



Letter from the Dean:

What makes a good law school?

THE BEST improvement in the Oxford Law Faculty in living memory is the involvement of women. It is a recent improvement. You may want to keep this in mind when you read the obituary (p. 37) for our colleague Ann Smart: she was a pioneer, and the many women on the Faculty today are only the second generation.

But then, the Oxford law school itself is surprisingly young. We had no degree in English law until the 1870s. A mere century ago in 1910, there were seven Professors and Readers, and only seven tutors. Fifty years ago, the change had begun. Oxford became a powerful centre for the study of law when the colleges began to compete with each other to recruit outstanding legal scholars as tutors. That transformation took off at a time that some of you can remember, when we started conferring University Lecturerships on college tutors. By 1960, that shrewd decision by the University – and government funding – had created a thriving internal market among twenty-three men's colleges and five women's colleges. The competitive and federative energy of twenty-eight law schools generated a large core of first-class expertise, and made this an exciting place for law. In that process, the standard was lifted by the admission of women as University Lecturers, and then as students in the men's colleges.

Involving women was an improvement because it is people that make a good law school: idiosyncratic and brilliant teachers and students. People can't do it without certain institutional arrangements and background advantages; in general, I think that those are the arrangements and the advantages that attract good teachers and students, and set them free. In Oxford, those things include the joint University/college appointments and competitive admissions, and the tutorial, and the Bodleian, and decentralization, and a bit of chaos, and the river. Those things support a deep array of disciplinary and interdisciplinary connections between people, a delicate blend of competition and solidarity, and a willingness to listen.

Those arrangements and advantages, as we learn, need to be sustained. They may fall short (we have not reached parity between men and women). Where they are good they can be improved. I hope that the Law News will show you some ways in which things are improving, in 2010.

Timothy Endicott

Then and now

Fifty years ago, there was one woman Faculty member in a Faculty of 35 (did you know her? — see page 7), and six of 220 Finalists in Jurisprudence were women. Today, 62 of 156 Faculty members are women, and more than half of this year's Finalists in Jurisprudence (125 of 227) are women.

The photomontage above shows the Faculty's St Cross Building shortly after completion in 1964, overlaid with an image of how it looks today.

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Things change in Oxford!

IN THE FOLLOWING six pages we report on new initiatives, from our newly expanded Visiting Professor programme, to new forms of outreach to students in the UK and around the world.

We are beginning a new **Master's in Law and Finance** next Michaelmas; we are in the second year of the Diploma in **Intellectual Property Law and Practice**; we have a new role in teaching **International Human Rights Law**, a new **Summer School** for state school students, and a new **legal aid clinical programme** for undergraduates. And there is more throughout the rest of this issue that is new in Oxford: for example, **mooting** (p. 26) **became compulsory for all law undergraduates this year.**

And some things don't change...

IF YOU WERE a student in Oxford in 1964, when the Gulbenkian Theatre opened, you may find that you could have said exactly what **Benedict West** says today about the experience of our students. ►



Electronic brochures

THE FACULTY OF LAW has recently launched three e-brochures, for the undergraduate BA in Jurisprudence, and for the BCL/MJur and the Master's in Law and Finance (MLF). Prospective applicants can use the electronic prospectuses to find out more about these degree programmes, and about living and studying in Oxford, and can also benefit from the e-brochures' interactive features, including viewing interviews with academics and students. We hope you will pass them on to students interested in law degrees to commence in October 2011. You can find the e-brochures on the front page of our website: www.law.ox.ac.uk.

Studying Law at Oxford

I only realize quite how different studying law at Oxford is when speaking to friends of mine at other university law faculties – it can become worryingly easy to take this unrivalled privilege for granted. The quantity and quality of work expected of us is greater than at most other universities, but as a consequence it is more challenging, stimulating, and rewarding to be here. Our tutors encourage us to understand and apply the concepts, rather than merely learning the facts. The fact that Roman law is compulsory can serve as an example of this – much contemporary law finds its basis in these ancient rules of which we would otherwise be sadly unaware.

What stands out most about reading law at Oxford is who we actually have teaching us: it is no coincidence that many of the authors on our reading lists are recognizable as tutors at one of the colleges, and may be found speaking on a regular basis in the Gulbenkian. While it is true that every student across the country is of course able to read or be taught about each area of the law, it is exceptional to be able to speak on an individual basis with such well-respected academics. **I find it amazing that someone whose articles have been cited in the House of Lords spends at least an hour every week discussing land law one-on-one with me,** critiquing my essays and discussing the theories in question.

Ultimately, it is the way in which we read the subject, rather than the subject itself, that defines law at Oxford. ,

Benedict West is in his second year, reading law at New College, and is the current President of New College's Law Society.

Law Open Days



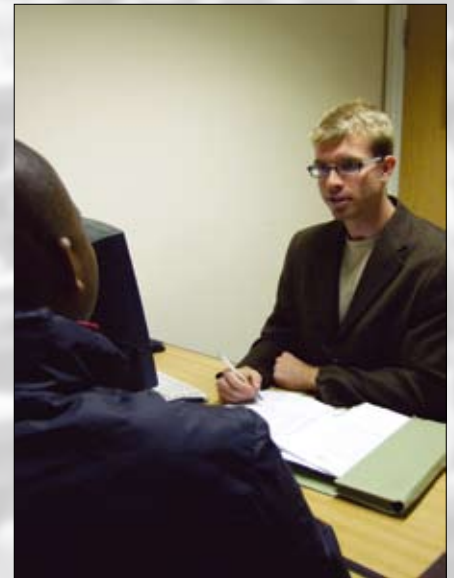
EVERY YEAR, just after Hilary term, the Law Faculty welcomes 750 sixth-form students over three days to learn about the study of law in Oxford.

With the help of Law Faculty administrators, second year students volunteer to organise and manage the Open Days. Many of these students are Law Joint Consultative Committee (LJCC) members and presidents of their college law societies. Outreach for invitations goes out to all sixth-form providers and invitations are issued, two per school, on a first-come, first-served basis. Last year, 435 schools all around the United Kingdom participated. The visitors were welcomed by the Dean of the Law Faculty, Professor Timothy Endicott, and our student representatives, Carl Whittaker and Harry Martin. Dr Anne Davies then gave an overview of our undergraduate Law programme and Professor Stefan Vogenauer continued with a presentation on our four-year programme in Law with Law Studies in Europe. Various Faculty members delivered taster lectures and mock interviews. Associates from Linklaters and barristers from Fountain Court delivered career talks. The sixth-form students were invited to lunch at one of five Oxford Colleges, giving them an opportunity to wander through Oxford. The day ended with a Q & A session with our student volunteers where participants found out more about life as an Oxford student. This event was made possible by a generous donation from Linklaters.



UNIQ summer schools will give students from UK state schools the opportunity to experience life as an undergraduate at the University of Oxford. Students follow an intensive academic programme and engage in social activities designed to challenge preconceptions and myths about the University. They are mentored by current undergraduates and taught by Oxford academics.

Applications for the 2011 programme can be made between January and March 2011. Details will appear online at www.ox.ac.uk/uniq. We will teach two one-week sessions with thirty students each week. The programme will include visits to the courts, and to a solicitors' firm, as well as a moot in which the students will argue a legal dispute.



A students' legal aid programme in Oxford

LAW STUDENTS at Oxford are working in partnership with a local law firm to offer support to needy clients in legal aid cases. The Oxford Legal Assistance (OLA) programme was launched as a pilot scheme in November 2009, during the UK's National Pro Bono Week. Students proposed the OLA initiative, which was developed with the Law Faculty and with local firm Turpin & Miller Solicitors LLP, who have clients travelling to them from as far away as Cardiff to make use of the legal aid service that they provide.

Two second-year undergraduate co-chairs, Ayaz Nawab (Trinity College) and Daniel Cashman (Exeter College), have helped to establish and run the OLA programme, and were charged with selecting sixteen out of fifty student volunteers to be part of the project, based on the passion, dedication, and experience of the applicants.

Both undergraduate and postgraduate students are involved with the OLA project, and provide weekly assistance by updating the statements and paperwork of existing clients, and interviewing new clients, which enables the solicitors at Turpin & Miller to spend more time giving higher-level legal attention to the cases. Students receive supervision and training from Turpin & Miller, covering some of the legal issues that face clients, as well as practical skills such as how to interview clients, accurately record information, and deal with difficult situations.

The OLA programme is a pilot scheme, which will be reviewed at the end of the academic year and, we hope, extended next year to give more students the opportunity to assist with this pro bono project.

Oxford's new Master's in Law and Finance



THE NEW MASTER'S in Law and Finance (MLF) is ready to launch in October 2010. The Faculty of Law is working with the Saïd Business School to offer the new programme, which gives thirty law graduates the opportunity to combine advanced legal study in areas related to financial transactions, with core courses in economics and finance.

The MLF will run full-time, for nine months, and includes a specialist interdisciplinary course, which combines legal and finance studies and includes several real-life case studies that students will analyse before hearing directly from the practitioners involved. To see our MLF e-brochure please go to www.law.ox.ac.uk/mlf

John Armour, Lovells Professor of Law and Finance, is the Academic Director of the new programme. He sees the MLF as benefiting its students, by accelerating their career trajectories in law or finance, and benefiting the public more generally, by building expertise in a sector shown to be of crucial significance.

The MLF has already attracted media attention (for example from The Times and Legal Week in the UK, and Fox Business News in the US), as well as that of prospective students. Applications are running in excess of twelve per place. Applicants come from a diverse range of countries and a wide range of backgrounds, from newly qualified solicitors to those with several years of post-qualification experience, or law graduates who now work in finance or banking, as well as current students. This should make for a very interesting first year for our new Master's programme.

For more information about the MLF, please email mlf@law.ox.ac.uk

MSt in International Human Rights Law

THE UNIVERSITY'S Department for Continuing Education has run the MSt in International Human Rights Law for eight years, in association with the Law Faculty. It is the only Oxford degree so far to have a distance learning component. This year, the Law Faculty and the Department for Continuing Education have agreed on a new plan to run the degree jointly, working together on matters from admissions to examining, and integrating the programme with our strengths in international law and in human rights law.

Thirty students are admitted each year to the two-year programme. The students are lawyers and other human rights advocates coming from about 70 countries. They bring considerable experience to the degree, from a wide array of settings: private and corporate practice, the armed forces, the United Nations and other international organisations, the judiciary, NGOs and academia.

In 2010 for the first time, the Commonwealth Scholarship Fund and the Foreign and Commonwealth Office's Chevening Scholarship

Programme have agreed on a major investment in the programme. They will collaborate in supporting five human rights advocates from African Commonwealth countries per year. Each will have a full scholarship covering all University and College fees, accommodation and meals at New College, all reading materials, travel, insurance and a per diem allowance. This amounts to about £22,000/student or £110,000 per year. The first group of scholarship students will start their studies in Michaelmas 2011.

The Commonwealth Scholarship Fund is supporting the students and the programme because of its relevance to the realisation of the Millennium Development Goals and poverty reduction. The Foreign and Commonwealth Office is supporting it because the recipients are deemed to be likely future leaders in their countries of origin.

This is exciting news, as it advances the University's objective of making an Oxford education available to the very best people, regardless of their financial circumstances.



Oxford Transitional Justice Research international conference

OXFORD TRANSITIONAL Justice Research (OTJR) is a network of more than 100 Oxford staff and students exploring societies recovering from massive human rights violations. This unique interdisciplinary alliance began its research and policy work in early 2008. Eighteen months after its inception, OTJR hosted one of the largest-ever international conferences in the field, 'Taking Stock of Transitional Justice', in June 2009. The event attracted 170 academics and practitioners from thirty-six countries and was described by one senior academic as 'a critical juncture in the development of the field.'

The purpose of the conference was to challenge key assumptions in transitional justice, to encourage new approaches and perspectives, and to build working relations among established and emerging scholars and practitioners. Over three days, participants debated a wide range of transitional justice themes – including prosecutions, reparations, memorialization, amnesty, reconciliation, truth recovery, and institutional reform – across numerous country contexts in Latin and North America, Africa, Eastern Europe, and Asia.

Highlights of the conference included a play on Zimbabwe (which took over the atrium outside the Social Sciences lecture theatre and stopped many departmental commuters in their tracks), and a lecture by Sekai Holland, Zimbabwean minister of state for national healing, integration and reconciliation. Herself a victim of assault and torture by Robert Mugabe's forces, Ms Holland now finds herself within the Mugabe-led power-sharing government and in charge of issues of accountability and reconciliation. She spoke on plans to address human rights violations committed in colonial and post-colonial Zimbabwe. More than sixty speakers presented their research, with participants walking through the 'Art in Conflict' exhibition in the atrium as they moved between sessions.

Despite a brief downpour just before the gala dinner at Wadham, spirits were lifted when dinner guests were welcomed to the College by a bagpipe-playing Don Ferencz, Director of the Planethood Foundation, one of OTJR's principal sponsors.

Several participants said they hoped this would become an annual event, although the conference committee, overseen by Nicola Palmer, a DPhil student in Law who worked tirelessly for six months to make the event a reality, would no doubt prefer that it become a biennial conference.

OTJR was grateful to the following sponsors for their generous support of the 2009 conference: The Planethood Foundation, Rapisardi Intellectual Property, the Oxford Law Faculty, the Centre for Socio-Legal Studies, the African Studies Centre, the Royal African Society and the Open Society Initiative for Southern Africa.

For more information on OTJR, its members, events, and projects please go to www.csils.ox.ac.uk/otjr.php

Oxford Institute for Ethics, Law and Armed Conflict

THE OXFORD INSTITUTE for Ethics, Law and Armed Conflict (ELAC) is an exciting new interdisciplinary research programme with a central aim to strengthen law, norms, and institutions to restrain, regulate, and prevent armed conflict in the twenty-first century.

Created a year ago through the generous funding of the James Martin 21st Century School, ELAC is housed within the Department of Politics and International Relations, but undertakes a unique collaborative research programme crossing the disciplines of law, philosophy, political theory, and international relations. The Institute is led by Professor Jennifer Welsh (Professor of International Relations), Dapo Akande (University Lecturer in Public International Law) and Dr David Rodin (Research fellow in Philosophy).

The Institute's research addresses all aspects of armed conflict, including the recourse to war, conduct of war, and post-conflict governance, transition, and reconstruction. Part of this work will investigate how ethical principles may be instituted in a body of effective international law which regulates and manages conflicts. The programme aims to exploit opportunities to strengthen, clarify, and (in some cases) change international law and legal institutions.

In October 2009 ELAC was pleased to be awarded almost £100,000 by the Australian Responsibility to Protect Fund for a new project on prevention of mass atrocities, entitled: 'The Responsibility to Prevent: Developing Ad hoc and Systemic Strategies'.

ELAC has already hosted an extremely varied programme of events. Recent highlights included a two-day workshop exploring the morality of killing in war with Professor Jeff McMahan (Rutgers University); and roundtable discussions on the International Criminal Court, the Rwandan genocide, and proportionality and non-combatant immunity in armed conflict. ELAC has also hosted a popular series of seminars each term, most recently on 'Getting to Zero' (In association with the James Martin 21st Century School) in which leading thinkers and practitioners from around the world considered how the international community ought to tackle the challenge of getting to 'zero' with respect to weapons of mass destruction. This series was followed by a high-level symposium (held in association with the Oxford Policy Foresight Programme) on the future of British Nuclear Deterrent (Trident).

Further details of all ELAC's research and activities can be found at www.elac.ox.ac.uk

IP Diploma News

THE OXFORD DIPLOMA in IP Law and Practice is a one-year, part-time, masters-level vocational course, designed to give junior lawyers embarking on a career in IP a grounding in the fundamentals of IP law and practice.

The first cohort in this new programme successfully completed their studies in the summer of 2009. It was an exciting and challenging year for all involved. We wish our new graduates all the best and look forward to them returning to Oxford in the future.

In September 2009, we welcomed our second cohort of students to Oxford for the two-week residential school. The residential school was held at St Catherine's College, where students

were provided with full board and en-suite accommodation. This provided plenty of networking opportunities for the students, who will be colleagues and competitors in the world of IP practice. At the residential school, there were classes covering the full range of IP subjects (including Patents, Trade Marks, Unfair Competition and Passing Off, Trade Secrets, Designs, Copyright and Moral Rights) as well as key aspects of litigious and non-litigious IP practice and procedure. Some sessions were taught jointly by senior practitioners and Faculty members, allowing fruitful collaboration between practitioners and academic lawyers. Under the guidance of our new Course Director, Professor Graeme Dinwoodie, we look forward to building the future of the discipline in collaboration with the Intellectual Property Lawyers' Association.

For more information about the IP Diploma please go to www.law.ox.ac.uk/postgraduate/odip.php

Visiting Professors – a great development in Oxford

WE HAD JUST three Visiting Professors in Law three years ago; now there are eleven. This increasingly phenomenal programme brings distinguished judges and academics from England and from around the world to Oxford, to teach in subjects within their exceptional expertise, and close to their hearts.

Again this year **Lord Bingham**, profiled in last year's Law News, has been giving seminars in human rights litigation, discussing his own decisions with our undergraduates and also examining the ways in which the judges of the UK's new Supreme Court are developing the law. This year **Lord Hoffmann** has returned to teach in Oxford following his retirement as a Lord of Appeal in Ordinary. Justice **Kate O'Regan** of the South African Constitutional Court has been appointed Visiting Professor, bringing her expertise to our BCL and MJur course on Social and Economic Rights, along with her experience on a bench that has done such remarkable, creative work in the field. See below for profiles of Visiting Professors who have arrived this year.

Oxford is such an attractive place to teach, because of our students. The Visiting Professors respond to that attraction with generosity and great good will. The resulting experience is simply extraordinary for our students and, we hope, for the Visiting Professors themselves.



Lord Hoffmann

LORD HOFFMANN first came to Oxford as a Rhodes Scholar from South Africa, to read for the BCL at Queen's College. There followed an extremely distinguished career at the bar and on the bench, culminating with fourteen years as a Law Lord. Some indication of the breadth of his judicial contribution during those years can be gleaned from his extra-judicial writings over the same period, which span the fields of human rights, intellectual property, tax, tort, and constitutional theory. **In intellectual property alone, it is difficult to identify any Judge who has been more important to the development of the law than Lord Hoffmann. As a Law Lord, he clarified the nature and application of almost every aspect of modern patent doctrine, and at a time when the combined demands of technology and Europeanization were putting unprecedented pressure on different aspects of the system. His decisions in copyright law have been equally influential, bringing new rigour and depth of thinking to the field.**

In Hilary Term 2010 Lord Hoffmann has been giving seminars in Patent Law in Oxford. Last year, in the last patent law decision of the House of Lords, Lord Walker said:

'If I may respectfully say so, Lord Hoffmann's opinion in *Biogen* is a tour de force. I have frequently commended it to bar students as an example of how a great judge can suffuse even the most technical subject with intellectual excitement.'

The same excitement has characterized Lord Hoffmann's teaching of patents. As he moved from the technology of hair removal to recombinant DNA manufacture and the isolation of enantiomers, the area never seemed so rich, nor so accessible. The case referred to by Lord Walker, *Biogen v Medeva*, was decided in 1996, a year after Lord Hoffmann entered the House of Lords. Teaching the case this term, he described his opinion as having been written before he knew much about patent law.

Today, nobody knows it better: much of our patent law has been made by the decisions in which Lord Hoffmann played the leading role. We are extremely fortunate, and thoroughly delighted, to have him back in Oxford.

Lord Hoffmann was Stowell Civil Law Fellow of University College, Oxford, from 1961 to 1973. He was called to the Bar by Gray's Inn in 1964, and appointed Queen's Counsel in 1977. He was made a Bencher of the High Court (Chancery Division) in 1984, elevated to the Court of Appeal in 1992, and in 1995 was appointed a Lord of Appeal in Ordinary. In 1992 he became an Honorary Fellow of Queen's College, Oxford, and in October 2009 was made a Visiting Professor in the University.

*Justine Pila
St Catherine's College*



Professor Ansgar Ohly

ANSGAR OHLY joined the Law Faculty as a Visiting Professor in October 2009. He holds law degrees from the universities of Bonn, Cambridge (LLM), and Munich (Dr jur), and he has a chair in civil law and intellectual property law at the University of Bayreuth (Germany).

Before being appointed as professor, he was head of the Commonwealth section of the Max Planck Institute for Intellectual Property, Competition and Tax Law (Munich). His fields of research are all areas of intellectual property law, unfair competition law, and the law of privacy and publicity, with a special focus on European harmonization and on the comparison between civil law and common law systems. Professor Ohly gives seminars in International Intellectual Property Rights for the BCL. This is a new course addressing international issues, and Professor Ohly's role makes the teaching international as well.



Justice Kate O'Regan



Professor Horst Eidenmüller

HORST EIDENMÜLLER joined the Law Faculty as a Visiting Professor in October 2009. A graduate of Cambridge and Munich University, Eidenmüller has held a research professorship at Munich University since 2003.

The focus of his work is on company and insolvency law and on dispute resolution. Eidenmüller is a member of the Berlin-Brandenburg Academy of Sciences and Humanities and a Research Associate of the European Corporate Governance Institute (ECGI). In Oxford he lectures on Corporate Insolvency Law and on Comparative and European Corporate Law. His role in Oxford will bring added distinction – and international depth – to our new Master's programme in Law and Finance.

JUSTICE KATE O'REGAN joined the faculty as a Visiting Professor from the start of 2010. In 1994, aged 37, she was appointed as a judge to the newly formed Constitutional Court in South Africa, and served on the Court until October 2009.

She is also an honorary professor at the University of Cape Town and has been awarded honorary doctorates by the University of KwaZulu-Natal (2000), the University of Cape Town (2004) and the London School of Economics and Political Science (2008). While in Oxford, she will teach for the BCL/MJur course on Socio-Economic Rights and Substantive Equality.



Visit of Justice Sandra Day O'Connor

JUSTICE SANDRA Day O'Connor visited Oxford in December 2009. The first woman appointed to the United States Supreme Court, she was a highly influential member of the Court for twenty-five years before retiring in 2006.

Justice O'Connor visited as part of the 'Lessons in Government' seminar series, organized by Tom Lubbock and Andrew Stockley (Lecturer in Politics and Senior Tutor of Brasenose College respectively). Other judges who took part in the seminar series during 2009 included Lord Hutton, Lord Justice Sullivan, Lord Saville, and Lord Phillips of Worth Matravers (see www.lessonsingovernment.org).

Justice O'Connor spoke to a capacity audience in the Sheldonian Theatre on 1 December. She talked about differences between the British and American judicial systems before answering a wide variety of questions, with subjects ranging from the decision in *Bush v Gore* to the discrimination she faced when starting work as a lawyer. Justice O'Connor received a standing ovation as she left the Sheldonian Theatre. She then met and talked with a large number of students and Faculty members over drinks in the Divinity Schools before dining in Brasenose College. She visited the Law Faculty for an informal lunchtime discussion with Faculty members on 3 December and also spoke at the Rothermere American Institute later that day.

Mayer Brown, the Law Faculty, and the Rothermere American Institute were all thanked for their support of this event.



Elizabeth Ely

ELIZABETH ELY, Fellow of St Anne's, BA, BCL, LLM (Yale) appears to have been the first woman member of the Law Faculty; a Winter Williams Prizewinner, she became a CUF Lecturer in 1957; she died of cancer in 1961 at the age of 29.

Ivy Williams tutored students at the women's colleges from 1920 to 1945, but was not a member of the Law Faculty. England's first woman barrister, and first Doctor of Law (DCL 1923), Williams took her BA and BCL both at once in 1920 when women were first admitted to degrees. Before that the University examined women but did not award degrees, so that they could not be involved in University governance.

If you can tell us more about the developing role of women in law in Oxford, please contact timothy.endicott@law.ox.ac.uk

First women law teachers

The High Sheriff's Law Lecture 2009



THE HIGH SHERIFF'S Law lecture was instituted and generously funded by Ian Laing, DL, when he was the High Sheriff of Oxfordshire in 2005. There has been a lecture each year since then, which has taken place in the Examination Schools on the second Tuesday in October, just before the Glove Ceremony and Court Sermon – both traditional events marking the start of the judicial year.

The lectures are designed to bring together a wide range of people involved with, and interested in, the law. This includes judges, barristers and solicitors, the police and magistrates, and the general public. There are in addition two other important groups: students and lecturers from the law faculties of both Oxford and Oxford Brookes Universities, and sixth formers from Oxfordshire schools. Great efforts have been made to attract good numbers of the latter group and this year over 180 attended from seventeen different schools.

To add interest, the current High Sheriff, Richard Dick, offered a prize for the best essay written by a sixth former following the lecture. The winner was Anna Stellardi from Cherwell School and the runner up was Tom Lowenthal from Abingdon School. They were presented with their prizes at a dinner generously hosted by Professor Ainsworth, the Master of St Catherine's College. Judging of the competition was kindly undertaken by Ann Kennedy (a retired University Lecturer from LMH).

By tradition the Vice-Chancellor has attended the lecture and given a vote of thanks, and it was a particular pleasure to welcome Professor Hamilton this year at the beginning of his tenure.

There have now been five High Sheriff's lectures:

2005:

The Law and Us,
The Rt. Hon Lord Bingham of Cornhill KG., Senior Law Lord.

2006:

Crime and Punishment,
The Rt. Hon The Lord Phillips of Worth Matravers, The Lord Chief Justice.

2007:

Can Justice Be Fair?,
The Hon. Sir Paul Walker, Judge of the Queen's Bench Division of the High Court.

2008:

The Family in the 21st Century: Exploding the Nuclear Myth,
The Rt. Hon Sir Mark Potter, President of the Family division.

2009:

The Judge's Role in the 21st Century,
The Rt Hon Sir Scott Baker, Lord Justice of Appeal.

The High Sheriffs have been grateful for the help and encouragement given by Oxford's Faculty of Law, and look forward to the next lecture on **Tuesday 12 October 2010.**

Oxford Silks 2009

Mr S Brannigan QC
4 Pump Court

Mr N N G Cusworth QC
1 Hare Court

Mr S P Devonshire QC
11 King's Bench Walk

Mr P D Edey QC
20 Essex Street

Mrs J A E Gill QC
Allen & Overy

Mr R N Handyside QC
Fountain Court

Mr S J R Hargreaves QC
Keating Chambers

Mr R A Harding QC
Keating Chambers

Mr T J Hill QC
Stone Chambers

Mr M G Hoskins QC
Brick Court

Mr B J W Hubble QC
4 New Square

Mr H Keith QC
3 Raymond Buildings

Mr P A Kolvin QC
2-3 Grays's Inn Square

Mr R J Lawson QC
Quadrant Chambers

Mr A J Maclean QC
Brick Court

Mr David Marks QC
3-4 South Square

Mr I C Morley QC
23 Essex Street

Mr N C Peacock QC
Maitland Chambers

Mr A N G Peto QC
Blackstone Chambers

Mr S J Phillips QC
7 King's Bench Walk

Mr C J Pocock QC
1 King's Bench Walk

Mr A J Price QC
23 Essex Street

Mr A M D Robertson QC
Brick Court

Mr C S Samek QC
Littleton Chambers

Dr M Tapping QC
8 New Square

Mr R F Todd QC
1 Hare Court

Mary Bosworth

was appointed in Michaelmas Term to the editorship of **Theoretical Criminology**, the highest-ranking qualitative criminology journal.

OXFORD v AUSTRALIA



Cricket between Oxford and Australian Law Faculty

One of sport's youngest and least fierce rivalries was renewed in July when the Wombats, a team of cricketers consisting chiefly of members of the Sydney bar, opened their tour of England with a match against an Oxford team drawing heavily on the Law Faculty's vast sporting depth.

CLEARLY SMARTING from their defeat in the same game in 2005, the Wombats employed a typically Australian strategy of mental disintegration, casually mentioning the High Court of Australia's current views on unjust enrichment as Andy Burrows, Oxford's captain, arrived at the crease. The inevitable result was a first ball run-out; but, without even pausing for the TV review, Wombats skipper Alan Sullivan SC exercised his powers as a member of the Court of Arbitration for Sport and insisted on the Professor's return. This gracious gesture was amply repaid by the Oxford team, whose batsmen proceeded to display a quiet obduracy rarely seen in the thirty-over version of the game. Some classical strokeplay by Adam Rushworth and Ed Peel acquired compliments if not runs, whereas the unorthodox approaches of Ben McFarlane and Roderick Bagshaw had the opposite effect. Aided by some pardine fielding from Stephen Free and parsimonious bowling from Matthew White, the Wombats restricted their hosts to 121. After an enormous tea provided by the Trinity College kitchens, the Wombats, and opening batsmen Andrew Bell SC in particular, scored heavily, despite some fine bowling by Adam Rushworth, Andy Lodder, and Andrew Scott. The Wombats triumphed by seven wickets and so had no need to call on a late middle order built around Malcolm Holmes SC. This leaves the series intriguingly poised at 1-1, with all to play for in 2013.

*Ben McFarlane
Trinity College*



Secured transactions law reform project

PROFESSOR ROY GOODE and Louise Gullifer are involved in a project to carry forward the Law Commission's work on the reform of the law of secured transactions. Initiated in April 2009 by a small informal working group, the project will now be directed by a powerful steering committee under the chairmanship of Lord Bingham of Cornhill, the former Senior Law Lord. The committee consists of academic and practising lawyers and representatives from the different interest sectors.

The work will be carried out by four working groups set up by an executive committee, and each of these will include representatives from the professions and the relevant sectors of finance, commerce, and industry, who will be involved not simply as outside consultees but as active participants in the work. It is envisaged that this will culminate in a report and draft legislative measures for a new personal property security law, designed to modernize and simplify the law and to make it better suited to the needs of modern commerce and finance.

Andrew Higgins

ANDREW HIGGINS, Career Development Fellow in Civil Procedure at University College, ran in this year's London Marathon on April 25 to raise funds for Scope, which is the main charity for people, like Andrew, with cerebral palsy. Those who wish to support Andrew can visit: www.justgiving.com/AndrewHiggins



Oxford Human Rights Report

CAN RESPONSIBILITIES be incorporated into the legal framework for protection of human rights in the United Kingdom without jeopardizing fundamental human rights safeguards? The Ministry of Justice has published an Oxford study examining the idea of constitutional responsibilities within the context of the current debate on a new British Bill of Rights and Responsibilities.

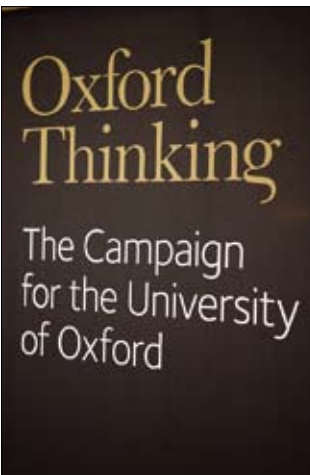
Authored by Liora Lazarus and Ben Goold of the Law Faculty with Rajendra Desai and Qudsi Rasheed (both alumni of the BCL), the report argues for the priority of human rights over individual duties, 'a priority potentially jeopardized by stating explicit individual duties in a Bill of Rights'.

For a copy of the report, visit: www.law.ox.ac.uk/LN142t

Bodh Raj Sawhny Memorial Trust

THE BODH RAJ Sawhny Memorial Trust, New Delhi, India has established a scholarship in memory of Bodh Raj Sawhny, who read Civil Law at Exeter College in 1902.

Each year, the Bodh Raj Sawhny Memorial Scholarship is offered to a top Indian student reading for the BCL at Exeter College, Oxford. The Bodh Raj Sawhny Memorial Scholarship, which is next available for the academic year 2010-11, is worth Rs. 100,000, and tenable for one year only.



AT THE END of November 2009, Oxford Thinking: The Campaign for the University of Oxford had raised £780 million towards its minimum goal of £1.25 billion covering the three campaign goals of student support, academic posts, and buildings and infrastructure.

For the latest news of the campaign, see www.campaign.ox.ac.uk

To contribute to Law in Oxford, go to www.giving.ox.ac.uk/law

www.law.ox.ac.uk



THE NEWLY designed faculty website was launched in early 2010.

As well as having a fresh design, the site aims to provide a variety of different ways of accessing and displaying information, to assist the wide range of users that access the site. Every subject area now has its own page within the site.

New sections are planned and in progress, but please have a look and tell us what you think: www.law.ox.ac.uk

Hanbury Fellowship at Lincoln College

HAROLD GREVILLE Hanbury is well known to Oxford alumni as the author of Modern Equity, the leading text on equity and trusts. A former Vinerian Professor of English Law, he was a Fellow of Lincoln from 1929-41.

Lincoln College is seeking to establish a Tutorial Fellowship in his name. Thanks to a very generous bequest and a number of donations from alumni we are close to achieving this goal. To complete the endowment, a further £200,000 is required. If you or your firm would like to make a contribution to this fund, please contact Susan Harrison, Development Director at Lincoln College (susan.harrison@lincoln.ox.ac.uk).

Keep up to date

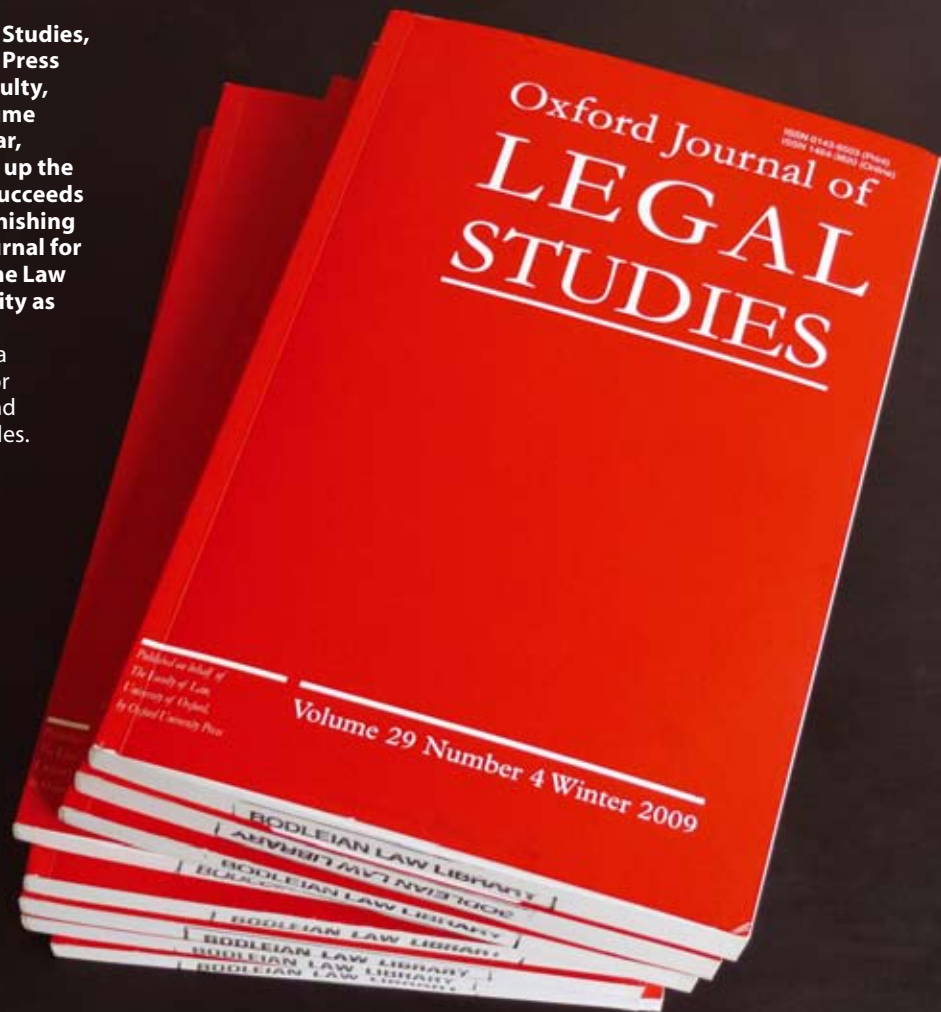
You can use the 'Feedback' link at www.law.ox.ac.uk/alumni to send us your email address so that we can make sure you receive electronic updates during the year.

Anniversary of the OJLS

THE OXFORD JOURNAL of Legal Studies, published by Oxford University Press on behalf of the Oxford Law Faculty, will publish its 30th annual volume this year. In this Anniversary year, Anne Davies of Brasenose takes up the Editorship of the Journal. She succeeds Ewan McKendrick, who is just finishing his last issue, having led the Journal for four years while also Chairing the Law Faculty and serving the University as Pro-Vice-Chancellor.

The Journal appears four times a year and each issue contains five or six full-length scholarly articles, and two or three in-depth review articles. Designed to encourage interest in all matters relating to law, the Journal has developed special strengths in matters of theory and in the relationship of law to other disciplines. Recent issues have explored such diverse subject areas as socio-legal studies, EU law, constitutional theory, restitution, contract law, and criminal law.

The Journal's first editor, Patrick Atiyah, stated that one of its aims was to provide 'an international forum in which the work of legal scholars from all over the world can be published'. That is its role today; in 2009 it published articles by authors from Australia, Canada, Germany, Singapore, Spain, the United Kingdom and the United States.



Dapo Akande appointed Consultant by African Union

DAPO AKANDE has been appointed as a Consultant by the African Union to contribute to a review of the work of the International Criminal Court (ICC). In June 2009, the African Union held a ministerial meeting of African States that were party to the Rome Statute establishing the International Criminal Court. The purpose of the meeting was 'to exchange views on the work of the ICC in relation to Africa, in particular in the light of the processes initiated against African personalities, and to submit recommendations thereon taking into account all relevant elements.'

The meeting was called in part as a result of the request by the ICC prosecutor for an arrest warrant for the President of Sudan, Omar Al Bashir. However, the meeting of African States was also significant because all of the situations currently under investigation by the ICC and all of the current prosecutions arise from the African continent.

Dapo has been appointed to assist the Commission of the African Union in the preparation of a background report, including recommendations. Dapo has recently written an article on 'The Legal Nature of Security Council Referrals to the ICC and its Impact on Al Bashir's Immunities' (2009) 7 *Journal of International Criminal Justice* 333-352. His previous publications include: 'The Jurisdiction of the International Criminal Court over Nationals of Non-Parties', (2003) 1 *Journal of International Criminal Justice* 618-650, for which he was awarded the inaugural Premio Regione Toscana Giorgio La Pira Prize in 2003; and 'International Law Immunities and the International Criminal Court', (2004) 98 *American Journal of International Law* 407-433.

Eighth Oxford-Norton Rose Colloquium

THE EIGHTH Oxford-Norton Rose Colloquium was held at St Hugh's College, Oxford on Friday and Saturday, 18-19 September 2009. As with the previous colloquia, the participants consisted of a mix of academics and practitioners (solicitors, barristers and judges) brought together to examine and discuss an area of commercial law. The focus of the papers was on the law relating to the process of contract formation and the position of third parties.

Ten papers were written by academics, distributed in advance, and then presented for a short time, before discussion which exhibited the full range of viewpoints one might expect from a mix of academics and practitioners. The debate was never less than lively, interesting, informative and practical. It was also conducted with no little good humour, but order was maintained by the distinguished chairs of the sessions: Lord Justice Longmore, the Honourable Mr Justice Blair, and the Honourable Mr Justice Hamblen.

The guest speaker at the colloquium dinner on the Friday evening was Lord Justice Longmore who provided a fascinating insight into the workings of the Court of Appeal, from the allocation of the panels to the final resolution of the appeal.

The speakers were John Cartwright, Mindy Chen-Wishart, James Edelman, Tom Krebs, Ben McFarlane, Donal Nolan and Edwin Peel (all from the Oxford Law Faculty), Hugh Beale (University of Warwick), Michael Furmston (Singapore Management University) and Andrew Tettenborn (University of Exeter).

The papers will be published as a book titled *Contract Formation and Parties*, by OUP, in Spring 2010.

The Law Faculty would again like to thank Norton Rose for supporting this event and all those who contributed through their participation in what is now a well established and highly successful occasion in the Law Faculty calendar.

*Edwin Peel
Keble College*



University hosts major Rwandan genocide conference in Kigali

SOME OF THE most controversial issues stemming from the 1994 Rwandan genocide were addressed at a symposium in Kigali, co-hosted by Oxford Transitional Justice Research and the Rotary Club of Kigali-Wirunga, in association with the Centre for Socio-Legal Studies, on 3 April 2009. The event, entitled '15 Years after Genocide: Where Now for Rwanda?', commemorated the fifteenth anniversary of the genocide. April is always a highly emotive month in Rwanda, as people remember the 800,000 Tutsi and their perceived Hutu and Twa sympathisers who were systematically murdered between April and July 1994. The fifteenth anniversary added poignancy to the commemorations and an edge to the debates at the symposium.

Outsiders often depict Rwanda as repressed and heavily controlled, with civil society and the media forced to toe the government's line. While Rwanda's political landscape is unquestionably complex and delicate, the symposium showed that such characterisations are overstated. The symposium featured some provocative presentations by leading policy makers, academics, and journalists on a range of key issues affecting post-genocide Rwanda, and engaged 150 participants, from Rwandan academia, thinktanks, media, government and development agencies and members of the international donor community and diplomatic corp, in a day of vigorous debate.

The event also launched the publication *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*, edited by Oxford's Dr Phil Clark and Zachary D. Kaufman (published by C. Hurst and Co, and Columbia University Press (2009)), which includes an unprecedented debate between President Paul Kagame and historian Professor René Lemarchand on issues of Rwandan history and governance (for more information please refer to the publications section on p. 29).

The symposium and book launch made the front page of the sole national newspaper, and national headline news on the television. Details of the book can be found at www.aftergenocide.com. Proceeds from the sale of the book will go to the Kigali Public Library project (www.kigalilibrary.org).



Oxford Graduate Legal Research Conference 2009

THE ANNUAL Oxford Graduate Legal Research Conference has quickly become the highlight of the academic year for research students. The 3rd Annual conference was held at Corpus Christi College on 27 and 28 April, 2009.

This year there were forty-five presentations from first-year research students on a vast array of topics including Indian financial law, international investment law, poverty and the law, EC law, state aid, and Australian constitutional law, to name just a few. The conference is open to all graduate law research students and the well-attended sessions were chaired by research students further along in their studies. The two days were overflowing with vibrant discussion about legal research, and the high quality of the presentations and critical debate reflects the outstanding community of graduate legal scholars in the Law Faculty.

Alongside these presentations was a session on US legal academic careers from Professor Carol Sanger (Columbia University), a session on legal publishing from Edward Elgar and Tim Williams of Edward Elgar Publishing, and a keynote lecture from Professor Cheryl Saunders AO (University of Melbourne) on the 'rise and

rise of comparative law'. There was also a very well-attended conference dinner.

Its introduction has been part of a larger process of reform of law research student methods training (Course in Legal Research Methods), which Dr Liz Fisher has been co-ordinating over the last couple of years (a role for which she received a University Teaching Award this year). As well as the conference, an induction day has been introduced at the start of the academic year, in which students are not only provided with essential information about their research degrees but are also introduced to the intellectual vibrancy of the Law Faculty through presentations given by other research students and a range of Faculty members at different points in their careers. An optional half-day legal scholarship writing workshop has also been introduced, in which students debate the nature of great legal scholarship and discuss their own work. There has also been a range of new seminars on research methods from Faculty members on topics such as legal scholarship in historical perspective, what philosophy can and can't do for you, the case law/academic interface, and scholarship in the digital age.



Heydon Lecture

ON 27 JANUARY 2009, Justice J. Dyson Heydon of the High Court of Australia delivered a lecture at Keble College, Oxford concerning the question 'How Far Can Trial Courts and Intermediate Appellate Courts Develop the Law?'

The lecture emphasized that appellate courts are to do justice between the parties, and strive to ensure that points of law fairly raised at trial are correctly decided. These issues become particularly complex in federal jurisdictions such as Australia and the US, where there are in effect different common laws for each state. The High Court of Australia has a special role in co-ordinating state-by-state developments and preventing a fissuring of the system – a problem well-known to American lawyers where issues of cross-border diversity jurisdiction have great practical importance. Justice Heydon, who studied law in Oxford, is an honorary fellow of Keble College, and he taught law as a fellow of Keble and member of the Oxford Law Faculty before



Justice J Dyson Heydon at Old Schools and Exeter College gardens.

returning to Sydney to serve as a professor, counsel, and judge. Justice Heydon has remained close to the Oxford Law Faculty, and was Youard Lecturer in Legal History in 2007. He returned to Oxford in January 2010 to lecture on 'James Fitzjames Stephen and the Indian Codification of the Common Law of Evidence'.

*Joshua Getzler
St Hugh's College*

Interests in Securities

AN INTERNATIONAL conference on interests in securities was held on 20 March 2009 at Harris Manchester College, Oxford.

Organized by Jennifer Payne and Louise Gullifer and kindly sponsored by Travers Smith, the event brought together many of the leading academics and practitioners in this field. The purpose of the conference was to consider and comment on issues arising out of the intermediated holding of securities and, in particular, the final draft of the UNIDROIT Convention on Substantive Rules regarding Intermediated Securities. Many leading firms were represented, including Allen & Overy, Clifford Chance, Freshfields, Linklaters, Lovells, Mayer Brown, and Travers Smith.

Speakers, some of whom were involved in the drafting of the UNIDROIT Convention, came from a number of jurisdictions. Their focus at the conference was the impact of the substantive rules of the UNIDROIT Convention on the law in their own jurisdictions. The conference was opened by Professor Sir Roy Goode, who also chaired

the first session, in which Louise Gullifer (Harris Manchester College) gave an introduction. This was followed by a paper entitled 'Intermediated Securities: Practical Problems and Conceptual Solutions', presented by Rob Stevens (UCL) and Ben Mcfarlane (Trinity College) and commented on by Gabriel Moss (3/4 South Square).

Professor Dan Prentice and Professor Hugh Beale chaired further sessions, which included a paper by Jennifer

Payne (Merton College) on 'Intermediated Securities and the Right to Vote in the UK', and contributions by scholars from the US, Singapore, Tokyo, and the LSE. Commentators included Guy Morton (Freshfields), Erica Johannson (Mayer Brown) and Ed Rock (University of Pennsylvania).

The conference ended with a panel session chaired by Professor Goode, which included views from the UK (Habib Motani, Clifford Chance), Germany, Sweden and the Netherlands.

The papers given at the conference have formed the basis of a book entitled *Intermediated Securities: Legal Problems and Practical Issues*, edited by Jennifer Payne and Louise Gullifer, to be published by Hart Publishing in 2010.



Oxford Hosts First Conference on Teaching of Transnational Commercial Law



ON 22 AND 23 July 2009 the Oxford Faculty of Law hosted what is believed to have been the first international conference on the teaching of transnational commercial law.

Twenty distinguished academic lawyers from sixteen law schools based in ten different countries discussed the courses on transnational commercial law which they currently teach or plan to teach in the near future. The subject itself is relatively new; indeed, so far as is known, the first course in the world was put on by Oxford, having been introduced into the BCL/MJur programme a little over a decade ago. There are many courses on the domestic law of international trade and several on international economic law, but very few on the international harmonisation of the law governing commercial transactions. We have now given a lead, and the lively discussions at the conference showed the keen interest of all the participants in promoting the subject.

At a convivial conference dinner at St John's, the Dean, Professor Timothy Endicott, warmly welcomed the conference participants. Supported by the Oxford Faculty of Law, with funds generously provided by Travers Smith, whose senior partner Alasdair Douglas was an active participant, the conference examined issues of course content and structure, including the role of private international law, public international law and comparative law. The opportunity was also taken to solicit comments on the course book provided by Professors Goode, McKendrick and Kronke, as assisted by Jeffrey Wool and published by Oxford University Press.

The second conference is expected to be held in the University of Heidelberg. Through the good offices of Professor Peter Winship, a website has been established by IT staff of the Southern Methodist University's Dedman Law School for the interchange of views and experiences among teachers of transnational commercial law. It is hoped that the subject will become a major annual event in the academic calendar.

Litigation Funding and Costs Project

HOW DO PEOPLE fund litigation and what costs have to be paid? Which jurisdictions have the cheapest or most expensive litigation system? These questions were addressed at an international conference in July 2009, attended by scholars and practitioners from all around the world. The project was linked with the Jackson Costs Review in England, and Lord Justice Jackson addressed the conference and used the occasion to verify the collected expertise of different systems.

This project, which is unprecedented in its scope and power, was conceived by Dr Chris Hodges, Head of the CMS Research Programme on Civil Justice Systems at the Centre for Socio-Legal Studies, and Professor Stefan Vogenauer, Director of the Institute of European and Comparative Law, with Dr Magdalena Tulibacka of the Centre for Socio-Legal Studies. Scholars and practitioners from some thirty-six jurisdictions (since rising toward fifty) supplied answers on their jurisdictions to questions on issues such as sources of funding, availability of contingency fees and legal aid, rules on costs, and shifting of costs from winners to losers (which was found to be almost universal, except for the US). Practitioners also provided illustrative cost figures for nine case studies of typical claim types, so as to give a first overview comparison of which countries' legal systems are cheaper or more expensive.

The results were published in January 2010 by Hart Publishing, and all national reports are on the centre's website at:

www.csls.ox.ac.uk/european_civil_justice_systems.php

A draft report of the findings instantly became one of the top ten downloaded items globally when it was published in December on the Social Science Research Network (SSRN).

An important finding was that 'third party' commercial litigation funding is spreading in several major jurisdictions. The CMS Programme is continuing with a project to identify current practice on litigation funding, and its pros and cons, and to examine whether regulation is needed.



(l-r) Professor Stefan Vogenauer and Lord Justice Jackson at the conference in July 2009

Review of Civil Litigation Costs: Final Report

The Centre's findings that the 'loser pays' rule is almost universal, save in the US, and that success fees (and ATE insurance premiums) were not recoverable from defendants in any other jurisdiction, were key pieces of evidence on which Jackson LJ based his recommendations.

In his Final Report, Jackson LJ commented: 'The Centre for Socio-Legal Studies and the Institute for European and Comparative Law at Oxford University have carried out a comparative study of costs and funding of litigation across thirty-four different jurisdictions. They have kindly done this within a timeframe that coincides with my own Costs Review. They organized a most enlightening two-day seminar on this subject at Oxford in July, which I attended. They have subsequently produced their report, 'Costs and Funding of Civil Litigation: a Comparative Study'. This report gives an invaluable insight into many jurisdictions which I did not have time to visit during my own study tour. I commend that report to all who seek a comprehensive review of overseas costs rules. I am most grateful to Professor Stefan Vogenauer, Dr Christopher Hodges, and Dr Magdalena Tulibacka of Oxford University for carrying out a project which has been of such timely assistance to my own review.'

Lord Justice Jackson's final report is available at: www.law.ox.ac.uk/LN144e

Obligations V Conference

THE FIFTH Biennial Conference on the Law of Obligations (Obligations V), on the theme of 'Rights and Private Law', will be held at St Anne's College, Oxford from 14-16 July 2010.

The conference is being co-hosted by the University of Oxford Faculty of Law and Melbourne Law School. The Obligations conferences bring together scholars, practitioners, and judges from common law countries to discuss issues in contract, tort, equity, and restitution, and the speakers at Obligations V come from a wide variety of common law jurisdictions, including the UK, Australia, New Zealand, Ireland, the USA, Canada, Hong Kong, and Singapore. The programme for the conference can be viewed on the conference website at www.law.ox.ac.uk/obligations, where registration is now open.

31st Blackstone Lecture

PEMBROKE College was delighted that The Hon Mr Justice Beatson FBA delivered the 31st Blackstone Lecture on 16 May 2009.

Mr Justice Beatson is an alumnus of Brasenose College, and an Honorary Fellow and former Fellow and Tutor in Law at Merton College. He had been a Law Commissioner and Rouse Ball Professor of English Law at the University of Cambridge before his appointment to the High Court bench.

The lecture, which discussed important recent innovations in constitutional practice, was entitled 'Reforming an Unwritten Constitution', and can be viewed at

www.law.ox.ac.uk/LN144m

As is customary with the Blackstone Lectures, the event was attended not only by students, but also by distinguished practitioners and academics, and was followed by luncheon in the Hall of Pembroke College.

Conference on Company Law and Economic Protectionism

ON 1 OCTOBER 2009, the Institute of European and Comparative Law hosted a conference on 'Company Law and Economic Protectionism' in Christ Church. The conference was organized by Professor Ulf Bernitz and Dr Wolf-Georg Ringe, and kindly sponsored by the Wallenberg Foundation.

The conference addressed the revival of protectionism, following the 2008/09 financial crisis. There has always been a conflict between the aims of the EU to establish a well-functioning and integrated internal market, and the ambitions of (certain) Member States to boost national champions or to maintain national economic control in formerly publicly owned companies. In recent times, as a consequence of the global financial crisis, European

leaders have been making a virtue of big government and state intervention; bail-outs and sovereign wealth funds have been among the first responses to the economic contraction. Company law rules are one of the instruments frequently used to enhance or to discourage integration or to deter foreign investment. Examples of the new protectionism can be seen in a wide range of legislative and regulatory measures, for instance state measures preventing foreign takeovers, 'golden shares', or laws on foreign direct investment targeting sovereign wealth funds, mainly from Asia.

The conference brought together a number of company and EU law experts, some of whom are members of Oxford's Law Faculty, to discuss the developments in this

area of law. Professor Klaus Hopt (MPI Hamburg) kindly chaired the day's programme. Papers were given inter alia by Professor Paul Davies (Oxford), Professor Jesper Lau Hansen (Copenhagen), Professor Jonathan Rickford (LSE), Dr Wolf-Georg Ringe (Oxford), and Professor Heike Schweitzer (EUI, Florence). The presentations covered various topics, including takeovers/mergers, the one-share-one-vote debate, and the foreclosure of markets against sovereign wealth funds.

The day's discussions yielded a frank and constructive dialogue. The proceedings of the conference will be published as a volume by Oxford University Press.

*Wolf-Georg Ringe
DAAD Lecturer in Law and
Deputy Director, IECL*

Hochelaga lectures: Reciprocity in Contract



Top: Mindy Chen-Wishart delivers one of her 2009 Hochelaga lectures. Bottom: (l-r) Mr Johannes Chan, Dean of the University of Hong Kong Law Faculty; Mindy Chen-Wishart; Madam Justice Maria Yuen of the Court of Appeal; Mr Justice Geoffrey Ma, Chief Judge of the High Court of Hong Kong.

MINDY CHEN-WISHART, Reader in Contract Law, delivered the 2009 Hochelaga lectures at the University of Hong Kong in October.

The first lecture 'In Defence of Consideration', interpreted the consideration requirement in the common law of contract as reflective of a core aspect of human behaviour confirmed by anthropologists, evolutionary biologists, psychologists and social scientists. Namely, that reciprocity is the basic currency of all human interaction and the basis of social equilibrium. It enables self-interested actors to solve the problems of cooperation and co-ordination in pursuit of their individual ends beyond the social and domestic circle. In contrast, the natural home of non-explicitly reciprocal promises is within the social and domestic circle. External enforcement here would undermine the ability of such promises to express trust, affection and commitment and demean gift-giving by translating them into money's worth. In her view, the question is not whether we take promises seriously, but what sort of society we want to live in.

In her second lecture, 'A Bird in the Hand', Mindy addressed one of the most persistent problems for contract law and a source of discontent with the consideration doctrine, namely, the enforceability of one-sided contract modifications (where one party promises to pay more or to accept less than was originally due). She argued that if we accept the reality that a bird in the hand is worth two in the bush, then the idea that the receipt of (even part) performance confers a benefit over and above the right to performance, and can be exchanged for an enforceable promise from the recipient, is consistent with the core idea of reciprocity expressed in the consideration doctrine. This result can be achieved by a unilateral contract analysis (the modification only binds if the stipulated performance is actually received, otherwise the original contract remains in full force). This is preferable to abolishing the consideration requirement or circumventing it by a recent dubious application of promissory estoppel.

Mindy also gave a seminar titled 'Legal Transplant of Undue Influence: Lost in Translation or a Working Misunderstanding?' She noted that the English law of undue influence is overwhelmingly accepted as the applicable law in Singapore. Yet, when one looks beyond the statements of principle to the way that such principles are applied and to the results reached, the divergence between English and Singaporean cases is stark. She then went on to explore the issues arising from the transplanting of law from one jurisdiction to another.

News from the Foundation for Law, Justice and Society

'where terror is always with you, you have to develop ways of thinking which will not distinguish between terror and peace. If you develop special categories in times of war, you will not be able to get rid of them. They will linger in times of peace'

*Aharon Barak,
President of the Israeli
Supreme Court*

THE FOUNDATION for Law, Justice and Society were proud to host on 4 June 2009 the former President of the Israeli Supreme Court, Aharon Barak, who delivered the Annual Lecture to a packed Rhodes House audience of 150 people.

Professor Barak, who spent eleven years at the helm of the Supreme Court and helped reshape Israel as a constitutional democracy, outlined his theory of proportionality as a means to the appropriate balance between securing public goods and safeguarding human rights.

During the lecture, Professor Barak recounted cases in which he adjudicated on family unification, the construction of the separation fence, and authorized torture. He argued for a broad level of judicial discretion, while cautioning against the excessive use of executive power in the face of threats to national security.

In response to a question from the Legal Affairs correspondent from the Guardian newspaper, Professor Barak warned of the problems of instigating anti-terror measures: 'In a country like Israel where terror is always with you, you

have to develop ways of thinking which will not distinguish between terror and peace. If you develop special categories in times of war, you will not be able to get rid of them. They will linger in times of peace.'

An audio podcast, transcript, and video extracts of Professor Barak's lecture are available from www.fljs.org/Barak

The Annual Lecture was the highlight of another successful year for the Foundation, which also saw the launch of a two-week residential summer school for international students, and a new programme run by Professor Denis Galligan, investigating the social foundations of constitutions.

The Foundation for Law, Justice and Society is an independent institution affiliated with the Centre for Socio-Legal Studies. Further information about the work of the Foundation, including a range of downloadable podcasts, policy briefs, and reports, can be found at: www.fljs.org



The Clarendon Lectures 2010 with Professor Hugh Beale

THE CLARENDON Lectures this year were given by Professor Hugh Beale, Professor of Law at the University of Warwick and a visiting professor at Oxford and Amsterdam. Professor Beale was a Law Commissioner for England and Wales for seven years, and he brought his experience of the method and realities of law reform to bear on the problem of the law's reaction to non-disclosure of facts in the formation of a contract.

Many jurisdictions give some form of relief to a mistaken party where the mistake was not as a result of a misrepresentation by the other party, if the other party knew or (more controversially) ought to have known of the mistake. Sometimes relief is even given when the other party had no reason to know of the first party's mistake.

In contrast, English law, in theory, gives no relief where the mistake is not as to the terms of the contract, but as

to some other relevant fact. Despite the many exceptions to this general statement, Professor Beale demonstrated that there are still some potential gaps in the law where deserving parties are bound by the contract they entered into under a unilateral mistake. In a wide ranging survey of the relevant law in a number of countries (and including the Principles of European Contract Law, which Professor Beale edited together with Professor Ole Lando), he isolated several possible models for reform. The choice of model for English law would have to be consistent with the general approach of the common law, which Professor Beale characterised as individualistic, except in the consumer sphere.

Therefore, if English law is to be changed, he provisionally proposed a narrow rule, addressing merely the situation where the non-mistaken party knew of the mistake.

However, he discussed an alternative approach, which would be to leave domestic English law (which is generally suitable for the sophisticated parties and contracts with which the courts normally deal) unchanged, but to give the parties the choice of using an 'optional instrument', an alternative law of contract, as has been suggested by the European Commission in its Action Plan on European Contract Law. This might be designed specifically for the needs of small and medium sized enterprises, which are less likely to be sophisticated or legally-advised and which are less likely to enter the 'market'-type contracts that are so often litigated. It would offer a higher level of protection which could be chosen by risk-averse parties. This idea engendered an interesting discussion among those present, both during the formal proceedings of the three lectures and afterwards.

HeLEX – Centre for Health, Law and Emerging Technologies at Oxford

ON 1 OCTOBER 2009, a new research centre called HeLEX was established in the Department of Public Health, by Law Faculty member Dr Jane Kaye.

The purpose of the new centre is to carry out research on law, policy, and practice in the area of emerging technologies in health. Researchers take an interdisciplinary approach that uses tools and methods from the disciplines of law, philosophy, and sociology. By combining the results of these investigations it is possible to generate insights for more effective policy making that is compliant with the law, is based on sound ethical principles, and is grounded in an understanding of medical practice. Current research focuses on genomics with an emphasis on global governance, privacy, data-sharing frameworks, biobanks, and translational research. Researchers at the centre also have a developing interest in how innovative technology in the areas of synthetic biology, nanomedicine, and stem cell research is being used for new health applications. Research members are Liam Curren, Nadja Kanellopoulou, Heather Gowans, Karen Melham, Naomi Hawkins, John William Devine, Imogen Holbrook, Patrick Woolley, and Miriam Wood. More details can be found at <http://helex.medsci.ox.ac.uk>



Above: 2009 Oxford French Law Moot: participants and judges

At right: Launch of the new undergraduate exchange with the University of Pompeu Fabra in Barcelona (from left to right): Caroline Daly (Oxford), Oriol Valenti (UPF), Professor Josep Ferrer (Dean of the Law Faculty, UPF), Professor Stefan Vogenauer (Oxford), Professor Josep Joan Moreso (Rector of UPF), Professor John Cartwright (Oxford), Cristina Vila (UPF), Edmond Boule (Oxford).



Institute of European and Comparative Law

THIS YEAR has marked the publication of the tenth volume of the Institute's scholarly series, the Studies of the Oxford Institute of European and Comparative Law. The series was launched in 2006 as a forum for the dissemination of the Institute's research.

It quickly established itself in the marketplace and saw a rapid sequence of high quality publications on European law and comparative law with a particular focus on the specific intersection of the two disciplines. The books benefit greatly from the editorial care taken by the Oxford-based publisher, Hart Publishing, which has been a great partner in this venture. The tenth volume to be published is a collection of comparative essays on the ongoing modernisation of the French law of contract and tort, the launch of which was marked by a presentation from Mr François Ancel, who heads the unit in charge of reform at the French Ministry of Justice.

Other Institute events this year have included a conference on 'Litigation Costs and Funding' and a workshop on 'Teaching and Researching French Law in the UK and Ireland', which was held at the Maison Française d'Oxford. A new collaborative venture with the University of Munich, on 'Current Problems in Constitutional Law', resulted in an event entitled 'Perspectives from Germany and the UK: Current Problems in Human Rights at the 60th Anniversary of the German Constitution'.

Some of these events were organised by the Centre for Competition Law and Policy, an integral part of the Institute. The Centre, which is run by Dr Ariel Ezrachi, also organised the Institute's third Judicial Training Programme in EU Competition law in 2009. This was again funded by the European Commission and brought together some thirty five judges, mostly from the new Member States.

Most of our conferences are linked to the research conducted by members of the Institute and the Faculty at large. A new major research project was launched at a workshop in Berlin in January 2010, dealing with 'The Common Frame of Reference of European Contract Law in the Context of English and German Law' which brings together some forty legal scholars from the two countries. The project is jointly organised by Professors Gerhard Dannemann of the Berlin Humboldt University and Professor Stefan Vogenauer from Oxford, and will run over three years. It is the recipient of a large joint research grant from the Arts and Humanities Research Council (AHRC) and the Deutsche Forschungsgemeinschaft (DFG).

The Institute continues to co-ordinate the Faculty's 'Law with Law Studies in Europe' undergraduate degree and the corresponding exchange programmes with our partner faculties in five European countries. September 2009 saw

the launch of a new student exchange with the University of Pompeu Fabra in Barcelona, which will see two Oxford students a year spending two semesters at one of Spain's top Law Faculties, and two students from Barcelona coming to read law at Oxford.

The teaching of foreign laws at Oxford remains one of the Institute's priorities. Dr Eric Descheemaeker organised the second Oxford French Law Moot in May 2009, in which students argued a case, in French, in front of the President of the Third Civil Chamber of the Cour de cassation, Mr Alain Lacabarats, and the Senior Partner of Gide Loyrette Nouel LLP. The financial support of Gide enabled us to reward the teams with a splendid dinner. The event was very successful and there will be a follow-up in 2010 involving teams from several other UK universities.

Our range of activities goes far beyond what Universities can afford to provide in an age of spending cuts in higher education. This would not be possible without the generous support of our external sponsors, and we are extremely grateful to the Deutscher Akademischer Austauschdienst, the Wallenberg Foundation and, first and foremost, Clifford Chance LLP whose continuing support throughout the financial crisis was even more appreciated than usual.

*Stefan Vogenauer,
Professor of Comparative Law
and Director of the Institute*

News from the Centre for Socio-Legal Studies...

SOMETIMES IT takes a change of scene for a group of busy researchers to appreciate that they are pursuing excitingly complementary lines of enquiry.

At the Centre for Socio-Legal Studies, a dozen researchers with a dozen disciplinary, thematic and regional specialisations, pursue more than a dozen strands of research. Projects range from the social foundations of constitutions, to the justice of local courts in Africa; from the texts of ninth century Tibet, to the future of European civil justice. What unites such disparate projects; and what is the benefit of combining them in one institution? It was to explore such questions that the Centre took its senior staff to Hartwell House, a fine National Trust property near Oxford, in the spring of 2009. During twenty four hours of discussion, presentations and conversation we identified more areas of common interest than even I, as Director, had thought possible.

At least half of us work on the role of courts, the judiciary and lawyers. As well as the research programme on European civil justice systems, run by Dr Chris Hodges, and that on transitional justice, run by Dr Phil Clark, Dr Marina Kurkchyan is comparing courtroom cultures across Europe, Dr Christina Parau is tracing the development of judicial independence in eastern Europe, Dr David Erdos is examining the role of courts in shaping human rights, Dr Fernanda Pirie is analysing the culture of the English Bar, and Dr Michelle Cowley is examining the use of legal evidence.

I am delighted to report the addition of Dr Sonia Macleod to the research team. Dr Macleod, who has a background in genetics, is working with Dr Cowley on the use of evidence in child protection cases, as well as proposing further research on the regulation of bioethics. We have recently been joined by Dr Lisa Vanhala, a political scientist, whose research on the use of EU law by NGOs is a welcome addition. As I write, we are recruiting new research officers to assist Dr Hodges on the Civil Justice programme.

It often seems impossible for me, as Director, to keep tabs on all the new ideas and projects being generated by the Centre's researchers, let alone the work of our students, associates and collaborators. But this is the philosophy of this multi-disciplinary Centre: to attract scholars of the highest calibre to pursue the questions and issues that their own experience and intuition have indicated are the most valuable in the contemporary world. Individuals, we believe, should not be constrained by the limits of pre-determined projects and we are particularly grateful to the many benefactors, in particular, John Adams, Paul Dodyk, the European Justice Forum and Shell International, who make possible this breadth of vision. The best collaboration is generated from genuinely shared interests, and the ideas sparked in conversations in Hartwell House will take the Centre in exciting new directions throughout 2010.

*Fernanda Pirie
Director of the Centre for Socio-Legal Studies*

...and from the Centre for Criminology

SEVERAL MEMBERS of the Centre have published or completed books this year (see the publications section on p. 29). Centre members have also had a successful year in terms of securing major research grants, as a result of which we were pleased to welcome several new research officers to the Centre: Gisella Hanley Santos, Marina Maruda and Shane Mac Giollaibhui.

Other highlights of the year have included the following:

Mary Bosworth and Carolyn Hoyle organized an international conference in September on the topic 'What is Criminology?', which will culminate in an edited volume to be published by Oxford University Press in 2010.

The Centre organized an inaugural post-graduate student conference in November for criminology doctoral students, along with those from Cambridge and King's College London. We hope that this conference will become an annual event.

Professor David Nelken from the University of Macerata, Italy has been visiting the Centre and leading a graduate workshop on 'Comparative Criminal Justice'.

Jonathan Simon, of Berkeley Law School, delivered the fourth Roger Hood Public Lecture in 2009, on the politics of the law of homicide in the US. The 2010 lecture is to be delivered by Nils Christie, University of Oslo, on 20 May on the subject of 'Scandinavian Exceptionalism: Five Threats Ahead'.

This year the Centre said goodbye to Benjamin Goold, who moved to a post at the University of British Columbia. Ben will, however, continue from afar to be involved in research in the Centre. This summer Federico Varese moves from the Centre to the Department of Sociology, though he too will continue to be involved in the Centre's work. His post is to be filled by Dr Rachel Condry. Rachel is a former British Academy Postdoctoral Fellow at the LSE, currently lecturing in Sociology at the University of Surrey. We are delighted that she will be taking up her University Lectureship this summer.

Those who wish to find out more, or keep abreast of the Centre's research and teaching activities, can do so by visiting www.crim.ox.ac.uk

*Ian Loader
Professor of Criminology and Director of the Centre for Criminology*



Bodleian Law Library News

THE LAW LIBRARY has continued to review and improve its services and collections this past year. Here is a brief summary of the good news:

With the release of previously restricted funds, we have undertaken a major improvement to the collection of foreign law materials. We reviewed each of the 103 jurisdictions that we hold, and established ten key areas of law in which we would purchase the latest monographs published. This has been a fantastic opportunity to bring our collection back to the depth and excellence that gained it worldwide renown twenty years ago.

We added further titles to the wide range of databases and e-resources, adding e-books to the collection through OUP online, and MOML – the Making of Modern Law, which was provided by the University Library.

We upgraded the arrangement of our UK book collection. Our UK monographs are now arranged by subjects according to a scheme called Moys, which will enable us to have all the textbooks for the common law countries arranged in a single sequence by subject. No longer will Real Property and Intellectual Property intermingle. Browsing will be greatly enhanced.

After joining the blogosphere last year, we ventured further into the Web 2.0 world, with a presence on Facebook, and a Twitter feed. With over 140 fans on Facebook, and well over 200 followers on Twitter, we are spreading the news of our activities more widely than ever.

This was also the year in which we met with the majority of members of the Faculty, to find out what they want and expect from the library. Several new services have resulted, including a scanning service of articles and pages from texts. We see this as one way the library can assist the research work undertaken by our academics.

Our Legal Research Skills programme now includes a moot as the third component undertaken by the first years. This is a great way to apply the legal research skills the students learn.

Our wonderful benefactors continue to support our endeavours. The generosity of Freshfields Bruckhaus Deringer, Baker & McKenzie, Lovells, and Slaughter and May, together with Weil Gotshal & Manges has made all the difference. It enables us to maintain the broad range of resources we purchase and provide to our students. In these straitened times, such support for materials and staffing allows us to strive to be the best law library that we can.

None of these improvements could have been achieved without the effort and dedication of our law library staff, and their willingness to embrace and adapt to change.

We welcome alumni to visit us any time you may find yourself in Oxford, rediscover your favourite seat, and marvel at how much has changed, and yet how wonderfully familiar it all seems.

LawBod Blog: <http://lawbod.wordpress.com/>

Twitter: <http://twitter.com/thelawbod>

Facebook: www.facebook.com/lawbod

The University of Oxford Centre for Competition Law and Policy (CCLP)

OXFORD'S CCLP continues to stimulate debate on competition law and policy. Four main events have been particularly well received this year.

In early 2009, the CCLP hosted its third Training Programme for National Judges. The programme, endorsed and subsidized by the European Commission, took place over five days and focused on the enforcement of competition laws by national courts and the co-operation between the European Commission and national courts. Following the success of the programme, the CCLP secured an additional grant from the European Commission to promote training in European competition law for national judges in 2010.

Ariel Ezrachi (centre, without jacket) with the judges in the 2009 CCLP Training Programme



The CCLP also hosted a conference on Intellectual Property and Competition Law, which brought together speakers from the European Commission, the US Federal Trade Commission, and practice. The presentations stimulated the debate on the interface between competition law and intellectual property rights.

Later in 2009 the CCLP and the Oxford Institute of European and Comparative Law (IECL) hosted their yearly symposium, on 'Trends in Retail Competition'. Speakers considered the role of private labels in competition between retailers and suppliers. As in previous years, the event proved extremely successful and provided an up-to-date review of this topical area of law and practice.

Another event which attracted participants and delegates from around the world was the CCLP's conference on 'Cartel Criminalisation'. The thought-provoking presentations explored the complexity of the criminalization phenomenon, both in terms of the various forces that are driving it and the effects on the various actors involved in it.

Oxford University Centre for Business Taxation



THE TAX LAW Group hosted a stellar list of visiting speakers last year including Sir Andrew Park (formerly Mr Justice Park), John Neighbour of KPMG (formerly head of the Transfer Pricing Division at OECD), James Bullock of McGrigors who spoke on tax avoidance with Michael Conlon QC of Pump Court Tax Chambers, Philip Baker QC and David Goldberg QC of Gray's Inn Tax Chambers, and Malcolm Gammie QC of One Essex Court. The students benefit enormously from hearing from these leading tax figures and this exciting speaker programme continues this year.

Our tax alumni web page at www.law.ox.ac.uk/tax/alumni.php features a large number of Oxford alumni now working in tax, and others are invited to add their names by contacting jane.ohare@law.ox.ac.uk

Last year the tax group was sorry to say goodbye to Peter Clarke who retired after over 30 years at Oxford. Glen Loutzenhiser, McGrigors University Lecturer in Tax Law and Fellow of St Hugh's College, successfully completed and defended his DPhil thesis 'Income Splitting, Settlements and Avoidance: Taxing the Family on Business Profits'. Edwin Simpson, Barclays Bank Lecturer in Taxation at Christ Church, was awarded an Oxford-Melbourne

research grant for a comparative project to be undertaken with Associate Professor Miranda Stewart of Melbourne University on *sham transactions, judicial and statutory anti-avoidance rules, and the doctrine of abuse of rights.*

Judith Freedman, KPMG Professor of Tax Law, Worcester College, continued to act as Director of Legal Research at the Oxford University Centre for Business Taxation (OUCBT). Her work on small business taxation will be published in the *Mirrlees Review: Reforming the Tax System for the 21st Century* this year, and she presented a paper based on this to a conference in Sydney on the Henry Review on Australia's Future Tax System. Her research with Geoffrey Loomer and John Vella of OUCBT and the Law Faculty on tax risk management and large corporate taxpayers has been published, and the researchers presented this to the annual IRS Research Conference in Washington in July. She is pictured here participating, alongside the editor of the *Guardian*, Alan Rusbridger, Dave Hartnett, Permanent Secretary for Tax and Commissioner of HM Revenue & Customs, Vanessa Houlder of the *Financial Times*, and John Whiting, then of PWC, in a panel discussion at an OUCBT conference on tax avoidance that followed the *Guardian's* Tax Gap series. For further details of OUCBT and its events see:

www.sbs.ox.ac.uk/centres/tax/

From left to right: Dave Hartnett, Permanent Secretary for Tax, HMRC; Alan Rusbridger, Editor The Guardian; Judith Freedman, KPMG Professor of Tax Law; Vanessa Houlder, Financial Times; John Whiting, partner in Pricewaterhouse-Coopers.

Research grants



Andrew Ashworth and **Lucia Zedner** were awarded £509,000 by the Arts and Humanities Research Council for a major project called 'Should a state use preventative techniques involving coercion?'



Bethan Loftus and **Benjamin Goold** have been awarded £452,000 from the Economic and Social Research Council for a project on 'Covert Policing Practices and the Regulation of Investigatory Powers Act 2000'. The study lasts for two years from October 2009.



Stefan Vogenauer, of the Institute of European and Comparative Law, has been awarded an AHRC grant for work on the common frame of reference on European contract law, in the context of English and German law.



Mary Bosworth obtained a Nuffield Foundation Social Sciences grant for her pilot research in immigration detention.



Ros Burnett was awarded £70,000 by the Barrow Cadbury Trust for an 18-month process of evaluation of the Trust's 'T2A - Transition to Adulthood Project'.



Bethan Loftus and **Ian Loader** secured a £46,000 research grant from The Leverhulme Trust for a study called 'Culture in Transition?: An Observational Study of Private Police at Work'.



Julian Roberts secured a prestigious Major Research Fellowship from the Leverhulme Trust to support his research on structured sentencing.



Carolyn Hoyle started a research project on family justice centres, supported by the University's John Fell Fund.



Daniel Bekele awarded the Alison Des Forges Award by Human Rights Watch

OXFORD'S DPhil student Daniel Bekele has been awarded the 2009 Alison Des Forges Award for Extraordinary Activism by Human Rights Watch. The award celebrates the valour of individuals who put their lives at risk to protect the dignity and rights of others. Daniel has worked hard to challenge the Ethiopian government to uphold the civil and political rights of its people. He was arrested on charges of conspiracy and incitement to overthrow the government, after leading efforts to promote voter education and election monitoring in Ethiopia before the controversial 2005 parliamentary elections. Although he was given the opportunity to secure his early release by joining co-defendants in signing a letter of apology to the government, Daniel instead chose to stand trial and contest the charges in court. He was eventually convicted, despite judges acknowledging that Daniel and his colleagues' activities were legitimate and even commendable. He spent two and a half years in prison on charges of conspiracy and incitement to overthrow the government, and was released in 2008.

Daniel is studying for a Master's degree in legal research at Oxford before starting his DPhil research. His topic is a 'Comparative Study of Media Law in East Africa', analysing the similarities and differences between various media laws in East Africa and their compliance with relevant international standards, particularly focusing on a critical analysis of content restrictions imposed by current laws.

Queen's Birthday Honours

Knighthood (KB)

Professor Ian Brownlie, CBE, QC, FBA, Chichele Professor Emeritus of Public International Law, Fellow of All Souls College, and former member and chairman of the UN International Law Commission, for services to public international law.

(Tragically, Ian Brownlie died early in 2010. There is an appreciation of his life and work on p.36 of this issue.)

CBE

Professor Andrew Ashworth, QC, FBA, Vinerian Professor of English Law, Fellow of All Souls, and Chairman of the Sentencing Advisory Panel, for services to the administration of justice.

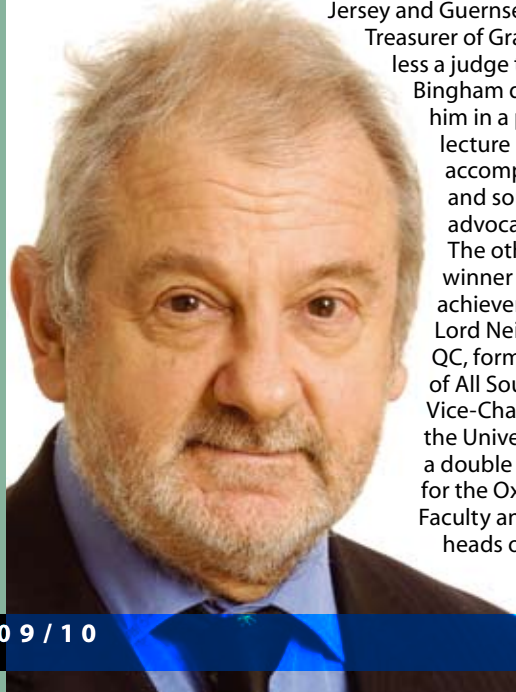
Chambers Directory Lifetime Achievement Award (2009)

MICHAEL BELOFF was once described as the Bar's Renaissance Man. During almost three decades in silk, he has been in over 400 reported cases, and has been mentioned in legal directories in no less than thirteen different practice areas. He has appeared in the courts of ten commonwealth countries as well as at Luxembourg and Strasbourg, was the first Chairman of the Administrative Law Bar Association, and is currently President of the British Association of Sport and Law. He has also had the unique distinction of being a member of the Court of Arbitration for Sport Arbitral Panel at the last four summer Olympics. Michael has combined all this with a ten-year stint as President of Trinity College, Oxford, becoming senior

Ordinary Appeal Judge in Jersey and Guernsey, and Treasurer of Gray's Inn. No

less a judge than Lord Bingham described him in a public lecture as 'a most accomplished and sought-after advocate'.

The other award winner for lifetime achievement was Lord Neill of Bladen QC, former Warden of All Souls and Vice-Chancellor of the University. It was a double success for the Oxford Law Faculty and former heads of house.



Laurence Rabinowitz

On the appointment of Nicholas Hamblen to the High Court (after nine years of service on the Eldon Committee), the Faculty has appointed **Laurence Rabinowitz**, QC as his successor on the Eldon Scholarship Committee.

Cristina Parau

British Academy Postdoctoral Fellow, **Dr Cristina Parau**, has recently won an award from the John Fell Fund (Oxford University) for her research project 'Beyond Judicial Independence: What Kind of Judiciary is Emerging in Post-Communist Europe?'. The award will allow Dr Parau to expand her current postdoctoral research into the outcomes of judicial reform in post-Communist Central and Eastern Europe. For more information please contact cristina.parau@cls.ox.ac.uk



Philip Wood, QC honoris causa

Philip Wood, Allen & Overy Special Global Counsel, has been appointed by the Queen as QC honoris causa. This is a tremendous honour which recognises the huge contribution Philip has made to the law with great distinction over many years.

Vaughan Lowe

May 2009 was a busy month for **Vaughan Lowe**, QC. On 8 May, Vaughan was appointed a Cavalier of the Ordinul National Serviciul Credincios (a Knight of the National Order of Faithful Service) by the President of Romania, for his work as a member of the legal team which represented Romania in the case concerning maritime delimitation in the Black Sea at the International Court of Justice. On 20 May he sat in the European Court of Human Rights in the case of Kononov v Latvia, as an ad hoc judge nominated by Latvia.

University Teaching Awards

The Law Faculty has been honoured by the presentation of University Teaching Awards for 2008-9 to three of our colleagues. **Ariel Ezrachi** and **Adrian Zuckerman** each received the Award for outstanding teaching and commitment to teaching. **Liz Fisher** was recognized for an outstanding contribution to the organisation and administration of teaching.



Peter Birks Prizes

Four out of six authors on the shortlist for the Peter Birks Prizes for Outstanding Legal Scholarship this year were from Oxford: congratulations to **Anne Davies**, **Michelle Madden Dempsey**, **Aileen Kavanagh**, and **Ben MacFarlane**. More details at www.law.ox.ac.uk/LN145h



New Benchers of Gray's Inn

Ewan McKendrick and **Jane Stapleton** have been appointed as Benchers of Gray's Inn. Jane also received the degree of DCL and was elected to the Goodhart Visiting Professorship by the University of Cambridge (March–August 2010; Peter Cane was elected to the Goodhart Professorship for the other six months, from September 2011–February 2012).



Marie Curie Fellowship

Dr Irini Papanicolopulu of the University of Milano-Biocca has been awarded a prestigious two-year Marie Curie Fellowship to work on the law of the sea in Oxford, with Vaughan Lowe as supervisor. Her project is called 'Integrating the human element into law of the sea: the quest for a comprehensive legal regime and adequate implementation tools at the international and EC level'.

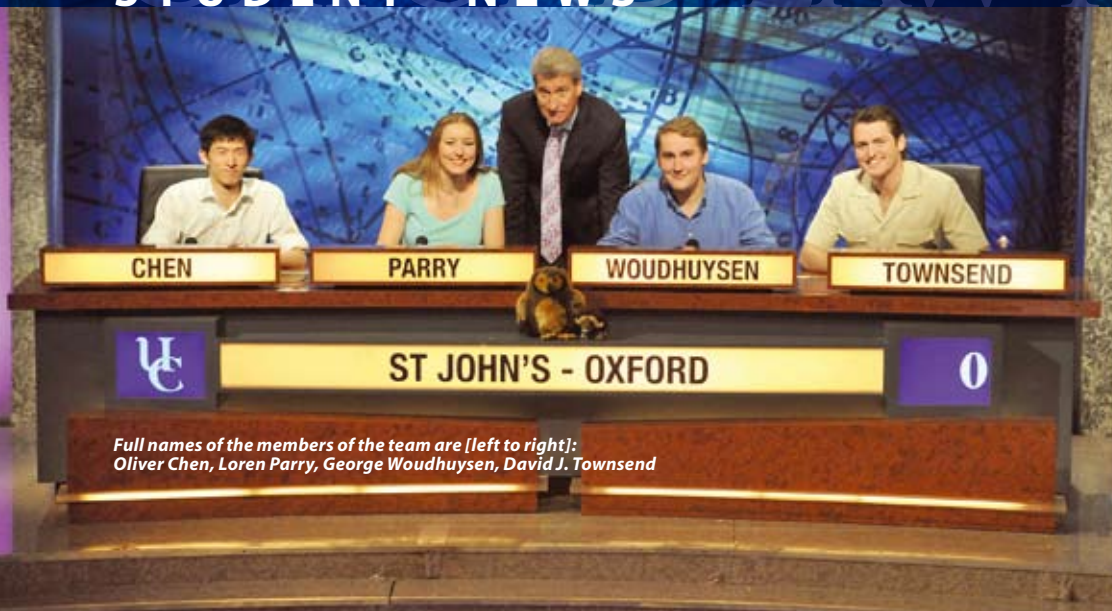
Photos as indicated in blue in the articles above them.

Sandra Fredman

SANDRA FREDMAN was selected as a 'woman of achievement' to attend the 2009 Women of the Year Lunch. Every woman invited to the annual lunch is individually nominated by a member of the Women of Year Nominating Council and is considered a 'Woman of the Year' because of her special contribution to society or the workplace.

The photograph shows Sandra [top] co-chairing a one day expert roundtable entitled 'A UK Bill of Social Rights?' in June 2009 with colleague Jeff King.





Full names of the members of the team are [left to right]: Oliver Chen, Loren Parry, George Woudhuysen, David J. Townsend

Lincoln College's new Shaw Foundation Fellowship

IN SEPTEMBER 2009, Lincoln College launched its Singapore outreach programme, with the generous support of the Shaw Foundation in Singapore.

The new programme will encourage Singaporean students to participate in the University at an undergraduate and graduate level, and is undertaken in collaboration with the University Admissions and International Strategy Offices at Oxford, on behalf of the University as a whole.

Noam Gur started as the first Shaw Foundation Fellow in Law at the College in September 2009. He will teach the law of torts, and will provide advice and help to interested students from Singapore on the application process and collegiate system, as well as other aspects of studying at Oxford.

BCL Student in University Challenge Final

DAVID TOWNSEND took on an additional challenge while studying at Oxford by participating with the St John's team that reached the final of University Challenge.

'I had never heard of University Challenge before arriving at Oxford, but I think that I was chosen for the College team because, like many law students from the Australian tradition, I have fairly eclectic interests. As it turned out, my Oxford law studies were very apposite

to the competition as there were a surprisingly large number of questions on the European Union. More generally, I found my legal education of great advantage because law as a profession and an academic discipline is necessarily outward-looking: active lawyers need to know a bit about everything, from art, to history, to literature, to economics, to natural science. And, being a lawyer, I'd heard my fair share of Gilbert & Sullivan, which is pretty much a mainstay of British quizzes.'

Helton Fellowship awarded to Nicola Palmer

NICOLA PALMER, an Oxford DPhil student, has been awarded a 2009 Helton Fellowship by the American Society of International Law (ASIL).

Nicola will be conducting research under the auspices of the Institute for Democracy in the South African States in Transition Observatory (SITO) programme, which is an independent South Africa-based public interest organization committed to social justice. In addition to conducting research,

Nicola will contribute to SITO's ongoing monitoring of human rights abuses in Zimbabwe.

ASIL established the Helton Fellowship Programme in honour of lawyer Arthur C. Helton, internationally renowned for protecting the rights of refugees and internally displaced people, who died in the bombing of the UN in Baghdad in 2003. For more information about Helton Fellowships visit www.asil.org/Helton

Oxford Pro Bono Publico and human rights in Australia

AT THE END of September 2009, Australia's National Human Rights Consultation Committee issued its report, which can be read at www.law.ox.ac.uk/LN1410j

The Committee refers extensively to a submission from our Pro Bono Publico programme (researched by students with Faculty members advising). You can see the submission at www.law.ox.ac.uk/opbp/projects.shtml

UKCLE Student Essay Competition

JAMES TANNER, an Oxford law finalist, won the UK Centre for Legal Education's Student Essay Competition, 2009. James, who was studying Law with Law Studies in Europe at Merton at the time, addressed the question, 'How does the reality of studying law match your expectations?'

Writing about his time at Oxford, James compared his expectations before starting – that the law provided clear-cut answers and that study would involve memorization and learning by rote – with his experience during his studies

here – of being required to analyse statutes and common law, argue about their various, possible interpretations, and explore legal problems.

The essay competition was part of the Higher Education Academy's Study Awards, and attracted over fifty entries from law schools around the UK. As the winning essay writer, James attended the Higher Education Academy 2009 Conference, and won an iPod Touch.

You can read James' winning essay online at: www.ukcle.ac.uk/interact/essay.html

OxTalent Winner

CHRISTOPHER DU Boulay, a first-year undergraduate law student at Mansfield College, won the 2009 OxTalent Student Projects award for his project 'Criminal Cases 2009'.

Christopher started the project as a revision tool for himself, in preparation for the Criminal Law Moderations exam, but it then grew into a competitive game with his fellow law students as they challenged each other to beat the best score in matching descriptions of the case to the case name. Christopher is currently working on the next version which will include questions on each subject that students must study for final exams. See www.law.ox.ac.uk/LN1410e

Highest Ever Mark for Matthew

LAST YEAR Matthew Albert received the highest mark ever awarded on the MSc in Forced Migration at the Refugee Studies Centre (RSC). His paper, entitled 'Prima facie determination of refugee status: an overview and its legal foundations', is published as an RSC Working Paper.

Since completing his Master's, Matthew has been employed by the Law Faculty to conduct legal research on human rights. He assisted Professor Guy Goodwin-Gill in the drafting of the sixth edition of *Basic Documents on Human Rights*, and co-authored a training manual for Australian refugee decision-makers regarding the Migration (Complementary Protection) Bill 2009 with Associate Professor Jane McAdam, Visiting Fellow in Law at Lincoln College. Matthew is also research assistant to Geoffrey Robertson QC of Doughty Street Chambers.

Oxford Law Funds Internship at the International Court of Justice

THE OXFORD Faculty of Law has been invited by the International Court of Justice (ICJ) to participate in a Traineeship Programme established by the Court.

Under the programme, one Oxford student will be selected by the Court, from a shortlist provided by the Faculty of Law, to work with the ICJ for a period of nine months. Oxford is one of a few universities around the world invited by the Court to participate in this internship programme. The trainee will assist members of the court in tasks such as drafting opinions, orders, and other court documents, preparing case files, and researching a variety of legal issues.

The Faculty of Law will offer funding for the person selected for the duration of the internship. The funding for the position was made possible by a very generous donation from Sir Frank Berman, and by funds raised by members of the Faculty of Law's Public International Law Group.

The internship programme will provide students with a unique opportunity to gain experience of working in the world's leading international tribunal and an unparalleled insight into the practice of international law. The ICJ is the principal judicial organ of the United Nations. It decides on cases submitted by States, and renders advisory opinions on legal questions submitted by organs and agencies of the United Nations. Cases currently before the Court include a request by the United Nations General Assembly for an advisory opinion on the legality of the declaration of independence by Kosovo and a case brought by Georgia against Russia with regard to the conflict in South Ossetia in 2008. The experience gained by the selected student should provide an excellent platform for a career in international law.

The first Oxford Trainee at the Court is Veronika Fikfak (DPhil Candidate, Lincoln College). Veronika started at the Court in September 2009 and will complete her period of internship in June 2010. Oxford's next trainee at the ICJ will commence the internship in September 2010.

Hannah Glover awarded Kennedy Scholarship



Oxford BCL student Hannah Glover has received a prestigious Kennedy Scholarship. Hannah is one of just six Kennedy Scholars in 2010/11. The award will enable her to take the one-year LLM at Harvard Law School.

The Kennedy Scholarships were established in 1964 as part of Britain's memorial to President John F. Kennedy, following his assassination in 1963. The scholarships provide full funding for one year of study at Harvard or the Massachusetts Institute of Technology, and are considered comparable to the Rhodes Scholarships that bring students to study at Oxford. Intended to foster closer trans-Atlantic relations, the scholarships also provide funds to be used for travel around the US.

Selection for a scholarship is very competitive, with only around five per cent of applicants being successful. Hannah, along with other shortlisted applicants, was interviewed by a panel of ten trustees of the Kennedy Memorial Trust. Among other qualities, the trustees look for individuals with the potential and ambition to become leaders in their field. At the last count, there were four Kennedy Scholars in the Cabinet of the UK government.

Hannah is looking forward to her time at Harvard and to studying some new areas of law, such as social welfare law, as well as some familiar subjects, like restitution and tax. Being the first member of her family to attend university, Hannah says she is interested in finding out how social welfare law might be used to increase social mobility in the UK. After Harvard, Hannah plans to return to the UK to read for the Bar.

As well as her success in being awarded the scholarship, Hannah has already been awarded the Barnett Bequest Scholarship by Merton. She started her undergraduate degree aged just sixteen, and she is currently Vice-President of Oxford University's Women's Boat Club, having rowed in the winning Osiris in the 2007 Women's Boat Race.

Top of the BA in Jurisprudence

AS WELL AS receiving a first class law honours degree, Colin Liew of Singapore, was awarded the Martin Wronker Prize for Best Overall Performance, the University's highest award for law undergraduates.

The prize, which is worth £1,250 and is announced in the Oxford University Gazette and The Times newspaper, is awarded annually for the best overall performance in the final exams. Colin, who plans to qualify for the Bar, said: 'I definitely was not expecting to win the prize. I thought I'd be fortunate to even get first class honours.'



Maitland Chambers University of Oxford Undergraduate Inter-collegiate (Cuppers) Mooting Competition

CUPPERS IS THE mooted term for an inter-collegiate championship, and now mooted has joined rugby and ballroom dancing as a championship pursuit.

The Law Faculty has organized Cuppers Mooting in conjunction with the students' Consultative Committee, and undergraduate students from across the University enthusiastically embraced the competition in its inaugural year. Some seventeen colleges participated in Rounds I and II of the five-round contest. The eight top-ranked teams in the preliminary rounds advanced to the elimination rounds of the competition, comprising quarter-finals, semi-finals and a Grand Final. The Faculty is delighted that Maitland Chambers has agreed to sponsor the cuppers competition, and that they were pleased to offer the members of the winning team the opportunity to undertake mini-pupillages in Chambers.

The Grand Final of the competition was held in Mansfield College Chapel on 27 February 2009, between University College and Worcester College. The Faculty was especially honoured by the presence of the Rt Hon. the Lord Mance (pictured), who presided at the moot. The problem for the Grand Final moot focused on two tort principles expressed by the Latin phrases *ex turpi causa non oritur actio* (an action does not arise out of a wrongful act) and *novus actus interveniens* (a new intervening act). With several appeals raising these issues pending before the House of Lords, the subject area was particularly topical.

The appellant team of Toby Boncey and Emma Fenn defeated respondent counsel Edmond Boullé and Kerby Lau, to ensure that Worcester College's name was the first to appear on the Championship Cup, now displayed in the Bodleian Law Library. The standard of legal research and advocacy skills displayed in the moot was exceptional, as it was throughout all rounds of the contest, and the competition promises to become a fertile source of great mooters in years to come.

The Faculty acknowledges, in particular, the time and energy contributed by the students' Mooting Representative, David Thomas (Mansfield College), to the success of this year's competition. The competition also involved many tutors and postgraduate students in the Faculty, whose assistance as judges in the preliminary rounds of the contest is much appreciated.



▲ From left: Cuppers winners Emma Fenn and Toby Boncey of Worcester College. Lord Mance presides.

UK Jessup Moot Champions – again!

ON 22 FEBRUARY 2009, the University of Oxford won the White & Case United Kingdom Philip C Jessup International Law Moot Court Competition, ahead of nineteen other teams from universities and Inns of Court from across the country. The team, comprising Daniel Baker (Harris Manchester), Ailene Chou (University), Richard Hoyle (Brasenose), Katie Johnston (Corpus Christi) and Lynn Yu (Exeter), defeated University College London in a Grand Final judged by a panel of seven leading international lawyers, chaired by Lord Bingham. The team won all six of their competition moots, and Richard Hoyle was declared the best oralist in the UK Championship Round, held at Gray's Inn in London.

Jessup is the largest mooted competition in the world and involves an enormous amount of work for the students – their written work alone requires preparation of two 12,000-word memorials. In 2009, the fiftieth year of the contest, there are nearly 600 teams from almost 90 countries vying for the world title. This year's

Oxford International Intellectual Property Law Moot 2009

AT THE END of Hilary Term 2009, the Oxford Intellectual Property Research Centre held its annual International IP Moot at St Catherine's College. The Moot is now in its eighth year, but 2009 was its first since the Centre's transfer from St Peter's College to the Faculty.

Twenty teams from universities around the world descended on St Catherine's for a two-day, four-stage competition that was judged by a team of twenty-four IP practitioners and academics. The final was held before Lords Justice Mummery and Jacob, and Mr Justice Floyd, and won for the second year in a row by the Queensland University of Technology (QUT), Australia.

As in previous years, the problem for the

2009 Moot was set in the fictional jurisdiction of Erewhon. For the first time, however, it had a patent law focus.

The standard of mooted was extremely high. However, only two teams could progress to the finals, and they were QUT and the University of Edinburgh. Both gave a splendid performance before the learned bench, with QUT taking the clean sweep of prizes: aside from the moot trophy itself, it won the prize for the best written submissions, and its lead counsel, Srdan Radojevic, won the prize for the best individual performer.

Among the highlights of the event was the inaugural IP *Conversazione*, a panel discussion chaired by our incoming Professor

SHEARMAN & STERLING MOOT
(l-r) Mr George Karafotias (Shearman & Sterling), Hannah Noyce (Wadham), Emily MacKenzie (Lincoln), Lord Justice Mummery (Court of Appeal), Stefanie Wilkins (University), Tessa Khan (Keble), Professor James Edelman (Keble, Faculty Mooting Officer).



UK JESSUP MOOT (l-r) Ryan Goss (Lincoln, coach), Richard Hoyle (Brasenose), Daniel Baker (Harris Manchester), Katie Johnston (Corpus Christi), Ailene Chou (University), Lynn Yu (Exeter), Andrew Lodder (Magdalen, coach), Paschalis Paschalidis (Harris Manchester, Faculty Mooting Coordinator) with the Rebecca M M Wallace Trophy for the White & Case United Kingdom National Champions.

Shearman & Sterling University of Oxford Mooting Competition 2009

ON 7 FEBRUARY 2009, twelve teams took part in Oxford's premier moot competition, the Shearman & Sterling University of Oxford Moot. Selected on the basis of written submissions, the teams competed in preliminary rounds in the morning followed by semi-finals and a grand final in the afternoon and evening.

The moot problem involved an eccentric inventor who had promised his employee half of his enterprise. The inspired employee had spent long hours, day and night, for several years for his employer carrying the business from negligible value to a value of £200 million. When the two fell out, he was ruthlessly terminated. Before a mock House of Lords, Tessa Khan (Keble College) and Stefanie Wilkins (University College) met Hannah Noyce (Wadham College) and Emily MacKenzie (Lincoln College) in the grand final, judged by Sir John Mummery of the Court of Appeal. In what Sir John Mummery described as a 'knife-edge decision', the moot was awarded to Noyce and MacKenzie. The large audience at the final were also treated to a learned exposition of this difficult area of law by Sir John. He explained, *ex tempore*, why even though the employer's promise did not amount to a contract, the law must recognize (as Australian law has) that the employee had a right to a share of the profits to which he had contributed. But, Sir John emphasized, that share would not entitle the employee to £100 million despite the powerful and inspired arguments of Wilkins.

The day was a great success and the Law Faculty extends its thanks to the graduate moot co-ordinator Ben Spagnolo, to Shearman & Sterling LLP for their support as well as sponsorship of the moot, and to Sir John Mummery for his time and effort.

James Edelman
Keble College

fictional problem set before the International Court of Justice, 'The Case Concerning Operation Provide Shelter', concerned the use of force by way of humanitarian intervention, the production of classified intelligence reports, state responsibility for the conduct of troops of occupying powers and of national contingents in multilateral peacekeeping forces, the grant of asylum, and the power and authority of the Court itself.

2009 was the second consecutive year that an Oxford team, as UK Champions, won the Rebecca M M Wallace Trophy, and the third consecutive year that Oxford has represented the United Kingdom in Washington, DC in the Shearman & Sterling International Rounds of the competition. Under the coaching of postgraduate students Andrew Lodder (Magdalen) and Ryan Goss (Lincoln), the 2009 team of Daniel, Ailene, Richard, Katie and Lynn were joined in Washington by the second- and third-placed teams in the UK competition, from University College London and the London School of Economics. Edged out by LSE, Oxford was placed ninth in the world.



OXFORD INTERNATIONAL INTELLECTUAL PROPERTY LAW MOOT
(l-r) Mr Srdan Radojevic (QUT), Mr Timothy Wilkins (QUT), Lord Justice Jacob, Lord Justice Mummery, Mr Justice Floyd, Mr Cook Alciati (U of Edinburgh), Ms Oriana Farley (U of Edinburgh).
Image by Keith Barnes (c) 2009 photographersworkshop.com



of Intellectual Property and Information Technology Law, Graeme Dinwoodie. The participants – all with university qualifications in science – were Rochelle Dreyfuss (New York University School of Law), His Honour Judge Michael Fysh QC (Patents County Court for England and Wales, and Chairman of the UK Copyright Tribunal), Nigel Jones (Senior Partner in the Intellectual Property Department of Linklaters), and Michael Yudkin (Emeritus Professor in Biochemistry at the University of Oxford).

We are enormously grateful for the generous support of the Moot's sponsors: Linklaters, 8 New Square Chambers, Stikeman Elliot LLP, Slaughter and May, Herbert Smith, Rouse, and OUP.

Finally, those interested in reading an independent write-up of the event might refer to Stephen Kinsey's review, 'Practice Makes Perfect, Not Experts', in the 2009 annual issue of the World Intellectual Property Review (pages 20–22).

In 2010, the Oxford International Intellectual Property Moot and IP Conversazione will be held on Friday 19 and Saturday 20 March, at St Catherine's College, and will have as its theme musical copyright. Further information is available on the moot webpage of the Oxford IP Research Centre's website: www.oiprc.ox.ac.uk/moot.html

Justine Pila
St Catherine's College

Oxford French Law Moot

THE SECOND annual Oxford French Law Moot took place in St Catherine's College in May 2009, organised by Dr Eric Deeschemaeker under the auspices of the Institute of European and Comparative Law. The four teams, of three mooters each, competed first in a semi-final, from which two winners progressed into the final to determine who would become le vainqueur.

The problem concerned an occupier's liability for a lessee's injury sustained whilst stepping into a faulty lift, and subsequent claims against the proprietor and the company charged with the maintenance of the lift. The facts of the case were taken from a real life case that had come before the Cour de Cassation (France's highest court in civil and criminal matters) some three weeks prior in early April. Monsieur Alain Lacabarats, President de Chambre of the very chamber of the Cour de Cassation which had judged the real case the previous month, also judged one semi-final and the final of the moot.

The other two judges were François-Xavier Lucas, Professor at the Sorbonne and Deputy Director of the Oxford Institute of European and Comparative Law, and Monsieur Pierre Raoul-Duval, Senior Partner at the international law firm Gide Loyrette Nouel, whose generous sponsorship made the whole event possible.

French and English speakers alike delivered detailed, nuanced and convincing legal arguments. The winning team of Francesco Donini-Ferretti, Julia Lewis and Ciar McAndrew were notable for their sheer skill in advocacy and ability to convince the judges.

After the mooting, there was a dinner for all participants in the St Catherine's Senior Common Room with the judges, associates from Gide Loyrette Nouel and Professor Timothy Endicott (Dean of the Faculty of Law), which was a welcome chance to relax after a highly rewarding, and very tiring, day. No one said the Oxford French Law Moot was going to be easy, but it was definitely an event from which all those who contributed gained a lot in return.

Prof. François-Xavier Lucas (Oxford and Paris), Mr. Pierre Raoul-Duval (Gide, Paris), Francesco Donini-Ferretti (Brasenose), Ciar McAndrew (Hertford), Julia Lewis (St Edmund Hall), Mr Alain Lacabarats (Cour de cassation, Paris). ▼



Monroe E Price Moot

THE THIRD Monroe E Price International Media Law Moot Court Competition took place between 24 and 27 March 2010.

Organized by the Programme in Comparative Media Law and Policy (PCMLP) at the Centre for Socio-Legal Studies, twenty-eight teams competed, representing countries such as Pakistan, Malaysia, the UAE, China, India, Kenya, Jordan, and Bangladesh. The competition is named in honour of Professor Monroe E Price, currently head of the Centre for Global Communication Studies at the University of Pennsylvania's Annenberg School of Communication. For sponsorship queries and opportunities to judge the competition, please write to Louise Scott (louise.scott@csls.ox.ac.uk).

Scenes from the 2009 Monroe E Price Moot. ►



International Roman Law Moot

IN APRIL 2009, the 2nd International Roman Law Moot Court Competition and Colloquium, was organised by the Institute Mohamed Ali for the Research of the Eastern Tradition and the Municipality of Philippi.

It took place in the Imaret of Kavala and the Roman forum of Philippi between eight Universities from across Europe. The case involved officials appropriating state property, and a point on servitudes (easements), taken directly from the recent case in the House of Lords of *Moncrieff v Jamieson*. The competition was followed by a colloquium, on the corruption of lawyers and state officials in Roman law. Papers were delivered by leading academics across the Universities represented. Our own Regius Professor of Civil Law, Professor Boudewijn Sirks, addressed the concept of corruption in Late Antiquity.

Oxford's brilliant team, composed of Philip Ahlquist (Magdalen College), Simon Kerry (Merton College), Daniel Khoo (University College) and Martin Ström (St Anne's College), and coached by Paschalis Paschalidis (Harris Manchester College), brought home the honour of the highest aggregate score. In addition, Mrs Anna Missirian, President of Institute Mohamed Ali, bestowed the Mohamed Ali Award upon the Faculty of Law of the University of Oxford for the crucial role it has played in establishing the competition.

Our thanks go to the organisers, as well as the generous sponsors of the competition: the Athens law firms Zepos & Yannopoulos, and Karatza & partners and the Kavala law firm, Koimtzidis, Papparis & Kogkalidis.

Mrs Anna Missirian-Tzouma, Paschalis Paschalidis, Simon Kerry (Merton), Martin Ström (St Anne's), Philip Ahlquist (Magdalen) and Daniel Khoo (University). ►

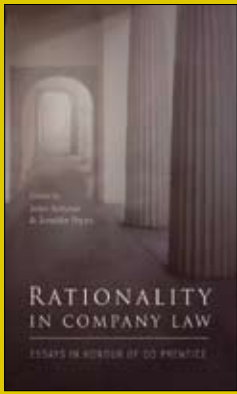
Oxford v Cambridge Clifford Chance LLP Roman Law Moot Court Competition

THE THIRD annual Oxford v Cambridge Clifford Chance LLP Roman Law Moot Court Competition took place on 19 June 2009, this time hosted in Oxford.

Two teams of elite Roman law students from each university competed in All Souls College before the two Regius Professors of Civil Law, Professor Boudewijn Sirks (Oxford) and Professor David Ibbetson (Cambridge).

The dispute, concerning the contract of pledge (pignus) and the delict of contempt (iniuria), was a variation on a theme extracted from the novel *Prinkippa Izampo* by Angelos Terzakis and the *Chronicle of Morea*, which narrates the story of the Frankish conquest of the Peloponnese in the 13th and 14th centuries. Both teams provided a packed audience with an excellent performance, demonstrating not only their deep knowledge of Roman law, but also their skills in advocacy. The Oxford team of Scott Coleman (Brasenose College), Joshua Folkard (University College), Emeric Monfront (Christ Church College) and Di Yu (Brasenose College), coached by Philip Ahlquist (Magdalen College) and Simon Kerry (Merton College), both alumni of the International Roman Law Moot Court Competition, achieved a great victory against Cambridge.





John Armour and Jennifer Payne (eds), *Rationality in Company Law: Essays in honour of DD Prentice* (Hart Publishing, 2009)

This collection of essays is a festschrift to honour Professor Dan Prentice who retired in 2008 from the Allen & Overy Professorship of Company Law in the University of Oxford. Dan has been deeply involved in corporate law from all perspectives: as a scholar, teacher, law reformer and practising member of Erskine Chambers. His interests cover the full range of corporate law, finance and insolvency. The occasion of his retirement from his Professorship afforded a number of leading corporate law experts from around the world, many of whom are his former students and colleagues, an opportunity to address some of the most important issues in corporate law today, in his honour.

A seminar and dinner were held on 6 February 2009 in Oriel College, to mark the occasion of Dan's retirement, and to present him with a copy of the festschrift. Papers from the festschrift were presented by Professor John Armour (Oxford University), Professor Ed Rock (University of Pennsylvania), Geof Stapleton (BHP Billiton), Jennifer Payne (Oxford University) and Fidelis Oditah QC (3/4 South Square and Visiting Professor, Oxford University).

Andrew Ashworth, *Sentencing and Criminal Justice* (5th edn, CUP, 2010)

Tom Bingham, *The Rule of Law*, (Allen Lane, 2010)

Mary Bosworth, *Explaining US Imprisonment* (Sage Publications, 2010)

Anthony Bottoms and Julian V. Roberts (eds.), *Hearing the Victim: Adversarial Justice, Crime Victims and the State*. (Cambridge Criminology Series. Willan Publishing, 2009)

Adrian Briggs, *Civil Jurisdiction and Judgments* (5th edn, Informa Law, 2009)



Phil Clark and Zachary D Kaufman, *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond* (Hurst, London; Columbia University Press, New York; 2009)

Deirdre Dwyer, *The Civil Procedure Rules Ten Years On* (OUP, 2010)

Alice Edwards and Carla Ferstman (eds.), *Human Security and Non-Citizens: Law, Policy and International Affairs* (CUP, 2010)

John Eekelaar and Mavis Maclean, *Family Law Advocacy: How Barristers Help the Victims of Family Failure* (Hart Publishing, 2009)

Pavlos Eleftheriadis, *Legal Rights* (OUP, 2008)

Timothy Endicott, *Administrative Law* (OUP, 2009)

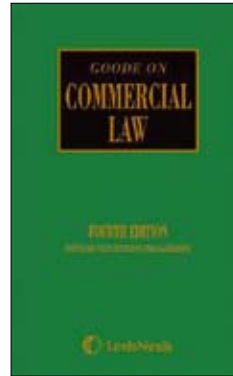
Ariel Ezrachi (ed.), *Article 82 EC – Reflections on its recent evolution* (Hart Publishing, 2009)

Rita de la Feria, *The EU VAT System and the Internal Market* (IBFD, Amsterdam 2009)

Sandra Fredman, *Human Rights Transformed* (OUP, 2008)
Making Equality Effective: The role of proactive measures (commissioned by the European Commission under the framework programme PROGRESS,

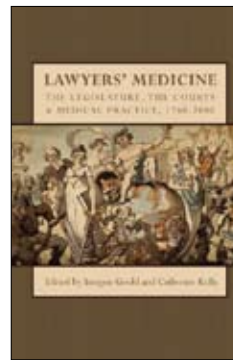
European Network of Legal Experts in the Field of Gender Equality, 2009)

Nazila Ghanea, (ed.), *Religion and Human Rights*, (a four-volume 'Major Works' collection, Routledge, 2010)



Roy Goode and Ewan McKendrick, *Goode's Commercial Law* (4th edn LexisNexis Butterworths, 2009; Penguin, paperback 2010)

The fourth edition of this highly acclaimed work is used extensively by commercial lawyers in this country and overseas. This new edition brings the text up-to-date with Companies Act 2006 changes, developments in the law of security, case law on charges, and all other developments.



Dr Imogen Goold and Dr Kate Kelly (eds), *Lawyers' Medicine: The Legislature, the Courts and Medical Practice, 1760-2000* (Wellcome Unit for the History of Medicine) (Hart Publishing, 2009)

Katharine Grevling, Peter Mirfield and Roderick Bagshaw, contributors, *Phipson on Evidence* (17th edition, Sweet & Maxwell, 2009)

Jonathan Herring, *Older People in Law and Society* (OUP, 2009)
The Woman Who Tickled Too Much (Pearson, 2009)
Medical Law: Law Express (2nd edition Pearson, 2009)
Family Law (Pearson, 2009)

Launch of *After Genocide* at the Kigali Symposium

THERE IS AN unfortunate tendency among many academics to conduct overseas research, retreat to their offices to publish their findings and never return to share their analysis in the countries where they conducted fieldwork.

This was a pitfall my co-editor, Zachary Kaufman, and I wanted to avoid when we returned to Rwanda in April 2009 for a series of presentations on our eight years of research into post-genocide justice and reconciliation. Our purpose was to launch our new book, *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*, and to commemorate the 15th anniversary of the Rwandan genocide.

After Genocide constitutes the most comprehensive survey to date of issues regarding post-genocide Rwanda and transitional justice. In the book, leading scholars and practitioners analyse the political, legal and regional impact of events in post-genocide Rwanda within the broader themes of transitional justice, reconstruction and reconciliation. The book includes chapters from prominent scholars in this field, and contains an unprecedented debate between Rwandan President Paul Kagame and René Lemarchand on post-genocide memory and governance in Rwanda.

The debates generated at the book launch carried over into the press, with front page stories and editorials on the symposium in Rwanda's two major daily newspapers, The New Times and Izuba, lengthy radio discussions and a half-hour prime time interview on Rwanda TV. For us, as editors of *After Genocide*, the Kigali symposium and subsequent discussions were a vital opportunity to present our research back in the country where we have conducted extensive fieldwork and to hear critiques of our work. Our hope is that *After Genocide* also contributes to wider debates – within Rwanda and elsewhere – over where the country is headed 15 years after the genocide.
www.aftergenocide.com

Phil Clark

Criminal Law (Palgrave, 2009)
Great Debates: Criminal Law (Palgrave, 2009)
Criminal Law: The Basics (Routledge, 2009)
Jonathan Herring (ed.), *Criminal Law Statutes 2009-2010* (Routledge, 2009)
Jonathan Herring, and **Julie Wallbank** and **Shazia Choudhry** (eds.), *Rights, Gender and Family Law* (Routledge, 2009)
Jonathan Herring, and **Rebecca Probert** and **Stephen Gilmore**, *Responsible Parents and Parental Responsibility* (Hart Publishing, 2009)
Alicia Hinarejos, *Judicial Review in the European Union. Reforming Jurisdiction in the Intergovernmental Pillars* (OUP, 2009)
Chris Hodges, *The Globalisation of Class Actions* (2009) 622 *The Annals of the American Academy of Political and Social Sciences* (Sage)
Mark Janis, *America and the Law of Nations 1776-1939* (OUP, 2010)
Aileen Kavanagh, *Constitutional Review under the UK Human Rights Act* (CUP, 2009)
Reinier Kraakman, **John Armour**, **Paul Davies**, **Luca Enriques**, **Henry B. Hansmann**, **Gerard Hertig**,

Klaus J. Hopt, **Hideki Kanda** and **Edward B. Rock**, *The Anatomy of Corporate Law* (2nd edition OUP, Oxford and New York 2009)
Bettina Lange, *Implementing EU Pollution Control: Law and Integration* (CUP, 2008)
Liora Lazarus, **Benjamin Goold**, and **Rajendra Desai** and **Qudsi Rasheed**, *The Relationship Between Rights and Responsibilities* (Ministry of Justice Research Series 18/09, 2009)
Bethan Loftus, *Police Culture in a Changing World* (OUP, 2010)
A. Vaughan Lowe and **Stefan Talmon** (eds.), *The Legal Order of the Oceans: Basic Documents on the Law of the Sea* (Hart Publishing, 2009)
Ben McFarlane, **Nicholas Hopkins** and **Sarah Nield**, *Land Law: Text, Cases and Materials* (OUP, 2009)
Justine Pila, *The Requirement for an Invention in Patent Law* (OUP, 2010)
Wolf-Georg Ringe, **Louise Gullifer** and **Philippe Théry** (eds.), *Current Issues in European Financial and Insolvency Law - Perspectives from France and the UK* (Hart Publishing, Oxford; Portland, Oregon; 2009)
Aidan Robertson (visiting lecturer at Oxford since 2003),



contributor, *Competition Litigation: UK Practice and Procedure* (OUP, 2010)
Guenter Treitel, contributor, *Chitty on Contracts, First Supplement to the 30th edition* (Sweet & Maxwell, 2009)
Stefan Vogenaier, and **John Cartwright** and **Simon Whittaker**, *Reforming the French Law of Obligations: Comparative Reflections on the Avant-projet De Reforme Du Droit Des Obligations Et De La Prescription* (Hart Publishing, 2009)
Lucia Zedner, *Security: Key Ideas in Criminology* (Routledge, 2009)

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Graeme Dinwoodie

In June 2009, Graeme Dinwoodie took up the Professorship of Intellectual Property and Information Technology Law, and a Professorial Fellowship at St Peter's College. On appointment he was also made Director of the Oxford Intellectual Property Research Centre, and Director of the Oxford Diploma in Intellectual Property Law and Practice.

Graeme was born in Scotland, and has spent most of his career in the US. He earned his LLB from the University of Glasgow before moving to Harvard to complete an LLM, and then to Columbia to complete a JSD. After a stint in private practice at Sullivan and Cromwell in New York, he became a Professor at Cincinnati College of Law and in 2000 moved to the Chicago-Kent College of Law. At Chicago-Kent, Graeme was Director of the Programme in Intellectual Property Law from 2002 to 2009, and Associate Dean from 2003 to 2009. In 2005 he was appointed to a part-time Chair in Intellectual Property Law at Queen Mary, University of London, which he held concurrently with his post at Chicago-Kent.

Graeme's published work ranges widely over the field of intellectual property law with particular interests in international intellectual property and trade mark law. In the first of these areas, his casebook (co-authored with Hennessey, Perlmutter, and Austin, and in its second edition) has been important in defining the field. His work in trade mark law has also been very influential, with one of his articles (co-authored with Janis) winning the 2008 Ladas Memorial Award from the International Trademark Association.

During his time in America, Graeme established himself as a prominent and highly regarded member of the intellectual property community. Among other things, he served as a consultant to the World Intellectual Property Organization on matters of private international law, an Adviser to the American Law Institute Project on Principles on Jurisdiction and Recognition of Judgments in Intellectual Property Matters, a Consultant to the United Nations Conference on Trade and Development on the Protection of Traditional Knowledge, and Chair of the Intellectual Property Section of the Association of American Law Schools. He was elected to the American Law Institute in 2003.



Paul Davies

Paul Davies has been appointed as the new Allen & Overy Professor of Corporate Law and Professorial Fellow of Jesus College. Paul studied at Oxford (MA), and was previously a Fellow and Tutor at Balliol, and Lecturer, Reader, and Professor in the Faculty. Before taking up his current position, Paul was Cassel Professor of Commercial Law at the London School of Economics and Political Science. Professor Davies was elected a Fellow of the British Academy in 2000, an honorary Queen's Counsel in 2006, and an honorary Bencher of Gray's Inn in 2007. He is also a deputy chairman of the Central Arbitration Committee.



Aileen Kavanagh

Dr Aileen Kavanagh has been appointed to a University Lectureship and a Fellowship in Law at St Edmund Hall. After completing her DPhil at Balliol, she was a Lecturer and then Reader at the University of Leicester. She is the author of *Constitutional Review under the UK Human Rights Act* (CUP, 2009) and is co-editor (together with John Oberdiek) of *Arguing About Law* (Routledge, 2008).



Barbara Havelkova

Barbara Havelkova (Mgr 2004, JUDr 2005 – Charles University in Prague; LLM 2008 – Master of European Integration, Europa-Institut, Saarland University) has been appointed to a three-year post as the City Solicitors Educational Trust Teaching Fellow in EU Law. A postgraduate student in the Law Faculty, Barbara also teaches an introductory course 'Gender and Law' at the Charles University Faculty of Humanities, and collaborates with various NGOs in the Czech Republic on monitoring and advocacy projects in the area of gender equality. She trained at the Legal Service of the European Commission, and in the Chambers of AG Poiares Maduro at the ECJ, and worked at the European Law Department of Saarland University. She has visited several law schools as a guest student/researcher, including Università di Siena, Zagreb University, Harvard University, and University of Michigan (the latter two as a Fulbright scholar). She has published on EU equality law and its implementation in the Czech Republic, on gender equality in law, and on labour law.

Maria Youni

Professor Maria Youni, Associate Professor of Legal History in the Department of Law at Democritus University of Thrace in Greece, is currently a Visiting Fellow and Oliver Smithies Lecturer for 2009-2010, at Balliol. Her speciality is ancient Greek law and institutions, Roman law and institutions, and the interaction between Roman and Greek law in the Greek provinces of the Roman Empire. While at Balliol, she intends to complete her research on legal inscriptions from Ancient Crete (7th – 4th centuries BC). During her visit, Professor Youni will give two Oliver Smithies lectures, on 'Written Law and first law-codes in archaic Greece', and on the 'Interaction between Roman and 'local' laws in Roman Macedonia'.

Charles Mitchell



Charles Mitchell has been appointed a Fellow and Tutor in Law at Jesus College, and a Professor of Law in the University, having previously been a Professor of Law at King's College London. His main research interests

are the law of obligations, particularly the law of unjust enrichment, and the law of trusts. His recent publications include *Subrogation: Law and Practice* (OUP, 2007) (with Stephen Watterson) and *Hayton & Mitchell's Commentary and Cases on the Law of Trusts and Equitable Remedies* (13th edition, Sweet & Maxwell, 2010), along with several edited collections: *Landmark Cases in the Law of Contract* (Hart Publishing, 2008) (with Paul Mitchell); *Philosophical Foundations of the Law of Unjust Enrichment* (OUP, 2009) (with Robert Chambers and James Penner); *Constructive and Resulting Trusts* (Hart Publishing, 2010); and *Landmark Cases in the Law of Tort* (Hart Publishing, 2010) (with Paul Mitchell).

Imogen Goold



Dr Imogen Goold has been appointed to a University Lectureship and a Fellowship in Law at St Anne's College, where she has spent the past three years as a stipendiary lecturer. She completed BA and LLB degrees at the

University of Tasmania, followed by a PhD in 2005 which will be published by Hart Publishing as *Flesh and Blood: Owning Our Bodies and their Parts* in 2010. From 2002 to 2004 she was a Legal Officer at the Australian Law Reform Commission where she worked on the Genetic Information and Gene Patenting inquiries. During this time, she also completed her MA (Bioethics) at Monash University. Her research interests are in tort, property, and medical law and ethics.

Jonathan Morgan



Jonathan Morgan has been appointed to a University Lectureship and a Fellowship in Law at St Catherine's College (October 2009). Having been an undergraduate at Balliol, he is returning to Oxford after a PhD

and then five years as Director of Studies in Law at Christ's College, Cambridge. His scholarly interests include contract, tort, constitutional and administrative law, legal history, and law and economics. He is an editor of *Hepple and Matthews' Tort: Cases and Materials* (OUP 2008, with Martin Matthews and Colm O'Conneide).

Lisa Vanhala

Dr Lisa Vanhala has joined the **Centre for Socio-Legal Studies** in a three-year post as a British Academy Postdoctoral Fellow. Her research project on the law and politics of European environmental protection is entitled 'Beyond Just Law and Politics: A Socio-Legal Analysis of European Legal Mobilization by the Environmental Movement'. Lisa completed the DPhil in Politics at Nuffield College, and has studied at McGill University, Sciences Po in Paris, and the Centre for the Study of Human Rights at the LSE.



Newcomers to Criminology

Marina Marouda

Marina started as a Research Officer at the Centre for Criminology in January 2010, working on a Leverhulme-funded project examining the occupational culture of officers in the private security industry in Britain. She came to Oxford after completing her PhD in Social Anthropology at the University of Edinburgh in April 2009. Her doctoral research is concerned with the centrality of death in the articulation of kinship and the formation of the state in contemporary Viet Nam, and explores the civic aspects of religious practices. The research, which is based on long-term fieldwork, was funded with a studentship by the ESRC and received an award from the Royal Anthropological Institute.



Shane Mac Giollobhui

Shane Mac Giollobhui (pronounced Macilowi) started as a Research Officer at the Centre for Criminology in January 2010, working on an ESRC-funded project examining covert policing practices and the Regulation of Investigatory Powers Act. Before coming to Oxford, Shane lectured in politics at Dublin City University, University College Cork, and Trinity College Dublin in the Republic of Ireland. Shane has a PhD in Politics from Trinity College Dublin, where he also read History and Politics as an undergraduate. In his doctoral research, Shane examined how ethnic groups compete for influence within African political parties, and whether such competition can destabilize political parties and, in turn, new and fragile democracies. His research and teaching interests lie in the methodology of the social sciences and African politics.



Rachel Condry

Dr Rachel Condry has been appointed to the University Lectureship in Criminology. Rachel is currently a Lecturer in Criminology at the University of Surrey. She has a PhD in Sociology from the London School of Economics, where she held a British Academy Postdoctoral Fellowship. She is the author of *Families Shamed: The Consequences of Crime for Families of Serious Offenders* (Willan, 2007), and is shortly due to embark on a thirty-month study entitled 'Investigating Adolescent Violence towards Parents', funded by the ESRC. Rachel will join the Centre on 1 August 2010, replacing Professor Federico Varese, who will be transferring to the Department of Sociology.





Alice Edwards

Dr Alice Edwards is Departmental Lecturer in International Refugee and Human Rights Law at the Refugee Studies Centre, Oxford, and a member of the Law Faculty. She holds degrees in Political Science and Law with Honours from the University of Tasmania (1995), an LL.M. in Public International Law awarded with Distinction (first class) from the University of Nottingham (2003), a Diploma in International and Comparative Human Rights Law from the Institut International des Droits de l'Homme in Strasbourg (2005), where she was named top student, and a PhD in Public International Law from The Australian National University, where she studied under a prestigious Australian Postgraduate Award (2008).

Dr Alice Edwards is a past recipient of an Arthur C. Helton Fellowship of the American Society of International Law, and winner of the 2008 Audre Rapoport Prize for Scholarship in the Human Rights of Women. Prior to this appointment, she was Lecturer in Law at the University of Nottingham and Head (and founder) of the Forced Migration and Human Rights Unit within the School's Human Rights Law Centre.



Kate Blanshard

In November 2009, Kate Blanshard started as the Course Administrator for the new Master's in Law and Finance, and the Faculty's Publications Officer. Kate studied history at Wadham College as an undergraduate, and worked in publishing for three years before training and qualifying as a solicitor. As Course Administrator she will work closely with Professor John Armour to set up and run the new Master's programme, as well as overseeing the Faculty's publications, which range from press releases and posters to the new e-brochures that you will find at www.law.ox.ac.uk

Very new arrivals



Rebecca Williams and **John Armour** welcomed their first child, Ellanorah Grace, on 14 September 2009, during John's sabbatical in New York as Visiting Professor at Columbia University.



A day later, **Chris** and **Elizabeth Leese** announced the arrival of Charlotte Rose, born on 15 September 2009.



Congratulations also to **Wolf-Georg Ringe** and his wife **Dorothea** on the birth of their first child, Benedikt Nikolaus Georg.



Derrick Wyatt

It is, perhaps fortunately, too early to say how history will view those who devoted their professional lives to the making of European law. But whatever view is taken, Derrick Wyatt – Tutorial Fellow of St Edmund Hall, Professor, and QC – will have much to answer for. Derrick took up his Fellowship at St Edmund Hall in 1978 and, two thousand tutorials later, embarked upon what will surely be a long and happy semi-retirement at the end of the long vacation 2009.

In college, he will be remembered for his tutorials in public law in general, and in European law in particular, with respect and affection. Steadfastly true to his personal motto of *mens sana in camera immunda* (a healthy mind in an untidy room), even as the rest of the nation was gripped by television programmes on interior design and home improvement, he coaxed and cajoled generations of undergraduates, and a generation of graduates, through the disorienting maze of European law. Though the principle of 'horizontal direct effect' came to be understood as an aspect of the law relating to European Regulations, it is widely believed to have had its origins in the impact it had on those whose weekly task was to remain awake throughout an entire tutorial.

As Professor, he is and will always be known for writing, and then presiding over, the first, best, and only real textbook on European law: the rumour that he and John Le Carré had been collaborating on producing a work, provisionally entitled 'Tinker, Tailor, Soldier, Directive 2005/36/EC on the Recognition of Professional Qualifications' has, alas, proved to have been an urban myth. Never one to disdain the practical application of legal rules, Derrick ensured that his writing, along with his teaching and examining, sought to show, discover, and explore how the great and accidental machine of laws actually operated. Worrying endlessly away about the 'democratic deficit' may be enough for some, but for a lawyer with a mission to understand, organize, test, and explain the law (which he did with aplomb), and enthuse those on the receiving end (which usually required a few more plombs), there was always a more important task to be discharged, and he discharged it with unflagging enthusiasm.

For twenty years, he was able to illustrate the way in which the law worked by and from experience gained at first hand. This was done, in gown (latterly of silk), bands and wig, and with simultaneous translation into the languages of the Tower of Babel, in the Court of Justice of the European Communities. Derrick's frequent appearances in the European Court, many on behalf of the UK, meant that he was uniquely placed to contribute to the coherent development of European law, for he saw what others only heard about, and had done what others only read about. Rarely has the combination of teaching, research, and practical experience been as happy and productive as in the case of Derrick's thirty years as a full-time member of the Faculty. As he begins to take advantage of all those judgements which outlawed discrimination on grounds of age, and which may now be seen to have paved the way to his own semi-retirement, we trust that he will enjoy the Four Freedoms, whatever they are, for decades to come.

Adrian Briggs
St Edmund Hall



Peter Clarke

Peter Clarke joined Jesus College as a Tutorial Fellow in 1971, and became a Lecturer in Law at the University at the same time. He retired from both his Fellowship and his Lecturership at the end of September 2009.

Peter will be remembered by all that he taught as a hard taskmaster, but as invariably fair, requiring much of his students so that they might thrive and prosper intellectually, in their study of the law. Peter's dedication to his students was known, not just in Jesus, but throughout Oxford. We calculate that he taught over 350 Jesus undergraduates and graduates. It is probable that he taught an equivalent number from other colleges. Indeed, there is hardly a college for which he did not, at some stage, teach one of his three specialisms, namely Land Law, Trusts and Roman Law. It is clear that their very best wishes for his retirement come from former students from all over Oxford.

Nor should his full and committed engagement as a Faculty member be left out of account. His lectures on covenants and easements will be remembered for their clarity and authority. For BCL students, and then, later, Finals students, he gave lectures and seminars on Tax for many years. He marked countless Moderations and Finals scripts with the same care and attention that he brought to all of his academic life, and there can have been no better Chairman of Moderators or Examiners.

He wrote a notable book on firearms, but perhaps his most significant contribution to scholarship was in the notes that he wrote, first, for the Annual Survey of Commonwealth Law, then for the All England Annual Review.

He would not at all mind being summed up as 'an old-fashioned Oxford tutor'. There are now former students all over the world that know precisely what that means. He has the respect of all of his academic colleagues, both throughout Oxford and beyond.

*Peter Mirfield
Jesus College*

Hackney Fellowship in Law

Wadham has named one of its fellowships the 'Hackney Fellowship in Law' in recognition of Jeffrey's significant contribution to teaching. We are delighted that Laura Hoyano has taken up this post. Thanks to generous support from Stephen Stow (1973) and John McCall MacBain (1980) and his wife Marcy, we have made tremendous progress. John and Marcy set a challenge of £250,000 and matched all donations received by 30 September 2009. We met, and indeed exceeded, this challenge thanks to the generosity of our alumni. We have raised over £1 million but still need to raise over £300,000 to endow the post fully. If you would like to make a contribution to recognize Jeffrey's outstanding contribution to the life of Wadham College and the Law Faculty, please contact Kirsty MacDonald on +44 (0)1865 277 997 or email kirsty.macdonald@wadh.ox.ac.uk.



Jeffrey Hackney

Jeffrey Hackney has retired as a Tutor and Fellow at Wadham College after an association of half a century with law in the University.

This connection with Oxford began when he matriculated at Wadham College to read law in 1959, and went on to achieve a First in 1962. After completing a course in archive administration at University College London, he returned to Wadham in 1963 to read for the BCL and was awarded the Vinerian Scholarship as the top student of his year in 1964. He immediately took up the posts of University Lecturer and Fellow and Tutor in Law at St Edmund Hall, where he remained for 12 years until 1976. He maintains a benign presence at St Edmund Hall by way of a grotesque made in his image, located on the tower of what is now the college library, which, as college librarian, he was instrumental in rescuing from the threat of demolition when it was (merely) a Norman church, St Peter-in-the-East. During his tenure at SEH he was also admitted as a barrister of the Middle Temple, completing pupillages at the Chancery Bar with the future Lord Justice Martin Nourse and Lord Nicholas Browne-Wilkinson.

In 1976, Jeffrey was elected as a Fellow and Tutor in Law at Wadham (although he had not in fact applied for the post!). After consideration he accepted the offer, and remained in post at Wadham until his retirement and election as an Emeritus Fellow in 2008. At Wadham, Jeffrey has served as the Senior Tutor, Sub-Warden and Acting Warden, as well as on countless College committees.

Throughout his tenure as an academic in Oxford, Jeffrey has been prominent in the administration of the Faculty of Law and the University, having held seventeen posts, including Chairman of the Law Faculty Board, Chairman of the General Board of the Faculties, Curator of the Bodleian Library, Chairman

of the Libraries Board, Curator of the University Chest, Keeper of the University Archives, Chairman of the Oxford University Disciplinary Court, Chairman of the Eldon Law Scholarship Committee and (for the last seventeen years) Chairman of the Curators of the Sheldonian Theatre, during which he has overseen major refurbishment of the fabric of the building and numerous other crises big and small.

Jeffrey's academic interests centre on property law, legal history and Roman law; he served almost continuously as an examiner in these subjects. His book *Understanding Equity and Trusts* (Sweet Maxwell Ltd, London 1987, since revised by Sweet & Maxwell), remains a classic in the field, and students desperately seek out copies. As a tutor he is legendary among students for his ironic wit, his empathy with their travails, and his unremitting dedication and enthusiasm in teaching them, which was recently recognized by a University Teaching Award. The affection and respect which his students hold for him was further reflected in a sold-out Wadham College Law Society Dinner held in 2009, attended by 185 returning Old Members from around the world, spanning seven decades of lawyers in Wadham.

While we anticipate that Jeffrey will be an extremely active Emeritus, we wish him, and Ann, his wife of 48 years, a very happy and rewarding retirement.

*Laura Hoyano
Wadham College*

Joseph Raz

Joseph Raz has retired from his Professorship of the Philosophy of Law in the University (which he had held since 1985), and his Fellowship of Balliol. He remains Professor at Columbia Law School, a position that he has held since 2002. He received his Magister Juris, summa cum laude from the Hebrew University, Jerusalem, in 1963, and then came to Oxford for the DPhil, which he completed in 1967.

A Fellow of the British Academy since 1987 and a Foreign Honorary Member of the American Academy of Arts & Sciences since 1992, he received an Honorary Doctorate from Katholieke Universiteit, Brussels in 1993, and the International Prize for Legal Research 'Hector Fix Zamudio' of the Universidad Nacional Autonoma de Mexico in 2005. His best known book, *The Morality of Freedom* (1986) received the W.J.M. Mackenzie book prize of the Political Studies Association of the UK in 1987, and the Elaine and David Spitz Book Prize of the Conference for the Study of Political Thought in 1988. He has been a Seeley Lecturer at Cambridge and a Tanner Lecturer at Berkeley. His books, which have been translated into ten foreign languages, also include *The Authority of Law* (1979), *The Concept of a Legal System* (1980), *Practical Reason and Norms* (1975; second edition 1999), *Ethics in the Public Domain* (1994), *Engaging Reason* (2000), *Value, Respect and Attachment* (2001), *The Practice of Value* (2003), and *Between Interpretation and Authority* (2009).

Raz's work has not only transformed the philosophy of law, it has also made crucial contributions to political philosophy and ethics. A student of HLA Hart, he is often also thought of as Hart's intellectual successor. But Hart could never accept a central thesis in Raz's theory of law: the idea that law claims moral authority (so that legal obligations are –from the point of view of the law– moral obligations). According to Raz's influential 'service' account of authority, you ought to accept legal obligations as genuine moral obligations if by doing so you can conform more closely with what reason requires. It is an ingenious renovation of the classic, Aristotelian conception of authority. It runs deeply contrary to Hart's effort to distinguish law and morality as separate domains. Yet Raz, like Hart, sees laws as rules that are made by the social practices of a community. Indeed, in Raz's legal philosophy, the service conception of authority provides a basis for the 'sources thesis' – the idea that all legal standards can be identified by reference only to social facts, without the need for any moral evaluation.

The *Morality of Freedom* is one of the most important contributions to political philosophy of the 20th century. It offers a classic formulation of the interest based conception of rights, and the best defence of liberal 'perfectionism' – the doctrine that a liberal state, one suitably respectful of individual rights and personal autonomy, not only may but is required to act so as to enhance its subjects' prospects of leading good lives. That approach runs counter to the more fashionable insistence that the state must be neutral with respect to conceptions of the good life, which has become prominent in Anglo American political theory since the publication of Rawls' *A Theory of Justice*.

This imposing and systematic body of work continues to exert a powerful influence on moral, political and legal philosophy today. There is a serious risk of distortion in trying to pick out a grand, unifying theme under which Raz's various contributions can be subsumed. Nevertheless, one undeniable feature of much of his work is the attempt to develop certain broadly 'classical' or 'Aristotelian' materials – an objectivist conception of reason, value, well being, and a perfectionist account of the state – and to show that they are not only compatible with, but can be deployed in support of, liberal ideas such as individual rights, respect for autonomy, and the value of toleration.

John Tasioulas
Reader in Moral and Legal Philosophy, University of Oxford

Benjamin Goold came to Oxford from Tasmania in 1994 on a Rhodes Scholarship for the BCL. He went on to complete his DPhil, later published with OUP (*CCTV and Policing*, shortlisted for the British Criminology Book Prize in 2005). After a lecturership at New College, Ben left Oxford for New York (John Jay College of Criminal Justice) and Japan (University of Nigata). He returned to take up a University Lecturership at Somerville College in 2003. During his time here, Ben shaped the work of many of his colleagues at the Centre for Criminology. Our own collaboration produced two reports for the Ministry of Justice as well as an edited collection, *Security and Human Rights* (Hart Publishing, 2007). But academic research was only one part of Ben's work. During his time at Oxford, Ben was a Specialist Legal Advisor to a major House of Lords inquiry into surveillance and data collection. He also worked as an independent advisor to the UK Identity and Passport Service on matters of regulation and data sharing.

Although Ben has left Oxford for an Associate Professorship at the University of British Columbia, he remains a research associate of the Oxford Centre for Criminology. In this role, he continues his collaboration with Ian Loader and Angelika Thumala in their study on 'Shopping for Security? The Meanings and Effects of Security Consumption' (funded by the Leverhulme Trust). He is also overseeing the first major field study of undercover policing and covert surveillance practices in the UK, with Bethan Loftus (funded by the Economic and Social Research Council).

Liara Lazarus
St Anne's College

John Vella completed his three-year Career Development Fellowship in Company Law in September 2009. John remains in Oxford as Senior Research Fellow at the Oxford University Centre for Business Taxation.

Helen Scott, University Lecturer at St Catherine's College, left her post on 30 April 2009 to take up a position as Associate Professor at the University of Capetown. Now at Cape Town University she is setting up, with Robin Evans-Jones, a course in Roman Law. Helen has been a mainstay of the Roman law teaching team at Oxford, both in her marvellously lucid and hugely popular Delict lectures for the First Year Moderations, and in her incisive and learned teaching in the advanced Delict course for the Final Honour School and Bachelor of Civil Law. Generations of Oxford students have been initiated into the mysteries of the Lex Aquilia on property damage, the laws of theft, rapine and insult, under Helen's gentle but demanding guidance. Helen was also heavily involved in promoting Roman and civilian legal studies through national and international mooted competitions that have swiftly become a great success; and also through her participation in weekly study groups, which have become such a strong aspect of legal research in Oxford over the past few years. Her colleagues in the Roman Law group were invigorated and inspired by her sterling work as a teacher, researcher, and colleague, and her influence in Oxford will be felt for many years more.

Joshua Getzler
St Hugh's College

Congratulations to **Michelle Madden Dempsey** who has taken up a post at Villanova University, in Philadelphia. Michelle was appointed in 2006 to a fixed-term University Lectureship at Worcester and Brasenose colleges to replace Professor Jeremy Horder while he was at the Law Commission. Michelle taught Criminal Law and Jurisprudence for the two colleges, and gave Faculty lectures in Criminal Law and Family Law.

Farewell to our law careers officer



In December 2009, we said goodbye to our colleague, Dick Lidwell, from the Careers Office. Many of our law alumni from all backgrounds will know Dick, the Careers Advisor who guided Oxford students towards their profession in law. Dick graduated from Cambridge in Social Sciences, trained and worked as a Careers Adviser in schools, colleges, and then for 21 years in the University of Hull, before spending the last ten years at Oxford where he had responsibility in the Careers Service

for liaising with the legal profession on recruitment, and in building and maintaining relationships for the University. He was for many years the National Liaison Officer with The Law Society for AGCAS (Association of Graduate Careers Advisory Services), and has spoken at many conferences on legal careers issues.



Sir Ian Brownlie CBE QC 19 September 1932– 3 January 2010

THE LAW FACULTY bids farewell to Sir Ian Brownlie CBE QC, who was tragically killed in a car accident while on holiday with his family in Egypt. He was one of the world's leading international lawyers, making his mark both in litigation and by his scholarly writings.

Brownlie read law as an undergraduate at Hertford College, Oxford, and was awarded a first-class degree. He went on to complete a doctorate on the use of military force by states. He became a QC in 1979, joined Blackstone Chambers in 1983, and was made a bencher of Gray's Inn in 1986. He was a Fellow of All Souls and Chichele Professor of International Law at Oxford from 1980 to 1999, and last year was knighted for his services to international law.

His first book, *International Law and the Use of Force by States* (1963), identified the United Nations charter as a significant new moment for the rules governing military force. Three years later, in 1966, he published *Principles of Public International Law*, which is now in its seventh edition. He compiled a pioneering guide, *Basic Documents in International Law*, a legal and diplomatic encyclopedia on African boundary disputes, and volumes on human rights. In 1999, a festschrift devoted to his work and written entirely by his students was published as *The Reality of International Law*. In 2004 he returned to All Souls as a distinguished fellow.

As a member of Blackstone Chambers for over twenty-five years, he continued to have a phenomenal impact on the legal world as a distinguished voice in the fields of international law and human rights. In that time, Brownlie appeared in more than forty contentious cases before the International Court of Justice – well over half the cases heard by the court in the period. He had notable and significant successes, not least for his role as lead counsel for Nicaragua in the case it brought in 1984 against the US for the illegal use of force and interference in Nicaragua's internal affairs. He played an important role in the House of Lords in the Augusto Pinochet proceedings in 1998, appearing for Amnesty International, which led to the Lords' ruling, in March 1999, that the former Chilean president, Pinochet, was not entitled to claim immunity from the jurisdiction of the English courts, which did not extend to a former head of state where the crime of torture was alleged.

In addition, Brownlie was three times elected a member of the International Law Commission in Geneva and was, laterally, its President. As a member of a UN body he was not able to receive government honours, so he was pleased, after resigning in 2008, to be knighted last year.



Professor Sir Neil MacCormick 27 May 1941– 5 April 2009

PROFESSOR SIR NEIL MACCORMICK QC, FRSE, FBA died at home, of cancer, on 5 April 2009, aged 67. Neil studied philosophy at the University of Glasgow, before he came up to Balliol as Snell Exhibitioner, where he took a first in Jurisprudence and served as President of the Union in 1965. After a brief teaching stint at Dundee, he returned to Balliol to serve as a Fellow and Tutor in Jurisprudence from 1967 to 1972, until, at the age of only 31, he was appointed Regius Professor of Public Law and the Law of Nature and Nations at Edinburgh, a post he held with distinction for almost four decades. Neil was made an Honorary Fellow of Balliol in 2008.

To legal philosophers he is well remembered for his seminal work, *Legal Reasoning and Legal Theory*, which remains one of the best accounts of its subject. His book on the philosophy of his mentor, HLA Hart, is a little gem, introducing, defending, but significantly modifying what was for some time the dominant legal theory in Oxford. Among many other books, *Questioning Sovereignty* posed and answered hard questions about the constitution, state and nation in Britain and in Europe. Neil's summa was four volumes of legal philosophy, collectively entitled *Law, State and Practical Reason*, finished just before his death. Leaving almost no area of legal philosophy untouched, this massive work draws eclectically, as Neil increasingly did, from the work of scholars from different legal and intellectual traditions, writing in various European languages. The nationalist of the heart was to the end a cosmopolitan of the mind.

It is this combination—not a contradiction—that made Neil MacCormick so valuable to the Scottish National Party (of which his father was a founder), for which he contested five general elections in the UK before being elected Member of the European Parliament and serving with ambition and energy from 1999 to 2004. Whether it was drafting a possible constitution for Scotland, working with the convention on a constitution for Europe, or just trying to figure out how the BBC ought to deliver Gaelic-language services to a tiny and dispersed audience, Neil's proposals were intelligent, empathetic, and moderate. He will be missed by all who knew him.

*Leslie Green
Professor of the Philosophy of Law
With thanks to Balliol's Floreat Domus magazine, which first featured the full version of this obituary.*



Ann Smart
30 April 1934–
18 February 2010

ANN SMART was a legendary Oxford law tutor, who demonstrated by her example that the masculine post-war world of Oxford should not only find a place for high-achieving women but should accept women as equals and leaders.

She read Jurisprudence at St Anne's College, taking a First in 1956, and went on to distinguish herself in the BCL with another First, only the second woman to achieve this double. She also won the Winter Williams Scholarship for Women in 1955. Many years later Dr John Morris of Magdalen College reckoned her the best female student Oxford had seen in two generations. Ann considered herself fortunate to be taught by many of the academic giants of the period, most especially Peter Carter and Edward Burn, who later became close friends, but also by Daube, Lawson, Fifoot, Hart and Nicholas. She showed a special affinity for Roman Law, which became a life-long passion, alongside a deep interest in Jurisprudence and Criminal Law. Ann's great distinction as a scholarly student attracted immediate attention. After a year lecturing at the University of Manchester, she became the first woman lecturer at Magdalen College in 1958, working with that redoubtable trio of John Morris, Rupert Cross, and Guenter Treitel. Morris at the time was general editor of the Contract lawyers' 'bible', *Chitty on Contracts*, and Ann became one of the editors for that 22nd edition, herself contributing to four chapters. After a break to have a family, she became a law lecturer at St Hugh's College in 1972, and then the first law fellow to be appointed by the College, in 1977. She remained at St Hugh's until her retirement in 1995. Her teaching at St Hugh's across 23 years involved an inimitable mix of fiercely demanding and rigorous tutorials and a loyal and abiding interest in each and every student's progress, and she proved to be an inspiration to many generations of students, who count her as the strongest possible influence in their lives in the law.

Ann was enterprising in reshaping St Hugh's College, helping to engineer a notably successful and harmonious move to co-educational teaching and admissions in the 1980s, and serving in a myriad of college roles including the crucial post of first Admissions Tutor. Her experience in this post led to her election to the Dover Committee, which reformed the Oxford admissions process in the early 1980s. She achieved another coup in 1990 when her former tutor Edward Burn, an authority in Trusts, Land Law and Roman Law, agreed to join her at St Hugh's as a lecturer, following his official retirement as Student (that is, Tutorial Fellow) at Christ Church. They formed a powerful team. Ann also sought out the distinguished barrister Derek Wood QC for the Principalship of the College in 1990-91, and with him and Edward Burn founded the College law society.

Ann helped to create the second law fellowship at St Hugh's, which was followed in due succession by the appointment of a professorial fellow and a university lecturer. Alumni and other admirers joined forces to begin the endowment of her post as the Ann Smart Fellowship in Law immediately after her retirement, a most appropriate recognition.

She was very proud of the strong growth of the law school at St Hugh's, which she had built from scratch. Ann also served for many years as the Faculty Representative for the Bodleian Law Library, and made a signal contribution to legal studies in Oxford in that role. Ann's distinction in the law was recognised when she was appointed an Honorary Bencher of the Middle Temple. She was a regular attender of events there and was greatly admired and a popular figure in the Inn. As an Emeritus Fellow she worked tirelessly to bring alumni together in the College law society and maintain their links with St Hugh's and Oxford.

Ann's article in the 1987 Law Quarterly Review, 'Criminal Responsibility for Failing to Do the Impossible', remains the leading examination of a difficult problem with wide ramifications, and is regularly cited as a benchmark study. Another example of Ann's lawyerly skill is found in the appreciation she wrote of her experiences as a student reading law with Edward Burn, published in the Burn *Festschrift* in 2005. This perfect piece captures lyrically and whole-heartedly the liberating nature of study and life in Oxford, and the excitement of encountering the law for the first time. One can guess that it would have pleased Ann to dwell here on one particularly treasured aspect of her studies, captured in the following excerpt.

'In the course of the following weeks we were introduced to Roman Law, a subject which none of us knew anything about and which was far removed from our hazy and inaccurate expectations of the first steps in the Oxford Law course. The purpose, had we known it, had been set down in Constantinople in 533 AD: *'ut rudis animus studiosi simplicibus enutritus facilius ad altioris prudentiae redigatur scientiam'* (and so the unformed mind of the student reared on simple ideas can be brought to knowledge of rigorous learning). Many developments must have taken place at that early stage as we tried to adjust to the demands of a new system but two come especially to mind. One was the sense of growing intellectual excitement, the other the nature of the teaching, as Edward Burn attempted patiently to instil into our thinking some notions of accuracy and precision together with a proper awareness of the significance of ancient texts. The major figure, Gaius, appeared for the first time and we thought about the finding of the Institutes in the Cathedral Library in Verona (when and by whom had this finding taken place and in what form? the concept of a palimpsest was new to us). What other source material survives from the classical period? What is the classical period? Why is it known as 'classical'? And Justinian himself: not merely how had the Digest been written, but why? Had we seen the mosaics in Ravenna? Some basic knowledge of Ancient History would have served well and that gap had to be filled fast, lest some fearful blunder left one exposed.'

In this moving tribute to her tutor, we can hear again Ann's own voice in full measure, and recall her as a fine teacher and colleague. She will be sorely missed.

*Joshua Getzler,
St Hugh's College,*

Campaign Events

A SERIES OF Campaign events were held in North America for alumni and friends of the University celebrating the continued success of the Oxford Thinking Campaign. The Chancellor, Lord Patten of Barnes, served as the host for several of these events, which drew large and enthusiastic audiences.

The Dean, Professor Timothy Endicott, was able to join the Boston, New York, and Washington DC events where the Chancellor greeted all the guests and addressed the assembled alumni to provide an update on the Campaign, on the state of the University, and on the University's role in relations between Britain and the US.

At an event in 'the other Cambridge' (in Massachusetts), a reception at the British Consulate was hosted by the Consul General, Dr Philip Budden, and his wife Dr Deborah Budden. There were nearly 200 guests at this event, and more than 250 in New York.

The Washington, DC event was a half-day academic session with many prominent Oxonians serving as featured speakers. The day commenced with a luncheon featuring a conversation between the Chancellor and Mark Whitaker, NBC News Washington Bureau Chief (Balliol College, 1979). Following the lunch, guests were treated to a panel discussion featuring the two Oxonian Supreme Court Justices; Justice David Souter (Magdalen College, 1961) and Justice Stephen Breyer (Magdalen College, 1959). Timothy Endicott introduced the panel, and Professor Noah Feldman, Bemis Professor of Law at Harvard Law School (Christ Church, 1992) moderated. At the close of the discussion, the Chancellor described the experience as an informative and thought-provoking tutorial. The final panel featured Sir Nigel Sheinwald KCMG, British Ambassador to the United States (Balliol College, 1972), Michael Beschloss, American Historian and former Senior Associate Member of St Antony's College, and Edwin M Yoder, Jr, Honorary Fellow of Jesus College and Pulitzer Prize-Winning journalist, The Washington Post (Jesus College, 1956). This panel was also moderated by Mark Whitaker and discussed the First 102 Days of the Obama Administration. A lively Q&A session followed this highly interesting discussion.



Panel discussion at the Washington, DC event featuring the two Oxonian Supreme Court Justices; Justice David Souter and Justice Stephen Breyer, moderated by Professor Noah Feldman

Oxford lawyers around the world

IN AUGUST 2009, the Dean hosted the first-ever Oxford law alumni events in Montreal and Los Angeles.

Those events were followed by buffet dinners in September in Hong Kong and Singapore, each of which attracted more than sixty alumni. And in Sydney in September, the Dean and Michael Spence – former Chair of the Law Board in Oxford and now Vice Chancellor of the University of Sydney – were the two guest speakers at an alumni dinner for nearly 100. The Dean said, 'each of us is part of a remarkable worldwide community of Oxford lawyers. It is an honour to be able to see so many of them – and it is always such fun, because they just enjoy talking to each other so much.'

If you are interested in alumni events where you live, e-mail maureen.oneill@law.ox.ac.uk

'...it is always such fun, because they just enjoy talking to each other so much.'

Law and Finance Forum, New York

ON 20 NOVEMBER 2009, the Law Faculty welcomed about fifty US-based Oxford alumni to a unique round table event at the offices of Cravath, Swaine & Moore LLP in New York City. The event brought practising lawyers and academics together for debate on a range of issues related to enforcement of corporate and securities laws, finance, and litigation.

In the morning session, speakers took turns giving presentations with responses from colleagues; the afternoon session took the form of lively panel discussions. Both sessions were interspersed with frequent questions from attendees, which provoked animated debate, and it was wonderful to be able to have such an open dialogue with leading academics and practitioners. Most of the issues discussed involved enlightening comparisons between English and American law and practice, and many particularly informative observations were made in the larger context of the global economic crisis.

Participants agreed afterwards that they would love for this and similar events to become a regular occurrence among Oxford law alumni in the US. It was a very enjoyable and educational day. The Faculty's thanks go to the members of the Oxford Law US Development Council – Eric Blinderman, Fiona Schaeffer, Selwyn Seidel and Daniel Slifkin – and to Cravath, Swaine & Moore LLP for its generous hosting of this event.

Wenyng Li of White & Case LLP, participant at the New York Law and Finance Forum

Photos of the events can be found at:
Cambridge: www.law.ox.ac.uk/LN14cam
New York: www.law.ox.ac.uk/LN14NY
Washington DC: www.law.ox.ac.uk/LN14DC



Alumni events in Berlin...

TWENTY YEARS after the fall of the Berlin Wall and in a location that had been no man's land, Oxford Law Alumni gathered at Freshfield Bruckhaus Deringer's offices in One Potsdamer Platz.

The informal drinks reception was organised as a companion to the first-ever Oxford European Reunion, which was also taking place in Berlin that weekend. The Reunion included drinks at the Loewenbrau am Gendarmenmarkt, a tour of the Reichstag, and a panel discussion by Oxford experts on 'The Changing Face of Berlin', followed by a lecture on the causes of the end of the Cold War.

Dr Benedikt Wolfers (Keble, and partner at Freshfields) welcomed the Oxford Law Alumni to the reception followed by Professor Timothy Endicott who spoke of changes and continuity in Oxford's Faculty of Law. Professor Stefan Vogenauer also addressed alumni, reflecting on the influence that the addition of MJur students has made to the Oxford law graduate programme these past fifteen years.



...and Edinburgh

Prestonfields, near Edinburgh, was the location of our alumni gathering on 20 June 2009, with the Registrar of the University of Oxford, Julie Maxton, hosting the event. She is the first woman to hold the office, the second most important administrative role in the University, in the 550 years since it was created. Dr Julie Maxton, a member of the Law Faculty, was Professor and Dean of Law at the University of Auckland before coming to Oxford, and was born and educated in Scotland. She has combined her distinguished academic career with senior institutional responsibilities at

New York Insolvency Roundtable

OXFORD LAW is organising a seminar for alumni on Friday 16th April in New York to coincide with Oxford's biennial American reunion.

The seminar is entitled 'Dealing with financial institution failure - the legacy of Lehman,' and will involve discussion of the causes of the Lehman failure, the effect of the consequent bankruptcy proceedings in both the US and the UK, and possible reforms of the substantive and procedural law as a result of the lessons learnt. The seminar will be chaired by Professor Roy Goode, Emeritus Professor of Law, University of Oxford and has a stellar line-up of participants, including Harvey Miller, Lehman's lead US bankruptcy lawyer, Judge Peck, the US bankruptcy judge who is overseeing the Lehman liquidation, Gary Lynch, Chief Legal Officer and Vice-Chairman of Morgan Stanley, Nick Segal, leading insolvency lawyer at Freshfields Bruckhaus Deringer and Richard Salter QC of 3 Verulam Buildings.

The seminar will give Oxford alumni the chance to hear the views of those closely involved in the aftermath of the Lehman collapse. They will address the unique difficulties thrown up by the particularly complex nature of the Lehman group, and by the unwinding of the complicated transactions entered into by the Lehman companies. Of particular interest is the interaction of the insolvency law of the various jurisdictions, demonstrated by the diametrically opposed decisions of the English Court of Appeal and the US bankruptcy court in the Perpetual Trustee case. Those present will be able to question the experts and to add their own expertise to the general discussion. It promises to be a memorable occasion!

Auckland, including periods as Dean of Graduate Studies and as Acting Deputy Vice-Chancellor (Academic). For twenty years, she was also a successful practising barrister in New Zealand, where she has concentrated on appellate issues at all levels up to and including the Privy Council.

The guest speaker for the evening was The Rt. Hon. Lord Rodger of Earlsferry PC FBA FRSE, an alumnus of New College and an honorary fellow of New and Balliol Colleges. In a distinguished legal career he has held a number of prominent posts including Solicitor-General for Scotland and Lord Advocate. He is also the High Steward of the University of Oxford.

Fountain Court

Patrick Luff, researching 'Civil Procedure Class Actions in England and the United States: A Comparative Study'.

Weidenfeld

Mariia Puchina, an MJur student.

Kubo Macak, researching 'Internationalization of Armed Conflicts' for an MPhil.

Mojca Mihelj Plesnicar, a student in MSc Criminology and Criminal Justice.

UK Foundation for International Uniform Law

Orsolya Toth, researching 'A National Law Within the Conflict of Law - Is there an Antithesis?'

Freshfields

Sophie Weber, researching "'Transmission" of Jurisdiction Agreements: A Comparative Study of French and English Law' for an MPhil.

Ben Jones, researching 'Social Foundations of Public Law. The social construction of human rights in the UK'. BCL students **Felix Wardle**, **Rowan Pennington-Benton**, and **Michael Firth**.

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The 'Freshfields 5': Michael Firth, Ben Jones, Felix Wardle, Sophie Weber, Rowan Pennington-Benton

Linklaters

Sushan (Melissa) Mak, a BCL student.

Commercial Bar

Daniel Bekele, researching 'Freedom of Expression in Ethiopia in Light of Comparative and International Human Rights Standards'.

Miriam Rodgers, researching 'Justice in Court'.

Peter Birks

Heather Sargent, researching 'Do the competing rights of the private actor provide a principled limit to the appropriate scope of horizontal effect under the Human Rights Act 1998?' for an MPhil.

Roy Goode

James Morrison, researching 'The use and domestic recognition of offshore non-charitable purpose trusts for both personal use and as commercial vehicles' for an MPhil.

Winter Williams

Lawrence Hill Cawthorne, researching 'International Law and the Procedural Regulation of Internment in non-International Armed Conflicts' for an MPhil.

Modern Law Review Scholarship

Eesvan Krishnan, researching 'Compulsory land acquisition in India' for a DPhil.

Lucas Bastin, who will research 'Arctic sovereignty in an age of energy scarcity', for an MPhil, starting in October 2010.

Oxford Law alumni who would like to be invited to future events or would like to make a donation or further donation or who have any suggestions for other events should contact the Law Faculty's Director of Development, Ms Maureen O'Neill, at:

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