15 May 2001 saw the first of what will become an important annual event in the life of the Law Faculty: the Sir David Williams lecture. This inaugural lecture was given by Sandra Day O’Connor, Associate Justice of the Supreme Court of the United States. Her lecture was entitled ‘Altered States: Federalism and Devolution at the ‘Real’ Turn of the Millennium’ and was a valuable and thoughtful contribution to discussions about devolution in the United Kingdom enlivened by insightful comparisons with the position in the United States.

Justice O’Connor noted that ‘the diffusion of power [in the United States and the United Kingdom] proceeds from a different premise. In the United States, power originally resided in the people … and was ceded upwards to a national government of limited authority. In the United Kingdom, power is being devolved from the sovereign Parliament … to national assemblies … These different premises have produced different contemporary challenges. Yet federalism and devolution in our respective countries also reflect many of the same values and thus present many of the same opportunities.’ A further distinct difference between constitutional structures in the UK and the US is that devolution in the UK is asymmetrical in that the powers devolved to Scotland are broader and more extensive (including legislative powers) while those devolved to Wales are altogether more limited. Thus far there has been no devolution of power to England or the English regions. In the US, on the other hand, the States - whether large or small - all have the same power and entered the Union ‘on an equal footing with the others’. This asymmetry in the UK is a crucial issue. Does it represent ‘a logical response to the disparate situations of nations within the UK’ or does it suggest that ‘the present arrangements are unsatisfactory and inherently unstable’. The judge wisely did not pronounce upon which of these views was correct.

An important strand in the judge’s lecture was the role of the courts. She noted that, in the United States, the role of the Supreme Court in policing the borders between the different levels of government was uncontroversial and added that ‘the political and judicial safeguards of federalism exists alongside each other in the United States.’ In the UK, ‘by contrast, judicial protections are ultimately subject to political will, and Parliament has the final word… The lack of institutional moorings constrains the ability of the courts to be institutional referees, especially when those institutional boundaries are drawn and redrawn through the ordinary legislative process … It remains to be seen whether the courts [in the UK] exercise their interpretative powers in a manner that bolsters and entrenches devolution. It also remains to be seen whether the adjudication of devolution issues in turn bolsters and entrenches an independent role for the courts in the continued on next page
CONGRATULATIONS TO …

Professor Sir Tony Bottoms, who was awarded a Knighthood in the Queen’s Birthday Honours list; Professor Jack Beatson and Professor James Crawford who have been made Fellows of the British Academy;
Mr Neil Andrews who has been elected to the American Law Institute;
Professor John Baker, who has been elected an Honorary Foreign Member of the American Academy of Arts and Sciences;
Mr Richard Fentiman who has held the Ganshof Van Der Meersch Chair at the University of Brussels during the 2000-1 academical year;
Professor Gareth Jones who has been made as advisor to both the Reporters of the proposed Restatement of Agency 3d and Restatement of Restitution 3d;
Dr Matt Kramer, who has been awarded a Guggenheim Foundation Fellowship for the 2001-2 academical year;
Professor Tony Smith who has been elected an Honorary Bencher of the Middle Temple;
Professor Philip Allot and Professor Michael Tonry, who were awarded Personal Professorships;
Dr Eilis Ferran and Dr Christopher Forsyth, who were awarded Personal Readerships;
Ms Catherine Barnard, Dr Trevor Bennett, Dr Loraine Gelshorpe, Dr John Keown, Dr Geoffrey Marston and Mr Graham Virgo who were promoted to University Senior Lectureships.

continued from previous page

constitutional structure.’ Justice O’Connor then turned to the European Union and to the UK’s constitutional relationship with it. She fastened on the crucial concept of ‘subsidiarity’, concluding that ‘[t]he efficacy of the principle of subsidiarity in ensuring that substantial authority will be exercised at the state level may play a big role in determining the acceptance of EU prerogatives among UK institutions and citizens.’

The judge’s conclusion was that ‘the intricacies of modern society, perhaps now more than ever, also demand local decision-making that is flexible, responsive, and personal. As salutary as national and supranational bodies can be, we must not let their potential obscure the simple truth that government often governs best when it governs close to the people.’ This led Justice O’Connor to reflect on the ‘common values and shared opportunities’ between the US and the UK constitutional traditions - democracy and accountability, individual liberty, and sense of community.

‘Whatever path devolution takes in the United Kingdom, the experiment is assuredly rich with possibility. While great uncertainty may make the experiment seem more like a gamble, risk is opportunity’s constant companion. Democracies throughout the world, whether budding or in full bloom, should take heart and note as one of the world’s greatest democracies challenges itself to realize more fully the vast promise of democratic governance.’

The lecture, which took place before a large audience, was attended by two Law Lords (Lords Millet and Cooke), several members of the Court of Appeal (including Lord Woolfe, the Lord Chief Justice) and various High Court judges. It was also attended by leading figures in the university including the Vice-Chancellor (Sir Alex Broers), the Treasurer, the Registry and several Heads of House as well as by leading legal scholars and practitioners. The lecture was followed by a celebratory dinner in Wolfson College at which Sir David Williams, Emeritus Vice-Chancellor, delighted the company with one of his characteristically elegant, witty and entertaining speeches.

The Sir David Williams lectures are endowed in perpetuity by Mr John Nolan of Steptoe and Johnson of Washington DC, who is an old friend of Sir David’s. Responsibility for organising the lectures lies with the Centre for Public Law. The second lecture, which will take place at about the same time next year, will be given by Sir Sydney Kentridge QC.

Chris Forsyth
Deputy Director of the Centre for Public Law

ACCESS AND ADMISSIONS TO LAW AT CAMBRIDGE

As a College Admissions Tutor and a member of the Law Faculty, I am aware that competition for places to read Law at Cambridge is intense. For every successful applicant, there are three or four who do not receive an offer - and the academic credentials of the candidates appear to get stronger each year. But we cannot be complacent. The University is keen to encourage as wide a range of applicants as possible from all educational backgrounds and from home and from overseas, and does not wish any serious potential candidates to be deterred from making an application for any reason. Although the Faculty of Law does not itself formally admit undergraduates (the Cambridge admissions system being College-based) it has an acute interest in ensuring that those who have outstanding academic potential to read Law are attracted into making an application. With this aim, the Faculty has promoted several initiatives to enable those who want to find out more about Cambridge to visit and to meet both students and teaching members. For many years, a three day Sixth Form Conference, energetically organised by our own undergraduates, has been held in March, and is invariably enthusiastically received by up to three hundred prospective undergraduates. There is a Faculty Open Day in July which is timed to coincide with College Open Days, and at which potential applicants are invited to spend time exploring the Law building and hearing first hand from academic staff about the study of law at Cambridge. And, for the first time in 2000, the Faculty hosted a Sutton Trust Summer School in Law about which Louise Cowen (a second year undergraduate at Queens’, and one of the helpers on the course) writes in detail below. This exercise was repeated in 2001 with equal success. The Cambridge Law Faculty is entirely committed to making available the superb educational opportunities offered by the undergraduate law course to anyone who is going to make good use of them - irrespective of school, financial resources or family background. Anyone with good grades; a fascination with the academic discipline of legal study; and the motivation to succeed should have a go!

Stuart Bridge
University Lecturer in Law and Fellow of Queens’ College
In March 2001, for the twenty-seventh year, Cambridge Law students organised a four-day residential Conference for lower sixth form students who were considering applying to Cambridge to study Law. The conference aims to give a ‘taster’ of Law (as studied and as practised) and a brief experience of life as a Cambridge undergraduate. The students were accommodated in eleven Colleges and attended lectures given by Faculty members and by barristers and solicitors. They also participated in advocacy and debating workshops organised by City Law firms. As usual, Mr Virgo presided over the final night’s mock trial which, this year, involved a murder by cannon ball in Downing College.

We made particular efforts this year to extend the Conference to schools which have not traditionally sent students to Cambridge. A scheme was therefore established through which we made available a limited number of subsidised places which we asked Local Education Authorities (LEAs) to allocate. The LEAs were, unfortunately, not particularly proactive in advertising this scheme and not all of the places were therefore taken up, but Manchester City Council (who did participate this year) has vowed to increase awareness of the scheme amongst other LEAs. It is to be hoped that this initiative will develop in future years and will serve an important role in improving access to, and awareness of, Cambridge.

I would like to thank the Committee for all their efforts; and also the Colleges – without which the Conference would simply not be able to function. Finally, I would offer my thanks to the Faculty, whose practical and financial help allows the conference to continue offering prospective students the chance to find out about Cambridge and about studying Law in much more detail than could be gained through any prospectus or open day.

Mark Rusling (Trinity Hall)  
President

THE SUTTON TRUST LAW SUMMER SCHOOL 2000

Applying to read Law at any university is a daunting experience. Having had no direct experience of the subject, it is difficult to be entirely convinced that Law is the right choice for you. Couple this uncertainty with a limited knowledge of Cambridge (other than the unfortunate stereotypes) - and the task facing someone considering applying to Cambridge to read Law can become a fairly intimidating one. The Sutton Trust Summer Schools exist to remedy this situation and, in Cambridge in July 2000, the first Summer School for sixth-form students considering reading Law took place. In order to be eligible for the Summer School, students had to have shown strong academic achievement, and to have no immediate family history of entry into higher education. The aim of the Summer School was to offer an insight into both the academic aspects of studying Law at Cambridge, and to allow an opportunity to experience the social side of University life. It was hoped that students would be able to make an educated decision about whether the study of Law was the right choice for them and, should they decide that this was the case, to encourage them to make application to Cambridge.

The Summer School was led by Stuart Bridge, of Queens’ College and Graham Virgo, of Downing College. The twenty sixth-form students stayed in Queens’, and thus had every opportunity to experience undergraduate life - from dining in the college cafeteria to socialising together in the common room. The four undergraduate students (of which I was one) who assisted with the course were also staying at Queens’, and were thus on hand to deal with any questions posed by the Summer School participants. We were also free to share our own personal experiences of the admissions procedure and of life at Cambridge, thereby helping to debunk some of the preconceptions. The Law Summer School took place against the backdrop of similar Sutton Trust Summer Schools taking place in Engineering, Biology, History and English. The law students’ time was therefore divided between activities organised for delegates from all the Summer Schools (which tended to focus on the social side of studying at Cambridge) and activities organised solely for prospective law students. The former activities included workshops in music, drama and sport - the last of which featured a particularly vicious rounders match against the history students! There was also a formal dinner in Pembroke, followed by a hotly contested Summer School quiz - which was definitively won by the law students!

Activities purely for the law summer school students aimed to offer an insight into what the academic discipline of law involves. The students received talks by members of the Law Faculty, and then participated in a group discussion of the issues raised. The students were enthusiastic, and contributed to the discussions with insightful ideas, indicating both their maturity and their intellectual keenness. The school culminated in a mock trial involving a murder charge. The students were required to grasp the scope of the homicide offences, and also such concepts as provocation, diminished responsibility and the insanity defence. Four students appeared as advocates and prepared their cases with the rest of the group. As well as coping with various issues of the substantive law, they dealt with many rules of criminal evidence and procedure, and displayed tremendous confidence in presenting the case in front of Lindsay Davies, Head of Fenners Chambers in Cambridge and a Crown Court Recorder. Those students who did not choose to act as advocates either acted as witnesses, or sat on the jury. This event drew together the threads of what the students had learned throughout the week – and they were also given the chance to don some very snazzy outfits!

The most important thing about the Summer School is that it gives students an opportunity to make an informed decision. They are able to experience first hand what reading for a Law degree involves; and to meet the people who would be teaching them and the sort of people with whom they would be studying. Many of them said that they were really surprised at how friendly and welcoming everyone was, and commented that the Summer School had helped them realise that they had every chance of succeeding at Cambridge - and enjoying themselves in the process! They were able to judge for themselves, and when we discovered that 17 out of the 20 students who attended the School actually did apply to Cambridge the following Autumn and that 11 were offered places, it is clear that a good impression was made.

Louise Cowen (Queen’s College)  
Part IB Law Student
THE IMPLEMENTATION OF THE FRESHFIELDS LEGAL IT COURSE

In the face of an information technology revolution, the practice of the Law is sometimes considered to be one of the last bastions of tradition, history and the printed word. But the legal profession, too, is experiencing radical technological change. As reported in the last edition of Lawlink, the Bar Council and the Law Society, in a new Joint Statement relating to Qualifying Law Degrees, have stipulated that Law Faculties should be able to certify that all students matriculating after autumn 2001 had acquired certain IT-based Legal research and other professional skills in order to obtain a 'qualifying' law degree to practise in England and Wales.

A generous donation from Freshfields Bruckhaus Deringer enabled us, in early 2000, to establish a new seminar room equipped with 25 state-of-the-art PCs for hands-on seminar sessions with students. The donation also facilitated the appointment of a new teaching member to deliver the course. The Faculty felt that this person should have practical experience of the application of IT within the legal profession and, in November 2000, Daniel Bates (a qualified Solicitor) was appointed to the position of Freshfields Legal IT Teaching and Development Officer.

The Faculty pre-empted the Law Society's requirements by beginning IT teaching during the Lent term 2001 with a voluntary course available to all law students, including postgraduates. The inaugural lecture took place on 18 January 2001 and was delivered by guest lecturer Professor Richard Susskind OBE, IT Adviser to the Lord Chief Justice of England. Professor Susskind spoke of the theories developed in his new book (Transforming the Law) and illustrated his vision of how the legal world will develop in its use of IT. The presentation was extremely well attended, with more than 325 students and staff filling the largest lecture theatre in the Faculty. Student interest and attendance continued at this high level throughout the course, and every single small group seminar was fully booked.

The Freshfields course seeks to ensure that students are familiar with the Internet generally and, in particular, that they are conversant with the techniques necessary to use major resources such as Lexis, Butterworths Direct and Westlaw UK. Additional sessions include Internet Searching and file handling techniques, and an introduction to Powerpoint. Lesley Dingle (one of the senior staff in the Squire Law Library) presented an introduction to utilising the mass of European resources available. The skills inculcated through the course assist with research, revision and preparation for supervisions immediately, but also stand students in good stead when they graduate and enter either legal research or the working environment.

The major service providers have demonstrated great support and enthusiasm for the course and it was particularly satisfying to be able to welcome trainers from Butterworths and Sweet & Maxwell to the Faculty to assist with the teaching. During the term, significant changes were made to the licensing agreements with the service providers, allowing a far broader access to the materials available, and also providing access to these resources from anywhere within the University. This open access allows students the flexibility to access statutes, cases or journal material outside Library or Faculty hours, from their College computer facilities or their own rooms.

The clearest example of the revolution that has been generated by the implementation of the course is in the usage figures of the leading information providers. The tables below show the effects on the use of these systems (bearing in mind that term ended in the middle of March) (see Tables 1 & 2 below)

It is clear that in the space of a year, students have been entirely converted to the latest technology and developments. By implementing the course early, students at Cambridge are absorbing skills which have not previously been on offer in such an organised way. The rewards are already becoming clear both in more efficient research, and in better use of the IT facilities within the Faculty.

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<td>01/11/2000 - 30/11/2000 (November)</td>
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The City Solicitors’ Educational Trust

In 1989 a group of City Law firms was concerned about the effects (and, particularly, the impact on law teaching) of cuts in the public funding of Universities. These cuts were perceived to be jeopardising the ability of law faculties to supply the profession with the necessary numbers of good law graduates. Firms were also bombarded with requests for help from a variety of Universities. It was felt that a wider approach would be best given that individual firms had limited information on which to make their choices. So, under the auspices of the City of London Solicitors Company, the City Solicitors’ Education Trust was set up.

Its objectives are very wide - but the Committee to whom the management of the Trust is delegated have developed criteria for considering grant applications. Of paramount importance is the factor which gave rise to the creation of the Trust: the need to maintain and, if possible, increase the number of good first-degree law graduates. It was felt from the outset, based on the experiences of the firms involved, that the best academic training revolved (as a starting point) around the legal essentials – contract, tort, property law, equity and jurisprudence. This obviously implied support for teaching posts. It was, however, always recognised that, in order to teach a subject properly, there was a need for backup facilities and resources and, in particular, for library and other research facilities.

Over the years, the perception of what is included within the ‘legal essentials’ has expanded. European Union law, environmental law, intellectual property and, most recently, Human Rights, have been added to the areas the Trust will consider. The Trust also, after the first ACLEC report, recognised the importance of the development of intellectual skills. Recently, as technology has become increasingly important, support has been provided for this element of legal education. However, the replacement of face to face teaching by technological alternatives is not favoured.

The Trust’s support for Cambridge has, over the years, involved grants for both lecturers and library resources. The former have been in the European and comparative law areas and have, in a number of cases, been held by young European lawyers at the start of an academic career. At the moment, the Trust is supporting a lectureship in European and comparative law, which is held by Dr Karl Reisenhuber and the post of the Deputy Director of the Centre for European Legal Studies, Dr Christophe Hillion. From what we have seen and heard, we are happy that the Trust’s investment is being well used.

It is regrettable that, after over 10 years of operations, the need for funding from the Trust and other sources is as great as ever it was. It seems, moreover, that there are no changes in policy from any political party which are likely to address this problem. The Trust has, in the course of its 11 year history, made grants totalling just under £5 million to 52 institutions. This is a small element in the overall funding of law teaching - but we are happy we have been able to make the contribution. The Trust will continue to pursue its aims and to support Faculties, such as Cambridge, where it sees that the contributions will enhance the number and quality of law graduates.

Michael Maunsell
Administrator, The City Solicitors’ Educational Trust

THE CITY SOLICITORS’ EDUCATIONAL TRUST

The Trust’s major subscribers are:
- Allen & Overy
- Ashurst Morris Crisp
- Clifford Chance
- Freshfields
- Bruckhaus Deringer
- Herbert Smith
- Linklaters
- Lovells
- Macfarlanes
- Penningtons
- Slaughter and May

FW MAITLAND MEMORIAL UNVEILED IN WESTMINSTER ABBEY

F.W. Maitland, Downing Professor of the Laws of England 1888-1906, died on Grand Canary on 20 December 1906, when he was still in his fifties. He left behind him some twenty two books; the Selden Society; and a legacy of scholarship in the fields of law and history which may never be equalled, and which is no mere revered relic of lost debates, but a living force in today’s learning. As W.S. Holdsworth put it, ‘[i]n an age of great historians I think that Maitland was the greatest, I think that he was the equal of the greatest lawyers of his day, and that, as a legal historian, English law from before the time of memory has never known his like’.

Upon his death the University of Oxford sent to Cambridge an address of condolence, a gesture which had taken place only once before, on the occasion of the death of Mommsen. The University of Cambridge commissioned a bust, and established a fund to promote research and instruction in the history of law and legal language and institutions.

National recognition has now been added to the reverence of lawyers and historians. On 4 January 2001 a memorial stone to Maitland was unveiled in Poets’ Corner in Westminster Abbey by Professor S.F.C. Milsom, whose address was introduced by Professor Sir James Holt. Also present at the unveiling was Maitland’s successor as both Downing Professor and as Literary Director of the Selden Society, Professor J.H. Baker. The tradition of research and teaching in law and history remains undimmed in that place which Maitland thought good to mention ‘in remembrance of my love and duty almae matri Academiae Cantabrigiae’. One of the Cambridge Law Faculty’s greatest scholars has taken his place among the nation’s memorials a short distance away from the ancient home of the central courts in Westminster Hall.

Neil Jones
University Lecturer and Fellow in Law at Magdalene College
active inquiry as to how many hours of lecturing I am expected to present to me in a truly gentle manner (I myself had to make an effort not to compromise the teaching process). The teaching load of the Norton Rose lecturers is reduced to a mere 60 hours a term compared to other lecturers in the Faculty, which is particularly useful in terms of allowing me to focus on research and written work. It has also allowed me to become more integrated in Faculty life and to understand how the system works.

It has been a very positive experience.
ARRIVALS …

The Faculty has made a number of appointments over the past year:

Dr Jennifer Davis (Wolfson College), Dr Keechang Kim (Selwyn College), Ms Jo Miles (Trinity College) and Dr Craig Rotherham (Gonville and Caius College) were appointed to Norton Rose Lectureships from October 2000.

Mr Michael Dougan (Downing College) and Mr Angus Johnston (Trinity Hall) have been appointed to Newton Trust Lectureships. Anita Pedain has been appointed to a College teaching post at Lucy Cavendish College.

Dr Karl Reisenhuber took up a Faculty Lectureship in Comparative Law in October 2000. This post is funded by the City Solicitors Educational Trust.

Mr Daniel Bates took up the post of Freshfields Legal IT Teaching and Development Officer in November 2000. He is the first holder of the post.

Professor John Bell succeeds Professor Bob Hepple in the Chair of Law (1973) from October 2001. His academic roots are at Trinity College where he studied for the Tripos before pursuing doctoral research in Oxford. He was appointed thereafter to a teaching post at Wadham College, Oxford from where he moved to the Chair of Public and Comparative Law at the University of Leeds. His research interests are in the field of comparative law, constitutional law, legal education and legal theory.

Mr Ben Parker (St John’s), Mr Andre Savin (Emmanuel) and Ms Rebecca Williams (Robinson) will all take up appointments as College Teaching Officers at the start of the Michaelmas Term.

Dr Peter Harris has been appointed to a University Lectureship in Tax Law from April 2001. He comes to us from the University of Sydney.

Professor Sheriff Iain Macphail, a Scottish judge and legal scholar who sits in the Sheriff Court at Edinburgh, joins us as Goodhart Professor for a year from October 2001.

… AND DEPARTURES

The Faculty is very sorry to lose (either wholly or in part!) the following members:

Mr Stuart Bridge (University Lecturer and Fellow of Queens’ College) succeeds Mr Charles Harpum at the Law Commission on 1 July 2001.

Mr John Collier (University Lecturer and Fellow of Trinity Hall) retires at the end of September 2001 having been a valued member of the Faculty since 1966.

Dr Simon Deakin (Reader in Law and Fellow of Peterhouse), will loosen his connections with the Faculty at the start of Michaelmas Term 2001 when he takes up the Chair of Corporate Governance in the Judge Institute of Management Studies.

Professor Bob Hepple (Professor of Law (1973) and Master of Clare) retires from his Chair, which he has held since 1995, at the end of September 2001 - although he will continue to be Master of Clare thereafter.

Professor Richard Helmholz (Goodhart Professor 2000-1) returns to his post at the University of Chicago at the end of September 2001.

THE LAUTERPACHT RESEARCH CENTRE FOR INTERNATIONAL LAW

The Lauterpacht Research Centre for International Law is a centre for the research and study of international law at the University of Cambridge. It seeks to provide both a framework and forum for critical and constructive thought about the function, content and working of law in the international community. Although the Centre is not itself involved in the teaching of international law within the University (a matter addressed by the Faculty of Law), the Director, Professor James Crawford, Deputy Director, Daniel Bethlehem, and other Fellows of the Centre are, as members of the University, actively involved in such teaching. In addition, a number of those associated with the Centre are actively involved in the practical development and application of international law.

As well as providing an intellectual home for scholars of international law visiting Cambridge from all over the world, the Centre organises a full programme of lectures, seminars and conferences exploring topical and contentious issues of international law. In the past year, this programme has included lectures by, amongst others, Sir Robert Jennings, formerly President of the International Court of Justice; Dame Rosalyn Higgins, Judge of the International Court of Justice; Erika Feller, Director of the Department of International Protection at the UN High Commission for Refugees and Dr Xue Hanqin, Legal Adviser of the Ministry of Foreign Affairs of the People’s Republic of China. Round table conferences in the field of state responsibility and refugee protection have also been held to facilitate, respectively, the work of Professor Crawford, in his role as Special Rapporteur of the International Law Commission on State Responsibility, and the Global Consultations of the UNHCR marking the 50th Anniversary of the 1951 Refugee Convention.

In addition to this on-going programme of activities, the Centre is also engaged in the preparation of primary texts and commentaries in international law. Among the publications produced under the aegis of the Centre are the International Law Reports, the ICSID Reports, the International Environmental Law Reports and the Iran - US Claims Tribunal Reports. The Centre’s website - www/lrcil/org - also includes a wide range of material of current interest in international law.

Daniel Bethlehem
Deputy Director

STUDENT DISTINCTIONS

The Faculty is delighted that three students achieved starred firsts for distinguished performance in the 2001 examinations. They are Amy Sander (Gonville and Caius College) and Derick Wee (Sidney Sussex College) for Part II, and Bobby Reddy (Girton College) for the LLM.

Amy Sander
Derick Wee
Bobby Reddy
In 2004, ‘the Squire’, will celebrate its Centenary. From small beginnings, with an estimated 8,000 volumes at birth, the library has grown in size and reputation to become one of the three largest academic law collections in the U.K. Only a handful of people will recall the first home of the Squire on Downing Street, but many alumni will remember the charming, but rather cramped conditions, of the Cockerell Building (now the Gonville and Caius Library) from which the Squire moved in 1995. The modern Squire proudly resides in the state-of-the-art, Foster-designed Law Faculty Building on the University’s Sidgwick Site. The transition from a traditional and quaint Cambridge library to a twenty-first century research library and technology centre is almost complete!

The modern Squire has two primary objectives. First, the Squire operates as a dependent library of Cambridge University Library, and therefore has an important function in building up a national research collection and (where transfer of material from the UL occurs) in underpinning the legal deposit system. Secondly, it plays a central role in supporting the research and teaching aims of the Cambridge Law Faculty and in sustaining the Faculty’s international reputation as a centre of excellence in legal studies. The Squire also has a part to play in supporting the many Centres (the Centre for Corporate and Commercial Law, the Centre for European Legal Studies, the Intellectual Property Unit, the Centre for Public Law, the Centre for Tax Law, and the Research Centre for International Law) which exist under the Faculty’s umbrella. In collection development the balance has to be maintained between collecting for the advanced researcher and providing sufficient access to the works needed for undergraduate study.

The collections are both historical and, of course, current in nature. The link with the past is never far away. The dedicated Maitland Legal History Room, opened on 14 February 2000 (see LawLink 2000) serves as a reminder of the Faculty’s heritage; it houses the older, and rarer, legal material and provides a working environment for the current crop of Legal Historians. It was, in fact, Frederic William Maitland who, at the end of the nineteenth century, strongly advocated the need for establishing a Law Library in the University. The riches of the Squire are further augmented by the many private, personal, libraries (including those of Maitland, Westlake, Buckland, Oppenheim, and de Smith) which have been donated and incorporated into the collection over the years.

The collections reflect the diverse interests of the Faculty. The Squire has traditionally maintained particularly strong
collections in English Law, Legal History, Roman Law, Jurisprudence and Public International Law. There is also the unique Conflict of Laws section, largely compiled since 1935 around the personal research interests of Professor Kurt Lipstein.

There are many research collections, arranged by jurisdiction, covering the United States and all of the major Commonwealth countries with particular emphasis on Canada, Australia, New Zealand, South Africa and India. The rich quality and depth of the collections was considered sufficiently unique and important to be included in a recent bibliography entitled *The Common Law abroad* published by William S Hein & Co., Inc., 2001. This extensive annotated bibliography details holdings relating to the colonial dependencies of Great Britain (totalling some 173 jurisdictions from Aden and Anguilla to Zanzibar and Zimbabwe via just about everywhere between) in twelve major law libraries including Harvard, Yale, Columbia, Oxford, IALS – and the Squire.

The Squire also boasts an extensive European Union collection. For the Civil Law countries, there are good research collections for France, Germany and Italy. Most jurisdictions are covered in some fashion, though admitedly some amount merely to historical texts. There are, of course, gaps in the collections - but there are some surprise inclusions too: a recent survey revealed particularly interesting materials for Liechtenstein and also San Marino!

Law, as an academic discipline, alters constantly - and teaching and research interests change to reflect the new trends. Where the law goes, the legal library follows. The next academic year will see the Faculty of Law introduce a new course on that buzz-word subject, E-commerce – and, naturally, the library will respond to the challenge of supporting this teaching programme. Several decades ago, the emergence of the Common Market and, later, the creation of the European Union produced a whole new set of legal material. There are of course many other examples: the new legal systems emerging from the Eastern European countries; the introduction of a new South African constitution; the growing interest in commercial law and intellectual property in the Far East; the importance of new subjects like computer law; and the increased interest in corporate governance, environmental law, feminist legal studies, family law and human rights. These represent just of a few of the developments which have led to the vast increase in material that is now published world-wide, and which has to be considered for acquisition by the law library.

Legal research has, moreover, never been so expansive as it is today, encroaching on so many other disciplines - whether social, economic or political. The spectacular increase in the quantity of legal material being published in book form, loose-leaf format and, in particular, as journal publications places huge demands on library resources. No law library can be expected to collect or to access everything; but it can be expected to exploit the variety of electronic services on the market and to explore useful co-operative ventures.

The Squire is already a hybrid service which blends the traditional printed library with the mass accessibility offered by the electronic age. In order to keep pace with user expectations, while remaining fully committed to managing a printed library, the Squire subscribes to a almost full array of electronic services including (amongst many others) Lexis, Butterworths Direct and Westlaw. The library is also committed to assisting the Faculty with the new Freshfields Legal I.T. Training course (see p4), which seeks to educate the modern law student in legal research skills. With the help of Faculty resources, the library floors reflect the current electronic trends and boast conveniently located computers which allow students to word-process, e-mail, research databases, and access internet resources.

In order to help and guide legal researchers in the location of appropriate resources for their work, the Squire is participating in the FLAG (Foreign Law Guide) project, led by the Institute of Advanced Legal Studies (IALS). The project will create a web directory relating to collections in foreign, comparative and international law to facilitate collaborative collection management. It will also allow legal academics to locate the most appropriate library for their specialised research activities. The web directory will have an inventory of collections listed by jurisdiction, form of legal literature and subject with an indication of strengths of collections. The Squire, the Bodleian Law Library, the School of Oriental and African Studies Library and the British Library are all involved as associate lead institutions in this IALS-led venture.

The Squire faces many challenges in the future. The 2004 celebration to mark the first one hundred years of the library will permit some reflection on the Squire’s past, present and future. The challenge for the Squire will be to balance and manage the hybrid service; preserving the past while meeting the needs of its users for the next hundred years and beyond. This will require an awareness of technological direction; the exploitation of new electronic services as they become available; an exploration of the possibilities of digitisation, and preparation for the possible impact of the e-book. An exciting future indeed!

David Wills
Squire Law Librarian
Leon Radzinowicz, the first Wolfson Professor of Criminology at Cambridge, and the founding Director of the Institute of Criminology, died in the closing days of the old century. Radzinowicz was a larger-than-life figure, with enormous energy and drive. He came to England in the late 1930s as a Polish émigré with fluent French and Italian but no English - and, within a decade, had published the first massive volume of his highly-acclaimed five-volume ‘History of English Criminal Law and its Administration’. He was a member of the Royal Commission on Capital Punishment (1949-53), and later of the standing Home Office Advisory Council on the Penal System. More than any other single person, he was responsible for the successful establishment of criminology as an academic subject in the United Kingdom. Cambridge was the first British University to establish an interdisciplinary Institute of Criminology, and Radzinowicz success-fully led the Institute through its vital first decade.

The Institute of Criminology therefore considered it appropriate to hold a Commemorative Symposium to cel-ebrate the work and achievements of its founding Director. The aim, however, was not simply to look back, but rather to select key themes from Radzinowicz’s work, and to reassess them in their contemporary context. The Symposium was held in the Faculty of Law on 30 and 31 March 2001.

Four themes were selected: two reflecting Radzinowicz’s personal intellectual interests; and two his institution-building and public policy achievements. A key theme, of course, was the history of English criminal justice. Radzinowicz’s work in this sphere covered policing and the penal system, and these topics were covered in papers by, respectively, Professor Clive Emsley of the Open University and Professor Sean McConvile of Queen Mary and Westfield College, London. But Radzinowicz also wrote with distinction about the history and development of criminological thought, particularly in his fine short book ‘Ideology and Crime’. These aspects of his work were picked up in papers by Professor David Garland of New York University (who spoke about developments in criminological theory since Radzinowicz’s retirement); and Professor Anthony Bottoms of Cambridge (who discussed aspects of the theme of crime and morality, beginning with observations on that subject in ‘Ideology and Crime’).

Radzinowicz’s contribution to the establishment of criminology as a subject in Britain was celebrated in a paper by Professor Roger Hood of Oxford University on ‘Criminology and Social Science: the legacy and future of empiricism’ with commentaries by Professors Susanne Karstedt and Andrew von Hirsch, respectively of Keele and Cambridge. The final paper, by Dr Alison Liebling of Cambridge, reflected Radzinowicz’s most enduring legacy in the field of practical criminal justice policy, namely the creation of the so-called ‘dispersal system’ for high security prisoners in England (arising out of the 1968 report of a committee chaired by Radzinowicz). The dispersal system has undergone many difficult times since its establishment, but seems, over the past decade, to have become more stable. Dr Liebling described and reflected upon this history.

The Institute of Criminology, n planning the Radzinowicz Symposium, was particularly keen to invite representatives from a wide range of British universities, and other institutions connected with criminological research. The organisers were therefore very pleased to see so many senior figures at the Symposium. The weekend was, by common consent, a great success, with papers of a high quality and a very positive atmosphere throughout. The papers from the Symposium will be published early in 2002.

Tony Bottoms
Wolfson Professor
COMPARATIVE LEGAL STUDIES: TRADITIONS AND TRANSITIONS

Comparative law is an unusual, possibly a unique, legal discipline in that it is arguable that its modern history can be precisely dated to a celebrated conference, the Congrès international de droit comparé, held in Paris between 31 July and 4 August 1900. By happy coincidence, along with the Universal Exhibition, which took place in Paris at the same time, the Paris Congress also marked the dawn of a new century. Dr Roderick Munday and Professor Pierre Legrand, who together had been teaching the Comparative Law course in Cambridge, felt that the centenary of this momentous Congress ought not to pass unnoticed. With generous assistance from the University of Cambridge Faculty of Law, they organised a closed seminar that, almost to the day, commemorated the Paris Congress. Between 26 and 30 July 2000 a seminar was convened in Downing College at which fourteen leading comparative scholars from around the world, representing the diverse strands of comparative scholarship, reviewed the condition of comparative legal studies at the millennium within their specialist field and considered fruitful lines of research for the future. Like its Paris forbear, the Cambridge Seminar provided a unique tour d’horizon of the current state of the comparative endeavour.

Draft papers were circulated in advance amongst the participants. Ninety minutes were allotted to each session. Generally, the speakers did not trouble to read out their papers; they confined themselves to brief introductions or, in some cases, considerably embellished their written presentations with entirely fresh reflections. Most curiously, it emerged that no single person had previously met all other participants around the table. For three days the participants lived in virtual sequestration, a diverse yet harmonious group, gathered in productive comparative conclave.

The Seminar divided into four sections. On the first day four interlinked papers were devoted to the general theme of ‘Comparative Legal Studies and its Legacies.’ James Gordley (Berkeley) opened the Seminar with a presentation on Comparative law’s ‘universalist heritage,’ taking as his text Aristotle’s celebrated observation that whilst fire burns the same in Greece and Persia, justice is done differently in different places. Upendra Baxi (Warwick and Delhi) next spoke to the ‘colonialist heritage,’ a topic of increasing prominence in comparative scholarship, and more particularly he meditated on the sometimes indelible quality of the colonial legal inheritance. Patrick Glenn (McGill) addressed the ‘nationalist heritage.’ He argued that what could be termed the Maemonides phenomenon may be at work and that all efforts to reduce, clarify and codify law eventually yield to a degree to the natural flow of information in the world. Even so, state law may continue to serve as a vital intermediary and vehicle for dialogue between the local and the distant. Finally, Michele Graziaidei (Insubria at Como and Torino) delivered a critique of the ‘functionalist heritage’ in comparative legal studies, functionalism denoting both one of the most widely practised forms of comparative legal method and also the appositeness of law’s response to society’s needs. After dinner, Christophe Jamin (Lille) read a paper entitled, ‘Lambert and Saleille’s Noble Dream Revisited,’ bringing into sharp focus the meeting one hundred years earlier at which a similarly minded group of scholars had assembled in order to record the achievements and to articulate the ambitions of comparative legal scholars around the globe.

On the second day, the Seminar’s attention shifted to ‘The Boundaries of Comparative Law’. First, James Q. Whitman (Yale) reflected on the relationship between legal comparison and history, more specifically focussing upon the new neo-romantic strain of comparative scholarship which has both revived interest in earlier ‘romantic’ legal writers like Herder and constructed a twentieth-century neo-romanticism sounding in hermeneutics. David Kennedy (Harvard) next considered the relations between comparative law and international relations, more provocatively addressing the political dimensions of the comparative endeavour. Roger Cotterrell (London) then assessed the sociologists’ contribution to comparative legal studies and sought to disentangle that complex, and even paradoxical, relationship between the sociologist and the comparative lawyer which has many of its roots in the 1900 Paris Congress. Finally, Bernard Großfeld (Münster) reflected on the relationship between the comparatist and language, arguing for a critical role that the comparatist must play in mediating within his now globalised legal environment.

The morning of the third day was devoted to ‘Comparative Legal Studies and its Theories.’ Mitchell Lasser (Utah), having first presented a conventional, rose-tinted account of theory’s contribution to comparative law, subjected this account to a withering critique before returning tonull over the intractable quality of many of the cultural clashes encountered by anyone embarking upon comparative legal study—the whole thesis being neatly embodied in a charming example of mutual incomprehension and absurd compromise when an Italian client requests the ristretto of an expresso coffee in a Chicago restaurant with a gesture and the instruction ‘corto!’ Pierre Legrand (Paris) pursued matters further in a paper entitled ‘The Same but Not the Same,’ in which he argued vigorously against the dominant, contemporary tendency amongst comparatists to assume sameness both as a goal and a good. Such an approach fulfils a heresy breathed by Lambert at the Paris Congress in 1900, where he declared that ‘in order to fulfil his task, the comparatist must select [as the object of his comparison] the most similar laws,’ and to a degree even today manifests itself, say, in Zweigert and Kötz’s praesumptio similitudinis or Ugo Mattei’s ambitious assumption that there exists a common core of legal systems. In the afternoon the Seminar’s attention veered towards ‘Comparative Legal Studies and its Futures.’ David Nelken (Cardiff and Macerata) presented a paper on globalisation and localism, focussing on the important topic of legal transfers and the need to reflect deeply on how, when and why foreign laws and legal institutions are transplanted into alien settings. The day ended with a presentation by Esin Örcü (Glasgow and Istanbul),

continued on next page
‘Comparison in Extraordinary Places.’ She addressed the major challenges of extending comparative legal scholarship beyond its traditional boundaries, which are predominantly rooted in Western culture, to more alien surroundings.

Lawrence Rosen (Princeton) was present throughout proceedings, and at almost every session opened discussion with a brief, penetrating commentary on the speaker’s paper. At the farewell dinner he delivered a masterly summation of what for him had emerged from the Seminar, his ‘Thoughts on Comparison.’ Notably, he compared and contrasted the respective ideals, perceptions and goals of the participants at the Paris Conference in 1900 and of those who attended the Cambridge Seminar in 2000, ending with the battle cry ‘Comparative law is dead – Long live Comparative law!’

Besides the commemoration of the centenary of the Paris Congress, the purpose behind the Cambridge Seminar was to position contemporary comparative legal studies and to set possible courses for the subject as it enters a new century; a new millennium. It is likely that anyone thinking seriously about Comparative law will have little option but to engage with the ideas developed in the papers presented in Cambridge. The Cambridge Seminar papers, introduced by Roderick Munday, who has jointly edited them with Pierre Legrand, are to be published shortly by Cambridge University Press.

The 3CL’s major event in 2000 was an international conference examining ‘The Challenges Facing Financial Regulation’. This conference was held on the 6th and 7th July 2000, just weeks after the passing of the Financial Services and Markets Act 2000. It was an ideally-timed opportunity to move forward from the politically-charged debates that had surrounded the passage of the legislation and to look, instead at the structure put in place by the Act and to consider its likely practical effect. The conference was also an occasion on which UK, European and international developments in financial regulation were considered in the context of rapid global change fuelled by technological advances which open up new opportunities as well as presenting new risks.

Over one hundred key figures attended the conference, including representatives from the Bank of England; the Financial Services Authority; the London Stock Exchange; the London Metal Exchange; NASD Regulation Inc; the European Central Bank; the Bank for International Settlements, leading international universities and members of the Burns Committee on Financial Services and Markets. The whole spectrum of interest in this area was represented; lawyers, economists, bankers, regulators and policy makers were able to meet and discuss matters of common concern.

The keynote address was given by Sir Howard Davies, Chairman of the Financial Services Authority, and the opening session was chaired by Lord Burns, Chairman of the Parliamentary Joint Committee on the draft Financial Services and Markets Bill. Howard Davies acknowledged that the financial services industry is well placed to lobby for recognition of its concerns and emphasised his interest in ensuring that consumer protection issues should not be overshadowed as a result.

Wide-ranging sessions provided the opportunity for high-level examination of various important issues at the forefront of financial services regulation. Colin Mayer of the Said Business School, University of Oxford identified concerns arising from the new Act about the appropriate trade-off between protection of the financial system and the promotion of competition. Amelia Fawcett of Morgan Stanley recognised that the striking of a proper balance between enterprise on the one hand and consumer and investor interests on the other was essential to successful regulation. The issue of ‘balance’ also dominated the presentations on the tough new disciplinary powers conferred on the FSA by the Act; Dan Waters, the FSAs Director of Enforcement, and Thomas Beasley, of Blackstone Chambers, gave contrasting views on the impact of the Human Rights Act 1998 on regulatory enforcement powers. Charles Goodhart, of the London School of Economics, was outspoken in his criticism of the statutory statement of regulatory objectives, describing them as non-operational for all practical purposes because no measurement of success could be achieved in respect of them.

Eddy Wymeersch, who is now Chairman of the Belgian Banking and Finance Commission, gave an illuminating account of the difficult corporate and securities law questions which the merger of European stock exchanges can be expected to generate. John Eatwell, of the Faculty of Economics and Politics, University of Cambridge, offered the establishment of a World Financial Authority as a radical solution to the problems involved in regulating global financial business whilst Andrew Haldane, of the Bank of England, and Mario Giovanoli, the General Counsel of the Bank for International Settlements, presented valuable information and commentary on existing efforts by countries and regulatory authorities to develop more effective international financial regulation.

An edited collection of papers presented at the conference will be published later this year by Hart Publishing, Oxford. Further details of the title (E Ferran and C Goodhart (eds) Regulating Financial Services and Markets in the Twenty First Century) can be obtained by contacting Hart Publishing at http://www.hartpub.co.uk/

Elis Ferran
Director of 3CL
CELS began the academic year with a new kind of venture. In September, we organised a private weekend seminar for Lord Justice Auld and his Criminal Courts Review, so that he and his team could - to borrow the title of the Woody Allen film - ask a group of criminal procedure lawyers from Europe ‘all the things about Continental Criminal Procedure you wanted to know but never dared to ask!’ The ‘away team’ consisted of eight lawyers (including judges, prosecutors, defence lawyers and academics) from France, Germany, Holland, Italy, Belgium, Sweden and Spain.

CELS has also organised a number of public conferences this year. In December (with generous sponsorship from Mills and Reeve, Cambridge) we ran a one-day conference on the ECJ judgment in the tobacco advertising case. Later that month, Bill Cornish, Angela Ward, Eleanor Sharpston and Christophe Hillion took part in a conference in Australia organised, with help from CELS, by the University of Melbourne. Two events took place in April: a one-day conference, organised jointly with the Swedish Network for European Legal Studies, on the law on ‘Mixed Agreements’; and a week later, a seminar on the Single Market organised by Catherine Barnard and Joanne Scott, with support from the British Academy. The aim of this latter seminar was to explore the premises underpinning the law of the internal market, and to do so horizontally across the different freedoms and in the light of more recent developments in the World Trade Organization. The proceedings (edited by Catherine Barnard and Joanne Scott) will be published by Hart Publishing. In July, CELS joined forces with the Centre for Public Law and the Centre for Business research for a conference on fundamental social rights in the European Union.

As in previous years, CELS ran a series of weekly lunchtime seminars during the Michaelmas and Lent Terms. Attendances ranged from perfectly respectable to very large - to the point where, when Alan Dashwood gave a talk about the Nice Treaty, we overfilled our usual seminar room and had to decamp to the adjoining lecture-hall.

In March, Jean-Claude Piris, Director-General of the Legal Service of the EU Council, gave the annual Mackenzie Stuart Lecture on ‘The Treaty of Nice: an imperfect Treaty but a decisive step towards enlargement’. A pleasingly large audience came to hear him. Our thanks are due to British Airways (who gave us the tickets with which to transport the speaker and his wife) for their support for this event and previous Mackenzie Stewart lectures. We are also enormously grateful to the range of people who have contributed to the fund which supports this annual lecture.

In July 2000, the American Bar Association held a Millennial London Meeting. Its very considerable Intellectual Property Section responded to an invitation from the Cambridge firm, Hewitson, Becke and Shaw and the IP Unit of the Faculty to hold their Sectional Meeting in Cambridge. July 18 provided our visitors with an action-packed day! They were joined by a cohort of English practitioner and academic specialists to form a capacity audience in the Queen’s Building at Emmanuel College.

The formal proceedings were chaired by Professor Bill Cornish. In the morning, the contentious subject was the sudden expansion of US law to embrace patents for application software and even more broadly for business methods, a development which has lain beneath a good deal of dotcomania. From the ABA, Anthony Figg compared the US evolution to that concerning biotechnology patents, Lawrence Goffney spoke on US Patent Office practice in the field and Barry Grossman added a patent attorney’s encouragement of the trend. On the British side, Sir Nicholas Pumfrey, currently the patents judge in the High Court, provided a sophisticated analysis of the difficulties and dangers as seen from this side of the Atlantic. As a judge not easily convinced that any patents before him are valid, his view of the difficulties in demonstrating novelty and inventive steps in this new realm provided a welcome measure of scepticism.

In the afternoon, the theme was the expansion of trade mark rights to encompass the use of marks for goods and services other than those of the mark owner, under so-called dilution theory. For the visitors, Douglas Masters and James Morando enthusiastically plotted practice strategies in securing these wide-ranging prospects for clients. The principle came under scathing attack from Sir Hugh Laddie, who has done a great deal to place the new EU trade mark law within acceptable and tested confines. In turn, he had his critics in the audience and they came as much from the British as the American side. The arguments were still fizzing when the whole party moved to Duxford for an air display and closing reception.

Bill Cornish
Ferchel Smith Professor of Intellectual Property Law

ABA CONFERENCE: THE IP SECTION IN CAMBRIDGE

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Bill Cornish
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The Centre for Tax Law (CTL) is the newest of the Faculty’s Centres. Its Director is Professor John Tiley (who has taught tax law since he arrived in Cambridge in 1967) and the Assistant Directors are Louise Tee (Fellow of Lucy Cavendish who has taught personal tax for some years now) and Graham Virgo (who has taught commercial tax law since 1990). The team is augmented by Mr David Oliver, formerly international tax partner with Pricewaterhouse Cooper and currently editor of the British Tax Review.

CTL’s mission emphasises both research and teaching in its task of furthering the study of tax law - in Cambridge and beyond. The teaching aspects include the development of courses within the LLM so that candidates will have the chance to specialise in tax law. Moreover, CTL is working with tax colleagues in other law faculties to see what can be done to arrest and then reverse the decline in the provision of tax law teaching in our country’s law faculties.

Such plans demand resources and it is therefore with great pleasure that the Faculty has announced the appointment of Professor Sydney Kentridge QC, Murray Hunt and Nick Bamforth set out the competing positions with characteristic vigour and provoked a well-informed debate. Within weeks of this session, the Court of Appeal had delivered two judgments (in the Michael Douglas and Catherine Zeta-Jones case and the Thompson and Venables decision) accepting a degree of horizontality, at least in cases involving freedom of expression and privacy. The second seminar was held in June and considered the availability of damages against public authorities in the light of the Human Rights Act and other developments. Sir Robert Carnworth, Jeremy McBride and Clive Lewis delivered stimulating papers on another area which is already producing litigation.

In July, the Centre welcomed its second Maines Visitor, Mike Taggart is a Professor at Auckland University and is the author or editor of a number of well-known works on New Zealand and Commonwealth public law. He delivered papers on the internationalisation of administrative law and provided a fascinating account of his on-going research into the case of Bradford v. Pickles.

The Centre continues to organise meetings of its Public Law Discussion Group where invited speakers address an informal gathering of Faculty members and research students. We have been fortunate to hear Professor Leslie Zines on implied rights under the Australian Constitution, Professor Jeff Goldsworthy of Monash on the theory and practice of constitutional interpretation and Dr. Paul Martin from the Social and Political Science Faculty in Cambridge on judicial decision-making in the U.S. Supreme Court.

The Centre is also developing links with the Duke University Law School. Members of the Centre and the Duke Faculty have already exchanged visits to Cambridge and Durham, North Carolina to deliver lectures. However, one of the principal initiatives of the collaboration is a parallel course in Comparative Public Law which will be jointly taught and followed simultaneously by Cambridge LLM and Duke JD students. The course is one of the first of its kind and will provide an opportunity to exploit the excellent information technology resources which the Faculty now has in place as well as supporting comparative legal research in the Centre. The first students will enrol on the course this October.

Ivan Hare
Deputy Director

Dr Peter Harris as University Lecturer in Law. His post is funded by a most generous benefaction from KPMG and it for this reason that Peter will be known within the Faculty as the KPMG Lecturer in Tax Law; the appointment is also backed by a grant from the Newton Trust. KPMG have also announced sponsorship for students wanting to study a majority of tax subjects in the LLM.

The research activities of CTL include a project to record the history of tax law and, in November 2000, the group of researchers was gathered together for the first time. This group includes not only members of the Faculty but also colleagues from other universities, from practice, and from the Inland Revenue who have promised us much co-operation. The Chartered Institute of Taxation is providing generous support for these and other CTL activities.

John Tiley
Director


Steve Hedley. Restitution: its division and ordering. Sweet and Maxwell. 2001


Simon Deakin

CBR

MAJOR PUBLICATIONS BY FACULTY MEMBERS

Socio-legal Research in the ESRC Centre for Business Research

Corporate governance and employment relations have been the focus of socio-legal research in the CBR over the past year. A team of researchers has, as part of the ESRC’s Future of Work Programme, been looking at the impact of the new procedure for trade union recognition introduced by the Employment Relations Act 1999. This empirical research shows that there was a significant degree of voluntary recognition by companies prior to the Act coming into force. We may be witnessing a revival of collectivism at work - but it is one tempered by economic conditions and by the need to maintain corporate competitiveness (Oxenbridge et al., 2001). Other research has examined the impact of employment protection rights on corporate reorganisations (focusing on a case study of the sale of the Rover Car Co. to the Phoenix consortium in 1999: Armour and Deakin, 2000); and has considered the role played by shareholder pressure in shaping companies’ human resource strategies (finding that, contrary to the conventional wisdom, capital market pressure does not always go against labour-management ‘partnerships’: Deakin, Hobbs, Konzelmann and Wilkinson, 2001).

Research by members of the CBR and 3CL was presented at a conference on ‘Corporate Governance: Reassessing Ownership and Control’ which was held in the Faculty of Law on 19 May 2001. There were also presentations by a number of overseas speakers including Professors Roberta Romano (Yale), Margaret Blair (Georgetown), Jim Cox (Duke), Randall Thomas (Vanderbilt) and Geof Stapledon (Melbourne). Dame Mary Arden (Court of Appeal), Matthew Bullock (Norwich & Peterborough BS) and Jonathan Bates (Institutional Design Ltd.) chaired sessions.

Recognition of the CBR has come in the form of an increasing number of citations - not just in academic and policy-making circles but also (and unusually for social science research) in the courts. In particular, Lord Steyn’s judgment in the landmark employment law case Johnson v. Unisys Ltd. in March 2001 cited CBR research on job insecurity (Burchell et al., 1999) and employment contracting (Brown, Deakin, Nash and Oxenbridge, 2000).

Graham Virgo (Secretary of the Faculty Board), David Wills (Squire Law Librarian) and Kirsty Allen (Secretary of the Faculty) show off a selection of publications by Faculty members - ‘And here are some we made earlier ...!’