FACULTY BUILDING REVITALISED

The Faculty greeted the 1999-2000 academical year in a reconfigured and revitalised Faculty Building. The trademark Building - designed by Foster and Partners and opened by the Queen on 8 March 1996 - is the Faculty’s first proper home. It at last united the Squire Law Library and the Faculty administration (together with state of the art lecture theatres and computing facilities) under one (glass!) roof.

The 1995 move from the old Squire Law Library in the Cockerel Building in Trinity Lane and the Faculty’s administrative offices in Mill Lane undoubtedly heralded a new era in the Faculty’s history but was, inevitably, not entirely trouble-free. Most of the issues which arose proved to be simple teething problems but the legendary acoustic predicaments persisted. Every hour, on the hour, the library was inundated with noise as six hundred students were released from their lectures.

In the summer of 1999, work began on a practical and pleasing solution which was masterminded by Fosters and approved by the University, the Faculty and acoustic experts. As the students left for the summer vacation, the builders and glaziers moved in to erect an acoustic glass screen through the whole height of the building. It was a summer of interruptions and upheavals; of alarums and excursions; of glaziers and builders. And then, as the start of the Michaelmas Term impended and the scaffolding looked increasingly like a permanent fixture, it became an early autumn of nerves and blind panic! It is a testament to the commitment and hard graft of both the Project Architects at Foster and the Faculty Officers involved that, on the evening before the start of Full Term, the contractors finally moved out to make way for the returning students.

It has all been worthwhile. The screen is a great success and has effectively transformed both the Building and the Faculty’s use of it. The Library is now a tranquil study space; while the atrium area has become a bustling social hub. The Squire Law Librarian has noted a marked increase in the use of reader spaces. Moreover, the opening of a café on the Lower Ground Floor during the Easter Term has further enhanced the Building’s popularity.

The Law Faculty Building also enjoys public interest and enthusiasm. Three hundred people attended an Open Day in the Faculty on 8 January 2000 at which two of the project architects from Foster and Partners gave tours of the Building. The whole event was a huge success – and it is intended that a similar Open Day will be held in the autumn.

Foster’s Building was always one of which the Faculty was proud; the construction of the glass screen and the other minor reconfiguration works which took place during the summer of 1999 have turned it into one in which the Faculty feels comfortable and at home.
FRESHFIELDS DONATION MAKES ELECTRONIC LEGAL RESEARCH AVAILABLE TO ALL

Students welcome the opening of the Freshfields IT Centre

Top City firm, Freshfields, have made a generous donation to the Cambridge Law Faculty of £90,000 per annum. The gift is initially for a three year period but both sides hope that it will be continued. The Law Faculty has used the initial tranche of money to equip a new state of the art computer teaching room on the second floor of the Squire Law Library to be known as the Freshfields IT Centre. This has 24 computer terminals with flat screens which ingeniously fold into the desks so that the room can also be used for small lectures, classes or examinations. The room also has audiovisual equipment which allows a lecturer to project what is on his or her computer screen for the whole class to see.

When it is not being used for teaching the facility will be open for students to use to conduct legal research, particularly using electronic sources. This is a substantial increase in the number of PCs available in the Library; just in time. We are at the crest of the new wave. Law is no longer only to be found in a dusty, paper-bound medium. Increasingly, both new and older sources are available via the internet or CD-ROMs: European legislation and caselaw, UK statutes and statutory instruments, and standard law reports can now be called up in seconds on screen and either read, printed or downloaded to interpret later. LEXIS and Westlaw, both comprehensive online databases of cases, statutes and other law-related material for the US and much of the rest of the world will also be freely available in the new Freshfields IT Centre both to students and Faculty. The ways in which we can locate sources of law and collect relevant materials will be revolutionised.

Training in the combination of the electronic method of searching for materials and the traditional book-based methods will be important to make full use of the enhanced facilities. In addition to hardware, the Freshfields money will fund a post in Legal IT Teaching and Development and also enable some academics, library and computer staff to take on extra responsibilities in these areas. As part of the review of the Law Tripos, a proposed new course in Part IA in legal skills is being devised. The course is intended to satisfy the requirements of the Joint Statement of the Law Society and Bar Council and the Benchmark Standards of QAA for HEFCE. These impose an obligation on the Faculty to certify that students have acquired certain necessary legal, research and other transferable skills for professional and educational reasons.

The new course forms an important part of the Law Faculty’s strategy to educate the lawyers of the future. It will involve a mixture of lectures to all Part IA students, smaller groups in the Freshfields IT Centre and self-study. The course will cover some of the material in the present introductory lectures such as an introduction to the nature of law together with teaching important legal skills in locating and interpreting legal information. This course will be relevant and interesting, based upon areas of tort and constitutional law which the students will be studying in their first year. It is to be called the Freshfields Legal Research Skills Course for so long as the funding from the firm continues. Freshfields’ initiative recognises how important the combination of research techniques and the use of electronic resources are to practice. The Cambridge Law Faculty is delighted to be able to meet the challenges of the new technology while also reinforcing essential research skills.

Pippa Rogerson
Gonville and Caius College

NORTON ROSE FUNDS LECTURESHIPS

With generous support from Norton Rose, the international firm of city solicitors, and matching funding from the Newton Trust, the Faculty has established a number of Norton Rose Lectureships. These, tenable for five years, seek to help young scholars, in particular those holding College Teaching Fellowships, in their career development and to meet urgent teaching needs of the Faculty.

The first two Norton Rose lecturers are Nicholas McBride, Fellow of Pembroke College, and Dr Albertina Albors-Llorens, Fellow of Girton College. Nicholas McBride teaches Tort, Equity, and other private law subjects. He is currently working on a textbook on Tort law. Albertina Albors-Llorens’s first book, Private parties in European Community law: challenging Community measures, concerns the administrative law of the EC. She is currently writing a book on Competition Law.

A third Norton Rose lecturer will join the Faculty next October. Another EC specialist, Eleanor Spaventa is currently a research student at Somerville College Oxford. She will take up a Fellowship at New Hall at the same time as she takes up her lectureship. Two further lecturers will be appointed this summer.

In launching the lectureships, Norton Rose Senior Partner, David Lewis said ‘Norton Rose has always been a strong supporter of academic excellence and we are particularly pleased to be able to work with Cambridge on these posts. Business is becoming increasingly international and it is essential that the law keeps pace.’
In October 1999 the first group of students arrived in Cambridge to read for the Double Maîtrise, alias the Joint Course in Law between the Universities of Cambridge and Paris II.

A mixed group of French and British students spend two years reading Law in Cambridge, followed by two years in Paris. Cambridge will count successful completion of the two years in Paris as a substitute for the normal third year in Cambridge, and on this basis award them a BA (Cantab.). Paris II students will take the two years in Cambridge in lieu of completion of the usual two-year course which in France is the foundation for further legal studies, so enabling them to enter Paris II as third-year students - where they will emerge at the end of their fourth year with a Maîtrise, a degree which for French students normally requires four years of study, all of it in France.

During the first year in Cambridge the students study for Part IA of the Law Tripos and follow the same four subjects as everyone else. In their second year they read for Tripos Part IB, but their choice of subjects is restricted - partly because our French partners require them to have covered certain subjects in their time here; and partly because of the practical need (for those who hope to qualify as barristers or solicitors in England) to pass all seven of the “core” subjects. During their two years in Paris, the students will follow a special programme which includes subjects which French Law students normally cover in their third and fourth years, together with certain key subjects which they normally put behind them in their first two years. The students' French Law studies will also put them on the road towards eventually qualifying as practitioners in France. As the course leads to students getting two degrees which would normally take seven years in four years, it obviously involves some extra work and a high level of commitment. The extra work includes an introductory course on French law, which the students will take at the end of the Easter Term and again at the end of September.

Students are selected by a process which varies according to whether they come from the UK or from France. The British candidates, like everyone else who hopes to come to Cambridge for a first degree in Law, apply to Colleges. The College decides whether, in principle, it will give the applicant a place for Law and, if it does so, passes the file to the Faculty which organises a further round of selection, carried out by a joint panel from Cambridge and from Paris II. For those who are not selected for the Double Maîtrise the future remains comparatively rosy, because they retain their College place to read the Law Tripos. The French candidates apply via Paris II, which draws up a short-list; for the French the final selection, as with the British students, is done by a joint team from the two Faculties. An important part of the selection process is an interview, at which candidates open the proceedings by making a short presentation about some topic that interests them - in French, if they are British applicants, and in English if they are French.

The first Double Maîtrise cohort, now in residence, is a small group of only ten students. However, if the course is a success - as we hope and expect that it will be - more will be admitted. We plan eventually to take up to 20 students - 10 British and 10 French - every year.

What reasons lay behind the creation of the Double Maîtrise?

In part they were practical ones. Increasing integration between the UK and Continental Europe is a fact of commercial life. An important consequence for lawyers is the increasing amount of legal work which is trans-national, and the ever greater demand for lawyers who understand legal systems other than their own. We hope that this course will let us train the trans-national lawyers of the future - and by making such a course available, ensuring that both Cambridge and Paris II continue to attract the best students. At a more idealistic level, we also hope that the Double Maîtrise will stimulate interest in comparative law as a legal discipline - and will be another step in building good relations between the UK and France.

In launching the Double Maîtrise Cambridge has received extremely generous help and support from Clifford Chance. The firm is providing grants for the students, and the promise of vacation placements for those who want them. And what is even more helpful is that it has funded a new post - called the Clifford Chance/Neil Allam lectureship - to enable us to appoint a person to look after the programme. The post commemorates Neil Allam, a Cambridge Law student from the 1970s who became a partner in the Clifford Chance Paris office, and died tragically young. Miss Amandine Garde, will join us in June, as the first Clifford Chance/Neil Allam Lecturer.

John Spencer, Selwyn College
Catherine Barnard, Trinity College

**DONATION FROM REED ELSEVIER DIVISION**

The Squire Law Library and the Faculty of Law are grateful to Reed Elsevier's Legal Division, Butterworths Tolley in the UK and Butterworths overseas companies, for their generous donations given as a foundation gift to the Squire Law Library, following its relocation in the new Faculty of Law building in 1995.

Their UK and overseas companies have each pledged products amounting to a total value of £120,000. Printed material from their extensive legal catalogues and access to the Butterworths Direct online services, including electronic versions of the All England Law Reports, Halsbury's Laws Direct and Legislation Direct will be given to the Squire.

The Faculty marked this gift by designating a new computer teaching and research facility, The Butterworths/Reed Elsevier Room. The room, equipped with eight workstations, will act as a training room and a research base for students, lecturers and visitors. The room was opened on 22 October 1999 in the presence of members of the Faculty, the Squire and the University together with representatives from Butterworths/Reed Elsevier.

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The Inaugural Team: Ms Barnard and Professor Spencer with the first cohort of Double Maîtrise Students.
The Centre for Corporate and Commercial Law (3CL) has established a regular seminar series which is open to all members of the University. An invitation to attend the seminars is also extended to local firms of solicitors, accountants and barristers’ chambers. The diverse composition of the audience has led to some lively and thought-provoking discussions. Speakers and topics this academic year have included: Minority Shareholder Remedies after Woolf and O’Neill v Phillips (Richard Snowden, Erskine Chambers); The Legal Impact of EMU (Charles Proctor, Norton Rose); and Corporate Governance Reform: Britain as an Exporter (Professor Brian Cheffins, University of Cambridge).

The 3CL has organised a number of conferences during the same period. In conjunction with the Faculty’s Centre for European Legal Studies, a full day conference was held on 13 November to examine the implications of the Centros Case under the title The “Delaware Effect” – the Race to the Bottom in European Law? The speakers on this occasion included leading academics from the Continent and representatives from EU and national regulatory authorities. The 3CL conference on Global Insolvency, held in January 2000, has a separate entry.

A number of new books have just been released in the CUP series Cambridge Studies in International and Comparative Law, edited by Professors James Crawford and David Johnston. The series was established by Professors Lauterpacht, McNair and Gutteridge in 1949 as a broadly based series of monographs.

Heading the bill of recent releases is Tony Jolowicz’s On Civil Procedure. This comparative analysis of civil procedure concentrates on the purposes served by the institution of litigation rather than on the intentions of those who litigate. Stressing that those purposes go beyond mere dispute resolution by non-violent means, he surveys a variety of topics of procedural law, making substantial use of the comparative method, in the attempt to examine and explain the ideas which underlie some of the most important of its constituent elements. In the final section, he deals with the reform of English law and ventures a prediction of the consequences that the new Civil Procedure Rules, together with the reforms which more or less immediately preceded them, will have on the character of English procedural law.

Launching the book at a ceremony at the Law Faculty on 15 February, Lord Slynn of Hadley stressed the importance of the advanced study of civil procedure and the leading role played in that study by Tony Jolowicz and others at Cambridge.
CONGRATULATIONS TO...

Professor Malcolm Clarke who has been awarded a Personal Professorship;
Mr Richard Fentiman, Dr Matt Kramer and Dr Per-Olaf Wikstrom who have been awarded Personal Readerships;
Professor Kevin Gray who has been made a Fellow of the British Academy;
Professor Andrew von Hirsch and Professor Tony Smith who have been awarded the LLD;
Professor Tony Jolowicz who has been awarded an Honorary LLD from the University of Buckingham;
Professor John Spencer who has been made a member of the Ordre des Palmes académiques;
Professor John Tiley who has been appointed to a Fellowship of the Chartered Institute of Taxation.

LORD CHANCELLOR OPENS
THE MAITLAND LEGAL HISTORY ROOM

Legal History on-line: Professor John Baker and the Lord Chancellor in the Maitland Legal History Room

The new Maitland Legal History Room, recently created on the first floor of the Squire Law Library, was opened by the Lord Chancellor, The Rt. Hon. The Lord Irvine of Lairg on 14 February 2000.

The room offers a convenient and secure location for the rare and valuable legal history collection maintained by the library. Many of the books are standard reference tools. As well as statutes, abridgments and books of entries there are the original Year Books and the early English law reports, commonly known as the Nominate Reports. The room will feature some rare materials relating to Roman and Continental law.

The Maitland Legal History Room provides a comfortable workspace for our legal historians and others with a special interest in our legal heritage. I.T. and microfilm facilities have been installed in order to allow access to materials which are available in forms other than just the printed versions, such as, for example, the English Reports on CD-ROM.

Legal history is central to the heritage of the modern Faculty of Law at Cambridge University and it is entirely appropriate that the room should be named after Frederic William Maitland, the Downing Professor from 1888 to 1906. A.W.B. Simpson described Maitland as “one of the creators of English history as we have it today” and also as the “creator of English legal history”. John Baker, who now holds the Downing Chair, states that Maitland’s “genius raised irreversibly the standards of legal as well as historical scholarship”. Dicey praised him for having demonstrated that “extra-ordinary learning and research have no connection whatever with dullness and pedantry, and that learning may be combined with the most philosophic and the profoundest views of law which the mind of man can form”.

Maitland was central to the early history of the Squire Law Library. Not only are his own works found on the shelves, but he played an important role in urging the University to establish a dedicated Law Library. The Squire was duly opened on 4 March 1904 and, following his death in December 1906, a gift of books was received from Maitland’s widow.

The posthumous bronze bust by S. Nicholson Babb, dated 1908 (now appropriately relocated inside the new Maitland Legal History Room,) has followed the Squire Law Library from its first home in Downing Street, to the Cockerell Building at the Old Schools, and then in 1995 to the Law Faculty Building here on the Sidgwick Site. Maitland has never been far from our thoughts!

The Squire Law Library and the Faculty of Law are grateful to the F.W. Maitland Memorial Fund and the Cambridge Law Journal for generously providing the funds which have allowed the room to be created and furnished and the valuable collection of legal history books, which are now held within, to be restored.

David Wills
Squire Law Librarian

COMPUTERS IN THE FACULTY OF LAW

Computers are increasingly becoming part of the everyday activity of the Law Faculty. There are now 45 PCs available for general use in the Squire Library. In addition, a further 24 machines and further access to I.T. have been made available through the generous sponsorship of Freshfields. A great deal of the information students need for their courses is now available on-line. Our Computer Officers continue to give a high level of service, including an excellent helpdesk service. The Faculty’s website at http://www.law.cam.ac.uk/ has recently been redesigned, and now contains a significant amount of Faculty and Course information, as well as links to information resources of many types.

Steve Hedley
Christ’s College
DAVID IBBETSON
APPOINTED REGIUS
PROFESSOR OF CIVIL LAW

The Regius Professorship of Civil Law, founded in 1540, is the Faculty’s senior chair. The appointment of Dr David Ibbetson as Regius in succession to Professor David Johnston is thus a signal event. Dr Ibbetson obtained a BA and his PhD from Cambridge, winning the George Long Prize for Roman Law in 1974 and 1975. Since 1980 he has been Fellow and Tutor in Law at Magdalen College, Oxford, where he has specialised in the teaching of Roman Law and Legal History. A series of distinguished publications on English and civilian legal history has recently been crowned by the appearance of A Historical Introduction to the Law of Obligations, which has already attracted considerable acclaim.

The Regius chair has long been the focus for the study of Roman law in the University and the Faculty is delighted to have found a new holder who will continue that tradition. In the post-war period the subject has been treated in an expansive intellectual vein. Peter Steinh, Regius Professor from 1968 to 1993, did much to link Roman law studies to the history of the later civilian systems in Scotland, on the Continent and elsewhere and to historical jurisprudence more generally. In this he was greatly assisted by the presence of Professors Jack Hamson, and Kurt Lipstein and today’s comparativists in the Faculty, such as Tony Weir and Roderick Munday.

In the present era, the relation of common law to various civil law systems within the European Union is acquiring a pressing dimension. David Johnston has developed that viewpoint, notably by realigning the teaching of Civil Law as a foundation for comparative studies both general and specific. Since an eclectic Community law already pervades so much of commercial and economic life, it becomes essential that students should absorb sufficient understanding of the major legal inheritances across Europe. This is why the Faculty considers the continuity of tradition embodied in the Regius chair to be so vital to its future. David Ibbetson is admirably qualified to carry the inheritance forward.

CAMBRIDGE STUDENTS HOST SIXTH FORM LAW CONFERENCE

Very little is known about the early history of this event, but it seems likely that a group of undergraduates at Downing College decided to hold some talks about Law at Cambridge for sixth formers interested in applying.

Twenty-six years later, the Conference has grown into a four-day event that attracts roughly 300 sixth formers from a variety of schools and colleges. One thing has not changed since the early days, and that is the unique nature of the Conference in that it is wholly organised by undergraduates with no senior member at the helm. The Committee consists of two or three students from each undergraduate year and is a three-year commitment where everyone is steadily given more responsibility. Those on the Committee choose the next year’s intake and at the moment, members are drawn from five different Colleges - Magdalene, Newnham, Queens, St Catharine’s and Trinity Hall. Each member oversees a certain area such as accommodation, entertainment, or acts as Treasurer or President.

Despite the autonomous nature of the Committee, much practical support and guidance is given to the Conference by the Law Faculty, and several stalwart College supervisors including Mr Hopkins and Mr Virgo. Colleges help out by accommodating the sixth formers and since they normally stay in large groups and have all their meals in College, they are able to gain some idea of what it is like to live in a College environment. Each year the Committee is very grateful to all of those who provide accommodation at an affordable price and to the Porters and student helpers who help to make those attending feel welcome.

Organisation for the Conference begins in October and culminates in the first week of the Easter vacation when it actually takes place. Sixth formers start arriving on Monday afternoon at the College to which they have been allocated. Events include a welcome tea in the Law Faculty where they are able to speak with supervisors and be reassured to discover that potential interviewers are not as intimidating as they had feared. After this, dinner is served back in College before a traditional Cambridge cheesy bop in the evening to break the ice and let everyone get to know each other.

The next two days have lectures from 9.30am - 4.30pm and involve talks about Law generally, and different subjects such as Tort, Banking, Criminal, Roman, Land and Contract. There are also seminars and discussions on areas such as Human Rights, and descriptions of how the Cambridge system of supervisions and lectures works. After this, talks are given by practitioners about life as a solicitor, junior barrister, judge or as someone who does pro bono work as part of their career. There is also the chance to hear about alternative careers using a Law degree, details on funding, and of course, interviews. Over the two days sponsors (normally City law firms) help by giving advocacy, debating and negotiating skills workshops, and even organise an advocacy competition and formal debate for sixth formers to enter. The support of sponsors is much needed to ensure that the cost of the Conference can be kept as low as possible in order to encourage a wide range of applicants.

The highlights of the Conference are often felt to be the evening events which include a debate in the Union Building with eminent barristers arguing thorny questions whilst their more junior seconds wreak havoc with the idea of an ordered, rational debate.

The final night’s mock trial, presided over by Mr Virgo, is immense fun for all concerned. The sixth formers are carefully instructed about the importance of the burden of proof in criminal trials, and their responsibility as the jury to see that justice is done. From these lofty ideals, the trial itself descends into mayhem with the Committee arguing as Counsel and acting as Porters, Fellows, and policemen in an implausible murder trial where those taking part deserve to be arrested by the fashion police if no one else. However, for the Committee especially, the dawning realisation on sixth formers’ faces that the mock trial is not quite what they thought it would be, is worth the months of hard work and preparation beforehand.

As this year’s President, I would like to thank my Committee and all of those who help us to produce this event each year. I hope that the good work done by the Conference in allowing sixth formers to find out about Cambridge and Law for themselves, continues for many years to come.

Emma Waring,
Newnham College, President
LAW REPORTING AND LEGAL INFORMATION IN THE NEW MILLENNIUM

On Friday, 17 March, a conference devoted to Law Reporting, Legal Information and Electronic Media in the New Millennium was hosted by the Law Faculty, in conjunction with the Incorporated Council of Law Reporting. Some two hundred delegates, consisting of practitioners, administrators, legal academics, the press, law publishers and students attended. The aim of the conference was to explore the implications of the fact that, as a result of the conference was to explore the implications of the fact that, as a result of the

The problems presented by this simple fact were addressed from a variety of perspectives. A keynote address by the Lord Chief Justice stressed the need for reporting accuracy. Other speakers addressed similar themes. Sir Richard Buxton was concerned to emphasise that the cases cited must contain points of legal importance, which they might do irrespective of the date at which they had been decided. One of the seditious siren calls presented by new technology was the temptation to suppose that the new must necessarily speak the loudest. Mr Robert Williams, Editor of the Law Reports, outlined the principles that governed the selection of cases thought suitable for reporting - the Lindley principles, formulated at the time when the Incorporated Council was established, and for the most part adhered to subsequently, encapsulated the principles of “reportability”.

Professor Richard Susskind (author of The Future of Law) gave a view of the future, which included the recognition of the facts that whereas the capture of raw data was becoming increasingly possible as a technological fact, the management and manipulation of the information thus produced was technologically problematic. Information management is, at least in the short term, the principal challenge, and in that connection, those who edit reports are fulfilling an important function.

In the afternoon session, the views of the practitioner, the academic and the editor of a series of reports were presented. Mr James Behrens observed that the proliferation of materials was both time-consuming and expensive to keep abreast of; he also observed that the Practice Direction on the citation of Unreported judgements appears to be largely ignored in practice - and nobody in the audience was able to contradict him about that. Mr Steve Hedley (Faculty of Law, University of Cambridge) outlined some of the difficulties that confront those who teach, and Dr Roderick Munday (Faculty of Law, University of Cambridge), identified some of the selection difficulties that are presented for those who edit series of reports such as the Justice of the Peace, which are inevitably aimed at a different audience from those of the Incorporated Council.

Contributors from the floor included Mr Laurie West-Knights, who assured the assembled that his advocacy of such new developments as BAILII did not represent any sort of threat to the work that was being carried out by the Incorporated Council of Law Reporting, but was complementary to it. The entire proceedings were reported live, on the internet, by the transcription of Smith-Bernal and this transcript can be viewed at http://www.lawreports.co.uk/17march.htm

Tony Smith
Gonville and Caius College
Chairman of the Faculty of Law

3CL GLOBAL INSOLVENCY SEMINAR

The Centre's first major event of the 21st Century (held in association with Allen & Overy) was to host a Seminar on Global Insolvency. Over forty practitioners and academics gathered in Cambridge on 14 January to discuss some of the most important current issues in global insolvency. Although selected speakers took the lead on particular topics, all of those attending the conference participated actively in the discussions and there was a lively exchange of views. The area of global insolvency is one of especial practical, commercial and legal difficulty as it involves the expression of national policy concerns through the medium of conflict of laws. Several abortive attempts have been made at solving some of the problems through treaties. Nevertheless, some recent high profile international insolencies have given momentum to initiatives which had previously stalled. The European Commission is resurrecting some points from a draft Convention by means of a Regulation. The World Bank has set up a working party to consider the area further and there is some discussion in a number of countries on whether the UNCITRAL model law should be adopted.

The seminar started with consideration of the UNCITRAL Model and Other New Trends (discussion led by Professor Ian Fletcher, Queen Mary & Westfield College, University of London), and the Proposed European Regulation (Professor Harry Rajak, University of Sussex). The seminar then moved on to look at the practical problems faced by the English courts as a result of a lack of international cohesion with Winding Up of Foreign Companies in England and Assistance to Non-s426 Foreign Office Holders (Sandy Shandro, Freshfields); and s426 Insolvency Act (Leslie Kosmin, Erskine Chambers). Lastly, the discussion focussed on the Settlements Finality Directive. Insolvency Legislation ‘Carve Outs’ for the Financial Markets (Philip Wood, Allen & Overy); and Points in Issue (Professor Len Sealy, University of Cambridge). The papers from the Seminar will be published in the Company Financial and Insolvency Law Review later this year.

Elis Ferran
Director, 3CL
ANTI-DISCRIMINATION LEGISLATION UNDER REVIEW

The Independent Review of the Enforcement of U.K. Anti-Discrimination Legislation is already having an important influence, said Lord Falconer of Thoroton QC, Minister of State at the Cabinet Office, when opening a Consultative Conference in Cambridge on 14 January. He added that the Government would be giving serious consideration to the findings of the Review which are expected to be published at the end of July.

The importance of the Review was also emphasised by Sir Herman Ouseley, chair of the CRE, Julie Mellor, Chair of the EOC, Bert Massie, Chair of the DRC, and Joan Harbison, Chief Commissioner of the Equality Commission for Northern Ireland, who participated in a panel discussion. There were about 100 participants in the conference including lawyers, representatives from business, unions, and NGOs, as well as academic specialists.

Mary Coussey presented the findings of her surveys of employers in Great Britain, Northern Ireland and the USA. These showed that the main impact of legislation on employers in the USA and Northern Ireland comes from the positive legal duty to reduce under-representation of disadvantaged groups. Unlike Britain, this is not based on fault-finding and retrospective analysis of decisions. It is inclusive and not adversarial.

Elmer C. Jackson III, General Director of GM North America, who addressed the Conference said that this approach was not regarded as oppressive by US employers. It used a range of marketing techniques already familiar to business. John Cridland, Director of Human Resources at the CBI, cautioned that this approach might be better suited to transnational corporations than small and medium businesses in Britain. Kay Carbery, Head of the TUC Equal Rights Department, advocated more self-regulation rather than the old command-and-control model, including workforce agreements on equality.

Professor Bob Hepple QC and Tufyal Choudhury introduced the Consultation Paper, Options for Reform, and the seven working papers produced for the Review. The issues raised include harmonisation with EC law and harmonisation with human rights law. The Review is also considering the harmonisation of the five different equality regimes operating in the U.K., and the question whether there should be a single Equality Commission, as well as improvements in the practice and procedure of employment tribunals and courts relating to discrimination cases.

The Independent Review is being conducted under the auspices of the Centre for Public Law and the Judge Institute of Management Studies. It is funded by the Joseph Rowntree Charitable Trust and the Nuffield Foundation. The Report “Equality: a New Framework” is due to be published by Hart Publishing.

INTELLECTUAL PROPERTY

The American Bar Association descends upon London in July. Its Intellectual Property Section will head to Cambridge on July 18 for a meeting in the Queen’s Building at Emmanuel. They will meet British specialists in the subject drawn from the membership of The Intellectual Property Lawyers Organisation.

The Faculty’s IP Unit, is organising the British side of the event, in conjunction with the Cambridge firm, Hewitson, Becke & Shaw. Two highly current topics are on the programme.

The morning session is devoted to the new American-led drive to grant patents for all computer programs with a practical application. This is leading towards a remarkable and highly controversial expansion of IP at a key point. The principal British speaker will be Sir Nicholas Pumfrey.

The afternoon session tackles the so-called “dilution” of trade mark rights. The subject has acquired special immediacy by the world-wide spread of cyber-squatters on the Internet who mark in domain names in order to sell them to the mark owner. Entwined in jurisdictional and applicable law issues which demand to be re-addressed in the face of the digital revolution. The electronic form of arbitration which the World Intellectual Property Organisation has just established is likely to be at the forefront of discussions. On the panel Sir Hugh Laddie will lead for the British.

Our guests will be sent off with a reception at the Duxford Air Museum, hosted by Hewitsons. Bill Cornish

Herchel Smith Professor of Intellectual Property Law

THE BRITISH LAW CENTRE, WARSAW

Since 1992 the Faculty has had an involvement with the University of Warsaw in the form of its participation in the British Law Centre. The Centre was the brainchild of George Dobby, CBE, QC. Since 1992 the Faculty has directed its academic work and since 1996, has also undertaken its administration. The Centre operates a highly successful programme for Warsaw law students. This counts as an optional subject in their first degree, as well as giving them a Certificate from the Cambridge Board of Continuing Education. The course – Introduction to English and European Law – covers basic features of the common law, aspects of the European Union and more advanced commercial subjects with a significant European law content. All the teaching is in English. Students have to be proficient enough to participate in seminars and tutorials as well as writing essays and examinations. Large numbers complete the demanding course successfully each year. The programme has now been put on a two-year basis. A series of distinguished visitors from England have enjoyed addressing the students and taking part in mooting competitions in which students hone their advocacy skills. In recent years the Centre has welcomed Sir Stephen Brown, Lord Lynne of Hadley, Sir Robert Carnwath and Sir Christopher Staughton. In April, Lord Irvine of Lairg will include it in his programme during a visit to four Central European countries.

Lectures are given mainly by visitors from England. Regulars from the Law Faculty are: Catherine Barnard (EU law) Richard Fentiman (international litigation) Richard Nolan (company law) Mika Oldham (trusts and land law)

The course has led to the development of a Correspondence Course with Tutoring, which is organised through other law faculties across Central and East Europe. In all the current talk of e-learning, the Course is a demonstration of what can, and should, be achieved in this new sphere of teaching.

Bill Cornish
Director of the Warsaw Centre
The Institute of Criminology has suffered one major loss and enjoyed a number of new beginnings during the 1999-2000 academic year. The loss was the death on 29 December 1999 of Sir Leon Radzinowicz, founder and first Director of the Institute of Criminology, first holder of the Wolfson Chair in Criminology, author of the landmark *A History of English Criminal Law and its Administration from 1750* (1948-86), and the most influential criminologist of his time. Trinity College, of which he was a fellow, held a memorial service on Saturday 17 June 2000, and the Institute of Criminology will sponsor a Conference in Spring 2001 dedicated to examination of central themes of his work. Sir Leon bequested a sizeable endowment to the Institute, to be called the ‘The Sir Leon Radzinowicz Criminological Fund’ to be used to support various prizes and fellowships.

The new beginnings include the appointment of a new Director, signs at last of discernible progress towards construction of a new Institute of Criminology building, creation of two research centres in the Institute of Criminology and a variety of important new research initiatives.

Michael Tonry, the Institute’s new Director, comes to the Institute from the University of Minnesota, where he was Sonosky Professor of Law and Public Policy. He is a lawyer by training, a public policy analyst by profession, and a specialist in sentencing, penal policy, minority involvement in the criminal justice system and crime control policy. Editor or author of more than 35 books, and a considerable number of articles, he is the founder and editor of *Crime and Justice — A Review of Research*, often described as the world’s most influential criminology journal. The Institute’s Trevor Bennett served as Acting Director during most of 1999 following the resignation of Professor Anthony E. Bottoms from 1 January 1999. Professor Bottoms continues to be Wolfson Professor of Criminology.

Although funds have long been available to pay for construction of a new Institute building, and plans were far advanced at the time of construction of the Law Faculty’s later building, the Institute’s plans were set aside. After too many years of delay, the University is now moving rapidly towards selection of architects to design a new Institute building, as one among several tasks, and there appears to be reasonable grounds for believing that construction will begin within two years. Where the Institute will move during the construction period remains to be determined.

Two new research centres have been established. The Penal Theory Centre, directed by Professor Andrew von Hirsch, specialises in theoretical analyses of major issues in penal policy and in the criminal law. The Penal Theory Centre will convene its inaugural conference in October 2001, on the theoretical underpinnings and implications of restorative justice. The Centre, supported by private donations, will regularly convene conferences, bring distinguished visitors to the University, and support lecture and publication series.

The Prison Research Centre, headed by Dr Alison Liebling, with support from the Cadbury Trust, the Prison Service of England and Wales and other sources, will begin work in May 2000. Its inaugural meeting will take place at the end of June with the first meeting of its Advisory Board and a small conference on future directions for prisons research. The Prisons Research Centre will specialise in empirical research on the operations and effects of prisons in England, Wales and other countries.

There has in the current year been a flowering of new research initiatives. Dr. Trevor Bennett received a £1,300,000 grant from the Home Office to conduct a 3-year series of research projects, throughout England and Wales, on drug use and dependence by active criminal offenders. Drs Sue Rex and Loraine Gelsthorpe received a sizeable Home Office grant to conduct a multi-year evaluation, in collaboration with the Institute for Criminological Research at Oxford, into the operations and effects of community service orders in a number of English counties. Dr. Alison Liebling has conducted a continuing flow of research projects with funding from the Prison Service and during the Spring received a major grant from the Home Office to continue development of new research methods for prisons research. Professor David Farrington has received a variety of awards from the Home Office and elsewhere to support the continuation of the Cambridge Study in Delinquent Development and other projects in which he is a principal.

Professor Anthony Bottoms received support from the Cadbury Trust for ecological studies of crime and delinquency in Sheffield. This continues a line of research in Sheffield started by Professor Bottoms nearly 30 years ago, making Sheffield the most continuously and closely investigated city in Britain in relation to crime and delinquency. Dr Per-Olaaf Wikstrom has received a major grant from the Home Office for a new project in Peterborough investigating interactions between characteristics of individuals and community influences on their criminal behaviours. Michael Tonry received a sizeable grant from the Home Office to conduct a policy analysis of the sentencing, prisons, and probation systems of England and Wales and a grant from the U.S. Department of Justice to support a series of projects and publications on transnational crime.
On 22 and 23 January, the Lauterpacht Research Centre for International Law hosted a conference on State responsibility, attended by 30 specialists from various countries including 7 members of the International Law Commission (ILC). The ILC began work on this topic, perhaps the last great classical codification topic on its agenda, in 1963. The first reading of a set of Draft articles was completed in 1966. In 1997 the ILC appointed Professor James Crawford of Cambridge as Special Rapporteur and directed him to complete the second reading within the current 5 year-term, i.e. by 2001. Previous Special Rapporteurs on the topic have included Professors Roberto Ago and Gaetano Arangio-Ruiz, both of Italy. Professor Crawford is the first Special Rapporteur on the topic from a common law country. (This is in sharp contrast with the law of treaties – the Special Rapporteurs for which were a series of distinguished British international lawyers, James Brierly, Hersch Lauterpacht, Gerald Fitzmaurice and Humphrey Waldock.)

The aim of the conference was to assist the Special Rapporteur in mapping out a strategy for the remaining sections of the Draft articles. In his first two reports, in 1998 and 1999, Professor Crawford had reviewed the entire text of Part 1 of the Draft articles. The Draft is probably best known for its controversial definition of the notion of “State crime”: the underlying conception of obligations to the international community as a whole was declared to be part of the subject by the International Court in 1970, but spelling out precisely what this means is a key task. The text also deals with other major issues such as the principles of attribution of conduct to the State, the general defences or excuses for wrongful conduct in international law, principles of reparation and the law of countermeasures.

By the end of its 51st session in July 1999, the Drafting Committee of the Commission had provisionally adopted the Draft Articles of Part I. A number of outstanding issues remain to be considered before the Draft articles can be finally adopted as a whole and referred to the UN General Assembly for possible adoption. These issues were the core of the debate held at the Centre. The meeting was a considerable success, clarifying both the proper scope and structure of the remaining sections and key issues about their content. These conclusions will be reflected in the Third Report which the Special Rapporteur will present to the ILC in May.

Work on the Project is supported by the Leverhulme Trust. For the First and Second Reports, State comments and other material relating to the Draft Articles, see the State Responsibility website at www.law.cam.ac.uk/rcil/home.htm.

The ESRC Centre for Business Research (CBR) is an interdisciplinary research centre set up to carry out research on the social and economic dimensions of corporate and business law. The CBR has a core academic staff of around twenty people, consisting of research fellows and university teaching officers on partial secondment from their own departments. They work in the Faculty of Economics building on the Sidgwick Site. In addition, a number of academics from within Cambridge and from other universities take part in particular CBR projects. There is a refereed working paper series which has produced over 150 papers since the CBR was set up in 1994.

Funding for projects is drawn from the core grant provided by the Economic and Social Research Council, which was recently renewed for a further five year period up to 2004, and from a number of other bodies, including the Leverhulme Trust, the Sainsbury Foundation, the Ford Foundation, the European Commission and government departments in the UK and overseas. The Centre’s annual research budget is currently around £0.75 million, less than two thirds of which is now represented by the core grant.

A number of law-related projects are underway. Research into the impact of the law relating to directors’ duties is being carried out by Simon Deakin, one of the Centre’s Assistant Directors and a Reader in the Faculty of Law, and Alan Hughes, the Director of the Centre and Professor of Enterprise Studies in the Judge Institute of Management Studies. The work was begun at the request of the Law Commission and was funded by the Institute of Chartered Accountants in England and Wales. Its findings were incorporated into the Law Commission’s Consultative Document on Company Directors published in September 1998 and the Report which appeared a year later.

Work on the economics of company law is continuing for the Company Law Review under the auspices of the Department of Trade and Industry. Jacqueline Cook, John Armour, Clare Lahovary and Simon Deakin have completed a number of working papers for the DTI.

Kern Alexander and Rahul Dhumale are working with Lord Eatwell on a project concerned with the effects of the liberalisation of international capital flows in terms of the greater volatility and the global transmission of economic shocks. The aim of the project is to identify the legal and institutional underpinnings of a World Financial Authority which would exercise regulatory powers with a view to minimising the disruptive effects of liberalisation. The project involves collaboration between the CBR, the Judge Institute of Management Studies and the Centre for Corporate and Commercial Law, whose director, Elis Ferran, is one of its advisers.

John Armour is on leave from the School of Law, University of Nottingham to work with Simon Deakin on a CBR project concerned with corporate reorganisations. The research is currently investigating the informal corporate rescue processes of the ‘London Approach’, and the role played by the different stakeholder groups in insolvency procedures.

The CBR has a number of projects concerned with employment law. These include work on processes of corporate restructuring; the future of collective bargaining; and the effects of job insecurity. Recent work includes a paper on the theory of stakeholding by Sanjiv Sachev; an analysis of the shift from collective procedures to individual employment rights as the predominant form of employment regulation, using data from the 1998 Workplace Employment Relations Survey, by William Brown, Simon Deakin, Paul Nash, and Sarah Oxenbridge; and a book on job insecurity and work intensification, based on work for the Joseph Rowntree Foundation, directed by Brendan Burchell and Frank Wilkinson.

Simon Deakin
ESRC Centre for Business Research
On Saturday 4th December 1999 a conference on the subject of “The Modernisation of European Competition Law: The Next Ten Years” was held, sponsored by Linklaters & Alliance. It was chaired by Professor Claus-Dieter Ehlermann of the European University Institute, Florence, formerly Director General of the EC Competition Directorate, and brought a number of distinguished participants to Cambridge. The speakers included Judge John Cooke of the Court of First Instance, Professor Barry Hawk of Fordham University, New York City, and Professor Richard Whish of King’s College, London, as well as Hanns Peter Nehl from Hamburg. Commentators included Professor Alan Dashwood (Director of CELS), Dan Goyder (Visiting Fellow, CELS), Paul Lasok Q.C., Jonathan Faull (European Commission) and Professor Jan Wouters (Louvain University). Some 40 people attended, including academics from Sweden and Japan as well as from British universities, legal practitioners, and a number of graduate students with special interests in the subject.

On 17 March, in collaboration with the Society for Public Teachers of Law, CELS held a conference entitled “The European Union’s Constitution”. Catherine Barnard (Trinity College, Cambridge) and Steve Peers (Essex University) chaired the event which featured speakers from both Britain and Continental Europe. The conference focused on the important constitutional issues of the European Union, and the debate over the existence and nature of the EU’s constitution.

On 18 March, CELS hosted a conference (under the sponsorship of the firm Nabarro Nathanson) entitled “The ECSC Treaty: Present and Future”. The conference sought to explore the Treaty establishing the European Coal and Steel Community and covered the perspectives of the UK steel industry; the European Commission; and that of senior legal advisors.

On 7 April CELS ran a conference in Stockholm in collaboration with the Swedish Network for European Legal Studies. It concerned “Implementation and Enforcement of EC Environmental Law”, and compared the position in Sweden with that in the UK. Speakers included experts who have worked for the Swedish and British Governments respectively on scrutiny and enforcement of EC measures, along with distinguished academics and legal practitioners.

Production of the second edition of the Cambridge Yearbook of European Legal Studies is on schedule. It will feature over 20 articles on EU, human rights, and comparative law with a European dimension, and will be published later this year.

Angela Ward, Dan Goyder
CELS

ARRIVALS

The Faculty has made a number of appointments over the past year.
Dr Albertina Albors-Llorens (Girton College) and Mr Nicholas McBride (Pembroke College) were appointed to the first two Norton Rose Lectureships. Ms Eleanor Spaventa has been appointed to a Norton Rose Lectureship to be held with a Fellowship at New Hall. She is presently engaged in doctoral research in EU Law at the University of Oxford and joins us in September 2000.
Dr Mark Elliot (St Catharine’s College) and Dr David Fox (St John’s College) have been appointed to University Assistant Lectureships.
Mr Angus Johnston (Trinity Hall) and Ms Jo Miles (Trinity College) have been appointed to College Teaching posts within the past year. Ms Tanya Aplin (Robinson College), Mr Michael Dougan (Downing College), Mr Christopher Hare (Jesus College) and Dr Amanda Hatfield (Newnham College) will all take up their appointments as College Teaching Officers in October 2000.
Ms Amandine Garde has been appointed to the Clifford Chance/Neil Allam Lectureship. Ms Garde is currently pursuing doctoral research at King’s College, London.
Dr Francesco Giglio arrived in October 1999 from Oxford to take up a Faculty Lectureship in Comparative Law. This post is also funded by the City Solicitors’ Educational Trust and the Newton Trust. He will be going to Manchester University in September.
Mr Christophe Hillion has been appointed to the Deputy Directorship of the Centre for European Legal Studies. Mr Hillion has been Assistant to the Rector at the College of Europe in Bruges. The post of Deputy Director is made possible through the generous funding of the City Solicitors’ Education Trust and the Newton Trust.

Dr David Ibbetson takes up the post of Regius Professor of Civil Law in October 2000. He comes to us from Magdalen College, Oxford.
Mr Roger O’Keefe had been appointed to a University Assistant Lectureship in Law in the field of International Law from June 2000. He is currently completing doctoral research at Cambridge.
Ms Joanne Scott has been appointed to a University Lectureship in Law in EU Law from April 2000. She comes to us from a Readership in EU Law at Queen Mary and Westfield College, University of London and was formally at the University of Kent at Canterbury. She will be a Fellow at Clare College.

The Faculty will, over the forthcoming months, be making appointments to; the City Solicitors’ Fund Faculty Lectureship in Comparative Law; two Norton Rose Lectureships and two Newton Trust Lectureships.

AND DEPARTURES

The Faculty was sorry to lose the following members:
Mr Nick Bamforth (Robinson College) to Queen’s College, Oxford;
Dr Yvonne Cripps (Reader in Law and Fellow of Emmanuel College) to private practice in London;
Mrs Elizabeth Freeman (Clare College) to different challenges;
Mr Jonathan Herring (New Hall) to Exeter College, Oxford;
Professor David Johnston (Regius Professor and Fellow of Christ’s College) to private practice in Edinburgh;
Dr Vaughan Lowe (Reader in International Law and Fellow of Corpus Christi College) to the Chichele Professorship at All Soul’s College, Oxford;
Dr Angela Ward (Deputy Director of CELS and Fellow of Magdalene College) to a Readership at the University of Essex.
CENTRE FOR PUBLIC LAW NEWS

The Centre has had a busy 3 months. In January a one-day conference on the Enforcement of UK Anti-Discrimination Legislation discussed the options for reform being developed by the independent review led by Bob Hepple QC and Mary Coussey. Over a hundred delegates, including the Chairs of all the Anti-Discrimination Commissions, leading practitioners and academics discussed the main options for reform set out in the review’s consultation paper (see p8).

In February the Centre’s third weekend conference on “Freedom of Expression and Freedom of Information” was the occasion to celebrate the contribution of Professor Sir David Williams QC to Public Law in the 42 years since he took up his first academic post. The session on politicians and public persons was especially lively with contributions from several of those involved in the Reynolds case and Sir Kenneth Keith, of the New Zealand Court of Appeal, which was considering the Lange case. Apart from Sir Kenneth, the Judiciary were represented by Sir Richard Scott VC (whose session was Chaired byPresley Baxendale – Counsel to the armed forces for Iraq inquiry), Lord Justice Selley, Lord Justice Laws, and Mr Justice Elias. The international dimension of the issues was addressed by Fred Aman, Dean of the Indiana Law School and former Visiting Fellow of Wolfson College, who spoke on “Privacy, Freedom of Information and the Global Economy”, Sir Kenneth Keith’s paper on “International Law and Freedom of Information”, and David Schulz, of Clifford Chance Rogers & Wells, who spoke on the First Amendment Implications for News Gathering. Emmanuel College provided a wonderful setting for the conference dinner and warm tributes were paid to Sir David by Sir William Wade QC and Michael Beloff QC. The conference was generously supported by Clifford Chance and the Emmanuel Society. It was also the occasion for the announcement of Clifford Chance’s wider support for the Centre’s Conference and Seminar Programme and Visiting Scholars Programme. The Centre has recognised this generous support by designating the firm Patron of the Centre.

Last but not least, in March the Centre published a consultation paper on Bailiff Law. Jack Beatson was commissioned by the Lord Chancellor’s Department to review bailiff law as part of the Department’s wider review of enforcement in the civil courts. Amongst the issues covered are the use of force to gain entry, exemptions from seizure of goods, and compatibility of present arrangements with the European Convention on Human Rights. A final report will be made in June.

Jack Beatson QC
Director, Centre for Public Law

MAJOR PUBLICATIONS BY FACULTY MEMBERS

Faculty Members have recently produced so many books, articles and chapters that it would be impossible to refer to them all. An indication of the breadth and weight of publications can, however, be identified from the following list.


James Crawford and Ian Brownlie Eds and Cherry Hopkins, Assistant Editor, Vol 69 of the British Year Book of International Law (1999, Oxford University Press)


Christopher Forsyth (ed.) ‘Judicial Review and the Constitution’ (2000, Hart)


Matt Kramer, ‘In the Realm of Legal and Moral Philosophy: Critical Encounters’ (Macmillan)

Three generations of Rouse Ball Professor - Professor Sir David Williams, Professor Sir William Wade, Professor Jack Beatson

Scholars Programme. The Centre has recognised this generous support by designating the firm Patron of the Centre.


ATH Smith with Sid D Eady ‘Contempt’ (Sweet and Maxwell)


Michael Tonry and Norris (eds.) ‘Crime and Justice: An Annual Review of Research’ (1999), This volume contains, amongst others, a chapter by Alison Liebling.