The Hersch Lauterpacht Memorial Lectures are given annually on three consecutive evenings by an eminent practitioner or academic in the field of international law. In 2004, they were given by Dr Hans Blix, Chairman of the newly formed International Commission on Weapons on Mass Destruction and former Chief UN Weapons Inspector in Iraq. Dr Blix spoke at the Law Faculty on the topical and important questions of ‘The United Nations and Iraq – reflections on the use of force, on international inspections and on UN reform’.

Professor Sir Elihu Lauterpacht QC opened the Lectures, welcoming Dr Blix’s return to Cambridge and noting that ‘he is really one of us, having spent two years here in the early 1950s doing research towards his doctorate’. Before giving his first lecture on ‘The Use of Force in the International Community’, Dr Blix recalled that he entered the international law profession under the kind and learned leadership of Professors Hersch Lauterpacht and Robbie Jennings. Dr Blix’s subsequent lectures on ‘International Inspection in Iraq and elsewhere’ and ‘Iraq, Use of Force and the Reform of the UN’ continued his critical examination not only of the coalition’s actions in Iraq but his own rôle leading the UN weapons inspections team. His first-hand knowledge of events allowed a fascinating insight into what happened on the ground and gave his legal analysis on the use of force an authority based on practical experience. In conclusion Dr Blix suggested that amendments to the use of force provisions in the UN Charter are not needed to meet current concerns and reaffirmed the Security Council as a ‘potentially vital institution’, but said it needs to represent a large part of the world’s population to achieve greater legitimacy.

The lectures were the most popular so far in the lecture series. Each lecture was attended by well over 500 people - students and practitioners alike - filling two video-linked lecture theatres at the Law Faculty.

The Lauterpacht Centre is extremely grateful to Dr Blix for sharing his insights – as are all those who heard him speak. Dr Blix’s papers are available at www.lrcil.org and a revised and expanded version of the lectures will be published by Cambridge University Press as part of the Hersch Lauterpacht Memorial Lecture series.
As you will see from this issue, it has been an active - not to say tumultuous - year!

In memoriam. I must start by recording a series of sad losses to the Faculty and its members during this year and in particular two of our most distinguished members, Professors Sir William Wade and Sir Robert Jennings, in both cases full of years and honours. Obituaries of them appear below. In addition we remember Mr Dan Goyder (Yorke Distinguished Fellow in Competition Law) and two friends and firm supporters of the Faculty, Sam Beatson and Vivienne Jones.

The Harvard Exchange. One of the major events of the year was the inauguration of a special link with Harvard Law School, involving student exchanges at LLM level, exchange visits by PhD students and various forms of collaboration in research between members of the two Faculties. The Agreement, the first of its kind for either Faculty, was signed by Professor Sir David Williams on behalf of Cambridge and by the Dean of Harvard Law School, Professor Elana Kagan, at a ceremony in London in June 2004. It was inaugurated in September when two of our 2004 Tripos graduates went off to Harvard to do the LLM: the Baker & McKenzie Scholar, Katherine Apps (NH), and the McDermott Will & Emery Scholar, Eyitayo St. Matthew-Daniel (G). Four Harvard students are presently studying the LLM here under the Exchange. The Faculty is very grateful to Baker & McKenzie (in particular Beatriz Pessôa de Araújo) and to McDermott Will & Emery (in particular William Charnley) for their support through the creation of these generous scholarships for two of our best students.

Slaughter & May Law Fellow at Selwyn College. Another major promise of support to the Faculty has come from the firm of Slaughter & May, which is sponsoring a 5-year College teaching officer position at Selwyn. The holder will spend 25% of their time doing Faculty teaching. This is a terrific boost both for Selwyn and the Faculty, and our thanks are due to the partners of Slaughter & May for their continuing support.

Why does Cambridge need the support of its Alumni? You might ask. The answer is that we face a central choice – whether to remain what we have always been, a major provider of legal education to home (UK and now EU) undergraduates, or whether to reduce the emphasis on loss-making undergraduate legal education and to move increasingly to teaching of foreign graduate students – as some other major UK law schools have done or are doing. Of course we have always done both; there is no inconsistency between a great UK university providing the best legal education to local undergraduates and to the best graduates of Universities around the world. But there is a question of balance. Our teaching effort is about 70% focused on Tripos students, predominantly from the UK - and we are not disposed to change the balance. Yet the University makes a significant annual loss for each home undergraduate in law that it takes. And this will not be solved by the new undergraduate fees, a significant proportion of which will go on student scholarships in the interests of open access.

Hence the need for continued support from law firms and from our alumni. For example without Freshfields support for IT, we could not offer mandatory training in computer-aided legal research. Without Clifford Chance’s support for the Double Maîtrise program and for the Erasmus scheme, we could not make these wonderful opportunities for study in Europe available to our undergraduate students. Many, many thanks to the individuals and firms which have provided such support – we look forward to continued collaboration and to the continued pursuit of excellence in legal education and research!

James Crawford
Chair, Faculty Board of Law
Squire Centenary Lecture

The Squire Law Library celebrated its 100th birthday on 1 March 2004. To mark this special occasion the Rt Hon The Lord Woolf, Lord Chief Justice of England and Wales, delivered the Squire Centenary Lecture on the evening of 3 March to an auditorium packed with over 500 people. His lecture “The Rule of Law and a Change in the Constitution” discussed the Constitutional Reform Bill introduced in Parliament the previous week. The Bill proposed the abolition of the office of Lord Chancellor, the establishment of a new mechanism for the appointment of judges in England and Wales and a Supreme Court to replace the House of Lords Judicial Committee.

Lord Woolf’s lecture on these contentious proposals sparked much media interest. His comments, the most notable of those being the description of the Secretary of State for Constitutional Affairs, Lord Falconer, as an “engaging friendly and cheerful chappie”, received extensive news coverage both later that evening and over the following days. Needless to say, the event was a resounding success for the Squire. The speech can be found on the Department for Constitutional Affairs website at www.dca.gov.uk/judicial/speeches/lcj030304.htm and further information about Lord Woolf’s Centenary Lecture and subsequent debate on UK Constitutional Reform is on the Squire’s webpage at www.law.cam.ac.uk/squire/about_lib_woolf.php.

The Squire at One Hundred

The Squire Law Library was officially opened in 1904 by King Edward VII and Queen Alexandra in its original building on Downing Street, designed by T.G. Jackson. It was founded from a bequest by Miss Rebecca Flower Squire of Victoria Street, Westminster, who died in 1898. The library initially occupied just one room (measuring 85 by 34 feet) and was stocked with approximately 8000 volumes deposited from the University Library, together with works purchased from the Square Fund. In addition many private collections were donated from eminent Cambridge scholars including Maitland, Westlake and Buckland. Few people remember the first building but many former students recall with affection the Squire’s second home, the classical-style Cockerell Building (now the Gonville and Caius College Library) where the Squire resided from 1935 until 1995.

The Squire now occupies the top three floors of the Law Faculty building designed by Lord Foster and Partners and officially opened by Queen Elizabeth II (in the presence of the Chancellor of the University, the Duke of Edinburgh) on 8 March 1996. It has been a dependent library of Cambridge University Library since 1982 and therefore part of the Legal Deposit system.

Today the Squire is a modern world-class learning resource that maintains a large printed and electronic collection. It contains both current and historical materials and reflects the domestic, European and international interests of its readership. The “virtual Squire” has emerged over the last five years. It enables key materials and collections to be accessed from anywhere within Cambridge University, including College rooms and libraries. Students and Faculty members can also access many of the online databases subscribed to by the Squire from around the globe via the internet.

The Squire remains at the intellectual heart of the Cambridge Faculty of Law and is an indispensable resource for undergraduate and postgraduate learning, teaching, academic research and legal practice.

Squire Law Library Centenary Appeal

On 15 May 2003 the Squire launched its Library Centenary Appeal at a House of Lords reception hosted by the then Lord Chancellor, Lord Irvine of Lairg. The aim of the Appeal, chaired by Professor Sir David Williams, is to establish an endowment fund which will ensure that the Squire can continue to provide the finest legal resources to all who study and research law in Cambridge.

As Lord Woolf noted in his centenary lecture, “A healthy legal system requires great law...
A further evening reception and dinner, the “Two Squares” Evening, took place on 15 July. Guests were invited to visit two of the Squire’s former homes. Although few people could recall the first library on Downing Street, two notable exceptions were Professor Kurt Lipstein and the late Professor Sir Robert Jennings. Both recalled the Downing Street building and had even worked there before the Squire was relocated in 1935. Professor James Crawford addressed the guests in the Old Library at the Cockerell Building and Sir David Williams spoke at the Squire’s newest home in the Law Faculty building. The evening concluded with a library tour by Mr Michael Jones, a senior member of the architectural design team who worked on the new building and now a Partner at Fosters, who explained the building’s design and construction concepts.

2004 was an historic year for the Squire and all those associated with it. We heartily concur with Lord Woolf’s words in his conclusion to the 3 March speech: “Many Happy Returns Squire on a centenary of great achievements. We look forward with confidence to your next century”.

The Squire Law Library and the Faculty of Law wish to record its gratitude to all of those who have already donated to the Squire Appeal. We are also extremely grateful to all those who have supported the centenary events, the Cambridge Law Journal (Centenary Lecture), Lord Goodhart (the Centenary Dinner), the Goodhart Fund (Inner Temple reception) and Cambridge University Press (“Two Squares” event). The fundraising campaign will continue in 2005 and beyond.

Mr David Wills
Librarian, Squire Law Library

Squire Law Library Centenary Appeal
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Web: www.foundation.cam.ac.uk

PROFESSOR SIR ROBERT JENNINGS: 1913-2004

Robert Yewdall Jennings was born at Idle, Yorkshire in 1913. He went to the village school and then on to secondary school in Bradford. He became the first from his school to go on to Oxford, going up to Downing, Cambridge. He obtained starred firsts in both parts of the law tripos, in the postgraduate LL.B, and was awarded the Whewell Scholarship. Following the advice of his teacher, Arnold McNair, Robbie left Cambridge for a bit, going to Harvard as a Choate scholar. His first job was as an assistant lecturer at the LSE from 1938-1939.

Robbie had been elected a teaching fellow at Jesus in 1939, replacing Henry Barnes. The War over, he once more took up his fellowship in June 1948. He was particularly valued by the national service and post-military service students, with whom he struck up a ready rapport.

He was a gifted administrator. From 1948 until 1955, the College relied on him as Senior Tutor. At the same time, he founded, and was Captain of, the High Table Cricket team. His reputation as an administrator spread to the University at large. He was on the General Board, and was being encouraged to become Secretary General of the Faculties. Corpus was rumoured to be interested in him as Master - and of course he acted as President of Jesus from 1964-66 and 1972-73. Even after he went to the International Court of Justice, his links with Jesus remained strong. He was enormously gratified to be made an honorary fellow in 1982.

His university lectures were also popular. No pyrotechnics, no showing how much he knew - simply information clearly imparted in a pleasant and friendly manner. He led no “school of international law” and felt pragmatism to be amply sufficient.

In 1955 he was elected to the Whewell Chair in International Law, succeeding Sir Hersch Lauterpacht. He was to hold this Chair for some 26 years. He now gave more time to his academic writing. His slim book, The Acquisition of Territory in International Law, published in 1963, remains appreciated for its analytic content and its author’s prescient ability to see all the dimensions of the issues under consideration. This volume is still today frequently invoked in litigation. His chapter on “Nullity and Effectiveness in International Law” in the volume which he himself edited to honour Lord McNair, in 1965, Cambridge Essays in International Law, evidences the powerful reasoning of a first class mind. In 1967 he gave the General Course at the Hague Academy. And the Ninth Edition of Oppenheim’s International Law, prepared over thirty years with Sir Arthur Watts, KCMG, QC, marked one of the most important and impressive publications of the last decades. He ensured that, although the two volumes of Oppenheim comprising a wealth of scholarship directed primarily at practitioners, everything is said as simply as possible. The result is a readily comprehensible account of complex legal issues, giving coherence to what might otherwise be disparate themes.

Robbie was called to the Bar in 1943. But he became active in practice only considerably

Extracted with permission from the Memorial Address given by Dame Rosalyn Higgins on 11 December 2004 at Great Saint Mary’s. The full text of the address will be published in the 2004 volume of the British Yearbook of International Law (of which Robbie was sole editor or senior editor for 21 years).

More than most, Robbie’s life was “all of a piece”. He never felt the need to choose between the world he came from - the unpretentious world of mills, manufacturing and Methodism in Yorkshire - and the decidedly grand world stage on which he came to be seen as influential player. It all sat comfortably together, and he liked it all.
later in life. He played an important role in the Buttes Gas case as it wended its way through to the Lords. But his practice was mostly international legal opinions that were greatly valued by his clients for the way in which they honed in on the essentials of a matter, and participation as counsel in two cases between Argentina and Chile, the Channel Western Approaches case between the United Kingdom and France, the Dubai and Sharjah boundary dispute, and the Tunisia/Libya case in the International Court. He took silk in 1969 and was invited to become a Bencher of Lincoln's Inn in 1970.

His retirement from his Cambridge Chair gave no pause from work, because he was elected to succeed Sir Humphrey Waldock, who had died in 1981, at the International Court of Justice. Thus in 1982 a new career began, in which Sir Robert, newly knighted, was again to succeed brilliantly. During his fourteen years at the Court, he participated in 22 contentious cases and 4 advisory opinions. His legal skills and the felicity with which he drafted were much valued by his colleagues.

From 1991-1994 he served as President, having been elected to that position by his colleagues.

Very little put Robbie out. He saw virtue in all his colleagues and any unreasonable behaviour on the part of another was merely a matter for a wry smile. His imperturbability and amicability to all were the foundations of his exceptional conciliatory skills. It was those personal qualities - as much as the respect for his intellectual ability and knowledge of the law - that contributed to the success of his Presidency at the Court.

Robbie married late, in 1955, but was blessed with a long and wonderfully happy partnership with Christine. Their children Richard, Pippa and Joey gave him - as did their children in turn - enormous pleasure. Robbie died on the 49th anniversary of his marriage.

He was, as many have observed in these weeks since his death, a deeply “rooted” man. He was the antithesis of those great legal personalities who appear lost outside the law. His love of music, his passion for cricket (above all when Yorkshire was involved), his cottage in the Lake District, the rebuidling of dry-stone walls, the walking of the fells, his life in the community of Grantchester, and his support for Christine’s activities there and elsewhere: all this no doubt contributed to absence of self-importance in the face of great professional achievement.

Dame Rosalyn Higgins
Judge of the International Court of Justice

PROFESSOR SIR (HENRY) WILLIAM RAWSON WADE: 1918-2004

Bill Wade (as he was universally known) has strong claims to be regarded as the father of administrative law. Having developed a reputation as a leading constitutional lawyer at an early age, he pioneered the legal analysis of the rapidly developing body of law that regulated the burgeoning post-war government. In doing this, he brought order and structure to the potentially chaotic world of unregulated ministerial power, of tribunals and enquiries, locating it all within a constitutional context in which, although Parliament was undoubtedly sovereign, the judiciary had a vital role to play in superintending the exercise of executive authority. His influence on legal thinking in the course of the last 50 years, both in this country and in jurisdictions beyond, has been enormous. His works are treated as authoritative not only in the United Kingdom and the Commonwealth, but wherever administrative law is studied and applied.

Born in 1918, he was educated at Shrewsbury and at Gonville and Caius. After the war, he became a Fellow of Trinity College and Lecturer in the Faculty of Law, and in 1959 was appointed to a Readership in the Faculty of Law. His article on parliamentary sovereignty, “The Basis of Legal Sovereignty” published in the 1955 Cambridge Law Journal, in which he re-stated in modern form the Diceyan version of parliamentary sovereignty, was to become the definitive account of the subject, and remains required reading for all students of constitutional law. For him, sovereignty was the ultimate (and unalterable) political fact. When accession to the European Economic Community (as it then was) ultimately forced a re-think (as he predicted that it would do in an article in The Times in 1972), he hailed the outcome as a “revolution”, though one which he was nevertheless able to accommodate within his theory.

He was called to the Bar in Lincoln’s Inn in 1946, becoming an Honorary Bencher in 1964. The contacts which these attachments gave him with the practising legal world were for him a source of enormous social pleasure and intellectual nourishment. It enabled him to conduct exchanges with barristers and the judges, who became increasingly reliant upon his works to explain the legal foundations of such constitutional fundamentals as judicial review.

He became a Professor of English Law at the University of Oxford and a Fellow of St John’s College (of which he was subsequently to be an Honorary Fellow) in the same year (1961) as the publication of the first edition of what was to become his greatest achievement, Administrative Law. Shortly before that, he had been appointed as one of the first members of the Council on Tribunals and was a member of the Royal Commission on Tribunals of Inquiry in 1966. Throughout his life he was extremely active in giving advice to various commissions and inquiries in the field of public law, taking a lead in debates on the issues of the day. He was a Fellow of the British Academy and Vice-President between 1981 and 1983.

In 1976, he became Master of his undergraduate College, Caius, a position he was to hold for twelve years. It was a role in which he exercised his vast experience with a quiet dignity, giving leadership when required. At the time of his appointment, for example, the position of women in Cambridge was still a live and potentially divisive issue. Wade’s firm guidance settled the issue decisively, and in a way that mollified the opponents of change. Thereafter, he presided over the College, leaving the officers to manage its day to day business as they thought best. But there was never any doubt that it was his hand on the tiller. Though a slightly reserved figure, his speeches at College events were full of wit and humour. In his undergraduate years, he had been a keen oarsman, and he made a formidable sight urging on the Caius eights from his enormous bicycle on the towpath.

Many, having reached the age of 60 and found themselves the Head of an Oxbridge College, would have been content to rein back somewhat. But that was not Wade’s way. He lived for the law, and in 1978, he was appointed to the Rouse Ball Professor of English Law (succeeding Glanville Williams). Throughout his Mastership, he continued to give lectures around the world - he was particularly fond of India and gave several named lectures there. His Hamlyn Lectures, Constitutional Fundamentals, were delivered in 1980 (and revised in 1989). Trinity made him an Honorary Fellow, a distinction of which there was never any doubt that it was his hand on the tiller. Though a slightly reserved figure, his speeches at College events were full of wit and humour. In his undergraduate years, he had been a keen oarsman, and he made a formidable sight urging on the Caius eights from his enormous bicycle on the towpath.

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of which began life as the 1998 Judicial Studies Board lecture on Human Rights and the Judiciary and led to the debate on the application of the Human Rights Act 1998. His writings were characterised above all by their extraordinary clarity, and by his abilities as a phrasemaker - section 2 of the Official Secrets Act was memorably described as “a blot on the statute book.”

In 1943, he married Marie with whom he had two sons. Marie, who was a great success as a police station along with the detained custody. Once trained, volunteers are called to health workers on acting as co-host in the Master’s Lodge died in 1980, and in 1982, Wade married Marjorie. She too shared Wade’s passion for travel (though not his love of mountaineering, which he forsook in his later years with deep regret). He was also an accomplished and knowledgeable gardener, preferring to till the Master’s garden by his own hand rather than leave it to the College staff.

His death deprives academic law of one of its towering figures.

Professor A.T.H. Smith
Professor of Criminal and Public Laws

CAMBRIDGE UNIVERSITY STUDENTS’ PRO BONO SOCIETY

The Cambridge University Students’ Pro Bono Society was founded in 2003 by three students to provide second and third year undergraduate law students with the opportunity to volunteer with legally-related projects in the local community. The Society has been exceptionally fortunate to have received advice, support and recognition from the Faculty Board of Law and sponsorship from Allen & Overy.

Our goal is to use the dedication, ability and enthusiasm of law students to make a difference in the community. Our work was recognised in its first year by the Law Society of England and Wales who held a reception at Kettle’s Yard during National Pro Bono Week in June 2004 to celebrate the Society’s work. The reception was attended by volunteers from our Society along with members of the judiciary, Law Society, barristers, solicitors, other students and voluntary groups.

The Society has been an instantaneous hit with students. During the first year approximately 60 students volunteered with 5 local projects, including the Citizens’ Advice Bureau (researching social policy issues and developing guidance materials), Cambridge Victim Support (supporting victims of crime through the criminal justice process) and the Cambridge Refugee Support Group. Our biggest project to date has been working with the Cambridgeshire Youth Offending Service which recruited 30 student volunteers over 12 months. We also organise opportunities for students to work alongside practising solicitors at the Battersea Legal Advice Clinic.

To give one example of the Society’s work, volunteers with the Youth Offending Service receive 2 days training from social and mental health workers on acting as “Appropriate Adults” under the Police and Criminal Evidence Act for young or vulnerable people in custody. Once trained, volunteers are called to a police station along with the detained person’s solicitor to reassure and support the young person and protect their rights while they are in custody or being interviewed. Our volunteers provide a valuable service not only to the over-stretched Youth Offending Service but also to the young people they help. We received many compliments from the Police on the maturity and professionalism of our volunteers.

The Society’s first Annual Dinner was held in February 2004. We were very pleased to welcome the Attorney-General, the Rt Hon the Lord Goldsmith, (who founded the Bar Pro Bono Unit) and David Mackie QC (Knighted for his pro bono work) as guests of honour. “His Honour” Judge Virgo presided, tongue firmly in cheek, over prosecution counsel Dr Okeoghene Odudu and defence barrister Hugo Lodge from 2 Paper Buildings as the sorry tale of a murder in Downing College unfolded.

Now entering its fourth decade, the Conference is organised each year by a committee of eight law undergraduates. However it is only through the extensive support and assistance of the Law Faculty that the Conference has been so successful for 30 years. Indeed, the success of the Conference is well illustrated by the fact that around 10,000 sixth formers have attended over the years. The committee is, as ever, indebted to all those in the Faculty who offered such fantastic support.

Mr Edward Cumming
Sixth Form Conference Committee 2004
Downing College

LawLink – Faculty of Law Newsletter
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**MOOTING**

Over the last year there has been a great increase in the mooting opportunities available to Cambridge law students. There were more student workshops, higher admissions to the three internal Faculty competitions and more moots against other universities. But the most important development spearheaded by the Cambridge Mooting Society this year has been the link between Faculty and College mooting. All Colleges should be able to have moots if the students want them, so support, advice and pairing services to find other Colleges to moot against have been set up. A new website, www.cambridgemoooting.com, provides resources for prospective mooters, including a guide to mooting, 15 past problems and a skeleton argument.

Advocacy is one of the key skills of mooting, so training for the initiate is a high priority. Four workshops were run: an introduction by the student organisers, a presentation and demonstration, a litigation skills workshop and a moot judging workshop. A new Speed-Mooting competition was held focussing on quick thinking and advocacy. Candidates were given two hours to read the problem and relevant cases and to formulate argument. It was a huge success and will be a fixture from now on.

Applications by students to compete in the three internal competitions were the largest on record. Everyone who applied was given the chance to moot. The Fledglings competition for beginners was won by Sarah Naylor and David Lowe. The Team competition was won by James Willan and Natalia Sivakumaran. The de Smith Competition was won by William Bodie. Cambridge students took part in many external moots this year, both competitive and friendly. The mooting season culminated in the Varsity Moot against Oxford. Cambridge was represented by Nathan Rasiah and Matt Dyson. Gray’s Inn hosted the evening in London and Sir John Mummery chaired the panel. The moot problem was a contract question turning on whether the doctrines of consideration or economic duress could prevent a renegotiation of a contract from being enforced. Sadly for Greed Inc and the Cambridge team, the bench did not look favourably on such arguments and Oxford took home the trophy and the money.

The achievements of the past year have only been possible with the support and interest shown by everyone in the Faculty, from the freshers through to the academic staff. The Law Faculty staff have given unending support by writing problems and guiding the Society, for which we are very grateful. Particular thanks are extended to Dr Kirsty Allen and Dr David Fox. A number of postgraduates also made it possible by judging and advising their younger colleagues, with Edward Martin, Jonathan Morgan and Aidan Ellis deserving special thanks for this. Finally, special thanks are also due to our sponsors - Quadrant, Brick Court, Blackstones, Essex Court, 3 Verulam Buildings, 20 Essex Street, 4 New Square Chambers, and Lovells - who provided all kinds of incentives. The 2003-2004 Committee is succeeded by James Willan as Master of Moots, David Lowe and Peter Smith as Vice-Masters and Laura MacDonald, Richard Blakeley and James Burke as Assistant Masters. Further enquiries should be addressed to James Willan on jcw43@cam.ac.uk. Mr Matt Dyson Master of Moots, 2003-2004, Cambridge Mooting Society (Co-Master, 2003-2004, Ceiven Williams, Assistant Masters, 2003-2004, James Willan, Carly Sandbach and Shalon Spencer)

**MOOTING COMPETITIONS**

**Oxford Intellectual Property Moot**

Cambridge entered a team in the intellectual property mooting competition organised by the Oxford Intellectual Property Research Centre at St. Peter’s College. Team members Louise Aspinwall (Lucy Cavendish College) and Natsuko Sugihara (St John’s College) acquitted themselves nobly, winning the prize for written submissions and coming a very close second behind University College Dublin. In the final they found themselves required to maintain the correctness of an unsupportable proposition propounded by the court below. The response of Sir John Mummery, presiding, was that “this court does not sit to uphold non sequiturs”. It was a tough brief, as indeed was the whole business of finesing the gambits of a court whose other members were Sir Robin Jacob and Sir Nicholas Pumfrey. Despite these difficulties, Natsuko proved so good that she was awarded the prize for best speaker.

**Weekly Law Reports Mooting Competition**

Mike Aitkens and Richard Blakely, representing Fitzwilliam College, were the 2004 winners of the Weekly Law Reports Mooting Competition.

**Jean Pictet International Humanitarian Law Competition**

Conor McCarthy, Kirsten Hagon and Ben Batros (LLMs) entered a Cambridge team for the first time to the Jean Pictet International Humanitarian Law Competition and won the English-speaking session. Ben Batros also won a prize for the best oral presentation in a final. Cambridge also entered a Francophone team which reached the semi-finals. The distinct prospect of one Cambridge team competing against another in the final led the organisers to change the rules for 2005!

human rights. We will also begin working with a major human rights NGO helping with international law research.

For many volunteers, this project has given them their first opportunity to see the law working in practice and the effect it can have on people’s lives. For most it was the first experience of seeing someone in custody, attending a Police interview or working with a young offender. We hope that our volunteers will take away a commitment to pro bono work which will continue after they go into practice. The Society is proud of all that it has accomplished in a very short time. As community and student interest in the Society’s work continues to grow, the future of the Cambridge University Students’ Pro Bono Society is bright.

Executive Committee 2004

Cambridge University Students’ Pro Bono Society

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*The Rt Hon The Lord Goldsmith QC with the Chair of the Faculty Board and members of the Pro Bono Society Executive Committee at the Society Annual Dinner.*

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**Pro Bono**

The Cambridge Pro Bono Society is bright. For many volunteers, this project has given them their first opportunity to see the law working in practice and the effect it can have on people’s lives. For most it was the first experience of seeing someone in custody, attending a Police interview or working with a young offender. We hope that our volunteers will take away a commitment to pro bono work which will continue after they go into practice. The Society is proud of all that it has accomplished in a very short time. As community and student interest in the Society’s work continues to grow, the future of the Cambridge University Students’ Pro Bono Society is bright.
3 November 2004 saw 4500 candidates in the United Kingdom and abroad sitting the first National Admissions Test for Law (“LNAT”). The test was established by a consortium of seven leading Law Faculties in the United Kingdom, including Cambridge.

The number of applications to read Law has risen steadily in recent years. Many applicants come with very similar actual and predicted examination results. Both trends have made it harder for admissions tutors to select the most able students for their courses. They have also faced the difficulty of assessing applicants who are not currently in education or whose school qualifications do not follow the standard United Kingdom pattern. It is hoped that the LNAT will cut across these differences and allow better differentiation among applicants. It may also identify potential ability in certain applicants which was not properly reflected in their school examination results.

The two-hour test comprises two parts. The first is a series of sample passages followed by multiple-choice questions which were designed to test candidates’ abilities in close analysis and interpretation of text. The second allowed them to show their abilities in essay writing on topics of general social interest. Both intellectual skills are directly relevant to the study of Law at university.

Almost finally, and with great sadness, we report the resignation of Louise Tee. Louise has been part of the tax team for some time and gave us outstanding teaching in the Tripos as well as chairing the Centre’s Committee of Management and being the inspiration behind the Tax Law History project. She has left Cambridge and law teaching altogether and is greatly missed.

Dr David Fox
Academic Secretary of the Faculty and Faculty Representative on the LNAT

THE NATIONAL ADMISSIONS TEST FOR LAW (LNAT)

NEWS FROM THE FACULTY CENTRES

CENTRE FOR TAX LAW (CTL)

CTL has had another successful year, building on what has already been achieved and showing yet again that tax folk really do seem to enjoy their subject and each other’s company. My article entitled “The Joy of Tax”, published in the Society of Legal Scholar’s journal The Reporter, made a particular impact - although I hope this was not due only to its title!

The purpose of the Centre is to encourage and develop the study of tax law. An important step towards this goal was made this year with the Cambridge University Press’s approval of a series of books on tax law. The first of these, Principles of International Tax – A UK Perspective by David Oliver, is due out in summer 2005.

This year, the Centre held its second series of one-day workshops on tax topics of current concern. The workshops are led by distinguished professors of tax law from other countries and bring together tax specialists from various branches of the tax world to consider current tax reform issues from a comparative perspective. This year several LLM students attended for the first time and added to the day in a positive and impressive way, showing the quality of the LLM class. The second series went as well as the first. Details of our speakers and topics are on the CTL website (www.law.cam.ac.uk/ctl) together with the 2004-05 programme. Anyone interested in the forthcoming series should contact me at ctl@law.cam.ac.uk.

July 2004 saw the second Tax Law History Conference. Like the first in October 2002, it was held in Lucy Cavendish College and was a great success. Nineteen excellent papers were presented by scholars from several countries and disciplines. The papers from the first conference were published in 2004 in Studies in the History of Tax Law, by Hart Publishing of Oxford.

Among the visitors to CTL over the last 12 months, special mention should be made of Dr Chris Wales. Chris spent his “gardening leave” from the Treasury with us before taking up his new post as Managing Director of Goldman Sachs, from where he continues to take an interest in the Centre. We also had most welcome return visits from Joanna Wheeler and Professor Hubert Hamaekers from the International Bureau of Fiscal Documentation.

One should not end with sadness. There is much activity. The future of the Centre is bright. Our various benefactors and supporters, including the Chartered Institute of Taxation, KPMG, and the Inland Revenue, seem well pleased with us and we look forward to continuing our work with them.

Professor John Tiley
Director, Centre for Tax Law

CAMBRIDGE FORUM FOR LEGAL AND POLITICAL PHILOSOPHY (CFLPP)

Over the last year CFLPP sponsored two public lectures and three special seminars in addition to holding its regular Reading and Discussion group. We welcomed G.A. Cohen, Chichele Professor of Politics at Oxford, in Michaelmas Term, who delivered a timely lecture on “Casting the First Stone: Who Can, and Who Can’t, Blame the Terrorists”. In Lent Term Charles Fried, Benefactors’ Professor of Law at Harvard and former Solicitor General of the United States, spoke on “Freedom of Speech as Freedom of Mind”. Each lecture was very well received, being attended by 180-200 people and followed by lengthy question-and-answer sessions that would have gone on for much longer had we let them. Our special seminars in the Michaelmas Term were given by James Murphy, Professor of Government at Dartmouth, and Jim Evans, Professor of Law at the University of Auckland. The Lent Term special seminar was conducted by Cass Sunstein, the Karl Llewellyn Professor of Jurisprudence at Chicago.

There is an equally impressive line-up for our public lectures during this academical year including James Nickel (Professor of Law and Philosophy at Arizona State University), Matt Matravers (Senior Lecturer in Politics and Political Philosophy at the University of York), Michael Otsuka (Professor of Philosophy at University College London) and Andrew Williams (Professor of Politics at the University of Reading).

Over recent months we have been seeking regular funding for our work so we can schedule more frequent lectures and conferences and, over the longer term, found a journal and create a postdoctoral research fellowship to advance CFLPP’s activities.

CFLPP’s next major conference is scheduled for July 2006 and will be entitled “The Objectivity of Law and Morality.” In the meantime, the CFLPP’s Reading and Discussion group continues to be a highly popular focus for interdisciplinary interaction between Faculty members and students interested in issues of legal and political philosophy.

Professor Matthew Kramer
Director, Cambridge Forum for Legal & Political Philosophy
In July 2004, the Faculty approved the establishment of a Centre for Intellectual Property and Information Law (CIPIL) in place of the IP Unit. It was inaugurated by the Vice-Chancellor, Professor Alison Richard, at a reception in the Law Faculty on 1 October 2004 – the first day of Lionel Bently’s tenure of the Herchel Smith Professorship and the day following Bill Cornish’s retirement from the post. CIPIL’s role is to promote teaching and research in intellectual property and information law and establish links with similar research institutions in Europe and elsewhere.

IP was first taught in the Faculty in the early 1980s by Gareth Jones, Patrick Elias and Yvonne Cripps. Work in the field expanded with the arrival of Bill Cornish in 1990. There are now two courses on IP in the LLM, one on general principles of British and EU IP law and the other on international developments in IP, including current controversial issues in biotechnology and digitisation. IP is also a popular option in Part II of the Tripos, attracting nearly half the third year students. Many of CIPIL’s visitors this year will be guest lecturers on these courses. In addition to the arrival of Lionel Bently from King’s College London, we are fortunate in this launch year to welcome Professor Jane Ginsburg of Columbia Law School, a renowned copyright specialist, as the Arthur Goodhart Visiting Professor of Legal Science for 2004-5. Not only is Professor Ginsberg the first woman to be appointed to this one-year visiting Chair, she is the first woman to be appointed to a law chair of any kind at Cambridge.

Recent IP research in the Faculty has focussed on the impact of bioethics on patents and databases relating to human genetics and the practical impact of IP on health provision in that field. Under a grant from the Sasakawa Peace Foundation, Bill Cornish and Kathy Liddell, together with colleagues from the University of Sheffield, recently ran a large conference in Tokyo which canvassed bioethical issues such as:

- patenting of human genetic inventions (including embryonic stem cell research),
- entitlements both of individuals and communities to shares in IP generated income flows,
- modifications to the tradition of exclusive rights which would allow developing countries affordable access to medicines treating AIDS, malaria and other widespread diseases, and
- controls over information in datasets such as biobanks.

Research in this topical and important field will continue to play a key role in the work of CIPIL as it develops over the coming years.

Professor Lionel Bently and Professor Bill Cornish
Herchel Smith Professor of Intellectual Property Law and Emeritus Herchel Smith Professor of Intellectual Property Law

CENTRE FOR INTELLECTUAL PROPERTY AND INFORMATION LAW (CIPIL)

The Centre for Corporate and Commercial Law, 3CL, continues to be as busy as ever. There was a significant change in personnel during the year. Dr Elis Ferran, 3CL’s Director since 1999, stepped down and handed the reins to Professor Brian Cheffins. Dr Pippa Rogerson, the Deputy Director, also left her post and was replaced by Ben Parker, who has been serving as assistant director. We are most grateful to both Elis and Pippa for the effort and energy which they have expended over a number of years on the Centre’s behalf.

3CL organised and hosted a number of successful conferences and lectures throughout the year. The first major event of the year was the second Travers Smith Braithwaite Annual Lecture in February. The lecture, on “The Judiciary’s Contribution to the Reform of Corporate Governance”, was given by E. Norman Veasey, Chief Justice of the Supreme Court of the US State of Delaware. Chief Justice Veasey gave a wide-ranging speech, discussing the pivotal role which Delaware courts play in relation to corporate law and analysing the recent US law reforms designed to address corporate governance scandals. The Rt Hon Lady Justice Arden acted as commentator, addressing Chief Justice Veasey’s themes from the British angle. The Travers Smith Braithwaite Annual Lectures are generously sponsored by the London law firm, Travers Smith Braithwaite. 3CL is very grateful for their continued support.

In addition to the Travers Smith Braithwaite Annual Lecture, 3CL hosted a series of lectures by distinguished visitors. In November 2002 Professor Steve Bank (UCLA Law School and a visitor to the Law Faculty under the Herbert Smith Visitor Scheme) presented a lecture, jointly organised with the Centre for Tax Law, on “Tax, Corporate Governance, and Norms”.

Two important conferences were held this year. The first in April on “International Economic Disputes: A Wider Perspective” ran over three days. Organized by Lord Mustill, Goodhart Professor of Legal Science for 2003-04, the conference focused on alternative dispute resolution. The conference was attended by a group of distinguished speakers from various countries who canvassed a mix of academic and practical issues relating to the topic. The second conference in May on “The Future of Corporate Rescue” assessed the impact of important changes to the law made by the Enterprise Act 2002. This one-day conference was organized by John Armour and hosted jointly with the ESRC Centre for Business Research. Commentators gave a series of presentations on the Act which were followed by discussion from the floor shedding light on whether the presenters’ observations matched experience in practice.

The fourth Clifford Chance Distinguished Visitor to 3CL was Professor David Skeel, the S. Samuel Arshit Professor of Corporate Law at the University of Pennsylvania Law School. He has written extensively on corporate law and is a leading authority on US bankruptcy law. Professor Skeel was an invaluable contributor to “The Future of Corporate Rescue” conference. 3CL once again extends its appreciation to Clifford Chance for its generosity.

Published papers from 3CL conferences and lectures can be found in the Journal of Corporate Law Studies published by Hart.

Professor Brian Cheffins
Director, 3CL
LAUTERPACHT CENTRE FOR INTERNATIONAL LAW

The Lauterpacht Centre for International Law continued over the year with its work in the field of international law and its visiting scholars programme. Each year the Centre hosts up to 35 visiting scholars from around the world who stay for periods ranging from 4 weeks to over 12 months. The Centre’s work has been greatly enhanced by the new conference and accommodation facilities at Bahrain House, No. 7 Cranmer Road, which means that most of our visiting scholars can now stay on-site at the Centre. Bahrain House, completed in June 2003, was formally opened by the King of Bahrain on 22 July 2004 at a ceremony attended by the Vice-Chancellor, Professor Alison Richard, the Deputy Lieutenant of Cambridgeshire, the Lord Mayor of Cambridge and a large number of Ambassadors and diplomatic representatives from London embassies and friends of the Centre from London law firms.

The Centre’s seminar and conference programme continues to be a great success. The Friday lunchtime lectures at No. 5 Cranmer Road, generously sponsored by Kendall Freeman, attract international jurists and lawyers of great repute as speakers, including this year Professor Georges Abi Saab (President of the Appellate Body of the World Trade Organisation), Professor Ian Brownlie (Member of the UN International Law Commission), and Dr Jean-Marie Henckaerts (Legal Adviser to the International Committee of the Red Cross). In addition to the Friday lunchtime lectures, two special workshop conferences were held in November addressing “Spoliation in Times of War” and “Constraints on the Waging of the War on Terror”. The annual Hersch Lauterpacht Memorial Lectures were given this year by Dr Hans Blix, the former UN Chief Weapons Inspector in Iraq, on 22-24 November at the Law Faculty. (See p.1.)

The Lauterpacht Centre is responsible for producing a number of the key law reporting series in international law, as well as other publications. These include the International Law Reports, the Iran-US Claims Tribunal Reports, the ICSID Law Reports and the International Environmental Law Reports.

Uniquely amongst institutions of public international law, the Lauterpacht Centre brings together academics and practitioners of public international law in an intellectual framework in which international law is seen as an applied discipline closely connected to the day-to-day realities of contemporary international life. Debates about international law go to the heart of many of the most controversial issues in international society today. In addition to their academic pursuits, those associated with the Centre regularly advise States, international organisations and individuals on questions of international law and appear before international tribunals such as the International Court of Justice and the International Tribunal for the Law of the Sea, and as international arbitrators.

The overriding motivation of the Centre is to provide a forum in which all those who are interested in international law can address the major issues of the day in an environment which invites rigorous scholarly debate. Participation in its activities, which is open to all graduate students, as well as to others, affords direct insight into the principles and institutions of law that stand at the heart of contemporary international life.

The Centre is able to continue its work in international law due to the generosity of a large number of benefactors. The Centre immensely appreciates their continued support.

For further information about the work of the Lauterpacht Centre, and its programme of seminars and conferences, please contact the administrator of the Centre on tel: 01223 335358; fax: 01223 300406 or go to its website at www.lrcil.org.

Mr Daniel Bethlehem
Director, Lauterpacht Centre for International Law

THE INSTITUTE OF CRIMINOLOGY

In September this year, after being in ‘temporary’ accommodation since 1959, the Institute of Criminology moved into its striking new quarters at the University Institute of Criminology. The move brings the Radzinowicz Library, all of the Institute’s personnel, its three research centres and its five degree programmes into one purpose-built space with plenty of meeting rooms, common rooms and classrooms, as well as separate areas for research centres, visiting fellows and scholars, PhD students and data archives for sensitive research data.

At the moment 65 people work in the Institute including the 15 core multi-disciplinary academic staff: Sir Anthony Bottoms (sociology), David Farrington (psychology), Roy King (sociology), Michael Tonry (public policy), Andrew von Hirsch (philosophy), Per-Olof Wikström (sociology), Manuel Eisner (history and sociology), Alison Liebling (criminology), Timothy Coupe (geography and operations research), Loraine Gelsthorpe (criminology), Adrian Grounds (psychiatry), Nathan Harris (psychology), Shadd Maruna (psychology), and Amanda Matravers (criminology).

The Institute’s Centres

The Centre on Penal Theory and Penal Ethics headed by Andrew von Hirsch carries out collaborative projects, principally involving philosophers, ethicists and criminal law theorists. The Centre usually convenes two conferences by invitation each year to discuss papers on topical theoretical issues. The papers appear as a collection in the series Studies in Penal Theory and Penal Ethics published by Hart Publishing.

The Prisons Research Centre headed by Alison Liebling conducts empirical research on a wide range of topical subjects. Most recently the Centre’s research has been measuring the quality of prison life, prison suicide and suicide prevention, adaptation to life inside prisons, and the effectiveness of prison officers. The Centre holds one large international conference each year. The most recent - “The Effects of Imprisonment” - was in April 2004.

The Pathways Centre is the hub of an inter-related set of ongoing longitudinal studies on crime and delinquency being carried out at universities in Chicago, Pittsburgh, Montreal, Zurich, and London, as well as continuing the original studies launched under its own banner.

Current studies at the Institute

A number of important studies are currently being conducted from the Institute:

• The Peterborough Adolescent Development Study, directed by Per-Olof Wikström, is a prospective multi-level longitudinal study of the lives of 1957 fourteen to fifteen year-olds in Peterborough.

• The Sheffield Desistance Study, directed by Anthony Bottoms, is following the lives of 120 twenty to twenty-four year-olds in Sheffield to learn about their offending, their victimisation, and, in particular, when and why they desist from active involvement in crime.

• The Childhood Study, directed by Terrie E. Moffitt of the Institute of Psychiatry, King’s College, London, is examining contextual and community influences on the development of 1100 sets of twins.

• The Cambridge Study in Delinquent Development, directed by David Farrington, spans some 40 years and is the longest-running longitudinal study of crime and delinquency in the world. Recently the research team conducted interviews of the subjects, aged 8 at the outset, at age 48.

• The Zurich Intervention and Prevention Project at Schools, known as the Zurich Study and directed by Manuel Eisner, is a longitudinal study of the lives of approximately 1000 school children in Zurich.

Publications

The Institute’s core staff are prolific in generating books, articles and essays. Five major book series are based in the Institute. Two of these, Hart Publishing’s Studies in Penal Theory and Penal Ethics and Willan’s Cambridge Criminal Justice Series, publish collections of essays generated by Institute
conferences. The *Clarendon Studies in Criminology*, of which Alison Liebling is general editor, has as its particular mission the publication of outstanding PhD theses prepared by students at Oxford, Cambridge, and the London School of Economics. The Crime and Public Policy series (Oxford University Press-US), edited by Michael Tonry, publishes books which use empirical evidence to aid understanding and shape public policy. More than 30 books have been published to date. Cambridge University Press’s *Studies in Criminology*, edited by David Farrington and Alfred Blumstein, specialises in criminological, as opposed to criminal justice, topics, and especially on longitudinal and developmental work.

The Institute now has a heavy burden upon it. With its new building, its talented staff, its infrastructure of research centres, major long-term studies, and degree programmes, few excuses can be offered if it fails to achieve great things, but its work to date augurs well and I for one am extremely positive about its future.

Professor Michael Tonry
Director, Institute of Criminology

The Mackenzie-Stuart lecture in February 2004 was given by Professor Joseph Weiler (New York University) on “Religious Tolerance and the Tolerance of Religion in a Multicultural European Union”. This topic was of particular relevance given the debates on the wearing of religious symbols in schools in France and the inclusion of a reference to God in the preamble of the draft EU Constitution.

CELS with the generous support of Baker & McKenzie was again able to run a visit for students to the EU institutions. Some 25 students of 13 nationalities took part. The visit to the Parliament included the observation of a debate on the draft Constitution and a presentation by our host MEPs Andrew Duff and Elspeth Attwooll. The British judges at the ECJ in Luxembourg hosted a reception following a chance to observe the oral hearing of a case, and the day finished with a reception at Baker & McKenzie back in Brussels. There were also talks at the Council Secretariat, the Commission and the Committee of the Regions. Fortunately, the sun shone and the weather was warm throughout the visit, so that Brussels was seen at its best, and appropriate quantities of chocolate were bought and consumed.

CELS will be hosting a major research project from 2005. John Bell and David Ibbetson have won a £254,000 grant from the Arts and Humanities Research Board for research into how western legal systems develop. The

CENTRE FOR EUROPEAN LEGAL STUDIES (CELS)

The new Criminology Building – inside and out.

Professor Joseph Weiler with Lady Mackenzie Stuart at the McKenzie Stuart Lecture in February 2004

The 2003-4 year was a busy and eventful one for CELS. Claire Kilpatrick became a Co-Director of CELS with John Bell. Together with Catherine Bedford (the Centre’s administrative secretary), Claire undertook a major redesign of CELS’ website (www.law.cam.ac.uk/cels) to make it more user-friendly and a more accurate reflection of the wide range of people associated with CELS and its projects and activities. Comments on its usefulness are very welcome.

CELS supported a number of special events during the year. Philip Allott and Catherine Barnard (Jean Monnet Chair in the Law of European Social Integration) hosted a series of 6 seminars on “The Future of Europe” to foster debate about the character of European society (as distinguished from the EU institutions). Themes included Europe as an intellectual, economic and world power, and its history, law and politics. The seminars, which brought together 17 distinguished contributors from different countries and disciplines, were very well attended. Generous financial support was gratefully received from the Cambridge European Trust, the Faculty of Law, Cambridge; the French Embassy (Institut français du Royaume-Uni and the Délégation Culturelle Française, Cambridge); the Jean Monnet Programme of the European Commission, and Trinity College, Cambridge.

In July 2004 a two-day workshop was held on “New Governance and Constitutionalism in the EU and the US”. This was a transatlantic affair: supported by the Center for World Affairs and the Global Economy, the European Union Center, the University of Wisconsin-Madison and the European Commission Jean Monnet Project, the workshop included speakers from Cambridge, Columbia Law School, the European University Institute and the University of Wisconsin-Madison. Doctoral students from Cambridge, the EUI and a number of US law schools participated. The workshop will result in a book edited by Gráinne de Búrca and Joanne Scott (Hart Publishing, forthcoming 2005).

CELS also hosted the second workshop in the ESRC Research Seminar Series on “Implementing the Lisbon Strategy: Policy Co-ordination through Open Methods”. This seminar focused on the use of objectives, targets and indicators in the Open Method of Co-ordination.

Professor Joseph Weiler with Lady Mackenzie Stuart at the McKenzie Stuart Lecture in February 2004
project’s hypothesis is that there are important differences in the way different legal systems develop, even where there are strong similarities between the social and economic factors that are fuelling the change. The project will look in detail at fault liability in the period 1850-2000, as this is an area of law which developed substantially independently in several different countries where the patterns of social and economic change were broadly similar. The project includes the funding of two research students.

The weekly lunchtime seminar series continued in 2003-2004 to be well-attended and to produce thought-provoking papers on current European legal developments. These are now available from Hart Publishing as Volume 6 of the Cambridge Yearbook of European Legal Studies. Two new papers appeared in the CELS Occasional Paper Series, one on Custom and Law in Central Europe, the other on the European Public Prosecutor.

Professor John Bell and Dr Claire Kilpatrick Co-Directors, CELS

CENTRE FOR PUBLIC LAW (CPL)

Professor Sir David Williams, Mr John Nolan and Sir Kenneth Keith at the second Sir David Williams Lecture in November 2003.

The Centre’s work over the past year has been dominated by the major conference on judicial reform held in October 2003 and by the two outstanding Sir David Williams lectures organised during the year. But pleasure at these successes is tempered by the loss of Sir William Wade, QC whose support for the Centre was unstinted and profound. (See p5 for an obituary.) We miss him greatly.

Conference on judicial reform, “Function, Appointment and Structure” The major conference of the Centre’s year was arranged at short notice in response to the government’s announcement in summer 2003 on changes to judicial appointments, the proposed new Supreme Court and the abolition of the office of Lord Chancellor. The conference, which took place on 4 October 2003, was made possible by the continuing generous support of Clifford Chance, the Centre’s patron. It was well attended with over 150 delegates, including many eminent jurists. Leading members of the judiciary, including the Lord Chief Justice, chaired the conference sessions and there were presentations from more than 15 outstanding speakers.

Judicial appointment procedures loomed large and were considered both from a comparative perspective (with views from India, New Zealand, Ireland, South Africa and continental Europe) and a UK slant. The jurisdiction of the new Supreme Court was also much discussed. A summary of the many contributions was subsequently submitted by the Centre to the Department for Constitutional Affairs as part of its consultation process and can be found at www.dca.gov.uk/consult/jacommission/jacres.htm.

The Sir David Williams Lecture The second Williams Lecture was given by Sir Kenneth Keith, President of the recently-established Supreme Court of New Zealand. Sir Kenneth spoke on 7 November 2003 on the subject of “Sovereignty at the Beginning of the 21st Century: Fundamental or Outmoded?” (see [2004] Cambridge Law Journal 581). He addressed “sovereignty” both in terms of legislative supremacy within national legal systems specifically those of the UK and New Zealand and national sovereignty on the international plane. Sir Kenneth’s message was one of caution and a plea for more careful and sparing use of the language of “sovereignty” by States in an international order in which the concept, understood in its traditional sense, finds itself under increasing pressure.

The third and most recent Williams Lecture was delivered on 23 April 2004 by Professor Ronald Dworkin. He based his remarks around the government’s proposal (dropped in the face of fierce criticism from scholars and the profession, among others) to preclude judicial supervision of the decisions of the new Asylum and Immigration Tribunal. Professor Dworkin’s central argument was that it should now be acknowledged that the constitution of the UK imposes certain limits on the legislative competence of Parliament, and the proposed legislation purporting to oust the supervisory jurisdiction of the High Court would have been unconstitutional. Professor Dworkin elaborated a package of key values (fair play, liberty, equality, democracy and the common good) which he forcefully argued were most appropriately understood in “rights-centric” terms and fundamentally at odds with the concept of parliamentary sovereignty. Unsurprisingly, Professor Dworkin’s comments stimulated lively debate. Both these lectures maintained the outstanding quality of the annual Sir David Williams Lecture.

Clifford Chance London Evening Seminars The fifth Clifford Chance London Evening Seminar, “Public Inquiries: New Answers to Old Questions?” , took place on 30 September 2004 at Clifford Chance’s new offices in Upper Bank Street. It addressed public law issues arising in the context of public inquiries in the light of the May 2004 Department of Constitutional Affairs consultation paper “Effective Inquiries”. Dr Colin Meyerscough (DCA), Mr Justice Beatson, Professor Mike Purdue (City University, London), and Sir Ian Kennedy, (Chairman of the Healthcare Commission) spoke. The session was chaired by Sir Louis Blom-Cooper. Professor Sir David Williams, University of Cambridge, and Mr Michael Smyth, Clifford Chance, made up the panel.

Public Law Discussion Group Under the guidance of Professor Trevor Allan, the Public Law Discussion Group has continued to flourish, providing an opportunity for vigorous intellectual exchange on common interests between Faculty members, visiting scholars and research students. Thomas Poole (University of Nottingham) spoke on the subject of common law constitutionalism and its lack of coherence. He criticised what he argued was the selective use of historical examples by some common law constitutionalists. Dr Amanda Perreau-Saussine (Newnham College, Cambridge) focussed on the nature of customary international law and common law, raising fundamental questions about the interconnections and affinities between the two. Professor David Claire Williams (University of Indiana) discussed the right to bear arms under the US Constitution, arguing...
in favour of the right. Professor Jim Evans (University of Auckland) gave a strong jurisprudential defence of the ultra vires doctrine as the constitutional justification for judicial review of administrative action. Professor Evans sought to demonstrate the incoherence of any approach to the justification of judicial review which repudiated the ultra vires theory without also challenging the doctrine of parliamentary sovereignty. His remarks, like those of the other speakers over the course of the year, sparked lively debate.

New personnel at the Centre
The Director of the Centre, Dr Christopher Forsyth, will be on leave during the 2004-05 academic year. Professor David Feldman, the new Rouse Ball Professor of English Law, will be Acting Director in his absence. The Centre bid farewell to Ivan Hare, one of its Assistant Directors, who has gone to the Bar. The Centre is very grateful for all Ivan’s work for the Centre through the years.

Dr Christopher Forsyth
Director, Centre for Public Law

CAMBRIDGE SOCIO-LEGAL GROUP

Professor Martin Johnson, Dr Belinda Brooks-Gordon, Lord Faulkner of Worcester, Dr Loraine Gelsthorpe and Dr Andrew Bainham at the launch of Sexuality Repositioned: Diversity and the Law.

The highlight of the year for the Cambridge Socio-Legal Group was the publication of its latest book, Sexuality Repositioned: Diversity and the Law (Hart Publishing, 2004), edited by Belinda Brooks-Gordon, Loraine Gelsthorpe, Martin Johnson and Andrew Bainham. It was launched on 17 June 2004 at a reception at the House of Lords generously hosted by Lord Faulkner of Worcester and attended by Baroness Hale of Richmond and Mr Justice Wood.

The book resulted from a residential seminar in April 2003 on “Sexuality” at Pembroke College, Cambridge. Its appearance coincides with a major reform of the law governing sexual offences, the announcement by the government of a review of the laws governing prostitution and a bill which will enable same-sex couples to enter into civil partnerships. The book takes a radical look at sexual diversity and how our sexualities are being refashioned and repositioned. The essays in it confront religion, education, science, medicine and the law with interesting challenges. While all five disciplines appear (as both heroes and villains) in this book, because the law provides the ultimate expression of a restructured codified social response to repositioned sexuality, legal reactions lie at its heart. Contributions to the book cover the Sexual Offences Act 2003 and its problems, same-sex partnerships, treatment of sex offenders, sexuality in the work place, sexual abuse of children, prostitution, pornography, the sexuality of the young, biomedical and legal approaches to sexual orientation and intersexuality, sexual activism, historical and futurist perspectives on sexuality.

The Group now looks forward to continuing its role as an interdisciplinary discussion group concerned with promoting debate on current socio-legal issues with its next two projects on the subjects of “Kinship” and “Death”. Those wishing to register an interest in either of these projects or to know more about the Group’s activities are warmly invited to contact either Dr Andrew Bainham of the Faculty of Law and Christ’s College, or Professor Martin Richards at the Centre for Family Research.

Dr Andrew Bainham
Chair, Cambridge Socio-Legal Group

FAMILY LAW REFORM – COHABITATION AND CIVIL PARTNERSHIP REGISTRATION

In November 2004, Family Law students from the Law Faculty came together with local practitioners and judges for an evening of debate and discussion on the legal regulation of adult family relationships. This is a topic that has come to the forefront of law reform and media attention, following reports of the Law Commission and Law Society regarding the legal position of cohabitants and the Civil Partnership Bill 2004.

The evening opened with a debate conducted by two student teams on whether English law should continue to differentiate between couples who have and have not formalised their relationship (whether through marriage or same-sex civil partnership registration). The debate was followed by three speakers who each explored a wide range of issues pertinent to this area of family law and its reform.

The Hon Justice Priestley of the High Court of New Zealand spoke about the law of family property on relationship breakdown in New Zealand, which has recently and controversially been opened up to cover spouses, same-sex couples and “de facto” opposite sex couples on almost identical terms.

Dr Matthew Weait of Keele University was formerly Parliamentary Legal Officer with the Odysseus Trust and adviser to Lord Lester, whose Civil Partnerships Bill of 2002 spurred the Government into action in this area. Dr Weait raised fundamental questions regarding the justifications for line-drawing in this area, in particular whether it was appropriate for a new civil status – civil partnership – to be created which was not available equally to all persons.

Finally, the meeting was addressed by Her Honour Judge Plumstead. She noted the difficulties attendant on giving legal rights and responsibilities to those who have not provided clear evidence of their relationship by formalising it through available mechanisms. But she also remarked on the extraordinary levels of ignorance amongst the general public – and even amongst lawyers (not family law practitioners!) – regarding the lack of legal protection for cohabitants.

The evening was generously sponsored by the Cambridge and West Suffolk Solicitors’ Family Law Association, who also made a donation to the Squire Law Library’s family law collection.

Ms Joanna Miles
Newton Trust Lecturer, College Lecturer in Law, Trinity College.
Philip Allott retired from his chair on 30 September 2004. To mark this occasion, a number of his colleagues from different universities and disciplines including law, international relations and philosophy, gathered on 28-29 May to focus on Philip's work and the seminar's central theme, "this cannot be how the world was meant to be". The one and a half day seminar was sponsored by the Law Faculty and hosted by the Lauterpacht Centre for International Law. The moderator was David Kennedy of Harvard Law School. An edited transcript of the conference proceedings will be published in the European Journal of International Law.

The serious work of the seminar commenced with Philip's outline of his recent work and thoughts on the state of the world, summarised in Seven Theses. Four key speakers then presented papers analysing and critiquing Philip's work, particularly as it appears in his two major works, *Eunomia* (1990, 2nd ed., OUP, 2001) and *The Health of Nations* (CUP, 2002).

Iain Scobbie of the University of London, one of Philip's former PhD students, gave a spirited paper, "Slouching towards the Holy City: some weeds for Philip Allott". Karen Knop of the University of Toronto in "Eunomia is a Woman: Philip Allott and Feminism" asked whether Philip Allott is a feminist and, to Philip's surprise, felt able to give a modest but positive answer. Martti Koskenniemi of the University of Helsinki spoke on "International Law as Therapy: reading *The Health of Nations*". Like Karen, he focused on Philip's prose style, using an analogy with the baroque period. Tom Franck of NYU speaking on "The Fervent Imagination and the School of Hard Knocks" observed that Philip lives in the imagining of another world, but doubted whether it is our world, where rules for humanitarian intervention and debt reduction are called for.

The seminar was characterised by vigorous discussion, agreement and disagreement, directed variously at Philip's work, the speakers' papers and the comments by other participants. The final remarks were given by Dame Rosalyn Higgins, Judge of the International Court of Justice and Philip's former classmate in the 1959 LLB group at Cambridge. Dame Rosalyn, recalling Philip's career over the time she has known him, paid Philip the most moving compliment of the many made in the course of the seminar: "By writing radically, on philosophy, he made mere theory a respectable pursuit for others".

As one would expect, Philip had the last word: "The experience of hearing your own ideas passing through other peoples' minds is an interesting phenomenon, and I think that I recommend it, but I am not entirely sure that I do."

Ms Penelope Nevill  
Research Fellow, Lauterpacht Centre for International Law
CONGRATULATIONS TO...

- Dr Albertina Albors-Llorens, who has been appointed to a Senior Lectureship.
- Dr Kirsty Allen, who has been appointed as an RAE Panel Secretary for the criteria-setting stage of RAE 2008.
- Professor Trevor Allan, who has been appointed to a Chair.
- Professor Philip Allott, who has been made a Fellow of the British Academy.
- Dr Catherine Barnard, who has been appointed to a Readership.
- Mr Richard Fentiman, who has been elected as a Member of the International Academy of Comparative Law.
- Professor Bill Cornish, who has been awarded an Honorary LLD from the University of Edinburgh.
- Professor James Crawford, who was awarded an LLD by the University of Cambridge and an honorary LLD by the Pázmány Catholic University of Budapest.
- Professor Alan Dashwood, who was awarded an OBE in the New Year’s Honours List for his services to European Law and the Convention on the Future of Europe.
- Professor David Farrington, who was awarded an OBE in the New Year’s Honours List for his services to Criminology.
- Professor David Feldman, who has been appointed as a Specialist Adviser to the Parliamentary Joint Select Committee on Human Rights.
- Dr Christopher Forsyth, who has been appointed a Recorder.
- Professor Sir Bob Hepple, who was awarded a Knighthood in the New Year’s Honours List for his services to legal studies.
- Dr Neil Jones, who has been appointed to a Senior Lectureship. Neil has also been appointed Editor of the Journal of Legal History.
- Professor Matthew Kramer, who has been awarded a Leverhulme Trust Major Research Fellowship for 2005-7. Matt was also awarded an LLD by the University of Cambridge.
- Dr Alison Leibling, who has been appointed to a Readership.
- Dr Roderick Munday, who has been appointed to a Readership.
- Dr Albertina Albors-Llorens, who has been appointed to a Senior Lectureship.
- Professor John Spencer, who has been awarded an Honorary Degree by the University of Poitiers.
- Sir David Williams, Emeritus Rouse Ball Professor of English Law, Emeritus Vice-Chancellor of Cambridge University and the Chairman of the Centre for Public Law, who was presented with a Harvard Law School Association Award. There have been only 22 such awards. Sir David’s citation honoured him as a “respected champion of civil liberties”.

ARRIVALS.....

The Faculty welcomes the following appointments/transformations:

Professor Lionel Bently (Emmanuel College) took up the Herchel Smith Chair of Intellectual Property Law on 1 October 2004. He was previously at King’s College London.

Dr Matthew Conaglen (Trinity Hall) has been appointed to a University Lectureship. He was previously a College Teaching Officer and the John Collier Fellow at Trinity Hall.

Professor David Feldman (Downing College) took up the Rouse Ball Chair on 1 April 2004. He was previously a Professor of Law at the University of Birmingham and a Legal Adviser to the Parliamentary Joint Select Committee on Human Rights.

Professor Jane Ginsburg (Emmanuel College) joins us from Columbia Law School this year as the Arthur Goodhart Visiting Professor of Legal Science. She is teaching International IP Law and is involved with activities during this inaugural year of the Centre for Intellectual Property and Information Law.

Ms Amy Goymour (Fitzwilliam College) has been appointed as a College Teaching Officer. She was previously working at the Law Commission as a Research Assistant in the Property and Trusts Team.

Mr Jonathan Morgan (Christ’s College) has been appointed as a College Teaching Officer. He previously held lectureships at Magdalen College, Oxford and the University of Warsaw.

Mrs Nicola Padfield (Fitzwilliam College) has been appointed to a University Lectureship in the Faculty of Law from a lecturing post in the Institute of Criminology.

Ms Anat Scolnikov (Lucy Cavendish College) has been appointed as a College Teaching Officer. She was previously in legal practice as a civil rights barrister in Israel and is completing a doctorate at the London School of Economics.

.... AND DEPARTURES

We are grateful to the following for all that they have done for the Faculty and wish them the very best for the future:

Professor Philip Allott (Trinity College) has retired from his Professorship.

Professor Bill Cornish (Magdalene College) has retired from the Herchel Smith Professorship of Intellectual Property Law.

Mr Ivan Hare (Trinity College) has resigned his University Lectureship to pursue a career at the Bar.

Mr John Hopkins (Downing College) has retired from his University Lectureship.

Michael, Lord Mustill (St John’s College) finished his year as the Arthur Goodhart Professor of Legal Science in September 2004, but he retains his links with the Faculty as a Yorke Distinguished Visiting Fellow and continues teaching both on the Tripos and the LLM courses.

Dr Oke Odudu (Downing College) has taken up a lectureship at King’s College London.

Mrs Louise Tee (Lucy Cavendish College) has left her career in legal academia to pursue new opportunities in art and life.

Professor Michael Tonry has resigned from the Directorship of the Institute of Criminology to return to the University of Minnesota as the Sonosky Professor of Law and Public Policy.

Dr Eleanor Spaventa (New Hall) has taken up a lectureship at the University of Birmingham.
MAJOR PUBLICATIONS, TEACHING AND PRACTITIONER MATERIALS BY FACULTY MEMBERS


Brian Cheffins. The Trajectory of (Corporate Law) scholarship. Cambridge: Cambridge University Press, 2004 [Inaugural lecture by Brian R Cheffins, S J Berwin Professor of Corporate Law]


David Farrington, C Sutton and D Utting (eds). Support from the start: working with young children and their families to reduce the risks of crime and antisocial behaviour. London: Department for Education and Skills, 2004


Loraine Gelthorpe, Sue Rex, C Roberts and P Jordon. What’s promising in community service: implementation of seven pathway projects. London: Home Office, 2004 (Home Office Research Findings; 231)


