overarching theme throughout this year's conference. In the data and technology panel, for example, a major topic was how the enforcement of privacy and data protection laws also had competition law dimensions. There was disagreement on the extent to which current legal tools could effectively address these new challenges. Extensive discussion was also dedicated to the scope and limits of competition law and its 'sponge-like' characteristics. The speakers explored issues like the cultural limits of competition law, the susceptibility of competition law to industrial policy and political pressure, and how the 'imperialist' tendencies of antitrust law could aid and disrupt other areas of law.

Naturally, questions of enforcement took centre stage in the discussion. The JAE Agency Effectiveness Study was presented by Professor Bill Kovacic (of George Washington University), who reviewed its core findings. Other presentations focused on competition enforcement within the international dimension, private litigation, the treatment of small and medium-sized enterprises, global supply chains, and the interrelationship between national and EU wide enforcement.

As in previous years, the 2016 Symposium emphasized a free flow of ideas and collaboration. Papers presented at the event will be featured in forthcoming editions of the *Journal of Antitrust Enforcement*.

The 2016 symposium was generously sponsored by Bates White Economic Consulting, Slaughter and May, Sidley Austin LLP, and E.CA Economics.

# Institute of European and Comparative Law

Summer 2015 marked the 20th anniversary of the Institute; the hand-over of the Directorship of the Institute from Stefan Vogenauer to John Cartwright; and the temporary displacement of the Institute from the St Cross Building to The Old Rectory, Paradise Square. During the year, we have been operating our full programme as usual: hosting visitors; arranging conferences, workshops and discussion groups; administering the Faculty's undergraduate student exchanges; and generally providing support for the Faculty in European and comparative law.



A conference on 'General Principles of Law' in September 2015 brought together leading scholars and practitioners, current and former members, visitors and friends of the Institute to celebrate 20 years of the Institute of European and Comparative Law (IECL). It was also the opportunity to thank Professor Stefan Vogenauer, for his immensely successful eleven years as Director before he left Oxford to become Director of the Max Planck Institute of European Legal History in Frankfurt. The conference was a serious academic endeavour, and its outcome will be a new volume in the Studies of the Oxford Institute of European and Comparative Law (Hart Publishing).

In January, John Cartwright visited Stockholm and, as part of a celebration of the cooperation between the Oxford and Stockholm Law Faculties, took part in two seminars: one at the offices of Mannheimer Swartling, the other in the Stockholm Centre for Commercial Law. The Oxford-Stockholm collaboration was initiated in 2000 by Professor Ulf Bernitz, who is still a staff member of the Institute and acts as co-ordinator of the collaboration. In 2011, the Stockholm Centre Oxford Fellowship was established to enable a Swedish

academic to undertake research at the Institute each year; and this has been extended since 2014 to allow senior Stockholm academics to spend some months of sabbatical research leave in the Institute.

The most visible change for the Institute during this year has been the relocation during the major building works in the St Cross Building. We were the first to move out to make way for the builders converting space for the Bodleian Law Library and we are scheduled to be the last to move back into the newly-reconstructed St Cross Building. We shall have a completely new space at the top of the building, which will have a teaching room, offices for our permanent



staff, and an open central area for visitors. We are excited about this new space - so much brighter than the old Institute which, in the gloomy depths of the St Cross Building, had (at best) views of the car park - and we are confident that the new layout will make all those working in the Institute feel even more of a team. It seems unlikely that we shall be able to move back until January 2017, but in the meantime we have been operating 'business as usual' in the Old Rectory, a rather lovely building, although close to another building site where the Westgate shopping centre is being reconstructed. Our address is Paradise Square; something of an overstatement, but we are certainly keeping the IECL very much alive during our time here.

We should always look beyond the buildings to the people - it is our people that make the Institute thrive. This year new staff included Martin Brenncke, Erich Brost Career Development Fellow in German and European Law, who teaches the first year German Law course for our exchange students; Axel Moeller, Max Planck Fellow; Jaan Paju, Stockholm Centre Oxford Fellow; and Esther van Schagen, Newton International Fellow. We have hosted visitors under our special schemes with the Universities of Paris 1 and 2 (Camille Broyelle, Paris 2) and Stockholm University (Pernilla Leviner); and individual visitors from universities in Chile, Greece, Italy, the Netherlands, New Zealand, Spain and Sweden. Details of our visitors and their work here can be seen on our website.

Although our primary focus is post-doctoral research, the next generation of researchers in European and comparative law will come from our current postgraduates, and we are very pleased when we are able to provide support for them. In April we hosted this year's British Association of Comparative Law postgraduate workshop on comparative law with 16 doctoral students from universities in England and abroad. They discussed a variety of topics involving comparisons between a wide range of jurisdictions and using different comparative methodologies.

We also provide an association for one or two French doctoral students who are based for the year as researchers at the Maison Française d'Oxford. This year we welcomed Pierre Auriel, who is studying for his doctorate at the University of Paris 2. Pierre also assisted us by taking classes in French law for our first and second year exchange students. During the course of the year we were able to announce the establishment of two new scholarships, funded through the generosity of Professor Guido Alpa, Professore ordinario di diritto civile at the University of Rome Sapienza, and a member of the Advisory Council of the Institute. Each year this will enable a doctoral research



student or early career scholar in the Oxford Law Faculty to undertake up to two months' research at the University of Rome Sapienza, and a research student from Sapienza to undertake up to two months' study at Oxford, hosted by the Institute.

Our plans for the coming years are to continue to build on the existing strength of the Institute. There will be changes of personnel. Rodrigo Momberg will complete his period with us as Career Development Fellow in Comparative Law, and will take up a new position as Associate Professor in the Law Faculty of Universidad Católica de Valparaíso, Chile. We have elected him as a Visiting Research Fellow of the Institute, an established category of association which enables us to build and maintain links with researchers in European and comparative law outside Oxford. We have recently also elected Professor Bénédicte Fauvarque-Cosson (University of Paris 2) and Professor Martijn Hesselink (University of Amsterdam) to Visiting Research Fellowships. Birke Häcker will take up the Linklaters Chair in Comparative Law in September, and will also become a Deputy Director of the Institute. In October we shall also welcome the new Stockholm Centre Oxford Fellow, Dr Elisabeth Ahlinder, who will be undertaking research in comparative property law. There will be workshops and conferences; and as we are writing this report, John Cartwright (Director of the Institute) and Simon Whittaker (St John's College, and Research Fellow of the Institute) are organising a workshop in September on the recent reforms on the French civil code on the law of contract, which come into force on 1 October. Together with Bénédicte Fauvarque-Cosson, they were commissioned by the French Ministry of Justice to produce an English translation of the new provisions of the Code, which can be seen on the Ministry website, and also on the website of the Institute.

The main event of the coming year, however, will be the move back to the St Cross Building. We look forward to being able in our new offices to let new light into the operation of the Institute; and to being able to welcome there new and returning scholars in European and comparative law.

# Oxford Intellectual Property Research Centre

The OIPRC had another busy year, engaging with challenging topics globally and in a variety of types of fora. And as usual, the Centre ran its weekly IP Speaker Series, the annual Oxford International IP Moot and the Oxford IP Conversazione, and taught the postgraduate Diploma in Intellectual Property Law and Practice in partnership with colleagues in the Intellectual Property Lawyers' Association.

Our academic members had a busy year giving talks, presenting papers and engaging in policy debates across the globe: Professor Christine Greenhalgh spoke to the OECD on industrialisation in emerging economies at a Symposium on Technology, Innovation and Inclusive Growth, in Paris; Dr Javier Lezaun submitted written evidence to the inquiry into genetically modified insects, launched by the House of Lords' Science and Technology Committee; and Professor Graeme Dinwoodie spoke to trademark judges from across Europe about the treatment of 'weak' trademarks and 'non-visible' design at the Ninth Judges Symposium organised by the EU Intellectual Property Office.

Professor Dinwoodie participated in the first meeting of Advisers to the Restatement of Copyright project conducted by the American Law Institute; he is the only non-US based scholar appointed as an Advisor to the project. He also spent time at the National University of Singapore serving as the Yong Shook Lin Professor in Intellectual Property Law.

The international flavour of our activities was also evident when Dr Dev Gangjee and Professor Dinwoodie hosted the annual Trade Mark Scholars Roundtable at Pembroke College, where leading trade mark scholars from Europe, the US, Australia and New Zealand debated the average consumer in trademark law.

The Centre has sought to build on growing links with the profession, not only through the IP Diploma, but also through co-sponsoring seminars in London. Most recently, Professor Dinwoodie participated in a joint AIPPI/OIPRC seminar with Simon Malynicz QC (3 New Square) and David Stone (Simmons & Simmons) to discuss the impact of the Trade Mark Reform Package. And, in March, Professor Dinwoodie spoke to the Annual Meeting of the Pharmaceutical Trade Marks Group in London on the enduring pull of territoriality in European Trade Mark Law.



## IP Seminar Speakers Series

The Centre's weekly speaker series hosted several top international figures from the academy and practice. These included Professor Jane Ginsburg of Columbia Law School, who spoke on the role of formalities in copyright law; Kevin Mooney of Simmons & Simmons who assessed the challenges for the new Unified Patent Court from his vantage point as the Chair of the Rules Drafting Committee. Professor Barton Beebe, New York University, and a Visiting Fellow of the Centre presented (along with his colleague Professor Jeanne Fromer) the results of a fascinating study on the depletion of marks.



## Oxford IP Conversazione, 18 March 2016

The Eighth Annual Oxford IP Conversazione, with the theme 'IP and Sport: On the Same Team', was held in March, in conjunction with the Oxford International IP Moot competition. Mr Justice Carr served as compère of the event, at which four speakers considered how IP can (or could) affect the business of sport: Barbara Slater OBE, Director of BBC Sport and a former gymnast; Craig Giles of Bird & Bird; Professor Lionel Bently, Cambridge; and Simon Foulkes of Rainbow Productions.

# Public International Law

The PIL Group at Oxford Faculty of Law has had another very active year. More of our students have been awarded internships, and others have visited The Hague as part of their BCL/MJur studies.



## Daniel Kaasik Awarded the International Court of Justice (ICJ) Internship for 2016-17

The Oxford Law Faculty is one of a group of leading law faculties around the world invited by the ICJ to participate in their traineeship programme. As a result of a very generous donation by Sir Frank Berman and further funds raised by members of the Oxford PIL group, the Law Faculty has been able to offer funding to Daniel Kaasik who was selected by the ICJ to undertake the traineeship from 1 September 2016 – 30 June 2017. The traineeship programme is similar to a judicial clerkship or judicial assistantship and will provide Daniel with the opportunity to work for nearly a year at the principal judicial organ of the United Nations.

## Oxford Students visit International Courts in The Hague

Professor Antonios Tzanakopoulos, convenor of the International Dispute Settlement course of the BCL/MJur, organised a trip to The Hague for IDS students. A highlight of the trip for students was sitting in the hearings of the Marshall Islands against India and the UK at the ICJ, after which they met with ICJ Judges Christopher Greenwood and James Crawford, and with Registrar Philippe Couvreur, as well as Counsel for the Marshall Islands, Professors Christine Chinkin and Paolo Palchetti.



## International Lawyers for Africa Lectures

In October, 16 lawyers travelled to Oxford for the International Lawyers for Africa (ILFA) programme, a one day series of lectures on International Law and Diplomacy, International Dispute Settlement and Jurisdiction in International Law. The ILFA aims to build legal excellence in Africa by providing access to advanced legal training and networking opportunities for African lawyers and senior professionals engaged in the negotiation of complex transactions in Africa.

## The Oxford Global Justice Internship Programme

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

**Camilla Barker** interned with the UN Office for the Coordination of Humanitarian Affairs, New York;

**Talita de Souza Dias** worked as a Legal Intern at the *International Criminal Court, The Hague*;

**Tamber Hilton** served as a legal advocate at Asylum Access, Thailand;

**Shriya Maini** served her clerkship at the Mechanism for International Criminal Tribunals, The Hague;

**Oliver Persey** worked with the American Civil Liberties Union's Human Rights Programme;

**Michael Rhimes** worked with Judge Christopher Vajda at the Court of Justice of the European Union;

**Isabelle Xavier** worked in the UN Office of Legal Affairs in New York;

**Hasan Dindjer** served his internship with the NGO, Reprieve.

See pages 16-17: Internship reports

## Centre for Socio-Legal Studies

The Oxford Centre for Socio-Legal Studies (CSLS) is a leading research institution, carrying out cutting edge research. The Centre's fellows are an interdisciplinary group with diverse backgrounds in law and social sciences who work together to enrich our understanding of the manifestations of law in various social contexts.



### Delving into Medieval Tibet

One of the world's most important Buddhist civilizations developed in traditional Tibet, culminating in the theocracy of the Dalai Lamas. What part did law play within it?

In her AHRC-funded project, Associate Professor of Socio-Legal Studies, Fernanda Pirie, is investigating the legal ideas of a period in which ideals were formed concerning the nature of law, government, and religion. Historical narratives developed semi-mythical accounts of the early Empire (Sixth to Ninth Centuries) when the introduction of Buddhism apparently provided the moral basis for the creation of a great law code.

In fact, surviving documents indicate a substantially secular regime, with laws regulating hunting and designed to control revenge-based relations between clans. The Emperors centralised judicial activity and regulated trade and property relations, and there was nothing remotely Buddhist about any of it.

One of the objects of this project is to trace the changes in legal thinking as this regime disintegrated and an account of law-making developed that asserted the basis of Tibetan law in religious morality. Subsequent legal practices must have remained local and pragmatic, but the ideology was repeatedly affirmed and ultimately played a part of the assertion of political legitimacy by the Dalai Lamas.

Can parallels be traced in other parts of the world? Does the Tibetan case bear comparison with the ideologies of medieval Europe or the Indic or Islamic worlds? Such questions will be explored in the next stages of this project.

### CSLS Annual Lecture: *Who Owns the World? Landscapes of Sovereignty, Property, Dispossession*

The Annual Socio-Legal Lecture is one of the highlights in the Centre's calendar, and this year we were delighted that it was delivered by one of the world's leading scholars, Professor Eve Darian Smith, Chair in Global Studies at the University at Santa Barbara and Adjunct Professor at RegNet in the Australian National University.

Under the general theme of 'Who Owns the World?', Eve invited the audience to think about global issues that are of profound concern, including the decline in natural resources, the growth of food insecurity, and the mass movements of people fleeing conflict. She first examined these issues from the perspective of various forms of ownership, and then analysed the consequent interplay of interests and modes of regulation. We were left with challenging ideas about global implications of the local configuration of property rights.



### Visiting Scholar at Harvard University, Davis Center for Russian and Eurasian Studies

Dr Agnieszka Kubal spent five months as Visiting Scholar at Harvard University, Davis Center for Russian and Eurasian Studies, generously supported by a British Academy Special Training and Dissemination Grant. There she joined a team considering 'Mobility, Boundaries, and the Production of Power in Eurasia', looking at the politics of mobility and the ways in which individuals, communities, and states have derived power from their ability to influence movement across regions once dominated by the Soviet regimes.

### Regulatory Tools Drought and Water Scarcity Management

Dr Christina Cook has been awarded a John Fell Small Project Grant to examine the regulatory tools used in drought and water scarcity management, issues that are occurring more frequently as a result of climate

change and development pressures. As a researcher on the RCUK-funded, NERC-led MaRIUS project (ECI and Law), Christina studies the governance of drought and water scarcity in the UK. Christina has conducted numerous interviews with water managers and other stakeholders in England and Wales, in which MaRIUS project stakeholders expressed an interest in learning from other jurisdictions with greater experience of drought and water scarcity.

### Early Career Workshop

Building on last year's success, the CSLS hosted a second annual workshop in June for early career scholars. The event was run together with the *International Journal of Law in Context*, published by Cambridge University Press, one of the major periodicals in the field of socio-legal studies. Applications to take part were invited from any students whose doctoral theses were nearing completion, and also from scholars who had received their degree within the last two years. The journal's editors joined members of the Centre's senior staff to form a panel that selected the ten best submissions. During the workshop, selected participants made presentations on their projects in progress and received in-depth feedback, providing solid support to the participating representatives of the next generation of scholars.



### Socio-Legal Studies Association (SLSA) Conference

Recently, seven of the Centre's students travelled to Lancaster University Law School to present at the annual SLSA Conference.

Owain Johnstone, Anneloes Hoff and Pedro Rubim Borges Fortes co-convened one of the conference streams, entitled *Exploring Legal Borderlands*. The stream hosted seven sessions, five with multiple presentations and two consisting of author-meets-reader sessions (with authors Luis Eslava and Helen Dancer). Fernanda Farina, Stacy Topouzova, Friso Jansen, Ivo Gruev and Ling Zhou (all students from the Centre) all delivered presentations, on topics ranging from medical guidelines to 'consumer professionals' in China.

### Journal of the Oxford Centre for Socio-Legal Studies

In Michaelmas term 2015-16, a group of CSLS students, supported by the senior staff, launched an online periodical called the *Journal of the Oxford Centre for Socio-Legal Studies* (JOxCSLS). The journal combines peer-reviewed scholarly papers with a lighter look 'behind the scenes' of the socio-legal world, providing space for exploring law-related issues in contemporary political affairs, the arts, or everyday social life. JOxCSLS gives CSLS doctoral students an opportunity to put principles into practice by gaining first-hand experience in editing, producing, disseminating and marketing an academic periodical. The journal can be found at <https://joxcls.com/>.

## Centre for Socio-Legal Studies Civil Justice Programme

**The Swiss Re/CMS Research Programme on Civil Justice Systems** undertakes research into public and private enforcement systems. It advises an increasing number of governments, regulators and ombudsmen across the globe on how to reform dispute resolution and regulatory landscapes, policy and practice.

**Court systems.** Professor Chris Hodges is the UK reporter for the European Commission's *An evaluation study of the impact of national procedural laws and practices on the free circulation of judgements and on the equivalence and effectiveness of the procedural protection of consumers under EU law*, led by the Max Planck Institute Luxembourg on Procedural Law, which will run through 2017. He has also been engaged with a holistic review of all dispute resolution options in the light of proposals for an Online Court in England & Wales.

**Collective redress.** We have continued to research effective and efficient means of resolving mass problems through the intervention of regulators, ombudsmen, or other intermediaries such as the Groceries Code Adjudicator, the Small Business Commissioner, or a possible international human rights ombuds. Dr Rebecca Money-Kyrle has continued research on the developing forms of collective actions across Europe. A study by Chris Hodges and Naomi Creutzfeldt on resolution of claims arising from the Buncefield explosion has just been published in a book of global mass dispute case studies. Chris Hodges has written the basic text on consumer redress for the revised UNCTAD *Manual on Consumer Protection*.

**Consumer ADR** (alternative dispute resolution). Dr Naomi Creutzfeldt has achieved wide acclaim and interest with publication of the results of her ESCR-funded multi-country study on 'Trust in Ombudsmen', which found greater consumer trust in ombudsmen for businesses than in those for state entities. The reasons for this are complex. Chris Hodges has continued research into consumer ADR, especially in Spain and Italy, and advised numerous governments and public



bodies, including the Chinese Government, on future policy for reforming the ADR landscape. The annual ADR conference in April drew a record attendance including from 7 governments and many ombudsmen. It focussed on implementation of the EU consumer ADR Directive, trust in ombudsmen, and the issue of justice in ADR.

**No blame injury compensation schemes.** Dr Sonia Macleod and Chris Hodges are shortly to publish their book researching 40 no blame administrative schemes from New Zealand to Japan and USA to the Nordic states. They have assisted the UK and Scottish governments and various private actors on options for reform of personal injury compensation arrangements, and engaged with the National Maternity Review.

### Regulatory enforcement: Ethical Business

**Regulation.** After publication of Chris Hodges' major book *Law and Corporate Behaviour: Integrating Theories of Regulation, Enforcement, Compliance and Ethics*, a summary paper of its findings from behavioural science was commissioned by the Department for Business and adopted as policy by the Scottish Government. He has presented the ideas to the European Commission's Political Strategy Centre, OECD and to various governments, including Singapore. The idea is that businesses may demonstrate that their approach to compliance is based on ethical values, and hence triggers a cooperative culture to addressing and rectifying problems than an adversarial or deterrent culture. Regulators have ranged from the German, Italian, British and Irish financial authorities or central banks, and the British and Irish competition and consumer authorities, to the Health & Safety Executive and the Gambling Commission. Detailed discussions on implementation continue with regulators and companies, especially in civil aviation, medicines, water, energy and food safety.

Chris Hodges has also been asked by regulatory authorities of Ireland, the Netherlands and UK to continue to chair a committee scrutinising horizon scanning regulatory policy for the medical technology sector.

## Centre for Socio-Legal Studies Programme in Comparative Media Law and Policy (PCMLP)

PCMLP is a research and policy programme that brings together scholars, policymakers and practitioners to study contemporary issues in global media law and policy. We have a particular interest in understanding new information and communications technologies and governance in transitioning and fragile states.

Over the past year there have been extensive public debates around the role of social media, online extremism and violent conflict. PCMLP has been intensively researching and engaging with many of these issues. PCMLP is an outward looking programme that seeks to understand how media and technology are interacting with, and in some cases, change law and politics around the world. Many of these issues have been explored by researchers at PCMLP through workshops and research partnerships with universities in Asia, Africa and the Middle East.

In November, the Programme convened a large conference on the future of the Internet in partnership with Stanford University and Peking University. With the support of the Chinese Internet company, Tencent, this pioneering programme is part of an annual series that seeks to bridge debates on Internet policy across Europe, China and the United States.

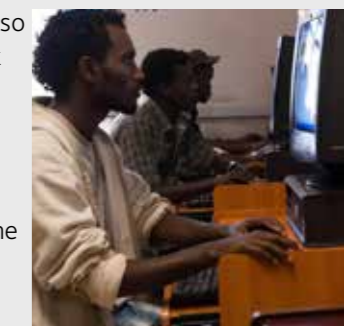


The Programme concluded and published findings from two major studies over the course of the year, including a large project sponsored by the Foreign and Commonwealth Office. This has been the first study to map out a national social media space to understand the role and prevalence of hatespeech online and its impact on political debates in Ethiopia. By focusing on Facebook, the research analysed online debates around the May 2015 elections and developed new methods

and tools for identifying and coding different types of online speech. The Programme also published a global study on ways to counter online hate speech in collaboration with UNESCO, which was launched at the UNESCO headquarters in Paris.

The PCMLP team is also extending its network through close work with the University of Nairobi, Kenya; the University of Cape Town, South Africa; the American University in Cairo, Egypt; and Belgrade University, Serbia, through the EU funded project, *Media, Conflict and Democratization*. Our research is focusing on a range of conflicts including constitutional conflicts, transitional justice and citizenship conflicts.

The theme of online violent extremism and conflict was further picked up through the 2016 moot court case of the Price Media Law Moot Court Programme. Regional rounds were held in Delhi, Belgrade, Cairo, Beijing, New York, and Kiev. The top forty teams progressed to the International Rounds, held in Oxford, where the final two teams (Singapore and India) argued before a prestigious bench of judges from the European Court of Human Rights, Facebook, the *Guardian*, and Microsoft. Many of the top mooters from the Price Moot have continued to remain engaged with PCMLP including through the annual Annenberg-Oxford Media Policy Summer Institute. Now in its seventeenth year, the Institute brings together top early career academics and policymakers for two weeks of discussion and debate in July.



## Law and Finance

2015-16 is the sixth year of the MSc in Law and Finance (MLF) programme, which now has nearly 200 alumni, working in 40 countries around the world, in a wide range of sectors, from law firms, investment banking, management consulting and asset management, to financial policy-making, regulation, development and academia.

### MLF Receives a 1st in Five Year Review

As part of its commitment to ensuring the highest standards of academic quality, the University requires all new taught graduate programmes to undergo a formal review process after their first five years of delivery. The MSc in Law and Finance successfully completed this process in Hilary Term 2016. Under the oversight of Professor Sir John Vickers, Warden of All Souls, the review panel was tasked with considering the development of the course over its first five years; the quality of student recruitment; post-course career prospects; and the MLF's general strengths and weaknesses. The panel described the MLF as a

'world-leading course in an area of great importance both intellectually and for law and policy.' The panel also praised the quality of MLF students; the MLF's interdisciplinary curriculum and deep links with the Saïd Business School; and the passion of the Faculty members and administrators involved in its delivery.

The Five Year Review was also an opportunity for the MLF team to reflect on its goals for the next five years and beyond. Both the review panel and MLF team agreed that it was important for the MLF to continue to invest in its growing alumni network, improve the delivery of core student services and feedback mechanisms, and continue to develop relationships with prospective employers in the fields of law, finance and policy.



Photo: John Cairns



Photos: John Cairns

### MLF Alumnus Raises Financing for Blockchain Start-up

MLF alumnus and technology entrepreneur, TJ Saw (CFO of Ethcore), recently oversaw the firm's \$750,000 financing round. Ethcore is a leader in the development of the Ethereum blockchain stack and so-called 'smart contract' platforms. Ethcore has also recently been awarded a grant by the UK government to create a 'next-generation foundational distributed ledger platform for institutional communication, authorisation, and consensus.'

Ethereum is a decentralised platform enabling participants to execute peer-to-peer smart contracts using the crypto-currency 'Ether'. These smart contracts are computer protocols that enable, verify, and enforce the performance of specified obligations, including the transfer of economic value in the form of Ether. Ethereum has gained significant momentum in 2016, with the market capitalization of Ether recently topping \$1 billion.

### First Annual Oxford Negotiation Competition

MLF students Miguel Baptista, Elizabeth George and Monika Mecevic were involved in the organization of the first annual Oxford Negotiation Society case study competition, which took place at the Saïd Business School in May. The competition pitted teams, including students from the Law Faculty, Saïd Business School and the Blavatnik School of Government, against one another in a series of simulated negotiations. The final of the competition involved a simulation inspired by the 2015 Portuguese elections, and the subsequent formation of a coalition government. MLF Academic Director, Associate Professor of Law and Finance, Dan Awrey, who was one of the judges, described it as 'a showcase for Oxford's world class students, and a example of their motivation to not only study sophisticated cutting edge ideas, but to develop the skills that will enable them to put these ideas into action in achieving real world outcomes.'

### The Oxford-Columbia Strategic Alliance in Law and Finance

Since 2010, up to five Columbia Law school students come to Oxford each year for Hilary Term, joining the MLF student group. In exchange, two or three Oxford DPhil students go to Columbia where they are registered as Faculty Visitors for a semester. Each is assigned to a Columbia Law school supervisor who provides guidance on their project development during the period.

Natalie Mrockova, an MLF alumna who is due to take up a post as a Supernumerary Teaching Fellow at St John's this October, went to Columbia as part of this exchange in 2014-15. The subject of Natalie's doctorate is the private sector in China and the national/regional laws that affect lending and bankruptcy.

*'I particularly enjoyed interacting with colleagues from different jurisdictions who helped me appreciate my research from a completely new point of view. I also benefited from a Columbia supervisor's input and the opportunity to present my research to expert audience and receive invaluable feedback.'*

Current doctoral student Ayowande McCunn, also an MLF alumnus, was one of this year's exchange students: *'It was an eye opening trip and I had a fantastic time in Jeff Gordon's reading group on Law, Money, and Finance. I also attended the Law and Economics Workshop run by the Law School...I would encourage other DPhil students to take the opportunity to attend.'*

Additionally, a Faculty member from each institution makes a short visit to the partner institution. This year's visitor to Columbia was Professor Luca Enriques, and Oxford welcomed Professor Curtis Milhaupt. The visitor engages with teaching, gives a research seminar, and interacts with colleagues. In addition to his other interactions, whilst in Oxford Professor Milhaupt gave a lecture entitled *'Bonded to the State: A network perspective on China's corporate debt market'*.



## Business Law Hub

The Business Law Hub was launched in September 2015, in conjunction with the new Law Faculty website. The purpose of the Hub is to act as a focal point for business law activities at the University, broadly defined. Bringing together academics in the Faculty and economist colleagues in the Saïd Business School, its activities include research projects, seminar and workshop series (which run on a weekly basis during term time) and an active programme of conferences. The Business Law Hub is made possible by the generous sponsorship of Travers Smith.

### Oxford Business Law Blog

One major project has been the Oxford Business Law Blog (OBLB), launched in March 2016. This is a major initiative of the Hub and is an important way to showcase Oxford business law scholarship and also facilitate high level debate between academics, practitioners, policymakers and students around the world on issues of shared interest and concern. Further details of the OBLB can be found at [www.law.ox.ac.uk/business-law-blog](http://www.law.ox.ac.uk/business-law-blog)



See pages 10-11: Blogging

### Conferences

#### Mandated Disclosure

In April a conference on the law, economics and psychology of mandated disclosure, *More Than We Want to Know?*, was organised by Freshfields Professor Horst Eidenmüller. 'Mandated disclosure' has become a common regulatory tool in diverse fields of the law, such as financial markets law, consumer contract law, and food law. Participants included leading academics and practitioners from the UK, the US and Germany, including the head of the Financial Conduct Authority's Behavioural Economics and Data Science unit. Together they investigated the law, economics and psychology of mandated disclosure as a regulatory tool and agreed that 'naive disclosureism' suffers from severe shortcomings. At the same time, 'smart disclosure' that makes use of the latest findings of behavioural economics, might be able to remedy some of the perceived defects of the current policy approach.

#### Judging Corporate Law

A one-day roundtable event, *'Judging Corporate Law'*, jointly organised by the Law Faculty and the University of Pennsylvania Law School, was held at St Hilda's College in May. Building on two previous highly successful events, this roundtable brought together members of the judiciary from England and Wales and from Delaware, together with corporate law academics and practitioners, to discuss key issues in corporate law, and to compare and contrast how these matters would be dealt with in both jurisdictions.

#### Oxford-LSE Law & Finance Conference



The annual Oxford-LSE Law & Finance Conference took place this year May at St Hilda's College. This conference brings together Law Faculty and business colleagues with a small number of external speakers and participants to discuss current topics in the area of law and finance. Speakers included Professor Jill Fisch of the University of Pennsylvania Law School, Associate Professor of Law and Finance, Dan Awrey, Professor Charlotte Ostergaard of the BI Norwegian Business School, Professor Alex Edmans of the London Business School and Dr Christian Rauch of the Saïd Business School, Oxford.

## Commercial Law Centre

The Commercial Law Centre at Harris Manchester College aims to provide an environment for high-quality research in all aspects of national, international, transnational and comparative law relating to commerce and finance, with scope for particular attention to be paid to emerging markets.

### Memorandum of Understanding with National University of Singapore

In February, the Centre entered into a Memorandum of Understanding with the Centre for Law and Business at the National University of Singapore. The Memorandum



establishes a formal link between the two Centres to promote joint research in all aspects of law relating to commerce and finance: to carry out interdisciplinary research; to promote research activities involving practitioners and policy makers as well as academics; and to encourage early career researchers in this field.

The Centres will facilitate visits to each other by researchers, and conduct joint conferences, the first of which, concerning schemes of arrangement, is planned for January 2017.

### Visiting Fellows to the Centre

The Centre runs a programme for international academic visitors to come to Oxford and pursue their research. This year, the Centre hosted senior academics from Australia, Canada, Singapore and Italy. The Centre also hosts doctoral students as junior academic visitors. Applications from those who wish to visit the Centre are very welcome.

### Recent Events at the Centre



The Centre hosts a series of termly lectures, usually conducted in a webinar format. This year's have included a discussion of *Issues relating to Cash Collateral* by Professor

Anthony Duggan (University of Toronto), a lecture on the *Nature of the Market for Corporate Control in India* by Associate Professor Umakanth Varottil (National University of Singapore) and one on *'Principles of Cross-Border Insolvency Law – and their value for Judges and Legislators'* by Professor Dr Reinhard Bork (University of Hamburg).

The Centre also hosts other events from time to time. The book *'Transparency in International Investment Arbitration'* was launched in November 2015, and *'Agency Law in Commercial Practice'*, edited by Professor Danny Busch (Radboud University), Professor Laura Macgregor (Edinburgh Law School) and Professor Peter Watts (University of Auckland), was launched in February 2016.

### Conferences and Workshops

Several conferences and workshops related to projects supported by the Centre have been held this year.

Leading industry experts, members of intergovernmental organisations and academics attended workshops run by two projects supported jointly by the Centre and the UNIDROIT Foundation. These were the project on *Best Practices in the Field of Electronic Registry Design and Operation*, which aims to develop a framework to establish and evaluate best practices in electronic registration, and the project on the *Economic Assessment of International Commercial Law Reform*.

The Centre hosted the Fourth Annual Conference of the *Cape Town Convention Academic Project* in September 2015, which was the largest in the series, with over 105 registrants including academics, practitioners and public organisations. It makes an important contribution to the development of learning about the Convention and its application and use.

### Blog

The Centre also hosts a blog, where Fellows associated with the Centre publish short articles on a diverse range of research interests. Some items from the blog are cross-posted onto the Oxford Business Law Blog, which reports on developments in the wider field of business law.



## Tax Law Group

Tax has been at the top of the political agenda again this year and members of the Tax Group have had various policy inputs.

In May 2016, Dr John Vella, Associate Professor at the Centre for Business Taxation, briefed the TAXE Committee of the EU Parliament on Measures to Counter Aggressive International Tax Planning. He argued that while some of the measures proposed by the EU Parliament and Commission should have an impact on current aggressive tax planning practices, more radical reform is required to create an international tax system fit for the 21st century.

In January, Professor Judith Freedman, Pinsent Masons Professor of Taxation Law in the Faculty, gave evidence to the House of Lords Select Committee on Economic Affairs Finance Bill Sub-Committee 2016 on Tax Simplification and other matters. In May she delivered the 2016 Chartered Tax Advisers' Address, and spoke on the importance of restoring trust in our tax systems and institutions, arguing that increased transparency without improved trust will not solve the problems currently being experienced (<http://www.taxadvisermagazine.com/article/restoring-trust>). She also travelled to Tokyo to deliver a lecture at Meiji University on the role of general anti-avoidance rules, discussing with tax academics, professionals and members of the tax authorities the pros and cons of Japan introducing such a rule.



## Student Success

Three tax PhD students achieved success: Artem Kadikov was awarded his doctorate for a highly topical thesis on *International Taxation of Cross-Border Digital Commerce*. His research was funded by a scholarship from the Oxford University Centre for Business Taxation (OUCBT) and a scholarship from St Anne's College. Also funded in part by the OUCBT, Daisy Ogembo is writing on the hard-to-tax sector in Kenya. Daisy's field work in Kenya was supported by a generous grant from the Chartered Institute of Taxation (CIOT). She has also obtained a scholarship from the Mustard Seed Foundation which 'provides financial support to Christian students who are pursuing graduate studies at premier institutions in fields considered to be underrepresented by Christians and who possess a unique vision to impact society through their vocations.' This recognises the importance of her contribution to the understanding of taxation in developing countries.



In June 2016, Oxford doctoral student Stephen Daly took up a research post at the Dickson Poon School of Law, King's College London, where he will be working on the FairTax project, funded by the EU's Horizon 2020 research and innovation programme. His DPhil work on HMRC discretion has been funded by a Lord Crewe Graduate Scholarship from Lincoln College and a PhD Grant from the CIOT that enabled him to visit the University of New South Wales to undertake comparative research in Australia for his thesis.

The Oxford Tax Group is particularly grateful to the donors to the OUCBT and to the CIOT for their assistance in developing tax research capacity by helping to fund these young scholars.

## MSc in Taxation

After two years of planning, and a busy admissions period, the Law Faculty is looking forward to welcoming the first cohort of Oxford MSc in Taxation students in September 2016. The MSc in Taxation is a new two-year part-time postgraduate degree offered by the Law Faculty, and taught in association with the Oxford University Centre for Business Taxation (OUCBT) based at the Saïd Business School.

Unusual among Masters in Taxation degrees, the MSc in Taxation has been designed by a combination of lawyers and economists. The course will be taught by both, as well as a select group of practising lawyers and other leading academics. The Course Directors are Professor Judith Freedman and Dr Glen Loutzenhiser from the Law Faculty and Professor Michael Devereux and Dr John Vella from the OUCBT. Oxford academics also teaching on the degree are Visiting Professor Philip Baker QC, Dr Anzhela Cédelle, Visiting Lecturer Tom Scott and Professor Richard Collier. Other visiting lecturers in the first year will include Professor Stephen Shay of Harvard University and Dr Adam Zalasinski from the EU Commission.

Teaching on the MSc in Taxation will be undertaken in Oxford in intensive periods, primarily during three residential weeks and at weekends. These unique features of the MSc in Taxation make it an ideal degree for practitioners in law and accounting firms who wish to move from a technical to a deeper understanding of taxation: insights that will propel their career forward. This approach also makes this the degree of choice for those working in public tax authorities and as in-house tax advisers, as well as for those contemplating an academic career in taxation or a career break.

The incoming students come from a variety of backgrounds; there is a mixture of lawyers, accountants, and those from other academic backgrounds, such as economics and finance. There is

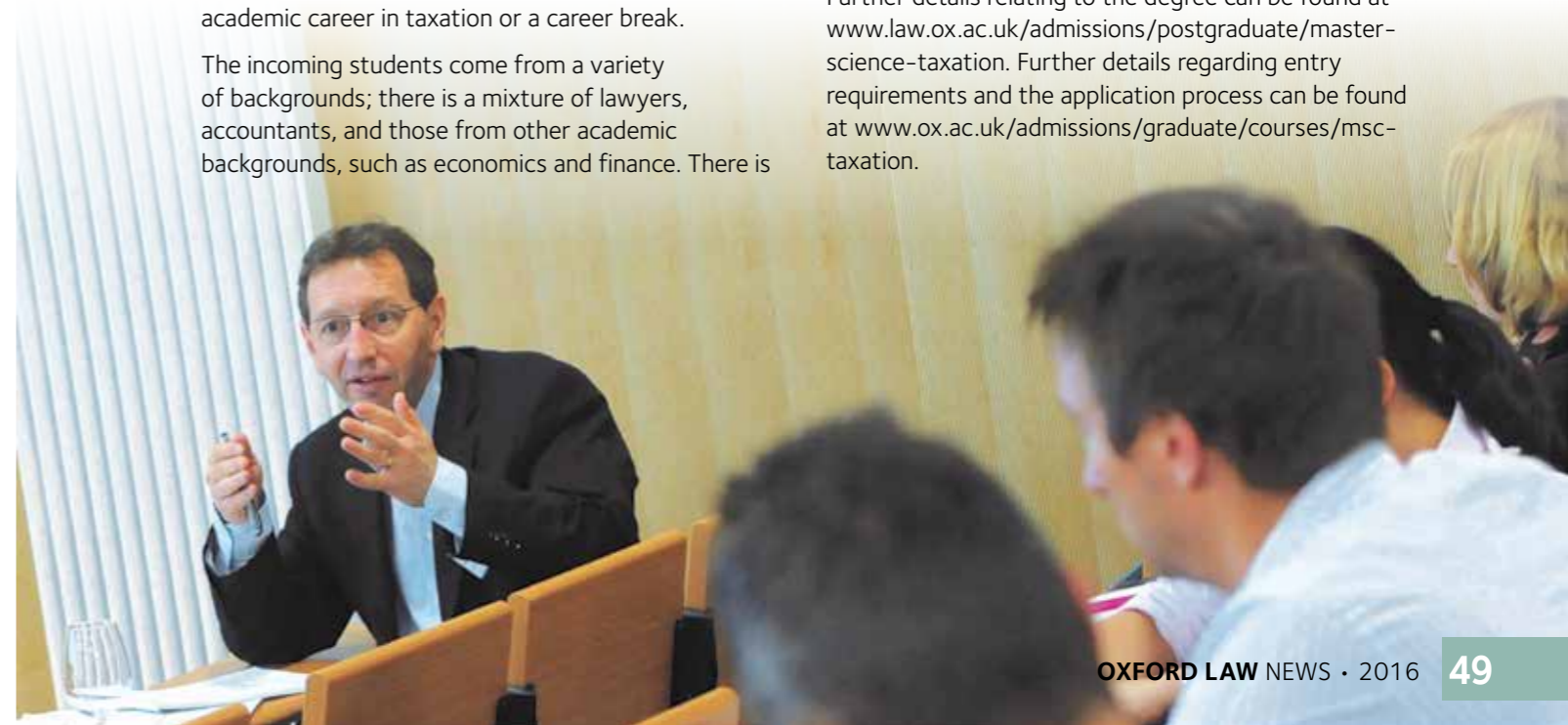
also a wide variety of ages, from those that have just graduated with their first degree to those with over 20 years of experience working in taxation.

Applicants to the degree tell us that they were attracted to it because of the part time format, which provides them with the opportunity to study for the degree without taking time out of work. They feel this degree will give them new perspectives on taxation and will help broaden and deepen their understanding. Applicants also commented that the design of the degree, to incorporate legal and economic analysis of tax matters, is unusual and makes the degree stand out from other postgraduate tax programmes.

We anticipate that there will be a small number of places available to non-degree students wishing to complete one or two electives rather than the whole degree.

We are pleased that Hannah Donohoe joined the Law Faculty in January as Course Administrator for the degree. For further information, for example about occasional places on particular courses, please contact her at [msctax@law.ox.ac.uk](mailto:msctax@law.ox.ac.uk).

Further details relating to the degree can be found at [www.law.ox.ac.uk/admissions/postgraduate/master-science-taxation](http://www.law.ox.ac.uk/admissions/postgraduate/master-science-taxation). Further details regarding entry requirements and the application process can be found at [www.ox.ac.uk/admissions/graduate/courses/msc-taxation](http://www.ox.ac.uk/admissions/graduate/courses/msc-taxation).



# Oxford Human Rights Hub

The Oxford Human Rights Hub (OxHRH) brings together academics, practitioners and policymakers to facilitate a better understanding of human rights law and practice. Through creative uses of technology, the OxHRH has created a rich and accessible body of research and learning tools for students, teachers, academics, and advocates of human rights law, both in Oxford and beyond. We continue to transcend traditional boundaries in order to open up new spaces for exchange and learning and publish high quality, cutting edge posts on the latest developments in human rights. This past year we have focused on developing pioneering webcasts, webinars and podcasts series. We have also updated our website to feature our rich media and to showcase the academic work of Faculty members.

## Comparative Perspectives on Human Rights

The OxHRH Blog was launched in 2012, to bring together lawyers, academics and policy makers from across the world to collaborate and share their analysis of human rights law developments. Since then, the blog has grown and is now a well-known resource, with over 12,000 unique views each month.

The Blog is designed to be a valuable resource but also a democratic space encouraging broad discussion. The small team of editors ensures a high standard of academic rigour and carefully vets all blogs. Strict word limits focus authors on refining their arguments. In aspiring to its global inclusivity, it benefits greatly from the contribution of its Regional Correspondents, who promote the Blog in jurisdictions whose experiences of human rights law may be lesser known to readers.

Comparative perspectives on similar questions have organically emerged. In the last six months alone, the Blog has featured expert analyses of important new developments on data protection and privacy laws across Europe, the right to education in India and South Africa and environmental protection and the responsibility of large corporations in Nigeria and Brazil. The great variety of posts we receive runs parallel with the special series we run on topical issues of particular interest, including the refugee crisis in Europe; the legacies of both Professor Sir Bob Hepple and Justice Antonin Scalia; and the impact that Britain's exit from the European Union will have on labour rights.

The desire to capture the themes spontaneously emerging has inspired the OxHRH's Anthology, *Global Perspectives on Human Rights*. The Anthology offers a thematic overview and assessment of the previous year's blogs, drawing together posts on similar topics and providing an expert commentary for each theme.

This provides our readers and contributors, and those who are new to the Blog, another forum in which ideas and concerns can be compared, reviewed and reflected upon. This creative process has found expression in how the posts have been selected, categorised into chapters and analysed in the introductions. After the success of the last two annual editions, work on the third edition is currently underway.

See pages 10–11: Blogging

## Fostering Global Conversations

To engage a worldwide audience and reach across geographic boundaries, the OxHRH in collaboration with the Open Society Foundations hosted a live, interactive online workshop on *The Challenge of Public-Private Partnerships in Realising the Right to Education*. Through the magic of technology we were able to draw together international experts from South Africa, India, Uganda, Ireland and Australia to discuss how human rights can enrich access to high quality education in the light of rising pressure to adopt public-private partnerships. The online panel was joined by UN Special Rapporteur on the Right to Education, Dr Kishore Sing; Professor of Law and Public Policy, and Dean of the Law Faculty, Anne Davies; Jason Brickhill, Legal Resource Centre, South Africa; and Rhodes Professor of the Laws of the British Commonwealth and the United States and Director of the OxHRH, Sandra Fredman. Through live-stream technology, the workshop included both audio and visual elements and participants posed questions to the leading experts. The webcast drew in a 100-strong global audience. It is archived on our website and in the first month alone was viewed by over 1000 people. The webcast was drawn upon by the Special Rapporteur to the UN General Assembly and is a testament to the potential for the combination of imagination, hard



UN Women event

OxHRH delegates at the conference in Delhi

Webcast on Public-Private Partnerships

work and technology to facilitate inclusive, high-level conversations on human rights law. We are now working on a proposal for an online course on the Right to Education and Public Interest Litigation, particularly in relation to privatisation of education.

Our engagement with audiences across geographical boundaries has been furthered by our broad series of webinars with leading human rights experts and we have been expanding the reach of our traditional Oxford-based seminars. In November 2015, Justice Kate O'Regan, former Justice of the South African Constitutional Court, Professor Fredman, and Shahrashoub Razavi, Chief of Data and Research Action, UN Women discussed the UN Women's flagship report *Transforming Economies, Realising Rights*. This panel discussion was broadcast live on Twitter via the Periscope App. With the use of podcasting via our iTunesU Channel we have been able to make the most of our seminars freely accessible online.

Embracing the power of podcast technology, we are proud to announce our new magazine style podcast series 'RightsUp', which is dedicated to exploring the big human rights issues of the day. Through interviews with leading experts we have investigated the legal challenges posed by revenge pornography, the implications of human rights law for business, the death penalty and gender justice in different global contexts.

## Exploring the Latest Challenges to Human Rights

The OxHRH started January 2016 on a strong footing, co-hosting with the Vidhi Centre and Open Society Foundations, a conference in Delhi exploring *Comparative Perspectives on the Right to Education for Minority and Disadvantaged Groups*. This brought together legal academics, NGOs and educational policymakers to further explore the challenge of public-private partnerships in education; on girls' right to quality

education; on monitoring and enforcing a right to quality education; and the balance between religion, culture and education. The conference presentations will appear in an edited collection by Policy Press later this year.

We remain committed to encouraging and inspiring the next generation of human rights lawyers, here in Oxford. In June 2016, we hosted our second OxHRH Human Rights Graduate Researcher Workshop for students working on human rights law to share their work in progress. This highly valuable exercise helps build a stronger human rights law community in Oxford.

## Enriching Human Rights Learning and Research

In 2016, the OxHRH has redesigned and upgraded our website to incorporate exciting new features. The OxHRH's technological and multimedia productions are now collected and easily accessible on the 'See/Hear' tab and our constantly updated 'Publications' page is an excellent resource for information on the latest developments in human rights law.

## Our Wonderful Team

The success of the OxHRH is owed to the hard work and support of many: our visionary Director Professor Sandra Fredman, our wonderful Deputy-Director Meghan Campbell; our inspirational OxHRH Blog Managing Editor, Richard Martin; our energetic editorial team Seham Areff and Victoria Miyzandi and our amazing Administrator Zoe Davis-Heaney. We greatly appreciate the support of our OxHRH Associates and Regional Correspondents.

We are incredibly grateful to the financial support offered to the OxHRH by the Bertha Foundation, the British Academy, Open Society Foundations, Hart Publishing and OUP and the in-kind support of the imaginative design team at Gullan & Gullan.

## Oxford Pro Bono Publico

Oxford Pro Bono Publico (OPBP) is affiliated with the Oxford Human Rights Hub and led by an Executive Committee made up of graduate students and Faculty members. Through the wider group of student volunteers, OPBP undertakes pro bono legal research within the field of international and comparative law with an emphasis on human rights.

### War and Peace Initiative

This year, OPBP became a part of the recent initiative War and Peace at Oxford, which provides a network for world-class research, teaching and debate on war, peace, conflict and security. Many of OPBP's present and past projects deal with international and human rights law issues related to armed conflicts. More information is available on our website; [www.warandpeace.ox.ac.uk/oxford-pro-bono-publico-opbp](http://www.warandpeace.ox.ac.uk/oxford-pro-bono-publico-opbp).

### Internship Programme

OPBP runs an Internship Programme which assists Oxford graduate students to take internships in public interest law and human rights areas.

See pages 16-17: Internships

### Projects

OPBP research has been well received by our project-partners, and we are now starting some new projects. We recently called for volunteers to conduct legal research for the Legal Resources Centre in South Africa concerning a case before the South African Supreme Court. The case deals with the constitutionality of South Africa's participation in and signing of the 2014 Protocol of the Southern African Development Community, which prevents individuals from directly lodging complaints with the Tribunal for the future.

Three of the reports OPBP have been involved with this year are featured below.



Project on slavery and human trafficking

#### Report for charity Kalayaan

OPBP has been working with London-based charity Kalayaan to prepare a report on the prohibition of slavery and human trafficking and the relationship between human trafficking crimes and diplomatic immunity. The charity provides advice, advocacy and support in the UK for migrant domestic workers, and OPBP have been assisting them in intervening before the UK Supreme Court in *Reyes v Almalki*.



Project on imposition of life sentences that exceed life expectancy

#### Report submitted to the Namibian Supreme Court

The Centre submitted a report to the Namibian Supreme Court on the imposition of life-sentences which well exceed life expectancy. The report served to assist the Namibian Supreme Court with a case currently under review, *Zedekia Gaingob and two others v the State*. The Supreme Court approached OPBP, inviting their submission on whether a sentence imposed on the defendant, Mr Gaingob (which exceeds his life expectancy) is contrary to state practice and regional human rights law.



Project on secret rendition

#### Report prepared for the UN Office of the High Commissioner for Human Rights

OPBP is finalising a report for the UN Office of the High Commissioner for Human Rights on secret rendition. The report considers how domestic courts and parliaments, international and regional tribunals, and the UN system have responded to secret rendition after a 2010 UN Report dealing with arbitrary detention. It will contribute to a joint study to be published by the UN.

## Oxford Legal Assistance

Oxford Legal Assistance, offers exclusive opportunities for law undergraduates to become involved in pro bono work. OLA operates two main projects: a legal advice clinic and other support work in partnership with local law firm, Turpin & Miller LLP; and a social policy scheme with Citizens Advice.

### Our Work in 2015-16

#### Turpin & Miller scheme

The Turpin & Miller scheme has continued to provide a fantastic experience for student volunteers to put their legal skills into practice and support the work of a local firm. The programme involves interviewing clients attending the clinic to seek advice with immigration, asylum and human rights issues. Student volunteers staff this clinic and are assisted by solicitors from Turpin & Miller, who offer advice to the client based on the information gathered by the student after the interview has taken place. The volunteers' work serves an important time-economising role as it allows the solicitors to engage with the client immediately at the legal advice stage.

We have also had success with our graduate scheme initiative with Turpin & Miller: students prepare bail applications, secure emergency legal aid, conduct background research and interview clients. One student reported that working with Turpin & Miller 'was an eye-opener, humanising immigration law in a way that isn't possible within the confines of a lecture hall.'

We continue to be extremely grateful to Turpin & Miller and proud of our ongoing partnership, particularly in light of partner Tom Giles' recent feature in the *Guardian*, detailing his inspiring commitment to facilitating access to justice.

#### Citizens Advice Scheme

The Citizens Advice scheme is designed to allow students the opportunity to become trained in understanding the social policy aspect of the work with which Citizens Advice is involved. The Scheme has enjoyed notable success this year, with the volunteers working exceptionally well, both together and with our contacts at Citizens Advice.

In Michaelmas, the volunteers assisted in campaigning with Citizens Advice during their 'Big Energy Savings Week'. The project sought to encourage everyone to nip increasing costs of utilities - a major contributor to debt - in the bud, thereby indirectly decreasing the risk of bankruptcy and a fortiori the number of people in trouble with the law.

In Hilary, our volunteers undertook a survey of letting agents in greater Oxford. Our volunteers assessed approximately 40 letting agents to establish whether they had fallen foul of new consumer protections. We were proud to be one of the first branches of Citizens Advice nationally to undertake such a project and, with help from our volunteers, Citizens Advice was able to make the local Council aware of those agents in



OLA volunteers at the Big Energy Savings Week

contravention of the Consumer Rights Act 2015 so that action could be taken.

In Trinity, our volunteers completed another survey - this time of major bank branches - to ascertain how easy it is for those in financial difficulty to open a 'basic bank account'. We surveyed nearly 20 banks and have recently submitted our results to Citizens Advice nationally.

See page 67: Oxford Legal Assistance Moot 2016

## Human Rights for Future Generations

The Oxford Martin Programme, Human Rights for Future Generations (HRFG) continues to contribute to academic, practical and policy debates surrounding the future of human rights. Most notable is the progress made towards exploring and addressing the most pressing challenges around Armed Conflict, Climate Change and Poverty. As the HRFG Programme approaches the last few months of the project there has been an opportunity to consolidate work and reflect on the outcomes of the research undertaken.



To mark the end of programme, a public debate was held at the Oxford Martin School on 9 May 2016. The debate was entitled, 'A world court for human rights?', asking whether a World Court for Human Rights should be established to contribute to the evolution of, and compliance with, human rights law. Debate discussants were Professor Martin Scheinin, Professor of International Law and Human Rights, European University Institute (for) and Professor Sarah H Cleveland, Louis Henkin Professor of Human and Constitutional Rights at Columbia Law School (against). The debate was moderated by Professor Harold Koh, Sterling Professor of International Law at Yale Law School. The event was streamed live and the resulting vote illustrated a clear majority with 34% for a world court, and 66% against.

Immediately following the public event, the HRFG hosted a one day workshop on its forthcoming book, *Human Rights and 21st Century Challenges*. This is an interdisciplinary volume of essays that examines the relationship between human rights and the three largest 21st Century challenges – armed conflict, environment, and poverty – speaking to the programme's original research questions.

Professor Dapo Akande and Programme Research Fellow, Dr Helen McDermott hosted the 4th Annual Transatlantic Workshop in July 2016, at Pembroke College. This two-day roundtable event brought together academic, military, and government experts from both sides of the North Atlantic to debate issues from different perspectives while comparing practices and policies across the Atlantic on law and armed conflict. The International Committee of the Red Cross' Washington and London delegations co-hosted the workshop along with the Oxford Martin Programme on Human Rights for Future Generations and the Oxford Institute for Ethics, Law and Armed Conflict, the Robert S Strauss Center for International Security & Law at

the University of Texas and South Texas College of Law, Houston. Discussions focused on specific challenges in relation to the interpretation and application of international humanitarian law to the conduct of hostilities, and a number of procedural obligations in the law of armed conflict.

Over the last year, programme members have made contributions to key publications. Professor Liora Lazarus and Research Coordinator Jaakko Kuosmanen have continued to comment on key human rights issues via *EJIL Talk* on arbitrary detention and the Sustainable Development Goals (SDG's). Dr Lazarus' work also focuses on the 'Right to Security', with a forthcoming publication in the *Max Planck Encyclopaedia for Comparative Constitutional Law* (2016). Dr Hilary Greaves (Faculty of Philosophy) has recently worked on papers concerning healthcare prioritisation, effective altruism, foundations of utilitarian theory, well-being and population ethics. The Programme's Research Fellow, Dr Dominic Roser, co-edited a special issue of 'Climatic Change' – '*Climate Justice in Interdisciplinary Research*', bringing together the work of 37 cross-disciplinary authors, unique in pairing up papers from those who conduct normative research on climate justice and those with a natural or social science background. Dr Roser has also co-authored and co-edited publications on the subject of climate justice and non-ideal theory (Routledge & OUP, 2016) and was in Paris for the 2015 Climate Conference which changed the course of climate policy in important ways, calling for fresh analysis on the issue. Soon after, Professor Simon Caney and Dr Dominic Roser participated in the Reading *Climate Justice Conference after Paris* conference. Recently, Dr Helen McDermott published an article on allegations of irregular apprehension before international courts and tribunals in the March 2016 issue of the *Journal of International Criminal Justice*.

## Bodleian Law Library



The Bodleian Law Library has experienced one of its most unusual years in 2015–16, preparing for the work needed to refurbish the Law Library, which is currently underway.



The space allocation within the St Cross Building is being changed to enable more Law Centres to be co-located with the Faculty. This has resulted in **major changes to the Law Library**, with the addition of space on the ground floor for new rolling cases, and the loss of the three wings which housed collections plus the Graduate Reading Room.

This has provided us with the opportunity to review our **book collections**, resulting in some collections being sent to the Bodleian's Book Storage Facility (BSF) in Swindon. Journals which are now available online, and legislation from many jurisdictions are now at the BSF. The benefit is that we created records on the catalogue for each item, so that they can be easily identified and called back to the Law Library within a few hours.

There has been great disruption to the readers and the staff since September 2015, and we look forward to its completion by late 2016. The **long term benefits** to the users of the library will include the following:

- Three new **small discussion rooms** in addition to the newly re-located large seminar room, IT rooms and graduate reading rooms;
- A **new entrance** where the welcome desk faces readers as they enter the Library;
- A **casual reading area** for new journals and newspapers;
- A **new lift**, opening to the reading room areas, providing easy access between floors for disabled readers;
- Enhanced carrel for disabled readers;
- The **relocation of most collections** into more coherent runs. For example, all superseded collections, are now organised alphabetically by

jurisdiction, and all pre-2000 journals are organised in the same way. The monographs for more heavily used topics/countries are relocated to Level 2, the entrance level of the Library;

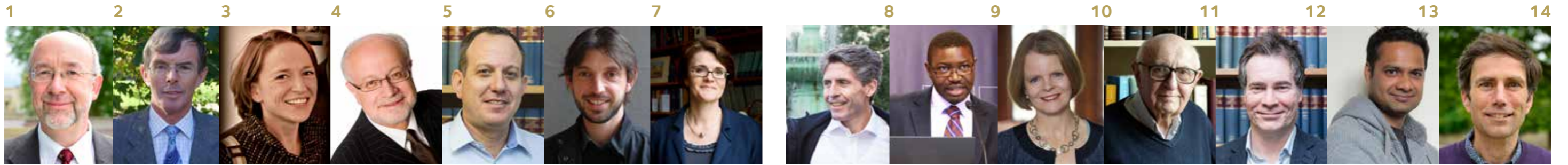
- All the grey metal shelving on Level 1 has been replaced with the original beech timber shelves found on the floors above;
- Staff offices have moved to the southern perimeter, behind the entrance desk.

At the same time as all the book moving and work involved in this project, the Law Library has continued to **provide resources, classes and services** to our readers throughout the academic year. The Legal Research and Mooting Programme for first year students expanded to include teaching of subject-based resources in Lexis, and advocacy topics. *Book a Librarian*, and a myriad of topic-based courses continue to be taught by our librarians, and we provide a named *Law Library Link*, so our first time students have one 'go-to' library staff member.

Our Benefactors (<http://www.bodleian.ox.ac.uk/law/benefactors>) mean a great deal to the Law Library, and enable us to provide student-focused services we might otherwise not be able to offer. In addition to numerous **prize givers**, we were very fortunate in 2016 to welcome a new major benefactor for the Law Library, Norton Rose Fulbright LLP; the firm joins our other major funders Freshfields Bruckhaus Deringer, Hogan Lovells, Slaughter and May, and Weil, Gotshal & Manges.

Please come and visit us and see the changes for yourself the next time you are in Oxford – you will be very welcome.

Ruth Bird



# HONOURS

## 1. Adrian Briggs

### Appointed QC *honoris causa*

Professor Adrian Briggs has been appointed Queen's Counsel *honoris causa* (Honorary QC), an award made to lawyers who have made a major contribution to the law of England & Wales outside practice in the courts. The Ministry of Justice said that Adrian's nomination resulted in part from "...his book on private international law which is relied upon by the courts.", as well as his other significant publications, noting the frequently cited *Civil Jurisdiction and Judgments*, as well as his legislative involvement and advice: "He has given advice to bodies charged with law reform, and with the scrutiny of proposed new laws, when and whenever invited to do so. He has also given evidence on English private international law to courts in several jurisdictions overseas."

## 2. Andrew Ashworth

### Wins Halsbury Legal Award

Professor Andrew Ashworth, Emeritus Vinerian Professor of English Law, received the 2015 Halsbury Award for Academic Contribution, presented for making a significant impact on the development of the law and its study, by writing, research or other activity. The award was presented to Professor Ashworth at an evening event in London, last September.

## 3. Lucinda Ferguson

### Finalist for Oxford University Press' Law Teacher of the Year 2016

Associate Professor of Family Law, Lucinda Ferguson, was shortlisted as one of six finalists for the OUP's national Law Teacher of the Year award, having been nominated by her students. The judging panel observed Lucinda's teaching and interviewed students and colleagues, as well as receiving a video submission from former and current students.

## 4. David Vaver

### Appointed Member of the Order of Canada

David Vaver, Emeritus Professor of Intellectual Property & Information Technology Law, was appointed as a member of the Order of Canada, one of the country's highest civilian honours, for "leadership in intellectual property law as a scholar and mentor".

## 5. Ariel Ezrachi

### Best Antitrust Academic Article 2016

An article on 'Artificial Intelligence & Collusion: When Computers Inhibit Competition', authored by Slaughter and May Professor of Competition Law, Ariel Ezrachi and Professor Maurice Stucke (Tennessee), was awarded the 2016 Antitrust Writing Award for Best Antitrust Academic Article (Concerted Practice Category). The paper is available on SSRN and has been featured in *The New Yorker*, *Americans.com*, *Business Insider*, and *Columbia Law School Blue Sky Blog*.

## 6. Andrew Higgins

### Receives Australia Day Award

Associate Professor in Civil Procedure, Andrew Higgins, received an Australia Day Award for his work in respect of Australia's introduction of tobacco plain packaging laws. Andrew has acted as Special Counsel for the Australian Government since 2011 on the constitutional, investor state arbitration and WTO challenges to its tobacco plain packaging laws. Separately, Andrew was recently re-appointed to the World Health Organisation's Framework Convention on Tobacco Control expert group on Article 19 "Liability" on behalf of the Union for International Cancer Control.

## 7. Jennifer Payne

### Appointed to European Securities and Markets Authority Stakeholder Group

Jennifer Payne, Professor of Corporate Finance Law, has been appointed as a member of the ESMA's Securities and Markets Stakeholders Group, which facilitates consultation between ESMA, its Board of Supervisors and stakeholders on ESMA's areas of responsibility, and provides advice on its policy development. Professor Payne was also made a member of ESMA's Corporate Finance Standing Committee Consultative Working Group last December.

## 8. Horst Eidenmuller

### Elected to the European Academy

Freshfields Professor of Commercial Law, Horst Eidenmüller, has been elected as an ordinary member of the European Academy of Sciences and Arts. Amongst its Members are 29 Nobel Laureates. Horst has been elected as a Member of Class V (Social Sciences, Law and Economics) of the Academy.

## 9. Dapo Akande

### Appointed to African Group for Justice and Accountability

Professor Dapo Akande has been appointed as a member of the African Group for Justice and Accountability, an independent group of senior African experts on international criminal law and human rights. The group supports efforts to strengthen justice and accountability measures in Africa, offers advice and outreach, and seeks to enhance cooperation between Africa and the International Criminal Court. Members include the former Chief Prosecutors of the Rwanda and Yugoslavia War Crimes Tribunal; a former UN High Commission for Human Rights and Judge at the International Criminal Court; the President of the Central African Republic, the Chief Justice of Tanzania and the Attorney General of Botswana.

## 10. Louise Gullifer

### Elected to the International Insolvency Institute

Professor Louise Gullifer has been elected a member of the International Insolvency Institute, a selective non-profit organisation of leading practitioners, academics, judge and regulators. Membership is drawn from over 45 countries and new members are admitted by invitation only. The Institute works closely with the United Nations Commission on International Trade Law (UNCITRAL), including involvement in Working Group VI on Security Interests, to which Louise is the UK delegate.

## 11. Judge Meron

### Appointed President of the UN Mechanism for International Criminal Tribunals

Judge Theodor Meron was appointed to a new term as President of the UN Mechanism for International Criminal Tribunals. Judge Meron is a Visiting Professor

at the Faculty and currently teaches a BCL/MJur course in International Criminal Law. The United Nations Secretary-General noted President Meron's "astute stewardship" of the Mechanism, and his leading role in ensuring it is small and efficient, as envisaged by the United Nations Security Council.

## 12. Donal Nolan

### Appointed to the advisory panel of the American Law Institute

Professor of Private Law, Donal Nolan, has been appointed to the international advisory panel for the American Law Institute's Restatement of the Law (Fourth) on Property. The revised Restatement will encompass the property torts, including trespass, nuisance and conversion. As a tort lawyer Professor Nolan anticipates being most closely involved with these parts of the project. The property torts will constitute a central plank of the law of property as set out in the revised Restatement, which is intended to be more comprehensive than its predecessors.

## 13. Tarun Khaitan

### Appointed Academic Fellow of the Honourable Society of the Inner Temple

Professor Khaitan has been appointed Academic Fellow of the Honourable Society of the Inner Temple. The Scheme recognises the outstanding contribution of legal teaching and research of early to mid-career academics. It also aims to support their research and to build stronger relationships between the Bar, judiciary and legal academia.

Dr Ruvi Ziegler (Reading), previously a Tutor in Public International Law at the Faculty, was another of the four appointed Fellows.

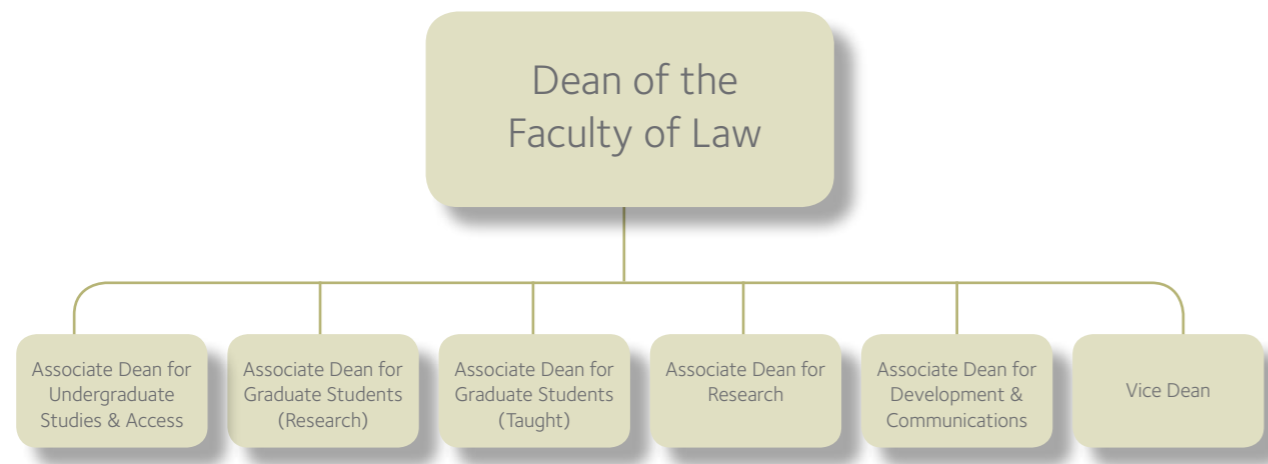
## 14. Jonathan Herring

### De Carle Distinguished Lecturer

In April, Professor of Law, Jonathan Herring, was the De Carle Distinguished Lecturer at the University of Otago, New Zealand. His four public lectures were entitled *Law and the Vulnerable Self*; *Law and the Caring Self*; *Law and the Abused Self*; and *Law and the Relational Self*. He also gave a series of other lectures and led seminars on themes ranging from the ownership of body parts to hyper-parenting.

# New Associate Deans

## Faculty of Law Administration



Unsurprisingly, the governance structure of the Faculty has gradually changed since the Faculty was first established 800 years ago. In the last year, it has continued to evolve to see in introduction of a Vice Dean and five new Associate Deans, with responsibilities for key areas of the Faculty's functions.

**The head of the Faculty is the Dean, Professor Anne Davies.** She is Chair of the Board of the Faculty of Law and provides academic and strategic leadership to the Faculty of Law. She represents the Faculty at a Divisional, University, national and international level on matters of importance and relevance to the teaching and research of Law, and builds relationships with other institutions including law firms and other key donors.

The Law Board is an elected body that takes key decisions on behalf of the Faculty in response to recommendations from the Faculty committees, or in response to directives and requests from the University. Any member of the Faculty is eligible to be nominated for membership of the Board and nominations go through the Elections Office in the University. The Dean can also co-opt up to four further members each year. If more than one nomination is received for a place on the Board, the University would organise a full election for that place.

The Law Board also appoints members to its various standing committees, which are given responsibility for matters ranging from Planning and Resources, Personnel, Graduate Studies and Undergraduate Studies to Examining, Equality and Diversity. Most committees are chaired by one of our Associate Deans (see below). The committees are required to report to the Law Board in writing, and the Board meets twice a term to consider issues brought from those committees.

2015-16 has been the first year of a new administrative structure in the Faculty, with the introduction of a Vice Dean and five new Associate Deans. The change was in response to a review of the Deanship role after Timothy Endicott's period of office came to an end. Wide consultation led to a decision that the existing roles of some Faculty officers would be expanded to acquire a greater strategic component and provide additional support to the Dean. The new structure is as follows:



Top left to right: Anne Davies, Liz Fisher, Judith Freedman

Bottom left to right: Ian Loader, Rebecca Williams, Mindy Chen-Wishart, Alan Bogg

- **Vice Dean (previously Vice Chair of Law Board): Liz Fisher, Professor of Environmental Law** – responsible for academic and research staff, including recruitment, progression and personnel issues. Chairs the Personnel Committee and Equality and Diversity Committee;
- **Associate Dean for Development and Communications: Judith Freedman, Pinsent Masons Professor of Taxation Law** – leads the Faculty with the Dean in establishing fundraising priorities, provides academic input into fundraising strategy and stewardship of donors; academic and strategic oversight of communications;
- **Associate Dean for Research: Ian Loader, Professor of Criminology** – chairs the Research Committee, develops research strategy for the Faculty for both staff and research students; manages the Research Excellence Framework submission;
- **Associate Dean for Undergraduate Studies and Access: Rebecca Williams, Associate Professor of Law** – chairs the Undergraduate Studies Committee, ensuring that satisfactory arrangements are in place for the admission, teaching and assessment of undergraduate students; undertakes undergraduate academic

planning and relevant engagement with professional bodies; provides strategic direction for the Faculty's undergraduate courses; strategic leadership for the expanding outreach, access and widening participation activities;

- **Associate Deans for Graduate Students – Taught and Research: Mindy Chen-Wishart, Professor of the Law of Contract, and Alan Bogg, Professor of Labour Law** (respectively) – alternately chair the Graduate Studies Committee and provide strategic direction for the Faculty's graduate courses and academic planning; ensure that satisfactory arrangements are in place for the admission, teaching, supervision and assessment of postgraduate students; the award of scholarships and bursaries.

The administrative support team has also been organised to demonstrate that it is fully aligned behind the purpose and function of the Associate Deans. The new website has played a part in this, helping to communicate the new underlying structure and make the purpose of the Faculty administration more accessible and transparent to the Faculty.

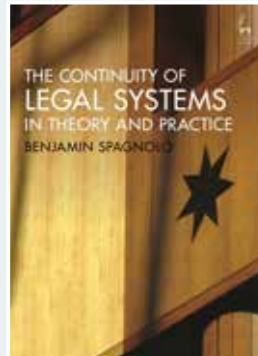
*Charlotte Vinnicombe*  
Head of Administration and Finance

# PUBLICATIONS

Faculty members publish many books, chapters, journal articles and policy papers every year. Over the next few pages you will find details of just a selection, representing the variety of our recently published books.

## The Continuity of Legal Systems in Theory and Practice

Benjamin Spagnolo



*The Continuity of Legal Systems in Theory and Practice* examines a persistent and fascinating question about the continuity of legal systems: when is a legal system existing at one time the same legal system that exists at another time?

The book's distinctive approach to this question combines abstract critical analysis of two of the most developed theories of legal systems; those of Hans Kelsen and Joseph Raz, with an evaluation of their capacity to explain the facts, attitudes and normative standards for which they purport to account. That evaluation is undertaken by reference to Australian constitutional law and history, whose diverse and complex phenomena make it particularly apt for evaluating the theories' explanatory power.

In testing whether the depiction of Australian law presented by each theory achieves an adequate 'fit' with historical facts, the book also contributes to the understanding of Australian law and legal systems between 1788 and 2001. By collating the relevant Australian materials

systematically for the first time, it presents the case for reconceptualising the role of Imperial laws and institutions during the late nineteenth and early twentieth centuries, and clarifies the interrelationship between Colonial, State, Commonwealth and Imperial legal systems, both before and after Federation.

## Peter Birks Book Prize for Outstanding Legal Scholarship 2015: Joint runner-up

### Accessory Liability

Paul S Davies

Accessory liability in the private law is of great importance. Claimants often bring claims against third parties who participate in wrongs. For example, the 'direct wrongdoer' may be insolvent, so a claimant might prefer a remedy against an accessory in order to obtain satisfactory redress. However, the law in this area has not received the attention it deserves. The criminal law recognises that any person who 'aids, abets, counsels or procures' any offence can be punished as an accessory, but the private law is more fragmented. One reason for this is a tendency to compartmentalise the law of obligations into discrete subjects, such as contract, trusts, tort and intellectual property. This book suggests that by looking across such boundaries in the private law, the nature and principles of accessory liability can be better understood and doctrinal confusion regarding the elements of liability, defences and remedies resolved.

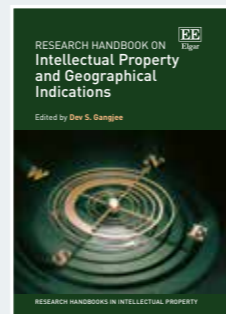


## Research Handbook on Intellectual Property and Geographical Indications

Dev Gangjee (ed)

This topical volume, published by Edward Elgar, explores the legal protection of collective geographical 'brands' such as Champagne and Bordeaux as well as Darjeeling and Café de Colombia. Given the policy interest in this topic and range of researchers working on it, the strength of this handbook is that it draws on contributions from historians, geographers, sociologists, economists, anthropologists and intellectual property specialists.

Amongst the debates it engages with are the extent to which the influential notion of *terroir* can be adapted from the context of wines and applied to other products, as well as non-European contexts; whether Geographical Indications protection – anchoring products in specific regions – can facilitate embedded development initiatives; and when a name may be said to be generic and therefore applicable to a general class of product, regardless of its origin.



## A Restatement of the English Law of Contract

Andrew Burrows

The project (funded by Norton Rose Fulbright LLP) to restate areas of English law reached a milestone in February 2016 with the publication by Oxford University Press of *A Restatement of the English Law of Contract*. This is the second Restatement of English Law to be published, the first being *A Restatement of the English Law of Unjust Enrichment* in 2012.

The English law of contract is one of the most respected systems in the world and it is expected that this work may attract a wide readership, including lawyers in civil law systems. One of the purposes is for the reader to see how the different elements of this area of English law fit together. Civil lawyers, who are used to a statutory code, often find English law difficult for that reason. The hope, therefore, is that all lawyers dealing with the English law of contract will benefit from this Restatement.

The Contract project relied on the expertise of an Advisory Group and tremendous help on drafting was further given by Philip Davies, former Parliamentary Counsel.

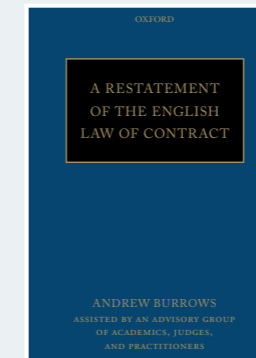
## Studies in the Contract Laws of Asia

Mindy Chen-Wishart (ed)



*Studies in the Contract Laws of Asia* is a series edited by Professor Mindy Chen-Wishart, Professor Alexander Loke (City University of Hong Kong) and Dr Burton Ong (National University of Singapore), which provides an authoritative account of the contract law regimes of selected Asian jurisdictions, including the major centres

of commerce where limited critical commentaries have been published in the English language. Each volume in the series aims to offer an insider's perspective into specific areas of contract law and explores how these diverse jurisdictions address common problems encountered in contractual disputes.



A concluding chapter draws out the convergences and divergences, and other themes. Since all the Asian jurisdictions examined have inherited or adopted the common law or civil law models of European legal systems, scholars of legal transplant will find a mine of information on how and why the received law has developed after the initial adaptation and transplant process. At the same time, many points of convergence emerge that provide good starting points for regional harmonisation projects. Volume I of this series deals with the remedies for breach of contract in the laws of China, India, Japan, Korea, Taiwan, Singapore, Malaysia, Hong Kong, Korea and Thailand and Volume II adds Indonesia, Vietnam, Cambodia and the Philippines.

## Passing Wealth on Death: Will-Substitutes in Comparative Perspective

Alexandra Braun and Anne Röthel (eds)

Wealth can be transferred on death in a number of different ways, most commonly by will. Yet there are a variety of other means, including *donationes mortis causa*, joint tenancies, trusts, life-insurance contracts and nominations in pension and retirement plans. In the US, these modes of transfer are grouped under the category of 'will-substitutes' and are generally treated as testamentary dispositions.

Much has been written about the effect of the use of will-substitutes in the US, but little is generally known about developments in other jurisdictions. This collection looks at will-substitutes in a comparative perspective: it examines mechanisms that pass wealth on death across a number of common law, civil law and mixed legal jurisdictions, and explores the rationale behind their use. The aims of the volume are to show the complexity and dynamics of wealth transfers on death across jurisdictions, to identify patterns, and to report the attitudes towards the different modes of transfer in light of their utility and potential frictions they give rise to with policies and principle underpinning current laws.

The conference that led to this volume was funded by a British Academy/Leverhulme Small Research Grant.



## Current Issues in Succession Law

Birke Häcker and Charles Mitchell (eds)

Resulting from a conference held at All Souls College in 2015, this book brings together contributions by leading scholars and practitioners on topical issues of succession law and estate planning, including two contributions by current members of the Law Faculty (Alexandra Braun and Birke Häcker).



Chapters range from reviews of recent legislation on intestacy and family provision, via analyses of the forfeiture rule and of the relationship between the law of succession and proprietary estoppel, to questions featuring on the Law Commission's future reform agenda: mutual wills, rectification, formalities, and testamentary capacity are discussed alongside the rules governing interpretation, the doctrine of knowledge and approval, testamentary undue influence by informal carers, and the principle against delegation of testamentary power. The survey of current issues is rounded off by looking beyond the wills context to pension scheme nominations and at the tax breaks afforded through 'business property relief'.

The book aims to reinvigorate interest in a subject which is of immense practical importance, but rarely accorded the academic attention it deserves. It places English succession law on the map and will be indispensable to anyone thinking about the various challenges to which succession on death gives rise in the early 21st century.

## EU Law in the Member States

Michal Bobek and Jeremias Prassl



In January, Michal Bobek and Jeremias Prassl published the third volume in their series, *EU Law in the Member States*. Located at the cross-section between EU law, comparative law and socio-legal studies, each volume explores the interaction of EU law and national legal systems by analysing comparative

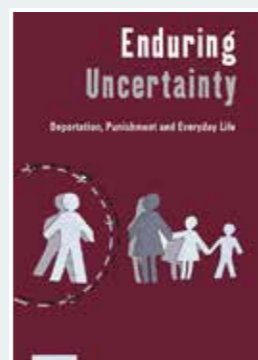
evidence of the impact landmark EU measures – from CJEU decisions and secondary legislation to soft-law – have had across different Member States.

As an exploration of Regulation 261/2204 (the EU's much-litigated Air Passenger Rights law) illustrates, judicial and administrative practices across the Union's 28 Member States considerably qualify and sometimes even challenge the long-standing assumption that doctrines such as the direct effect and supremacy of EU law ensure a uniform and effective application of its provisions.

## Enduring Uncertainty: Deportation, Punishment and Everyday Life

Ines Hasselberg

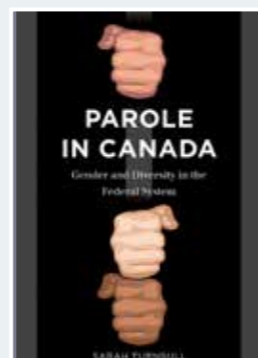
Focusing on the lived experience of immigration policy and processes, this volume provides fascinating insights into the deportation process as it is felt and understood by those subjected to it. The author presents a rich and innovative ethnography of deportation and deportability experienced by migrants convicted of criminal offences in England and Wales. The unique perspectives developed here – on due process in immigration appeals, migrant surveillance and control, social relations and sense of self, and compliance and resistance – are important for broader understandings of border control policy and human rights.



## Parole in Canada: Gender and Diversity in the Federal System

Sarah Turnbull

*Parole in Canada: Gender and Diversity in the Federal System* (UBC Press, 2016) considers how offender diversities have been identified, understood, and taken up using Canada's federal parole system, and the Parole Board of Canada, as a case study. Drawing on interviews and internal government documents



obtained through access to information requests, Turnbull focuses on the emergence of concerns about gender and diversity in the federal parole system since the 1960s and analyses the initiatives that have been brought about in response to the needs of three identified groups: Aboriginal, female, and 'ethnocultural' offenders.

The book explores the development of elder-assisted and community-assisted parole hearings, diversity training for parole board members, attempts to 'indigenize' risk, and other diversity initiatives that aim to make the parole process more 'fair' and 'effective' for non-white, non-male offenders. *Parole in Canada* highlights the challenge of recognising and responding to complex and multifaceted identities, histories, and experiences in the context of punishment.

## Anson's Law of Contract (30th edition)

Lord Justice Beatson, Andrew Burrows and John Cartwright



Since it was first published in 1879 by Sir William Anson, Fellow of All Souls College, *Anson's Law of Contract* has established itself as a classic textbook. Its aim, as first stated by Anson and maintained ever since, is to provide a clear statement of the basic principles 'which govern the contractual

obligation from beginning to its end' illustrating 'general rules by the most recent or striking decision' and doing so 'in such a way as might best induce the student to refer to cases and to acquire the habit of going to original authorities instead of taking rules on trust'. The 30th edition published in 2016 retains the strong

## Class Actions in Context: How Culture, Economics and Politics Shape Collective Litigation

Deborah R. Hensler (Stanford Law School), Christopher Hodges (Oxford) and Ianika Tzankova (University of Tilburg) (eds)

In recent years collective litigation procedures have spread across the globe, accompanied by hot controversy and normative debate. Yet, virtually nothing is known about how these procedures operate in practice. Based on extensive documentary and interview research, this volume presents the results of the first comparative investigation of class actions and group litigation 'in action', in the Americas, Europe, Asia and the Middle East.



Oxford link with the joint authors being Lord Justice Beatson, Professor Andrew Burrows and Professor John Cartwright. This new edition has had to deal with the major upheaval in the student syllabus necessitated by, e.g., the very difficult Consumer Rights Act 2015 as well as several very significant Supreme Court decisions on penalties, implied terms and interpretation.

## Corporate Finance Law: Principles and Policy (2nd edition)

Louise Gullifer and Jennifer Payne

The second edition of this acclaimed book continues to provide a discussion of key theoretical and policy issues in corporate finance law. Fully updated, it reflects developments in the law and the markets in the continuing aftermath of the Global Financial Crisis. One of its distinctive features is that it gives equal coverage to both the equity and debt sides of corporate finance law, and seeks, where possible, to compare the two.

This book covers a broad range of topics regarding the debt and equity-raising choices of companies of all sizes, from SMEs to the largest publicly traded enterprises, and the mechanisms by which those providing capital are protected. Each chapter analyses the present law critically so as to enable the reader to understand the difficulties, risks and tensions in this area of law, and the attempts made by the legislature and the courts, as well as the parties involved, to deal with them. This book will be of interest to practitioners, academics and students engaged in the practice and study of corporate finance law.





# MOOTING

Oxford enjoyed considerable success in this year's moots, especially the Jessup International Law Moot Court Competition and the newly established LGBT moot. More details and photos available at [www.law.ox.ac.uk/mooting](http://www.law.ox.ac.uk/mooting).

## University of Oxford Wins the Inaugural LGBT Moot

Two Oxford teams competed in the inaugural LSE-Featherstone Sexual Identity and Gender Orientation Moot. The moot problem concerned discrimination and harassment law in a case modelled on the Northern Irish Ashers bakery dispute.

Clara Ludot (St Hugh's), Eilis O'Keeffe (Balliol), Charlotte Kelly (Balliol), and Alice Irving (Merton)

– who was named Best Advocate – won against a team from BPP Law School. The judging panel consisted of the Hon Sir Ross Cranston (High Court of England and Wales), Gillian Phillips (Director of Editorial Legal Services for the *Guardian* and Employment Tribunal Judge), Karon Monaghan QC (Matrix Chambers), Aileen McColgan (Matrix Chambers and Professor of Human Rights Law at King's College London) and Sarah Hannett (Matrix Chambers).

Charles Bishop (Wadham), Tatiana Kazim (Harris Manchester), Daron Tan (St Anne's) and Akash Sonecha (St Catherine's) were the only undergraduate team to reach the semi-finals. They mooted against teams from BPP Law School and the University of Westminster.



Left to right: Charlotte Kelly, Eilis O'Keeffe, Sir Ross Cranston, Alice Irving, Clara Ludot

## Maitland Chambers Intercollegiate (Cuppers) Mooting Competition 2015-16

The University of Oxford Maitland Chambers Inter-Collegiate competition took place at Keble College and dealt with an appeal to the Supreme Court concerning the judicial review of the prison authorities' decision to restrict visits from journalists, with reference to the Human Rights Act 1998 and the European Convention on Human Rights and Fundamental Freedoms.

The Grand Final was presided over by the Rt Hon Lord Hoffmann and Andrew Walker QC and Michael Gibbon QC (both of Maitland Chambers). The four finalists, Sean Butler and Tatiana Kazim (Harris Manchester) for the appellant, and Laura King and Michael Withers (Merton) for the respondent, received praise from the bench for their skill and legal knowledge, but Mr Butler and Ms Kazim triumphed.



## Philip C Jessup International Law Moot Court Competition

The University of Oxford competed against the LSE, King's College London, and the University of Cambridge. In each oral round, Oxford scored higher than its opponents. In the elimination rounds, Oxford narrowly lost out to King's, which went on to win the Final.

The Faculty of Law congratulates all participants on an excellent performance in one of the most competitive National Rounds of the Competition for many years. The team comprised second-year undergraduate students Anna Williams (Merton), Katie Ratcliffe (Merton), Nathalie Koh (Queen's), Sebastian Bates (Keble) and Thomas Foxton (St Peter's), and was coached by Daniel Franchini (MPhil Candidate, St Cross).

## Herbert Smith Freehills Oxford Disability Moot

Heralding the start of UK Disability History Month, the Grand Final of the Herbert Smith Freehills Oxford Disability Mooting Championship marked the twentieth anniversary of the Disability Discrimination Act 1995 and the fifth birthday of the Equality Act 2010.

Isabella Buono (St John's) and Elizabeth McMullan (New College) represented the appellant, and Hannah Smith and Gita Keshava (Wadham) spoke for the respondent. Both teams were praised but Isabella and Elizabeth prevailed.

A line up of prestigious lawyers and academics constituted the bench: the Rt Hon Sir James Munby (High Court), Professor Anne Davies (Dean of the Faculty of Law), Professor Anna Lawson (Professor of Law and Director of the Centre for Disability Studies at the University of Leeds) and Mr Ian Gatt QC (Head of the Advocacy Group at Herbert Smith Freehills). This year's case discussed employment law and civil justice issues relating to the award of damages in post-termination discrimination and victimisation cases.



Photo: Alice Wang



The winning team, Grigory Bekritsky (left) and Akash Sonecha (right)

## University of Oxford 7 King's Bench Walk Commercial Law Moot 2016

The Grand Final of the second University of Oxford 7 King's Bench Walk Commercial Law Moot took place in the impressive backdrop of Parliament Chamber at the Inner Temple, and concerned the defence of contributory negligence in a case of concurrent liability and the principle of reflective loss.

Grigory Bekritsky (Magdalen) was declared 'Best Group Stage Oralist' and ultimately named 'Best Oralist of the Grand Final'. Sean Butler (HMC), Tatiana Kazim (HMC), Calvin Ng (St Cross), Akash Sonecha (St Catherine's) and Aaron Taylor (Keble) were all named as Runners-Up in this regard.

The two teams reaching the Grand Final were Akash Sonecha (St Catherine's) and Grigory Bekritsky (Magdalen) for the respondents, who triumphed over Julie Chan and Wei Jian Chan (both Harris Manchester) for the appellants.

Presiding over the Grand Final were the Rt Hon Lord Mance (Supreme Court), Mr David Edwards QC and Ms Rebecca Sabben-Clare QC (both of 7 King's Bench Walk).



## Oxford Legal Assistance Public Law Moot

The Hon Sir Nicholas Blake (High Court) judged the Grand Final. Special congratulations to winners, Thomas Foxtton (St Peter's) and Katie Ratcliffe (Merton), and Runners-Up, Chen Chen and Edward Armitage (both Magdalen).



## The Oxford Hong Kong Mooting Competition 2015

Howard Wong (BCL, 2016) and Latifah Sat (BA, 2017) for the respondents defeated Geoffrey Yeung (BCL, 2016) and Jeffrey Fong (BA, 2017) for the appellants. This moot is generously sponsored by Clifford Chance.

## Landmark Chambers Property Law Moot Court Competition 2015-16

Oxford's Sarah O'Keeffe and Gabriel Lim (Brasenose), won against the LSE in the first round of the Landmark Chambers Property Law moot and went on to take a close second place in the subsequent group round of the competition.



## Ninth International Roman Law Moot

Oxford's 2016 team, who triumphed in the Small Final: Chen Chen (Magdalen College), Anson Cheung (University College), Brogan Pastro (New College) and Nora Wannagat (Magdalen College).



## Oxford International Intellectual Property Moot 2016

The 14th Annual Oxford International Intellectual Property Moot competition was held at Pembroke College in March. 24 teams from Australia, Belgium, Canada, China, Germany, India, Malaysia, Singapore, the United States and the UK competed in the oral rounds in Oxford. We are very grateful to our sponsors: 8 New Square Chambers, Allen & Overy, Herbert Smith Freehills, Powell Gilbert, Thomson Reuters, Cambridge University Press, Edward Elgar Publishing and Hart Publishing.



## Shearman & Sterling Moot 2015-16

The Grand Final was judged by The Lord Macdonald QC Kt, Warden of Wadham College, who commended all four finalists - Alexander Georgiou (Brasenose) and Nicholas Lee (Christ Church) for the appellant, and Benjamin Mak (Balliol) and John Leung (Magdalen) for the respondent. Mr Mak and Mr Leung emerged victorious.



## The International Monroe E Price Media Law Moot Court

Between 30 March and 2 April the Oxford team, comprising Paul Fradley (Brasenose), Matthew Ward (Brasenose), Chen Chen (Magdalen) and Oliver Mills (Wadham), competed against international teams to reach the quarter-finals.



## Oxford v Cambridge Clifford Chance LLP Roman Law Moot

The Oxford team - Madeleine Burrell (Hertford), Matthew Chan (Exeter), Marius Gass (St John's) and Ellen Tims (St John's) - were victorious this year, putting Oxford in front on the overall list of winners.

# ARRIVALS



Kate O'Regan

Justice Kate O'Regan will be joining the Law Faculty in October 2016 as the inaugural Director of the new Bonavero Institute of Human Rights and a Fellow of Mansfield College.

Having obtained a BA and LLB from the University of Cape Town (UCT), an LLM from the University of Sydney, and a PhD from the University of London (the London School of Economics and Political Science), Kate first practised law in Johannesburg in a variety of fields, but especially labour law and land law. In 1990, she joined the Faculty of Law at UCT and taught courses including race, gender and the law, labour law, civil procedure and evidence.

Kate served a fifteen-year term of office as a judge of the Constitutional Court of South Africa (1994 – 2009), and has subsequently served as an ad hoc judge of the Supreme Court of Namibia (from 2010) and Chairperson of the Khayelitsha Commission of Inquiry into allegations of police inefficiency and a breakdown in trust between the police and the community of Khayelitsha (2012 – 2014).

Kate was the inaugural Chair of the United Nations Internal Justice Council (2008 – 2012). Since 2011, she has been President of the International Monetary Fund Administrative Tribunal, and, from 2012, a member of the World Bank Sanctions Board.

Kate sits on the boards or advisory bodies of many NGOs working in the fields of democracy, the rule of law, human rights and equality, including Corruption Watch, the Equal Rights Trust, the Equal Education Law Centre and the Bingham Centre for the Rule of Law. She has been closely involved in the development of SAFLII, a free-access-to-law website which reports judgments, and now legislation, from southern Africa.

Kate commands a worldwide reputation as a scholar, practitioner and judge in the field of human rights law, and has exciting plans for the development of the new Institute. She already knows the Law Faculty well in her capacity as a Visiting Professor, and we look forward to welcoming her back to Oxford in her new role.

Anne Davies



Birke Häcker

Dr Birke Häcker has been elected to the Linklaters Professorship of Comparative Law in succession to Professor Stefan Vogenauer. Birke comes to Oxford from a Senior Research Fellowship at the Max Planck Institute for Tax Law and Public Finance in Munich.

The Comparative Law Chair is attached to Brasenose College, which means it is something of a homecoming for Birke, who read for her undergraduate degree (Law with Law Studies in Europe) and was a Wronker Prize-winner at Brasenose from 1997–2001, before moving across Radcliffe Square to a Prize Fellowship at All Souls to complete her DPhil in the field of comparative restitution, *'Consequences of Impaired Consent Transfers: A Structural Comparison of English and German Law'*.

Birke is also qualified in German law, and is presently writing her habilitation. Being qualified in both civil and common law systems makes Birke especially well-placed to undertake comparative studies. Her interests are in private law, particularly property, succession, and unjust enrichment, and comparative law more generally.

Almost 20 years ago, Birke took Roman Law tutorials with Barry Nicholas, former Principal of Brasenose and retired Professor of Comparative Law. He was a great admirer and would have been thrilled to see her elected to his old chair.

Bill Swadling



Sanja Bogojević

Dr Sanja Bogojević will be taking up an Associate Professorship in Law at Lady Margaret Hall in September. Sanja is currently Associate Professor of Environmental Law at Lund University in Sweden and read for her doctorate in Oxford, following a postgraduate degree at the College of Europe, and her undergraduate law degree at Kings College London.

Sanja's scholarship focuses on how societies understand and organise themselves around, and in response to, regulatory problems. She is particularly interested in the role entrusted to markets in this regard, with a specific focus on the inter-links and dichotomies between the private and the public in law. She has published in the field of EU environmental law, including her book: *Emissions Trading Schemes: Markets, States and Law* (Hart, 2013), and has recently been awarded the prestigious Nils Klim Prize, an annual prize for Nordic scholars under the age of 35, for outstanding contributions within the arts and humanities, social sciences, law or theology.

At Oxford, Sanja will be teaching EU Law, Environmental Law, Constitutional Law, and Administrative Law.



Matt Dyson

Dr Matt Dyson will be taking up an Associate Professorship in Law at Corpus Christi College in October. Matt did his undergraduate degree and doctorate at Cambridge and is currently a Fellow and College Lecturer at Trinity College, Cambridge.

His research focuses on how and why legal systems develop; tracing patterns over time and across multiple traditions and legal cultures. In particular, his work explores what can be learnt by looking at how the internal divisions of a legal system are constructed, and what the borders between them (such as that between tort and crime) can help us understand.

Matt has published widely, including editing a number of significant collections exploring the interface between tort and crime. He has also had a number of visiting positions at universities around the world, and recently served as an academic advisor to the successful appellants in *R v Ruddock; Jogee v the Queen* [2016] UKSC 8.

At Oxford, Matt will be teaching Criminal Law, Tort Law and Roman Law.



Luke Rostill

Luke Rostill will be joining the Faculty as the Associate Professor in Property Law at Trinity College in October. He is currently a Supernumerary Teaching Fellow in Law at St John's and is in the last stage of completing his doctorate in the area of property law. Luke studied for his undergraduate degree at Wadham, receiving the Wronker Prize for the Best Overall Performance in the Final Honour School of Jurisprudence. He went on to study for the BCL and MPhil, gaining Distinctions for both.

His research explores the nature and value of the law's recognition, implementation and affirmation of private property. He focuses in particular on the content of the rights, permissions, and powers conferred by property law: how they are acquired and protected, and what values – and whose interests – they serve or offend. Published scholarship includes articles in the *Oxford Journal of Legal Studies* and the *Journal of Medical Ethics*.

Luke will be teaching Land Law and Trusts Law and other property related subjects.

See page 5: Bonavero Institute of Human Rights

# DEPARTURES



Photo: Steve Allen

## Professor Guy S Goodwin-Gill

Professor Guy S Goodwin-Gill is the consummate Oxford international lawyer. His first book, *International Law and the Movement of Persons between States* (1978), was based on his DPhil thesis at Oxford. In it, Guy acknowledged his deep debt to his Wadham tutor and supervisor, Professor Sir Ian Brownlie CBE QC FBA.

Guy's name is synonymous with international refugee law, but his expertise and impact are much wider. His work on electoral rights led to the setting of international standards, and he has written significant works on migration, child soldiers, international humanitarian law, and international criminal law.

His impressive career spans 40 years, with appointments at universities in the UK, Canada, the Netherlands, Switzerland, and Belgium, and visiting fellowships in the US, Belgium, Australia, Switzerland, and Italy. From 2002 until his retirement in late 2014, he held the distinguished academic post of Senior Research Fellow, All Souls College. He is now an Emeritus Fellow of All Souls and Emeritus Professor of International Refugee Law at the University of Oxford, as well as an Honorary Associate of Oxford's Refugee Studies Centre.

Guy was called to the bar in 1971, and has for the past 15 years practised as a barrister from Blackstone Chambers, in addition to his academic work. He has been involved in high-profile refugee cases, often on behalf of UNHCR (where he worked from 1976–88).

Guy was the Founding Editor and Editor-in-Chief of the *International Journal of Refugee Law* (1988–2001), the leading journal in the field. He remains on the Editorial Board. His creation of a forum to publish and disseminate independent, peer-reviewed scholarship was central to the development of refugee law as a sub-discipline, and to connecting academics, practitioners, and policymakers.

Guy has also been an expert adviser to governments and international organizations, including UNHCR, UNICEF, IFRC, UNDP, OSCE, IOM and the Council of Europe. He has given generously of his time and expertise to the non-government sector, serving among other things as the Patron of Asylum Aid in the UK, and the President of Refugee Migrant Justice (London).

Guy's service to the Law Faculty as the supervisor of large numbers of Masters and Doctoral students cannot be underestimated. He is an Honorary Associate of the Refugee Studies Centre and Oxford Department of International Development, and continues to contribute to the Centre's teaching and scholarship. It is fitting that, on the occasion of his retirement, he was honoured by the University of London with the creation of the Guy S Goodwin-Gill Scholarship for the MA in Refugee Protection and Forced Migration Studies.

**For more information on how to make a donation to the Guy S Goodwin-Gill Bursary, to help Oxford law graduate students, please contact Maureen O'Neill at [maureen.oneill@law.ox.ac.uk](mailto:maureen.oneill@law.ox.ac.uk).**

In all areas of his professional life – as a scholar, teacher, and advocate – Guy has gone well beyond the call of duty. His legacy has been to create a field of scholarship and a global community of scholars.

*Professor Jane McAdam (Director of the Kaldor Centre for International Refugee Law, University of New South Wales, Australia, who was supervised by Guy, and co-authored with him The Refugee in International Law, 3rd edn) and Dr Cathryn Costello (Law Faculty and Refugee Studies Centre, Oxford).*

See page 23: International Gathering for Professor Guy S Goodwin-Gill ▶

# FAREWELLS

## Harvey McGregor, 1926 – 2015

Harvey McGregor CBE QC, was a Fellow and Tutor at New College (1972–1985) and Warden from 1985–1996. He was respected as an barrister, an academic and a writer, most notable

for his 1972 book, *McGregor on Damages*. He died peacefully in Edinburgh on 27 June after a short illness and is survived by his partner, John Davy.

## Richard Youard, 1933 – 2015

Richard Youard, who died last autumn at the age of 82, was a great friend to the Society of Legal Scholars (SLS). A partner at Slaughter & May, Richard specialised in company and commercial law. After joining the firm as an articled clerk in 1956, he was one of the first assistants to be made a partner when the rule limiting the number of partners to ten was abolished. He retired from the firm in 1989 and later served as the Investment Ombudsman.

Richard frequently attended SLS events, and many will remember his wit and sense of humour, well-described in William Keegan's obituary in the *Guardian*, as 'waspy'. But his sharp wit was coupled with great openness and kindness, particularly towards younger colleagues. I am sure I am not the only one who regularly turned to Richard for advice, and not just on questions between law schools and the profession.

Richard was always self-deprecating. Typical of him was a short piece written in 1988 (20 BLJ 73) entitled *Why I like my work (the truth at last)*, a piece that is still well-worth reading, not only because it gives a sense of a more casual legal world, but because Richard's personality shines through.

He was generous to a fault: he endowed both the annual Youard Lecture in Legal History at Oxford and an annual lecture in Welsh Legal History. Richard had a particular interest in legal history, perhaps in part because his maternal grandfather was Lord Atkin of Aberdovey. Richard contributed to Geoffrey Lewis's book on Lord Atkin.

Perhaps Richard will be remembered best by older members of the SLS as the public face of the City Solicitors' Educational Trust (CSET), which he ran for many years and was, I believe, instrumental in setting up. Persuading firms to contribute was not always easy; Richard once remarked that he was having to deal with a generation of lawyers whose first question was 'what's in it for us?' and, as Richard put it, 'seemed not to know the meaning of the word charity'. Nonetheless his charming yet forceful approach worked.

Sadly Richard's last years were blighted by illness that kept him at home but he was always glad to be in contact with friends and he kept up his many interests, of which the law was just one. He will be sadly missed. Richard is survived by his wife Felicity and their children Andrew, Liz and Penny.

*Hugh Beale, extracted from SLS Reporter, Spring 2016, reproduced with Hugh's kind permission.*

*The Youard Lectures in Legal History have become a much-anticipated fixture of the academic calendar at Oxford. A star-studded array of scholars have risen to the challenge of delivering a Youard Lecture, investigating connections between legal history and present law through a wide range of subject areas.*

*Richard loved to attend the lectures and the dinners that followed, offering sparkling comment that revealed his great love of legal history and his unique ability to cast modern legal practice in a broad historical perspective. When he could no longer attend in person he would happily read a transcript, or listen to a podcast of 'his' annual lecture, and was wont to send the speaker some pages of lively reactions – generally within a maximum five days of receipt of the text. It was always a delight to receive Richard's letters on any topic, revealing depths of legal learning and analytical fervour that remained undimmed to the end. The lectures have taken their place as a most creative and individual contribution to the academy. They leave Richard with a fitting memorial.*

*Joshua Getzler*

# STUDENT NEWS

## LMH Law Society Holds Inaugural ADR Competition

The Lady Margaret Hall Law Society recently celebrated the success of its inaugural Alternative Dispute Resolution Competition, a first for an Oxford College. The competition drew students from Colleges throughout the University, and from both undergraduates and graduates. The winning team comprised Sophie Hepburn and Wesley Nelson, both from Keble College, who won against Celine O'Donovan and Amina Clayton, both from Lady Margaret Hall.

The final negotiation of the competition concerned a dispute between a producer and a distributor, arising when spoilt wine was sent to the market and rejected by the buyer. The teams had to navigate various legal issues, including whether and to what extent the producer bore liability for the loss suffered by the distributor, while simultaneously seeking to advance their complex commercial interests. These included maintaining a good working relationship with

the other team, ensuring that collective steps were taken to repair reputation and ensuring that the existing contract was amended in light of current and forecasted market conditions. This dual aspect, which ran throughout the competition, made for a very interesting and exciting alternative to a traditional moot.

The LMH Law Society is very grateful for the support of its generous sponsors, Herbert Smith Freehills, and to the honorary judge, Jonathan Lloyd-Jones, Distinguished Fellow of the International Academy of Mediators. The Society would also like to thank all the competitors, judges and organisers and looks forward to expanding the competition next academic year.



## The 42 Bedford Row Disability Law Essay Prize

The 42 Bedford Row Disability Law Essay Prize has been set up to draw attention to the professional challenges faced by legal practitioners and academics who work in fields in which issues relating to disability frequently arise. Generously supported by barristers' chambers, 42 Bedford Row, the Essay Prize focuses on issues affecting people with a disability and the way in which these issues interact with family law. This year's essay title was:

*In 2006 the Social Care Institute for Excellence reviewed existing research and found that "social*

*workers and local authorities were less interested in supporting families with disabled members to stay together than in safeguarding children".*

*How should the law balance the best interests of the child with the duty of states to eliminate discrimination against parents with a disability?*

The Prize-Giving Ceremony was held in February. Essay-Prize judges included Tina Cook QC, leading family law barrister at 42 Bedford Row, and Professor Jonathan Herring, DM Wolfe-Clarendon and Fellow in Law at the University of Oxford. Third place was awarded to Jia Benjamin Mak (Balliol); second place was awarded to Vincent Ooi (Trinity); and first prize was awarded to Polly Calver (Brasenose).

## Graduate Scholarship winners 2015

Scholarship	Student name	Degree	College
Myers Scholarship	Lauren Gasparini	BCL	Christ Church
Myers Scholarship	Irene Han	BCL	Christ Church
Cape Town Convention Scholarship	Anton Didenko	DPhil	Harris Manchester
Fountain Court Chambers Scholarship	Alyssa Stansbury	BCL	Magdalen
3VB (3 Verulam Buildings) Scholarship	Wei Jian Chan	BCL	Harris Manchester
Pump Court Tax Chambers Scholarship	Jia Wei Lee	BCL	Queen's
Des Voeux Chambers Scholarship	Tung Wei Cheung	BCL	Magdalen
Des Voeux Chambers Scholarship	Hey Chan	BCL	St Hugh's
4 New Square Chambers Scholarship	Ian McDonald	BCL	Balliol
South Square Chambers Scholarship	Ankita Shanker	BCL	St Catherine's
Roy Goode Scholarship	Kalina Arabadjieva	MPhil	Magdalen
Winter Williams Studentship	Maria Clara Martins Pereira	MPhil	Brasenose
Programme for the Foundations of Law and Constitutional Government scholarship	Mikolaj Barczentewicz	DPhil	University
Programme for the Foundations of Law and Constitutional Government scholarship	Ewan Smith	DPhil	Brasenose
Foundation for International Law	Maria Clara Martins Pereira	MPhil	Brasenose
Foundation for International Law	Kalina Arabadjieva	MPhil	Magdalen
Brasenose	Franz Josef Weinzierl	MJur	Brasenose
Corpus Christi	Stefanie Wilkins	DPhil	Corpus Christi
Jesus	William Phillips	BCL	Jesus
Jesus	Claire Jago	BCL	Jesus
Merton Lawyers' BCL & MJur Scholarship	Wijnand Nuninga	BCL	Merton
Merton Lawyers' BCL & MJur Scholarship	Markus Braun	MJur	Merton
Hertford	Tobias Endrich	MJur	Hertford
New College (Roche)	Alix de Zitter	DPhil	New
Wadham (Peter Carter taught)	Bozhana Vitanova	MJur	Wadham
Family Law Scholarship	Philippa Coore	DPhil	St Edmund Hall
Trust Law Scholarship	Aleksi Ollikainen	DPhil	Keble
Graduate Assistance Fund	Philippa Collins	MPhil	Brasenose
Graduate Assistance Fund	Nicholas Lennings	DPhil	Linacre
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Graduate Assistance Fund	Cian O'Concubhair	DPhil Criminology	Wadham
Graduate Assistance Fund	Anneloes Hoff	MSt Socio-Legal Research	St Antony's
Global Research Network on Law and Finance Scholarship	Javier Solana	DPhil	University

## New Funding Opportunities

### Chambers and Oxford

In 2007, Fountain Court became the first set of barristers' chambers to create a named annual scholarship for the BCL. This scholarship paved the way for others. When 3 Verulam Buildings learned that some of our most outstanding finalists were unable to take up places on the BCL due to lack of funds, the chambers agreed to fund the annual 3VB scholarship for students with an interest in a career at the Bar. Other sets have since followed suit, including 4 New Square, Pump Court Tax Chambers and South Square.

In Hong Kong, Des Voeux Chambers has not only offered substantial scholarship funding but has also created the annual Des Voeux fellowship to allow a faculty member to spend up to a month at Hong Kong University developing joint research projects with colleagues there. Temple Chambers offers a full scholarship to a BCL student intending to pursue a career at the Hong Kong Bar.

Mooting has grown substantially in Oxford Law in the past ten years, in part thanks to funding from chambers, including 8 New Square, 7 Kings Bench Walk and Maitland Chambers. Maitland Chambers also supports the Pathways to Law outreach programme aimed at local school students in years 10, 11 and 12.

See pages 64-67: Mooting

We receive great support from the Bar for prizes for our top-performing students: for example, Francis Taylor Building funds a prize for Environmental Law and contributes towards the Bodleian Law Library's materials in the field.

Oxford Law graduates feature prominently in most major sets but it is these named chambers we want to thank most for their active support of our excellent students.

### Magdalen College

Magdalen College has launched a fundraising appeal to endow a BCL Scholarship in memory of the late John Feltham, Tutorial Fellow in Law at the College from 1965-1992. For further information please contact Magdalen's Development Director, Sean Rainey, at [sean.rainey@magd.ox.ac.uk](mailto:sean.rainey@magd.ox.ac.uk)



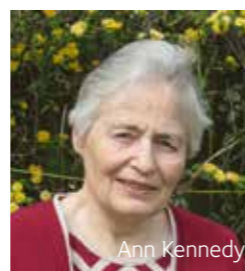
### Hertford Scholarship in Law

Hertford will be fundraising for a new graduate scholarship for students reading for the BCL, MJur, MSt in Legal Research. The scholarship will target academically exceptional candidates who are able demonstrate material need. The scholarship will cover college fees and contribute towards University fees. For more information contact: Julia Thaxton, Director of Development for Hertford, at [julia.thaxton@hertford.ox.ac.uk](mailto:julia.thaxton@hertford.ox.ac.uk)



### Lady Margaret Hall: Ann Kennedy Graduate Scholarship in Law

Lady Margaret Hall is fundraising for a new Graduate Scholarship in Law to be named after Ann Kennedy, Emeritus Fellow and Law Tutor at LMH for 33 years from 1974 to 2007. The aim is to set up a one-year scholarship for students reading for the BCL, MJur, MSt in Legal Research or MPhil in Law, to cover graduate college fees and a substantial contribution towards University fees. For more information contact: Tim Pottle, Director of Development for LMH, at [development.director@lmh.ox.ac.uk](mailto:development.director@lmh.ox.ac.uk).



Ann Kennedy

### Somerville College: HSA Advocates Scholarship

Somerville College and the Oxford India Centre for Sustainable Development (OICSD) are delighted to announce a new funding opportunity for outstanding post-graduate law students ordinarily resident in India taking the Oxford BCL course: the HSA Advocates Career Development Award. This has been made possible through the generosity of Mr Hemant Sahai, Founding Partner of HSA Advocates, New Delhi. See the Faculty website for more information about this scholarship.



## ALUMNI EVENTS

### Oxford Law Alumni: Oxford University Lawyers

The global reach and diverse careers of our law alumni are of great interest to us and for this reason we host events, often linked to University alumni events, whenever possible. Our ambition is to create a worldwide network to put you in touch with other Oxford alumni and current students. Oxford law alumni are made up of those who read law or those who read a different subject but are now working in the field of law. Please email us if you want to find out more about our alumni programme or join our LinkedIn group: [www.linkedin.com/groups/918207/profile](http://www.linkedin.com/groups/918207/profile).



### Hong Kong

In December 2015, Oxford Law reunited with our Hong Kong alumni, at Pinsent Masons, welcomed by partners Vincent Conner and Paul Haswell. Professor Hugh Collins spoke about recent developments in the Law Faculty, during his time as Acting Dean, before two new scholarships were announced: the Des Voeux Chambers Oxford-HKU Visiting Fellowship, which accompanies the Des Voeux BCL scholarship, and the Temple Chambers (Oxford) Scholarship, for BCL students hoping to become a barrister in Hong Kong.

### Sydney

Herbert Smith Freehills hosted an alumni reception, overlooking the Sydney Opera House, to overlap with the Contracts in Commercial Law Conference taking place in Sydney last December. This meant that alumni were able to reunite with many Oxford academics, including Professor Robert Stevens, and the Australian judiciary who had been invited. Oxonians Rebecca Maslen-Stannage and John Colvin welcomed guests and Professor Hugh Collins spoke of his contributions to Oxford Law as Acting Dean.

### Stockholm

Professor John Cartwright, Director of the Institute of European and Comparative Law at Oxford, visited Stockholm in January 2016. In connection with his visit, Swedish law firm, Mannheimer Swartling invited all Law alumni in the Nordic region to a seminar entitled 'The interface between civil and common law'. The seminar was followed by a buffet dinner for Nordic law alumni, Swedish academics and specially invited local practitioners.

### Washington DC

The University of Oxford's Law Faculty organised an April drinks reception in Washington for Oxford alumni and friends as part of the Oxford North American weekend in April. The Dean, Professor Anne Davies, gave a brief introductory talk which included updating guests on Oxford Law news and developments. We are grateful to Freshfields Bruckhaus Deringer LLP for generously hosting and supporting this event.

## MSc in Law and Finance Alumni Reunions



### Allen & Overy LLP

Allen & Overy hosted a reunion for the MSc in Law and Finance at their London offices on 6 October. The reunion was also attended by the current cohort of students who had been taking part in a business development exercise at the firm during the afternoon. This gave current students a wonderful opportunity to network with alumni and law practitioners in a relaxed setting. Alumni enjoyed meeting the new students and sharing their experiences, and many new connections were made. The Law Faculty is grateful to Allen & Overy for hosting the event and for running the business development exercise.

### Hogan Lovells LLP

Hogan Lovells LLP kindly hosted the annual reunion of the MSc in Law and Finance, as it has done for many years now. Alumni, current students, faculty members and associates from Hogan Lovells all attended the networking event in London on 17 March. Allen and Overy Professor of Corporate Law, Luca Enriques, and Thom Wetzler, DPhil Candidate, spoke about the new Oxford Business Law Blog which was very enthusiastically received.



Photos: Maureen O'Neill



## Vinerian dinners

On 18 September, 28 Vinerian scholars and proxime accessit award holders gathered for an evening seminar, 'Reflections on the Vinerian Scholarship', and dinner at All Souls College. The event, believed to be the first of its kind, was organised by Hugh Collins, Vinerian Professor of English Law (Vinerian scholar in 1975) and Professor Andrew Dickinson (1994).

After a welcome from Professor Timothy Endicott, Andrew's presentation based on his short paper ('A Brief History of the Vinerian Scholarship') was followed by the reflections of Mary Stokes (1980), Owen Lloyd (2015) and Lord Hoffmann (1957) on their own experiences as BCL students and as scholars.

Current and former Faculty members attending the event included Anthony Honoré, Emeritus Regius Professor of Civil Law at All Souls (1948), John Eekelaar, Emeritus Fellow of Pembroke College (1965), John Gardner, Professor of Jurisprudence (1987) and Angus Johnston, Professor of Law (1999).



Photos: Ryan Cowan

## IP Alumni Event

The Faculty of Law and the Oxford Intellectual Property Research Centre held its annual alumni reception for the Diploma in Intellectual Property Law and Practice on 20 April. Tutors on the Diploma and students past and present gathered in the splendid surroundings of the Royal Society, London. Our distinguished speaker was Mr Justice Henry Carr and the audience was treated to a survey – as entertaining as it was perceptive – on 'The Intellectual Property Smorgasbord: A Varied Diet'.

Themes such as spare parts litigation, the evolution of the breach of confidence action and when *res judicata* might operate to recognise prior registry level proceedings during subsequent litigation led to some animated discussion afterwards. Sir Henry Carr also shared some reflections on the transition from a career at the bar to the bench.



Photo: Maureen O'Neill

The Diploma in Intellectual Property Law and Practice is a taught jointly by senior Oxford academics and senior practitioners from leading law firms and chambers. It provides a top quality vocational experience for newly qualified solicitors and barristers embarking on a career in intellectual property law.

## Save the date!

### Oxford Law in Berlin: European reunion and MJur anniversary weekend 23 - 24 September 2016

We are organizing a weekend of events in Berlin to celebrate the 25th anniversary of the Magister Juris (MJur). The programme is likely to include a Friday evening drinks reception, Saturday seminars and a gala dinner on Saturday evening. Alumni and friends are welcome to attend some or all of the events.

The Dean of the Law Faculty, Professor Anne Davies, will be attending and will give a brief introductory talk about recent developments at the Faculty. The weekend will provide all Oxford Law alumni living and working across Europe with a unique opportunity to catch up with old friends and develop social and career networks. Those alumni who did not study Law but now find themselves working in the field of law are warmly encouraged to attend.

Places will be allocated on a first-come-first-served basis once booking opens. Visit the Faculty website's event page to find out further details about the events once the programme has been finalised, including details on how to register: [www.law.ox.ac.uk/events/oxford-law-berlin-european-reunion-and-mjur-anniversary-weekend](http://www.law.ox.ac.uk/events/oxford-law-berlin-european-reunion-and-mjur-anniversary-weekend).

## Oxford Law communications and your preferences: make sure you opt in!

Do you want to receive termly eBulletins, the annual Oxford Law News, invitations to alumni events and other communications from us?

Because of recent changes to legislation and data protection, we will soon be unable to send Faculty of Law communications to any alumni or friends of Oxford Law who have not formally opted to receive them.

We have recently created and launched the 'Law Faculty Alumni Area' on our website so that you can log in with your alumni account and manage your communication preferences.

**Register for a University of Oxford Alumni account:**  
[www.alumniweb.ox.ac.uk/secure/page.asp?pid=1330](http://www.alumniweb.ox.ac.uk/secure/page.asp?pid=1330)

If you are not eligible for an Oxford Alumni account, or do not wish to register for one, but would like to receive Faculty of Law communications, please let us know by emailing: [publications@law.ox.ac.uk](mailto:publications@law.ox.ac.uk).

# Alumni Interviews: Focus on India

Arghya Sengupta, Vidhi Centre for Legal Policy

Dr Arghya Sengupta is Founder and Research Director of Vidhi Centre for Legal Policy, a New Delhi based think-tank. Within three years of being established, the Vidhi Centre has carved out a niche as a centre for cutting edge legal research on matters fundamental to governance and everyday life in India. Arghya specialises in constitutional and administrative law and advises the Government of India on a range of public law legislation and regulatory activities.



**Q Why did you decide to go back to India to a non-conventional career option?**

**A** Not only did my time as a DPhil student in Oxford allow me to read deeply and widely on judicial independence and accountability, my thesis subject, but it also provided the foundation for developing a range of interests outside the curriculum.

One such interest was in assisting various parliamentary committees in India to ensure that legislation passed was clear, coherent and took into account comparative best practices and, in doing so, I realised the existence of a systemic problem – good policy ideas didn't necessarily translate into good law in India primarily because of a real dearth of public lawyers working with government.

**Q Did being a doctoral candidate in Oxford at the time this idea took root help?**

**A** It wouldn't be an over-statement to say that had it not been for me being a DPhil at Oxford, Vidhi would have remained an idea. Specifically, being at Oxford gave us a great degree of credibility in the eyes of potential funders as well as potential clients. In India, maturity is deemed largely synonymous with age, so to be taken seriously by funders and government had much to do with the gravitas that being at Oxford lends.

Equally importantly, four out of five members of the founding team are Oxford alumni. Once the idea took root, there were many meetings over tea and biscuits at Pembroke and long Skype calls that turned the idea of setting up a think-tank in India into a reality.

**Q What are some of your lasting memories from your time at Oxford?**

**A** Attending some really outstanding public lectures was truly a privilege. While here, I heard Albie Sachs, Amartya Sen, Antonin Scalia, Baroness Hale, Richard

Dawkins, Ian McEwan and many others who inspired in many different ways. Apart from these, my time spent as a Lecturer at Pembroke College will remain special. I have scarcely been challenged as much to think harder and deeper about such a wide range of issues. There were some stimulating tutorials, certainly for me, and hopefully also for my students!

**Q Who was the biggest influence on you when you were here?**

**A** Undoubtedly, Professor Paul Craig. Having been supervised by him for both the MPhil and the DPhil, I feel delighted that I could spend so much time with such an insightful and perceptive legal mind and a truly wonderful human being. Whenever I left St John's there was always something in my meeting with him that made me feel good. He is a role model in many ways and it's a friendship that I cherish deeply.

**Q Do you have any advice to prospective graduate students applying to Oxford?**

**A** Don't think twice. It'll be the best years of your life when no matter where you come from, your horizons will be broadened, lasting friendships forged and your ability to reason constantly put to the test.

**Q How do you see the relationship between Oxford Law and India developing in the future?**

**A** The network of Indian lawyers from Oxford has grown exponentially in the last decade. It's now large enough to be a community, while small enough to be a family. I think there is tremendous scope for Oxford Law to engage both formally and informally with this community and its initiatives, leverage its already matchless reputation in India, and increase its direct footprint in India.

Anup Surendranath, National Law University, Delhi

Dr Anup Surendranath is the Director of the Centre on the Death Penalty at National Law University, Delhi (NLU, Delhi), and teaches Constitutional Law. His research interests include judicial process, criminal justice administration, access to justice, comparative human rights and legal pedagogy.



**Q Could you summarise the work of the Centre on the Death Penalty at NLU, Delhi?**

**A** The Centre was established in 2014, following on from work done for the Death Penalty Research Project between June 2013 and May 2016. The Project was the first comprehensive empirical study of death row prisoners in India to document their socio-economic profile and their experience with the criminal justice system, and revealed some shocking and violent realities that characterise the administration of the death penalty in India. We are currently involved in the legal representation of death row prisoners in the Supreme Court and High Courts, research on mental health of death row prisoners, documenting death penalty sentencing practices in trial courts, and conducting opinion surveys with former appellate court judges.

**Q What challenges do you face working on such an issue in India?**

**A** The death penalty is a severely polarising issue in India, especially in the context of terrorism and sexual violence. Difficulty in accessing basic legal documents; inaccessible prisons; negotiating a violent and corrupt state machinery; a justice delivery system crumbling under its own weight; and anonymous threats during high profile cases all form a part of this work. My decision to resign from my deputation to the Supreme Court after Yakub Memon's execution in July 2015 drew severe criticism but the University supported me during those difficult times. Battles like this require a lot of patience and energy. Undoubtedly, India faces huge challenges as a rule of law society, but it is the faith in its basic commitment to being a constitutional democracy that keeps many of us going.

**Q Do you use anything from your Oxford law degrees in your everyday work?**

**A** The five years I spent reading for the BCL, MPhil and the DPhil lie at the core of my approach to the issues I confront every day. My thinking about rights, criminal

justice systems and judicial process has been deeply influenced by my academic training at Oxford, which wonderfully complemented my basic training as a lawyer at NALSAR, Hyderabad (India).

My courses on the BCL with Professors Christopher McCrudden, Andrew Ashworth and Sandra Fredman radically changed the way I thought about the law. I find myself repeatedly going back to the questions they encouraged us to consider and discuss, which continue to lend much clarity to some of the extremely difficult questions I face as part of my work on the death penalty.

**Q Who or what was your biggest influence when studying at Oxford?**

**A** A very large part of what I gained from Oxford can be credited to Professor Sandra Fredman. The intensity, and depth of intellectual rigour expected during my two research degrees with her as my supervisor was the best training I could have wished for. She really was inspirational.

**Q What is your abiding memory of Oxford?**

**A** The exhilarating intellectual journey and the steep learning curve of those five years is something that will stay with me forever. The manner in which I was challenged as a lawyer and trained to respond to those challenges is something I try imparting to my students here in Delhi. The coursework, listening to and interacting with leading thinkers, working with the OPBP, my Presidency of the Oxford Indian Society and all the wonderful people I met from different parts of the world, opened up so much to me. And, I hope I am able to give back in some small measure.

On a very different tangent, I terribly miss playing cricket on the lush green fields in Oxford!



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- Email us to say you would like to receive Faculty of Law communications: [publications@law.ox.ac.uk](mailto:publications@law.ox.ac.uk)

