The new building for the Institute of Criminology was officially opened in May 2005 by Lord Woolf, Lord Chief Justice. He was introduced by Vice-Chancellor Professor Alison Richard, who described the Criminology building as a ‘worthy addition to the Sidgwick Site’s wonderful classroom of architecture of the last few decades.’ She noted that the University had pioneered the development of Criminology as an academic subject in the United Kingdom and pointed out that the Institute was an example of how the highest academic standards can have practical relevance to society.

Professor Sir Anthony Bottoms, who began as a student on the Institute’s first postgraduate course in 1961, recalled the long struggle of the Institute to find suitable permanent premises. The initial, and substantial, element in funding for the Institute’s new building was set aside in the Wolfson Foundation’s grant to the University at the establishment of the Institute. The Director of the Wolfson Foundation, Dr Victoria Harrison, was present at the opening. Cambridge University Press, together with the Higher Education Funding Council’s SCHRIF funding, contributed to the library building costs. A significant donation was received from Mrs Priscilla Mitchell, in addition to her great generosity in funding postgraduate scholarships to the Institute and a library book fund. Mrs Mitchell was represented by her cousins, Jack and Mary Wakefield, and sent her best wishes for the opening of the Institute. The former director of the Institute, Michael Tonry, put together a successful bid to the Science Research Infrastructure Fund and made a significant contribution to design discussions. It was particularly fitting that Michael was able to be present at the opening: he went on to deliver the opening lecture at the celebratory conference the following day. Representatives of Allies and Morrison, the architects who had overseen the building’s design and construction from its earliest stages, were also welcomed to the opening.

Part of Sir Leon Radzinowicz’s legacy was a fund designated for the purpose of bringing to Cambridge a distinguished figure in public life to deliver a lecture and participate, for a short time, in the life of the Institute. Since Lord Woolf wrote the foreword to Sir Leon’s last book, Adventures in Criminology, it was fitting that he should be the Institute’s inaugural Radzinowicz Fellow. In opening the building, Lord Woolf expressed his admiration for the building and its design, and for the people whose vision and determination had seen the project though from drawing board to completion.

Sara Harrop
WHAT A SUMMER FOR CRICKET!

England’s success in regaining the Ashes after 16 years of exile was emulated by Whittlesford Cricket Club 1st XI, taking the CCA Junior League 2 South B title for the first time in over a decade.

The final, between Whittlesford and Lt Shelford was won by a margin of 36 runs, closing a season with some thrilling finishes. The season saw some great performances from Law PhD student Richard Hobbs and ended with Law Faculty Computer Associate, Steve Burdett, being voted Player of the Year.

Now that the summer sun has been replaced by winter chills, it seems so far away – as do the Ashes after Pakistan – but for the summer of 2005, the Law Faculty can lay claim to being at the heart of the team’s success.

Steve Burdett

NEW CAMBRIDGE STUDENT LAW REVIEW LAUNCHED

The inaugural volume of the Cambridge Student Law Review was launched in March 2005 in the presence of representatives of our sponsors, leading academics from Cambridge and beyond, contributors and members of the editorial board. We hope it marks the beginning of a new tradition in student legal scholarship at Cambridge.

The Review publishes academic articles across the field of law. The articles featured in our first volume ranged from highly topical analyses of the decision in the A v Secretary of State (the ‘Belmarsh case’) and the Sexual Offences Act 2003 to a timely and critical overview of the law of murder, bearing in mind recent proposals for reform by the Law Commission. It also included features on human rights, insolvency and prize winning essays by postgraduate David Levin and undergraduates Chris Wood and Yasseen Gailani.

A key aspect of the Review is its student focus. The editorial board consists exclusively of undergraduates and postgraduates and all but one of the articles in the first volume were authored by students. The Review is able to offer new opportunities for students both in terms of publishing and editing for an academic audience.

A feature of our approach is the opportunity for successive editorial teams to experiment with a variety of styles, layout and content.

The second volume will feature the fruits of an international collaboration with the Heidelberg Student Law Review, the prizes for which are sponsored by the British Council and the German Academic Exchange Organisation (DAAD). Heidelberg law students and students from Cambridge have been invited to adopt opposing positions on the role of the International Court of Justice in reviewing decisions by the United Nations Security Council. This will be in addition to our general essay prizes provided by chambers at Four New Square and will include a coveted mini-pupillage. This year the Review is also welcoming submissions from students at other universities. While the Review remains firmly a Cambridge project, we are committed also to encouraging contributions from further afield. A continuing feature will be a contribution from a member of the Faculty, focusing on a core area within the tripos. In the forthcoming volume we are pleased that Mr McBride has agreed to write a keynote article on the law of tort.

We are privileged to have the continued support of our Senior Treasurer, Professor JR Spencer and our sponsors Freshfields and BPP. We look forward to advancing the Review to the stage where it possesses the quality and prestige of its Northern American counterparts.

Tom Quoroll, CLSR

Steve Burdett, Computer Associate. Opening Batsman and Player of the year: 401 runs at 30.9, Richard Hobbs, PhD student and all rounder: 175 runs at 29.2, and 16 wickets at 16.6
A LETTER FROM THE CHAIR OF THE FACULTY

This is my third and last letter as Chair of the Faculty in Lawlink. I will not reprise the various events of the year – highlights of which are described in this issue. Rather the end of a three year term as Chair calls for many thanks and certain reflections.

Thanks are due first of all to our sponsors and benefactors. For many years we have had major support from various law firms - for example, Clifford Chance (especially for the Erasmus program and the Double Maître: see John Spencer’s note on page 13), Freshfields (for the Freshfields IT Room and associated support: see page 13 for evidence that we can coexist and even compete with our US counterparts in this arena) and Herbert Smith (for the Herbert Smith Visitors Scheme). The Harvard Exchange Scheme is supported by Baker & McKenzie and McDermott Will & Emery and is now established. This year we are pleased to add to the list Lovells (who have most generously sponsored undergraduate scholarships, and especially the Lovells Lectureship in Commercial Law) and Slaughter and May (the Slaughter and May Teaching Fellowship at Selwyn College). Recently these plans have turned into reality with excellent appointments to both positions. Many thanks indeed to all those who have helped to provide support, without which the Faculty would be a much lesser place and our students would have far fewer opportunities.

Thanks are also due to my colleagues within the Faculty at all levels – in particular Drs Neil Jones, David Fox and Roger O’Keefe, the three Academic Secretaries with whom I have worked; Professors Jo Scott and David Ibbetson, the two Deputy Chairs, and the one and virtually irreplaceable Faculty Administrator, Dr Kirsty Allen. Between them they made an awkward task doable.

But why, you may ask, was it awkward? Not, I hope, because of other conflicting commitments – which one always has and which can be managed. More because of the external environment with which we have to cope and which constantly changes in seemingly unpredictable ways. We remain a self-governing institution with a measure of control over what we do as a Faculty but only very limited influence over what happens outside. Maintaining standards – of teaching, of scholarship, of support for students and for research – takes effort, but makes one feel that one is running to stand still. The essential tasks of teaching, research and professional engagement remain much the same – but continual demands such as quality assessment, internal and external review, etc – can get in the way. At one level, the ‘Nanny State’ becomes a ‘State of Perpetual Audit’. Within Cambridge issues of University governance and interface with the Colleges arise. Improvements have been made on both fronts, and we have excellent relations with the Colleges but it cannot be denied that the system imposes significant constraints. And there are constant resource constraints.

My successor as Chair of the Faculty Board will be David Feldman, Rouse Ball Professor of English Law. The Faculty is indeed grateful to him in stepping up to the plate so early in his tenure as Rouse Ball Professor. I know he will do the job with good sense and good humour – ever more necessary qualities in the current environment! And I am sure that he will continue to enjoy the support which the wider community of Cambridge people – Faculty, staff, students, alumni – has given me.

James Crawford
Chair, Faculty Board of Law

Adam Pognowski and Fiona Couzens, two recipients of the Lovells bursaries

Siobhan Davis and Pete Buckley, two recipients of the Lovells bursaries

John Young, Senior Partner of Lovells
REFLECTIONS ON INTELLECTUAL PROPERTY AT EMMA

During the 2004-05 academic year, intellectual property acolytes invested Emmanuel College. As the Goodhart Visiting Professor in the Law Faculty in 2004-2005, and a colleague of Professor Lionel Bently (a Fellow at Emma) I was most fortunate to have been named a Visiting Fellow at Emmanuel College. The year was exceptionally stimulating for me, in part because of all the intellectual property-related activities hosted by the College, in which many Fellows participated, both in attendance and as presenters.

During the year, six ‘IP Evenings at Emma’ were held, covering a broad range of intellectual property issues, from biotechnology to copyright to trademarks to patents to geographic designations, concluding with literary, artistic and musical plagiarism. In most cases an Emmanuel Fellow from a field other than law provided the counterpoint to a legal presentation; in the last instance, Emmanuel Fellows made up the entire cast. General discussion, to which the Master was a faithful contributor, followed the formal program. Students and former Members, as well as other Fellows, also participated in these sessions. Discussions continued well past the hour appointed for the consumption of wine and cheese to end the evening.

Michaelmas Term 2004 featured two IP Evenings. The first, led by Dr Kathy Liddell, focused on patenting the fruits of stem cell research. Dr Liddell gave a presentation expertly combining explanation of the biology of stem cells, patent law, and UK and European Union regulation. Dean Jeremy Caddick offered most thoughtful commentary on the ethics of stem cell research and the propriety of privatizing through patent law the fruits of that research. The second evening confronted the copyright law issues surrounding P2P copying of music and films, presented with passionate conviction by Dr Patricia Akester, with the realities of computing and computer hacking, amusingly explicated by Dr Mike Sayer from world-weary experience as the head of University computing.

In Lent Term, the first evening was dedicated to trademarks: we examined the concept of the ‘ordinary consumer,’ from the point of view of legal history, as presented by Dr Jennifer Davis, and from an anthropological perspective, offered by Dr Georgina Born. We learned how the ‘ordinary consumer’ has evolved since the early 20th-century, and, notably, how many social and class assumptions have inhabited that ideal type, as the construct of the average purchaser progressed in judicial characterization from the ordinarily illiterate servant (who, as Georgina Born reminded us, was by the end of the 19th-century generally literate) to someone rather like the judge (in a movement of sustained synecdoche).

The second session in Lent term changed focus from academic investigation to lived experience. Ms Mandy Haberman recounted the tribulations, and occasional jubilations, of the solo inventor seeking to patent, and then to market, her invention. Ms Haberman’s ‘AnyWayUp Cup’ may be well-known to some readers, whether as consumers or as lawyers. As Lionel Bently remarked, in his Intellectual Property paper he uses Ms Haberman’s patent application for the ‘AnyWayUp Cup’ to illustrate both the concept of non-obviousness and the problems of patent claim-drafting.

The final Evening of the Lent Term proved the most festive, as the international law of geographical indications, explained by Professor David Llewellyn encountered its practical application, in a lively exposition of wine labeling practices detailed by Dr Jonathan Aldred in his dual guise of economist and head of Emma’s wine committee. While a wine and cheese reception usually concludes the IP Evenings, on this occasion wine and cheese were consumed and discussed throughout, being much the subject of the evening. Jonathan presented a series of wines of high pedagogical (as well as enological) value, and the College catering staff set a magnificent table, boasting mountains of wine glasses – five per participant – and valleys of cheese platters. Jonathan’s selections offered a glimpse of the breadth of the Emmanuel College wine cellar’s less traditional stocks. He began with a German Riesling, whose label, overborne with information of occasional dubious utility, exemplified one national approach to regulation of what must, or can, be said on a wine bottle. The next wine, a ‘Petit Bourgeois’ Loire Valley sauvignon blanc, presented what Jonathan referred to as ‘terroir issues’: the vines grow a few meters on the wrong side of the Sancerre town line. Consequently, though the grapes and the wine-making are the same, the producer, Henri Bourgeois, may not call the result ‘Sancerre.’ Hence the wine’s name, in homage both to himself and to the attitude he ascribes to the local wine authorities. The third wine’s producer took the opposite tack: rather than adopting the ‘Umbria’ geographical indication to which his location entitled him, he chose to build up goodwill in a brand name, ‘Vitianeto,’ for his sangiovese-based red wine. The fourth entry, a d’Arenberg ‘Laughing Magpie’ shiraz-viognier from South Australia, also invented a brand name for its Côte Rôtie-style wine, but, as is characteristic of New World wines, also emphasized the grape varietals that comprise it. The last of the wines probably proved most piquant to the lawyers in attendance. This one, very much in the style of the Rhone wine ‘Muscat de Beaumes de Venise,’ bore a label proudly pronouncing its name, ‘Rhona Muciscat,’ but coyly dissembling its provenance, South Africa, in small print on the back label. The explanation’s credibility may be left to the reader: the wine is made from Muscat grapes, and its producer, Graham Beck, has a daughter named Rhona. Whatever the labeling issues, the wine itself is a fine emulation of its Rhone Valley inspiration.

The last IP Evening of the year, held in Easter Term, showcased what Dr Rob MacFarlane, the presenter, dubbed a ‘Festival of Plagiarism.’ The session’s title, ‘Plagiarism and Originality in Law and Literature,’ itself cribbed from a leading work on plagiarism and the law, analyzed examples of ‘borrowings’ from literature, art, and music. Both Rob’s literature-steeped presentation, and my law-oriented comment addressed the indistinct line between inspiration and theft, plagiarism and parody.

Looking back on the year, many of my warmest memories recall the fascinating exchanges with so many Emma Fellows from so many areas of academia. At my home school, Columbia University, I was a member of the law faculty for over fifteen years before meeting and working with members of other departments, and then the meetings were on University committee business. I thus found the conventional luncheon seating plan, in order of arrival, exceptionally invigorating. Other Fellows may have found it somewhat perilous, as my discovery of their fields of inquiry might prompt an invitation to speak at the next IP Evening. Or, as Jeremy Caddick remarked on explaining his participation in the stem cell research evening, ‘I’m here because I happened to sit next to Jane at dinner.’

Jane Ginsburg
Since 1972, scholars and jurists from many parts of the world have spent a year in the Cambridge Faculty of Law as the Arthur Goodhart Visiting Professor of Legal Science. They include Sir Otto Kahn-Freund, Professor Guido Calabresi, Professor RCJ van Caenegem, Professor Brian Simpson, Sir Anthony Mason, and my own predecessor, Professor Jane Ginsburg.

The formal obligations of a Goodhart Professor are relatively light. He or she is asked to teach, or to share in teaching, a subject in the tripos or the LLM and to participate generally in the life of the Faculty. The position thus gives incumbents welcome opportunity for reflection and research, while at the same time enabling and encouraging them to forge links with the Faculty, its staff and its students. The advantages for the visitor are obvious. But the arrangement has significant potential benefits for the Faculty as well. Goodhart Professors make a contribution to the Faculty in their respective areas of legal expertise, not only during the year that they spend in Cambridge but through a relationship with the Faculty that is likely to continue, in one way or another, long after the year is over.

It is my privilege to be the Goodhart Professor for 2005-2006. I come from Australia, where I hold a personal chair in the Faculty of Law at the University of Melbourne. My research and teaching interests are in public law, in particular in constitutional law and increasingly in comparative constitutional law. They thus intersect with those of many scholars in the Cambridge Faculty, some of which are focussed through the Faculty’s centres and research groups. I work most closely with members of the Centre for Public Law. In addition, I follow the activities of the Centre for European Legal Studies and in particular those that are relevant to the institutional development of Europe; I attend as many as possible of the seminars of the Lauterpacht Centre for International Law, in the face of the growing interdependence of public domestic and international law.

My principal responsibility in the Faculty is to co-teach the LLM subject Comparative Public Law with Professor David Feldman. I have also given several Faculty seminars for both CPL and CELS and I have occasional meetings with students to discuss their research. My activities are not confined to Cambridge, however. During the course of the year, I will give at least half a dozen talks on topics in various fields of public law to academic and professional groups in other parts of the country and will make constitutional presentations of various kinds in many parts of the world. As it happens, my period as Goodhart Professor also coincides with part of my tenure as President of two international organisations, the International Association of Constitutional Law and the International Association of Centres for Federal Studies, requiring attendance at additional meetings and conferences, for which Cambridge offers a convenient home base.

I arrived in Cambridge with a range of research and writing projects to complete and some plans for future research directions. One of the largest projects that I brought with me is now almost finished: a comparative study of the institutions of government in eleven federations – Argentina, Australia, Austria, Canada, Germany, India, Nigeria, Russia, South Africa, Switzerland and the United States. In the immediate future my research interests lie in the methodology of comparative constitutional law, whether used by courts or by constitution-makers, in the conduct of supra-national or international activities, or for other purposes and whether the subjects of comparison are broadly similar, or vastly different, constitutional regimes. Cambridge offers the perfect setting to embark upon such a project, not only because of its strength in comparative law but because of the interdisciplinary opportunities it provides.

The Goodhart Professorship is not attached to a particular college but has been shared, so far, between 17 different colleges in the more than 30 years since the position was established. I am the third Goodhart Professor to be associated with Jesus College, where I have been very warmly welcomed and have enjoyed much hospitality and friendship, as I have in the Faculty itself.

Cheryl Saunders

CAMBRIDGE UNIVERSITY PRESS: GLOBAL LEADERS IN LAW PUBLISHING

Cambridge University Press (CUP) is both the printing and publishing house of the University of Cambridge. It was founded by Royal Charter in 1534 and its output in 2005 was over 2,000 books and 150 journals.

Within the law book list we are moving our publishing program forward across the three market sectors of publishing: academics, practitioners and student texts. We have continued our traditionally strong presence in international and comparative law, jurisprudence and legal history, but we now have a steady output of titles in English and European law, on subjects ranging from corporate and commercial law, to intellectual property and family law.

A major contribution to our recent growth has been the Faculty involvement in the creation and development of Cambridge academic book series. Among the existing book series with local Faculty editorial involvement are:

International Corporate Law and Capital Market Regulation: edited by Professor Ellis Ferran along with Professors Howell Jackson (Harvard) and Professor Niamh Moloney (Nottingham);

Cambridge Studies in Intellectual Property: edited by Professor Bill Cornish and Professor Lionel Bently;

Cambridge Studies in European Law and Policy: advisory board includes Professor Alan Dashwood and Dr. Catherine Barnard;

Cambridge Studies in English Legal History: edited by Professor John Baker;

Cambridge Tax Law Series: edited by Professor John Tiley;

Cambridge Studies in International and Comparative Law: edited by Professor James Crawford and Professor John Bell.

www.cambridge.org/law

Professor Cheryl Saunders, Arthur Goodhart Visiting Professor of Legal Science 2005-2006
Squire Law Library Centenary Appeal

Following the successful array of events to commemorate the centenary of the Squire Law Library in 2004, the Squire Law Library and the Faculty of Law have continued to promote the Squire Centenary Appeal which aims to create an endowment fund of £2 million. This fund will enable the library to expand its collection, improve its facilities, increase resources for training in modern legal methods and secure the future of this highly respected and much used library.

The Faculty of Law and the Squire Law Library are extremely grateful to all those who have generously provided donations and pledged their support for the Appeal.

In particular, thanks to the generosity of one private benefactor, Mr Brian Buckley, the Squire Centenary Appeal received a significant boost during 2005. In a previous, separate donation, Mr Buckley offered a gift in support of legal history. This donation was of great benefit to the Library as it provided funds to allow the cataloguing of many antiquarian law books. This specialist project was undertaken during the summer vacation in 2005 with the books themselves now being located in their classification sequence in the Maitland Legal History Room. Additionally, the gift will allow for the acquisition of digital copies of manuscript law reports, under the watchful eye of Sir John Baker, Downing Professor of the Laws of England. These are not currently available to scholars in Cambridge and constitute a further enhancement to the Squire’s historic collections. We are very grateful to Mr Buckley for his support.

The Faculty and the Squire are also extremely grateful to the Cambridge Alumni members of Essex Court Chambers for their generous support.

The Faculty of Law and the Squire Law Library are delighted that the City Solicitors’ Educational Trust have again agreed to provide two years of funding to assist with sustaining the Squire’s core collections that support undergraduate teaching.

Securing the future of the Squire Law Library is vital for future generations of legal scholars at Cambridge. Our alumni continue to support us, and we are immensely grateful for the many gifts to the Fund that we have received to date. However, we are still short of our target and need your support to allow the Library to strengthen its position as a world-class law library.

The endowment fund will allow the library to expand the collections, support subscriptions to electronic legal journals, improve its I.T. resources, enhance teaching materials for undergraduate study and broaden the range of specialist publications available for the many comparative lawyers within the Faculty. For further information about the Squire Centenary Appeal and how you can make a tax-efficient contribution, please contact: University of Cambridge Development Office 1 Quayside, Bridge Street Cambridge CB5 8AB
Tel: +44 1223 332288 Fax: +44 1223 764476 enquiries@foundation.cam.ac.uk www.foundation.cam.ac.uk

The BIALL Memorial Lecture for Willi Steiner

The British and Irish Association of Law Librarians (BIALL) held the inaugural Willi Steiner Memorial Lecture on 12 May 2005. Willi Steiner was Assistant Librarian at the Squire between 1958 and 1968 before becoming Librarian at the Institute of Advanced Legal Studies. Willi Steiner was responsible for devising the classification scheme and published the printed catalogue of the holdings of the Squire during the 1970s. He died in May 2003. The Memorial Lecture was delivered by the Law Commissioner, Professor Hugh Beale, QC, FBA and was entitled ‘European Civil Code Movement and the Common Frame of Reference of the EU.’ It was followed by a panel chaired by the President of BIALL, Barbara Tearle.

Faculty Memorabilia

The Squire Law Librarian recently uncovered, from one of the library storerooms, a minute book relating to a largely forgotten group known as The Cambridge Law Club. The aim of the Club was ‘the social study of English Law and cognate topics’ and the club met on the last Thursday in each month, at 4pm, in term-time in the rooms, or houses of members. The expenses of the club were met by an entrance fee of half-a-crown (as determined in 1888 and, according to the minutes, remaining unaltered until at least 1913!).

The minute book, which is hand-written, covers the period from 5 November 1888 to 26 November 1936 and reminds us of many Cambridge legal scholars. The preliminary meeting to discuss the establishment of the club was chaired by F.W. Maitland, with C.S. Kenny acting as secretary, and attendees at later meetings included Dr (now Emeritus Professor) Kurt Lipstein, now 96 years old, who was a guest at the last recorded meeting in 1936. Another member was Dr Tom Ellis Lewis (invariably known as TEL) who was the Squire Law Librarian from 1929 until 1968. Among the many other great names to contribute to these meetings were Buckland, Goodhart, Gutteridge, Holland, Kantorowicz, McNair, Oppenheim, Westlake and Winfield.

David Wills
CONFERENCES

Centre for Corporate and Commercial Law leads Transatlantic Financial Services Regulatory Dialogue

The global economic significance of capital markets and their intensifying interdependence have led US and EU policymakers to recognise the need for structured dialogue and cooperation with a view to ensuring efficient and credible solutions that guarantee effective investor protection and a high level of business efficiency.

The Centre for Corporate and Commercial Law (3CL), together with a number of institutional partners, has sought to build on this movement by establishing a network within which is provided a formal forum allowing collaboration between academics, senior policymakers, regulators, and industry figures. The other partners in the establishment of this network are the Cambridge Endowment for Research in Finance at the Judge Business School, Harvard Law School and Nottingham University Law School.

The network will operate by organising a series of workshops to shape and inform a research agenda, to develop contacts between academics, regulators and financial market participants, and to explore mechanisms whereby academic discourse can best contribute to the broader regulatory dialogue. The first international meeting of the network took place in St John’s College, Cambridge in September 2005. Another international meeting at Harvard Law School is planned for September 2006 followed by one in continental Europe in 2007. Additional national or regional seminars are also envisaged.

The first international meeting of the network, financially supported by the British Academy, Harvard Law School and Herbert Smith LLP Solicitors, involved a roundtable discussion organized around a series of topics, on which background papers and short position papers were circulated in advance. The topics were: differences and similarities in US and EU regulatory structures, transnational integration (multinational offerings and prospectuses; cross-listing; delisting), trading screens and clearing and settlement, auditing and accounting governance and regulation, credit rating agencies, supervisory co-operation (home and host country regulation; mutual recognition), and hedge funds. The participants included the heads of the Belgian, German and Swedish financial regulators, the head of the New Zealand securities regulator who is also currently heading the International Organization of Securities Commissions, senior representatives from the European Commission and the US Securities and Exchange Commission, other senior regulators, practitioners and leading European and US academics.

Discussions on that occasion have helped to sharpen a research agenda, which will be published in a forthcoming paper by Ellis Ferran (Cambridge), Howell Jackson (Harvard) and Niamh Moloney (Nottingham). Interim research findings will be presented at the Harvard meeting in 2006. Thereafter, it is planned to disseminate findings at the European gathering in 2007. A collected volume of original papers is envisaged. Other outcomes will include scholarly articles by network participants shaping scholarship and driving the regulatory agenda. These goals have already started to be achieved because revised versions of papers presented at the first meeting have since appeared on the Social Science Research Network as working papers or have been accepted for publication in leading journals.

Ellis Ferran

Inaugural Cambridge Legal History Colloquium

On 16 and 17 December 2005, the inaugural Cambridge Legal History Colloquium (CLHC) was held at King’s College, Cambridge. The CLHC was organised by two PhD students, Henry Mares and Jean Meiring, together with Isabella Alexander, a Fellow of Robinson College. The aim was to provide a forum to bring together legal historians at an early stage of their careers in order to share ideas, foster debate and form networks for the future.

The Colloquium covered a broad range of topics. Papers were delivered by Adolfo Guiiani, Ian Williams, Hank McMurdy, Jean Meiring, Matthew Dyson, Matthew McDermott from Cambridge, and also by Henrik Forshamm (Uppsala), Phil Handler (Leicester), Andrew Grimm (Australian National University), Adam Hofri-Winogradow (Oxford), Warren Swain (Birmingham), and Nicola Murphy (Oxford). A highlight of the Colloquium was the discussion on legal history topics and method which arose from a panel of distinguished Cambridge legal historians: Professor Sir John Baker, Professor Bill Cornish and Dr Neil Jones.

The CLHC was a resounding success and it is intended that it will be held annually. Anyone with an interest in legal history who would like to attend future events is encouraged to contact the organising committee through the Law Faculty.

The CLHC was made possible by the generosity of the Research Centre and Graduate Exhibition Fund of King’s College, Cambridge, and the Frederic William Maitland Memorial Fund.

Isabella Alexander

The Nature of Customary Law: Philosophical, Historical and Legal Perspectives

A colloquium on ‘The nature of customary law: philosophical, historical and legal perspectives’ was held at Newnham College and the Lauterpacht Centre for International Law in September 2005. A collection of papers from the colloquium will be published by Cambridge University Press.

Although customary law is widely accepted as a source of international and municipal law, there has been surprisingly little general analysis of both its nature and significance. The colloquium sought to contribute to the field by bringing together experts in philosophy, history and law. Participants from these diverse disciplines engaged animatedly and successfully with each other across a range of issues, such as the role of customary law in municipal and international law; the relationship between custom and convention; the kinds of custom which are enforced as law; and the future of custom as a source of law.

The project was organised jointly by Dr Amanda Perreau-Saussine of the Cambridge Faculty and Newnham College and Professor James Murphy of Dartmouth College (USA), with assistance from: PhD Student Ian Williams from Clare College, Cambridge; the Lauterpacht Centre; the Faculty of Law; the John Sloan Dickey Center for International Understanding; Dartmouth College; and the Cambridge Centre for Research in the Arts, Social Sciences, and Humanities (CRASSH).

Amanda Perreau-Saussine

CONFERENCES

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MOOTING

Cambridge hosts winners of the Central and Eastern European Moot Court Competition

The eleventh annual Central and Eastern European Moot Court competition was held in May 2005 in Bratislava, Slovakia. The competition brings together students from universities throughout central and eastern Europe in a fictional case concerning EU law before a simulated European Court of Justice (ECJ). It is organised by the British Law Centre at Warsaw University with backing from the University of Cambridge Faculty of Law and the ECJ. The judicial panel was, as always, led by Lord Slynn of Hadley and included legal practitioners, academics and referendaires from the ECJ.

The 2005 case concerned the legal status of two fictional drinks (Zippy Pop and Perkooup) vis-a-vis the EU’s (non-fictional) Food Supplements Directive 2002/46 and Medicinal Products Directive 2001/83. In addition to the issues of direct effect and enforceability of Directives against emanations of the State, more complex policy issues arose: whether early implementation of EU law gave rise to Member State liability and whether it amounted to a disguised restriction on the free movement of goods.

After a preliminary round of two moots in the Slovakian Supreme Court, the best eight teams faced a second round of mooting, tackling a series of questions on the role of the ECJ and national courts in the review of Community and domestic law.

The grand final, between the universities of Latvia and Warsaw, was held before a plenary judicial panel in the impressive setting of the Grand Aula of Comenius University. Both teams demonstrated excellent advocacy skills in the face of vigorous questioning by the panel, and before an attentive audience.

In a closely-contested final, the University of Latvia emerged victorious. The team, comprised of Ilze Dubava, Ieva Berzina, Marija Eksta and Natalja Mickevica, was awarded book prizes and a week-long trip to the University of Cambridge. In October 2005, the team was welcomed to Cambridge by Professor Bill Cornish and they were able to acquire a taste for aspects of academic and social life in Cambridge. During a visit to London, the team was treated to a tour of the House of Lords with Lord and Lady Slynn.

In addition to the overall winners, a book prize for the best written pleadings was awarded by Clifford Chance, the primary sponsors of the competition. Other prizes were awarded to individual students who demonstrated exceptional advocacy skills. The best speaker of the competition, Aneta Urban, of the University of Warsaw, was awarded a visit to the ECJ, hosted by the Advocate-General.

Bill Cornish

Cambridge represents Europe in International Space Law Moot Court Competition

A Cambridge team of LLM students Chris Owen, Daniel Bovensiepen and Alessandro Turati won the European round of the Manfred Lachs Space Moot Court Competition in April 2006 and participated in the World Finals in October.

The case involved issues of liability for damage caused to a space structure of one state by the satellite of another state, the legality of the use of pre-programmed laser weapons in outer space and recovery for damage to property on earth caused by falling space debris. Each team had to submit written memorials, setting out the case for both sides in detail, and then represent one side in an oral moot in front of a simulated International Court of Justice.

The World Finals of the competition were held at the 56th Astronautical Congress in Fukuoka, Japan. The Cambridge team, representing Europe, was sponsored by the European Space Agency. The other two finalists were George Washington University, the North American regional round winners, and the National University of Singapore (NUS), winners of the Asia/Pacific round. The winners of the International Final were George Washington University.

Daniel Bovensiepen, Chris Owen and Alessandro Turati

Mooting and negotiations in the midst of armed conflict: the Jean-Pictet Competition

In April 2005, three Cambridge LLM students (Kate Parlett, Michelle Pratley and Peter Nicholas) competed against 47 other law schools at the Jean-Pictet International Humanitarian Law Competition in Collonges La Rouge, France.

The competition involved a series of role-play exercises concerning various situations that could occur during an armed conflict. The Cambridge team had to interview captured heads of state, be part of a treaty negotiation on the banning of acoustic weapons, act as representatives of a communist parliament and, as members of the Red Cross, inform recalcitrant generals of their international law obligations. The scenarios were based on a fictional region full of ethnic tensions, dividing States, ideological struggles, humanitarian interventions and precious items of cultural property which always seemed to be in the wrong place at the wrong time.

Perhaps the most challenging task for the team was being handcuffed and held as prisoners of war, arguing for better conditions with their prison commander. Michelle was probably the only captured child soldier aware of recent UN Human Rights Committee jurisprudence on access to sunlight in African prisons.

The team competed well and was voted the best and fairest team by the other participants.

Peter Nicholas

Participants and judges in the international final of the Space Law Moot. Judges Koroma, Owada and Vereschetin; back row: Daniel Bovensiepen, Chris Owen and Alessandro Turati (Cambridge), Rakesh Kirpalani and Joan Lim (NUS), Kristie Blase and Olivia Hussey (GWU)
The Cambridge Forum for Legal and Political Philosophy (CFLPP) has entered its fifth year as a research forum within the Law Faculty. In addition to its reading/discussion group, its activities have expanded considerably. It now encompasses approximately eighty faculty members and research students from the faculties of Law, Philosophy, History, and Social and Political Sciences. Indeed, the members of the CFLPP from other faculties now outnumber those from the Law Faculty by more than two to one.

The CFLPP sponsored five public lectures this past year. In the autumn, Dr Matt Matravers of York University and Professor James Nickel of Arizona State University delivered lectures on justice and human rights respectively.

In the Lent Term, Dr Michael Otsuka of University College London and Professor Nicola Lacey of the LSE delivered lectures on the consequentialism / deontology debate and H.L.A. Hart respectively.

In the Easter Term, Professor Michael Boylan of Marymount University (Virginia) delivered a lecture on human dignity. Three public lectures, by Professor James Nickel, Professor Jeffrey Goldsworthy of Monash University and Professor Daniel Statman of the University of Haifa, have already taken place this academic year.

We have secured modest amounts of funding for the next few years from one British organisation and one American foundation. These funds will enable us to expand our lecture series and to organise some symposia. We will also be hosting a major international conference in July 2007.

Further information on the activities of the CFLPP can be found on our website: http://cflpp.law.cam.ac.uk/.

Matthew H. Kramer
Director

THE CENTRE FOR INTELLECTUAL PROPERTY AND INFORMATION LAW

The Centre for Intellectual Property and Information Law has flourished since its establishment on 1 October 2004. The Centre was strengthened significantly by the appointment of Dr Kathy Liddell, a specialist in bio-ethics, to a full-time Herchel Smith lectureship. Since January 2005, Anne Phillips has been at the Centre in the role of administrator. We were pleased also to appoint Dr Catherine Seville, a specialist in the history of copyright, to a Herchel Smith part-time lectureship.

Members of the Centre have been extremely active in research, publishing widely as well as giving talks worldwide, both at academic conferences and to the profession. Additionally, Dr Patricia Akester acted as consultant to UNESCO in relation to the proposed treaty on the protection of broadcasts.

Amongst the most important achievements for the Centre was the Arts and Humanities Research Council Resource Enhancement Award for a Project on copyright history. The Project, co-directed by Professor Lionel Bently and Professor Martin Kretschmer (Bournemouth University) will result in an electronic, publicly-accessible resource, comprising digitised versions of key documents from five jurisdictions (UK, US, France, Germany and Italy), along with translations and commentaries. Ronan Deazley, Friedeman Kawohl, Frederic Rideau and Joanna Kostyle have been appointed as National Research Associates to the Project.

In addition, a sizeable Wellcome grant was awarded to Chikosa Banda, who joined us in October 2005 to undertake a PhD on the implications of patents on medicines for health in Malawi (under the supervision of Dr Kathy Liddell and Professor Bently).

We have been host to a number of visitors. Professor Jane Ginsburg of Columbia University was visiting Goodhart Professor (2004-5) and made a significant contribution to the Centre’s development (see page 5). Other visiting researchers included Professor Gustavo Ghidini and Alan Sorrell QC (New Zealand bar). The students of the LLM course on International Intellectual Property Law were treated to guest visitors each Wednesday afternoon, including Silke von Lewinski, Shira Perlmutter, Victor Nabhani, Raquel Xabalader, Alain Strowel, Christian Wichard, Ansgar Ohly, Annette Kur, Tim Roberts, Tony Howard and Francis Gurry. Additional visiting speakers included Lord Justice Jacob, and – at an Emmanuel Intellectual Property Evening – Mandy Haberman, inventor of the 'Anywayup Cup'.

In July 2005, we held an interdisciplinary workshop on trade marks at Emmanuel College, to explore whether different disciplines (law, linguistics, cultural studies, sociology, philosophy, economics, history) have interesting things to say to one another about trade marks: the day proved such a success that there will be further discussion at a second workshop in May 2006.

In February 2006 we held a conference entitled ‘Privacy and Personality Rights in Comparative Perspective’. This was chaired by Lord Justice Jacob, and the speakers were Mr Gavin Phillipson (Kings College, London), Dr Pascal Kamina (University of Poitiers), Professor Ansgar Ohly (University of Bayreuth), Dr Huw Beverley-Smith (Field, Fisher Waterhouse), Professor David Vaver (Director of the Oxford Intellectual Property Research Centre at St Peter’s College), Professor Michael Madow (Law School at Brooklyn University), Mr Keith Schilling, (Senior Partner at Schillings) and Siobhain Butterworth (Legal Director at Guardian Newspapers). About 80 delegates attended, including barristers, solicitors, academics and representatives from the world of media.

The next event to be organised by the Centre will be the Herchel Smith Lecture, on 11 May 2006 at Emmanuel College. Professor Jane Ginsburg will speak on 'Une chose publique: history and rhetoric of the copyright public domain in France, Great Britain and the United States.'

It has been agreed that an annual ‘comparative perspectives’ conference will be held each year in February. Details of this and all the activities, events and publications of the Centre can be found on our website, http://cipil.law.cam.ac.uk/.

Lionel Bently
Director
The Centre for Public Law has continued over the past year to bring together researchers, practitioners and others – both within the University and outside Cambridge – with interests in the field.

Highlight of the year was the fifth Sir David Williams lecture. In a powerful and scholarly address, the Honourable Justice Ruth Bader Ginsburg, Justice of the United States Supreme Court, addressed disagreements between members of that court as to the relevance of foreign decisions on human rights matters for the interpretation of constitutional rights in the USA. While accepting that decisions cannot blindly be transplanted from one jurisdiction to another, she argued for the usefulness of comparative public law in helping US judges to find a variety of ways of conceptualising and approaching problems common to the various jurisdictions. She also deprecated the parochial response of opponents of comparative constitutionalism to judges (including Justice Anthony Kennedy and herself) who are prepared to look elsewhere for illumination.

On another occasion Lord Wilson of Dinton, Master of Emmanuel College, Cambridge, spoke on the role of the civil service in modern public life and the part of ministers. Lord Wilson gave a fascinating insight into this subject – based on his experiences in the civil service, including from 1998 to 2002, as Cabinet Secretary. He provoked a spirited discussion of the relative powers of ministers and civil servants and the merits of the proposal for a Civil Service Act.

The Public Law Discussion Group, under Professor Trevor Allan, met throughout the year and continued to provide a valuable forum for the exchange of ideas between faculty members, research students, and visiting scholars. Mark Walters (Queen’s University, Canada) addressed the group on the subject of written and unwritten constitutions. He also participated – along with (among others) Amanda Perreau-Saussine (Newnham College) and John Guy (Clare College) – on a panel on the work of Christopher St German. David Feldman (Downing College), drawing on his experience as legal counsel to the parliamentary Joint Committee on Human Rights, spoke to the title ‘A clash of cultures? Introducing human rights law to Parliament’. The Group was addressed by Dr Andrew McDonald of the Constitution Directorate of the Department for Constitutional Affairs, who spoke, against the background of what is now the Constitutional Reform Act 2005, on ‘The Process of Constitutional Change’.

In Michaelmas Term 2005 Professor Jeffrey Goldsworthy (Monash University) spoke about ‘The Myth of the Common Law Constitution’, arguing from both historical and theoretical perspectives against the notion of an overarching common law constitution which limits the authority of Parliament. Professor George Williams (University of New South Wales) shared his experience as Chair of the state of Victoria’s Human Rights Consultation Committee, which has been considering the possibility of a bill of rights for Victoria. Under the title ‘Transplanting the Human Rights Act to Australia?’ he spoke about the importance of consultation on proposals for major constitutional reform, and about the processes used in this regard in Victoria. Most recently, the Group heard a thought-provoking talk by Jake Rowbottom (King’s College) on the challenges posed by new digital media for traditional models of media freedom and regulation.

In September 2005, the Centre, together with the Lauterpacht Centre for International Law, hosted a conference on the act of state doctrine, examining the topic from a variety of perspectives. Dapo Akande, of Oxford University, and James Crawford, Chair of the Law Faculty, spoke on the history and development of act of state in public international law, while Amanda Perreau-Saussine considered the doctrine’s role at common law. Pippa Rogerson (Gonville & Caius College) examined act of state in private international law, and Nigel Fleming QC considered the implications of the Pinochet case. Later in the day, the Hon Mr Justice Lloyd Jones (sometime Law Fellow at Downing) spoke about the Occidental case, in which, shortly before his elevation to the Bench, he had appeared as counsel, and Philip Sales (11 King’s Bench Walk) addressed the act of state doctrine from a separation of powers perspective. Finally, David Feldman spoke to the title ‘International Action and State Responsibility’, and concluding thoughts were offered by Richard Clayton (39 Essex Street and Visiting Fellow to the Centre for Public Law). We were fortunate to attract participants of outstanding calibre, resulting in a series of insightful discussions about this difficult subject.

There have been a number of recent personnel changes in the Centre. David Feldman’s term as Acting Director has now ended. The Centre welcomes back Professor Christopher Forsyth, recently promoted to a personal chair, as Director, and also welcomes Amanda Perreau-Saussine and Jake Rowbottom as Assistant and Deputy Directors respectively. Rebecca Williams recently stood down as Deputy Director, in order to take up a Fellowship at Pembroke College, Oxford. Over the course of the last year, the Centre has been the subject of a constructive Faculty review under the chairmanship of Sir Bob Hepple, and has revised its constitution. Our patron, Clifford Chance, has renewed its financial support for the Centre for another three years.

In spring 2006 we will hold another in our series of occasional London evening seminars at the offices of Clifford Chance, addressing anti-terrorism issues in the wake of last July’s London bombings. In September the Centre, together with the Institute of Criminology and the Parole Board, will host a major conference in Cambridge on ‘The Role and Functions of the Parole Board: Perceptions of Fairness’, bringing together speakers from a wide variety of disciplines to explore the changing role of the Board across the range of its responsibilities. We are also pleased to announce that the sixth Sir David Williams Lecture will be delivered by Lord Bingham of Cornhill on 16 November 2006. Further details of all our events can be found on-line at http://ccpr.law.cam.ac.uk.

Mark Elliott
Assistant Director
THE CENTRE FOR CORPORATE AND COMMERCIAL LAW (3CL)

The Centre for Corporate and Commercial Law (3CL) has been actively organising events on a broad range of corporate and commercial issues.

In November 2004, Professor Ronald Gilson (Columbia/Stanford), a leading corporate law and corporate governance scholar, gave a seminar and lecture while here as a Herbert Smith visitor. Professor Gilson’s seminar paper was entitled ‘Understanding MACs: Moral Hazard in Acquisitions’; his lecture was on ‘Controlling Shareholders and Corporate Governance: Complicating the Taxonomy’.

Professor Guido Ferrarini (Genoa), a well-known expert on financial services regulation, have, for the first time, a psychologist at its helm. Following a criminologist (Sir Leon Radzinowicz), a penologist (Nigel Walker), a psychiatrist (Donald West), a sociologist (Sir Anthony Bottoms) and a lawyer (Michael Tonry), it is interesting for the Institute to have, for the first time, a psychologist at its helm.

Friedrich Lösel is the author or editor of 16 books and approximately 250 book chapters, books, and journal articles. In recognition of his work, he has received the Lifetime Award of the European Association of Psychology and Law (EAPL); vice-chair of the advisory board of the Max-Planck Institute on Penal Law; a member of the German Federal Government’s Commission on Violence; a board member of the Netherlands’ Institute for the Study of Crime and Law Enforcement; and dean at the faculty at Erlangen-Nuremberg University. Current commitments include being president of the Criminological Society of the German-speaking Countries; chair of the scientific advisory board of the Criminological Research Centre of Lower Saxony; a member of the Programme Accreditation Panels of Correctional Services in both England and Wales and in Canada; a member of the executive committee of the German Society of Psychology and a member of the steering committee of the Campbell Collaboration on Crime and Justice.

Throughout his career, Friedrich has served in many professional offices. He has been president of the European Association of Psychology and Law (EAPL); vice-chair of the advisory board of the Max-Planck Institute on Penal Law; a member of the German Federal Government’s Commission on Violence; a board member of the Netherlands’ Institute for the Study of Crime and Law Enforcement; and dean at the faculty at Erlangen-Nuremberg University. Current commitments include being president of the Criminological Society of the German-speaking Countries; chair of the scientific advisory board of the Criminological Research Centre of Lower Saxony; a member of the Programme Accreditation Panels of Correctional Services in both England and Wales and in Canada; a member of the executive committee of the German Society of Psychology and a member of the steering committee of the Campbell Collaboration on Crime and Justice.

Professor Guido Ferrarini’s seminar paper was entitled ‘Understanding MACs: Moral Hazard in Acquisitions’; his lecture was on ‘Controlling Shareholders and Corporate Governance: Complicating the Taxonomy’.

Professor Friedrich Lösel became the new Director of the Institute from 1 October 2005. He is the sixth to have held this office since the Institute’s foundation in 1960.

German-born psychologist Friedrich Lösel arrived in Cambridge with an impressive track record of scholarly achievements and managerial experience. From 1987 to 2005 he held the offices of Director of the Institute of Psychology and Professor of Psychology at the University of Erlangen-Nuremberg, Germany, where, since 2000, he also directed the Social Sciences Research Centre. His affiliation with Erlangen-Nuremberg stretches back to 1971 when he first joined as a research fellow and as an assistant professor. He remains a Professor of Psychology there. Over the years, he has also held academic posts at the Universities of Bamberg and Bielefeld and worked at the German Research Council’s Advanced Research Centres –7 ‘Prevention and Intervention in Childhood and Adolescence’ and ‘Socialisation and Communication.’

Following a criminologist (Sir Leon Radzinowicz), a penologist (Nigel Walker), a psychiatrist (Donald West), a sociologist (Sir Anthony Bottoms) and a lawyer (Michael Tonry), it is interesting for the Institute to have, for the first time, a psychologist at its helm.

Friedrich Lösel’s interests are wide ranging – criminology, clinical psychology, psychology and law, assessment, social psychology, and programme evaluation. He has worked on juvenile delinquency, prisons and their alternatives, offender treatment, football hooliganism, school bullying, personality disorders, resilience, close relationships, and risk assessment for child abuse. Since 1999, he has been conducting a combined prospective longitudinal and experimental study of 700 children and their families to investigate factors that either fuel or prevent the development of antisocial behaviour. He thus adds to the Institute’s tradition of longitudinal studies, begun by Donald West and David Farrington with the Cambridge Study in Delinquent Development, and developed more recently by Per-Olof Wikström’s ESRC Network on Social Contexts of Pathways in Crime. Friedrich’s other current projects are a study of the social integration of migrant families; a survey of practical services for seriously violent children (part of an international initiative); and a meta-evaluation of child and family-oriented prevention programmes.

Teaching is of enormous importance to Friedrich. He has taught more than 200 university courses and supervised numerous diploma, MA and PhD students. He is in high demand as a speaker at conferences and guest lectures and is veteran of over 350 lectures and keynote addresses in Europe and beyond.

### A NEW DIRECTOR FOR THE INSTITUTE OF CRIMINOLOGY

Professor Friedrich Lösel, Director of the Institute of Criminology

Through his career, Friedrich has served in many professional offices. He has been president of the European Association of Psychology and Law (EAPL); vice-chair of the advisory board of the Max-Planck Institute on Penal Law; a member of the German Federal Government’s Commission on Violence; a board member of the Netherlands’ Institute for the Study of Crime and Law Enforcement; and dean at the faculty at Erlangen-Nuremberg University. Current commitments include being president of the Criminological Society of the German-speaking Countries; chair of the scientific advisory board of the Criminological Research Centre of Lower Saxony; a member of the Programme Accreditation Panels of Correctional Services in both England and Wales and in Canada; a member of the executive committee of the German Society of Psychology and a member of the steering committee of the Campbell Collaboration on Crime and Justice.

Friedrich Lösel is the author or editor of 16 books and approximately 250 book chapters, books, and journal articles. In recognition of his work, he has received the Lifetime Award of the European Association of Psychology and Law, an honorary doctorate of science from Glasgow Caledonian University; and the American Society of Criminology’s prestigious Sellin-Glueck Award. He has also been elected as a fellow of the Academy of Experimental Criminology.

Friedrich was a visiting fellow at the Institute during the first part of 2001. Little could he have imagined as he worked from cramped quarters in the eaves of 7 West Road, that he would return four years later to direct the Institute from its impressive new building, back then no more than a few sketches on the drawing board.

Sara Harrop
The work of the Lauterpacht Centre – the foremost Centre for International Law in the UK – includes weekly seminars on topics of contemporary interest in international law, usually addressed by invited experts in the field from around the world. These seminars are supplemented by conferences and roundtable meetings organised on an ad hoc basis on subjects of interest to both academics and practitioners. Other lectures include the annual Hersh Lauterpacht Memorial Lectures given over a period of three days by an eminent scholar or practitioner in the field. This year these were given by Judge Jean-Pierre Cot of France, a Judge on the International Tribunal on the Law of the Sea, on the topic ‘American Legal Thinking on International Law: A French Perspective’.

As well as its programme of academic activity and its editorial and publications work, the Centre is home to up to 15 Visiting Fellows from around the world at any time. These Fellows range from junior academics, at the beginning of their careers, to eminent and established academics and practitioners who come to Cambridge on sabbatical to complete specific research projects. The opportunity for regular interaction between these Visiting Fellows, the Cambridge-based Fellows of the Centre, and the graduate Masters and Doctoral students of the Law Faculty, is one of the particular features of the Centre.

Notwithstanding the wide range of its activities, the main focus of the Centre remains the graduate students of the Law Faculty, who are invited and encouraged to participate in all of its activities. The unique quality of the Centre is that it combines rigorous academic debate on the pressing topics of international law of the day with an appreciation of international law as an applied subject, the latter dimension being a feature of the many practitioners of international law associated with the Centre, both amongst its permanent fellowship and its visitors.

In 2005, the European Constitutional Treaty attracted much political and media attention. Alan Dashwood led a collaborative venture between CELS and the Centre for European Reform to examine aspects of the EU Constitution. A first, very popular seminar was hosted by Linklaters in February 2005. A second seminar, responding to events, was organised in May at the Irish Embassy on the day between the French and Dutch referenda. This was an exciting event with a high turnout from specialist EU journalists as well as diplomats. Speakers included Alan Dashwood, Sylvie Goulard, Giuliano Amato and Tim Garton-Ash.

An interdisciplinary conference on ‘The Enlarged European Union and its Institutions: “Looking out and looking in” under the new Constitutional framework’ was held in Cambridge on 8 July 2005. The event was organised by Angus Johnston, in collaboration with Dr Julie Smith from the Jean Monnet Centre of Excellence, Centre for International Studies, Cambridge. Themes discussed included the problems surrounding ratification, the future of the Constitutional Treaty and the Convention Method, Europe’s external relations, and other human rights and citizenship issues. Despite the difficulties created by the terrorist attacks in London on the preceding day, the event was well-attended.

The Mackenzie Stuart Lecture for 2005 was given on 17 November by Senator Professor Giuliano Amato, who set out a vision for greater collaboration in Europe. With characteristic humour and drama, he gave an impassioned plea for a distinctive form of European Union which would make it neither a federation, nor a confederation of states, but an effective vehicle for Europe to meet the challenges of increasing globalisation.

CELS’ Lunchtime Seminars continue to provide a useful forum for presenting work in progress. The subjects in 2005 included the European Evidence Warrant (John Spencer), comparative contract law (Hugh Collins), the freezing of terrorist assets (Judge Nicholas Forwood), EU competition law (Imelda Maher and Bartolomej Kurcz), EU company law (Paul Davies) and public services (Josh Holmes and Nina Boeger). The revised papers and the Mackenzie-Stuart Lecture are published in the Cambridge Yearbook of European Legal Studies. Volume Seven (2004-5) is now available.

Thanks to the three grants from Baker & McKenzie and with support from the European Parliament, Rebecca Williams, Sophie Turenne, and Catherine Bedford accompanied graduate and undergraduate students on the visit to the European Institutions in March 2005. The group was able to visit the Commission, the Parliament, the Committee of the Regions and the Court of Justice in Luxembourg. The students had the chance to observe some of the institutions in action and to discuss issues with the leading practitioners in the field.

Lauterpacht Centre at Cranmer Road

Further information about the Centre, including its seminar programme and its publications, is available from its website at http://cil.law.cam.ac.uk.

Daniel Bethlehem
Director

CELS’ AHRC-funded project on European Legal Development began in January 2005 with a meeting for 20 collaborators from seven countries. The project, run by David Ibbetson and John Bell, is funded for three years and will examine the factors that shape the development of national laws. The project proposes to take the topic of fault as a general case study, and to identify within fault liability a number of specific case studies that will illuminate the topic. These include traffic accidents, relations between neighbours, products liability, medical negligence and technological change. A work in progress meeting for some 50 participants was held in Cambridge in September 2005. Part of the project has involved developing a website to enable working papers to be posted and discussed online by participants. Further details can be found on the website: http://eld.law.cam.ac.uk.

CELS is pleased to announce that it has received sponsorship from Shearman and Sterling. In keeping with its international profile, Shearman and Sterling will be sponsoring a number of activities run by CELS and within the Faculty. Apart from the Mackenzie-Stuart Lecture and the Lunchtime Seminars, the firm will be running a negotiation competition for second year students in February 2006.

Further information can be found on our website: http://cels.law.cam.ac.uk.

John Bell and Claire Kilpatrick
Co-Directors
Academic institutions in the UK have shown little interest in tax law and the number of serious academics teaching and researching in this area barely reaches double figures. The Centre for Tax Law, with its focus on excellence in teaching, research and tax history, stands out and has attracted support from tax practitioners in the UK and elsewhere, tax administrators, policy makers and other academic institutions.

The Centre has hosted seminars on topics including taxation of corporate groups in light of the case law of the European Court of Justice and inheritance tax and estate planning in the Benelux countries and Germany. Tony Molloy QC argued strongly for more effective application of criminal law to tax planning. He proposed higher ethical standards for tax practitioners and provided new insights into legal professional privilege in his native New Zealand. Dr Bill Crow from Monash University exposed issues in relation to debt and equity in connection with the use of hybrid instruments and entities in tax planning.

More recently, Donald Korb (Chief Counsel to the Internal Revenue Service in the USA) unpacked the ‘substance over form’ doctrine accepted for nearly 70 years in the US courts but unsupported by legislation, linking it to a letter of St Paul! His discussion of the approach of successive US governments to the vexed issue of tax shelters illustrated just how influential their strategies had been with other nations.

The work of the Centre on tax history has also attracted interest. Papers on the development of special taxes in wartime, the taxation of real property in the UK and tax planning for remuneration have offered insight into how governments use taxes and the lessons that can be learned from their approaches.

Information about the Centre can be found on the Centre’s website: http://ctl.law.cam.ac.uk/.

Dave Hartnett
HM Revenue and Customs

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**CENTRE FOR TAX LAW**

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**CAMBRIDGE JOINS INTERNATIONAL GROUP OF LAW INFORMATION OFFICERS**

Early in 2005, Cambridge became a partner in a special interest group for Law School Chief Information Officers (CIOs). Cambridge was invited to participate in order to expand international involvement in the organisation, which was initially comprised of the leading 15 US law schools.

The organisation provides for the sharing of ideas and advice between those responsible for the management and development of information technology in law schools. Andrew Gerrard, the Faculty Computing Officer, and Daniel Bates, the Freshfields Legal IT Teaching and Development Officer, represent Cambridge in the organisation. In October 2005, Andrew and Daniel attended the annual conference of the Group at the University of Virginia.

The conference provided a valuable insight into the operation of US law schools, and allowed for detailed debate on a number of the major information technology issues facing the Faculty. It was interesting that similar challenges were experienced across many of the institutions, and the conference provided an opportunity for discussion of approaches to these challenges. The major contrast, of course, between the US law schools and the Cambridge Faculty is the level of available funding. In spite of limited resources, Cambridge manages to hold its own in this international context.

It was noted by the organisation that Cambridge excelled in legal research training and website accessibility. It is anticipated that the 2007 conference will be hosted by Cambridge.

Daniel Bates and Andrew Gerrard

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**IN MEMORY OF TREVOR BROWN**

Trevor Brown died on 2 January 2006, aged 68. Collectively, we remember him with gratitude; as individuals, we cherish his memory with warmth and affection too.

After graduating in English and Law at Selwyn, and then serving articles in Leeds, in January 1965 Trevor joined the firm that later became Clifford Chance, as part of the team that opened their first Paris office. He spent the rest of his working life there, except for four years’ secondment to their New York office in the 1980s. From 1990 until 1999 he was managing partner of the Paris office: where his former colleagues remember him as a chief who was kindly, approachable, as well as dynamic and efficient.

Whether based in London, New York or Paris, successful city solicitors are busy people. So it is truly remarkable that Trevor Brown found time for so much else in his life. One particular interest of his was music. A cellist in CUMS as a student, he continued to play regularly for the rest of his life. And he also devoted much time and effort to the cause of law in Cambridge; particularly in the context of its relationship with universities in France.

From when it was founded, he took a particular interest in our Double Maîtrise programme with Paris II. It was thanks, in part, to his support that Clifford Chance agreed to fund a post in the Faculty for a full time lecturer, focussing on the Double Maîtrise and the Faculty’s Erasmus exchange program. It was Trevor’s wish that the post should be called the Clifford Chance Neil Allam lectureship. Neil Allam – another Selwyn man – was a colleague of his in the Paris office who, to Trevor’s great sorrow, died suddenly and unexpectedly in his 40s.

Trevor’s interest in the Double Maîtrise programme was part of his interest in Cambridge, as well as his concern to foster good relations and mutual understanding between the legal worlds of France and Britain. He was heavily involved with the Paris branch of the Cambridge Society, of which he became the president; among the current list of officers now appear the names of several former students from the Double Maîtrise. Through his own efforts, and by mobilising support of others, he helped many other Franco-British legal projects. These included the creation of a link between the Oxford Law Faculty and the University of Paris I, and the website run by the Institute of Global Law at UCL, on which are published the most important decisions of the French courts, with annotations, in English. In recognition of his efforts, the French government awarded him the Ordre National de Mérite.

In the spring of 2001, shortly after his retirement, Trevor spent a month in Cambridge as a visitor to the Faculty – a time his Cambridge friends recall with pleasure. Our heartfelt sympathy goes out to his widow, his three daughters and his son.

John Spencer
AN ACADEMIC AS JUDGE

As a judge of the Constitutional Court of Bosnia and Herzegovina since 2002, I have been reflecting on the special skills, if any, academics can bring to the task of judging, and what we may gain from it. It is easy to see how an academic benefits. First, it makes us appreciate just how demanding is the discipline of deciding cases. Especially in higher courts, no decision is easy. Most could go either way, and decisions are public and open to academic, judicial and media criticism. Secondly, judging brings home the connection between legal decisions and their social outcomes. Any decision will inevitably cause real hardship to real people, and, particularly in constitutional cases, may directly affect respect for the rule of law and the stability of the state. Thirdly, it improves one’s feel for constitutional and legal standards. Deciding hard cases highlights the flexibility of standards, and shows the practical significance of debates about the extent of a judge’s constitutional authority. We see constitutional and legal systems from a new perspective, see how state institutions work with and against one another. Being brought up against the concrete effects of applying different theories prompts us to reconsider what makes a theory acceptable. This reshapes one’s approach to teaching and research.

It is more difficult to say what distinctive qualities academics bring to judging, but from my observations of the Constitutional Court and of many courts of different jurisdictions, I believe that academic judges can bring three particular benefits, especially to a multi-judge court. First, academics tend to be good at holding in their minds the wider constitutional and legal picture when deciding apparently narrow, technical issues. It is often (though by no means always) academic judges who point to a decision’s potential impact on other areas of law. Secondly, when cases appear to present a choice between doing justice and applying the law, practitioner judges in my multi-judge court often look to the academics to provide a theoretical framework in which they can decide which option looks less unattractive constitutionally, and to sketch the outlines of a judgment which picks its way between the thickets of thorns. Thirdly, academics (or those who are likely to become judges) seem to develop a capacity for mediating disagreements between colleagues, constructing consensus, and recognising when disagreements are irreducible. This can be useful during long and difficult deliberations about hard cases.

My own experience suggests that we academic judges approach the law in a broadly similar way to practitioner judges, or at any rate that individual academics are as different from each other in our approaches as we are collectively different from practitioner judges; but in a small way we have something to offer to the judicial role - as well as a great deal to gain from it.

David Feldman

From 1 April 2006, David takes over as Chair of the Faculty.

CONGRATULATIONS TO...

Mr Neil Andrews, who was promoted to a Readership in the 2005 Senior Academic Promotions Exercise.

Mr John Armour, who was promoted to a Senior Lectureship in the 2005 Senior Academic Promotions Exercise.

Sir Derek Bowett, who was presented with the White Dual Cross by the President of Slovakia.

Professor Brian Cheffins, who was appointed a Fellow of the European Corporate Governance Institute. Brian was also the joint winner of the De Brauw Blackstone Westbroek Prize for a paper on ‘Dividends and Politics’ (ECGI Law Working Paper no 24/2004) co-authored with Steven Bank of UCLA and Marc Goergen of Sheffield.

Professor Simon Deakin, who was made a Fellow of the British Academy.

Professor Elis Ferran, who was promoted to a Professorship in the 2005 Senior Academic Promotions Exercise.

Professor Christopher Forsyth, who was promoted to a Professorship in the 2005 Senior Academic Promotions Exercise.

Dr Loraine Gelthorpe, who was promoted to a Readership in the 2005 Senior Academic Promotions Exercise.

Dr Claire Kilpatrick, who was promoted to a Senior Lectureship in the 2005 Senior Academic Promotions Exercise.

Dr Roger O’Keefe, who won the Journal of International Criminal Justice, Giorgio La Pira Prize for 2004.

Mrs Janet O’Sullivan, who was promoted to a Senior Lectureship in the 2005 Senior Academic Promotions Exercise. Janet was also awarded the University’s prestigious Pilkington Teaching Prize.

Mrs Nicky Padfield, who was promoted to a Senior Lectureship in the 2005 Senior Academic Promotions Exercise.

Dr Catherine Seville, who was awarded the Seaton Award by the Copyright Society of America for her article: ‘Peter Pan’s Rights: to Die will be an Awfully Big Adventure’.

Ms Eleanor Sharpton, who was appointed Advocate General to the European Court of Justice in January 2006.

Sir Derek Bowett, Emeritus Whewell Professor of International Law, receiving the White Dual Cross. From left: Samuel Wordsworth (Barrister, Essex Court Chambers), Judge Peter Tomka (International Court of Justice), Professor James Crawford and Sir Derek Bowett.
ARRIVALS.....

The Faculty welcomes the following appointments & transformations:

Dr Isabella Alexander (Robinson College) has taken up a position as a College Teaching Officer at Robinson College. She was previously a PhD student in the Faculty and specialises in intellectual property.

Dr Mandeep Dhami has been appointed to a Lectureship at the Institute of Criminology. She has previously held positions at the Max Planck Institute for Human Development in Germany, the University of Maryland in the USA and the University of Victoria in Canada.

Dr Markus Gehring (Robinson College) has been appointed to a Lectureship in International Studies in conjunction with a Law Fellowship at Robinson College. He was previously a tutor in Public International Law at University College, Oxford.

Dr Andrew Johnston (Jesus College) has taken up a position as a College Teaching Officer at Jesus College. He was a lecturer in law at the University of Sheffield, and previously was a solicitor with Herbert Smith, worked for the Treasury Solicitor and taught English law at the British Centre at the University of Warsaw.

Dr Christoph Kletzer has been appointed to a Faculty Lectureship during the period of Professor Kramer’s Leverhulme Trust Major Research Fellowship. He was previously a lecture in Jurisprudence and European Law at the University of Durham.

Dr Kathy Liddell (Downing College) has been appointed to a University Lectureship in Law. She was previously the Cambridge Genome Knowledge Park Lecturer in the Faculty.

Professor Friedrich Lösel has been appointed to the Directorship of the Institute of Criminology. He has previously held the offices of Director of the Institute of Psychology and Professor of Psychology at the University of Erlangen-Nuremberg.

Mr Jonathan Morgan (Christ’s College) has been appointed to a Lectureship in the Department of Land Economy. He was previously a College Teaching Officer at Christ’s College and is completing a doctorate on freedom of contract.

Dr Katrin Mueller-Johnson has been appointed to a Lectureship in the Institute of Criminology. She was previously based at Cornell University where she obtained her PhD in Developmental Psychology.

Ms Penelope Nevill (Downing College) has taken up a position as a College Teaching Officer at Downing College. She was, most recently, a Research Fellow at the Lauterpacht Centre for International Law.

Dr Amanda Perreau-Saussine (Newnham College) has been appointed to a University Lectureship in Law. She was previously a College Teaching Officer at Newnham College. She teaches public law, public international law and jurisprudence.

Professor Cheryl Saunders (Jesus College) joins us from Melbourne University this year as the Arthur Goodhart Visiting Professor of Legal Science. She is also currently the President of the International Association of Constitutional Law and President of the International Association of Centres for Federal Studies. She is teaching on the LLM Comparative Public Law course.

Dr Jens Scherpe (Trinity College) has taken up a position as a College Teaching Officer at Trinity College. He was previously a research fellow at the Max Planck Institute for Foreign Private and Private International Law, and has interests in property, family and comparative law.

…. 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 Jane Ginsburg (Emmanuel College) returned to her professorship at Columbia Law School after her year with us as Arthur Goodhart Professor of Legal Science.

Mr Chris Hare (Jesus College) was appointed to a Lectureship at the University of Auckland.

Ms Jo Miles (Trinity College) has taken leave of absence from her College Teaching Officer post in order to take a position at the Law Commission working with Stuart Bridge on the Cohabitation project.

Dr Nicole Moreham (Gonville and Caius College) was appointed to a lectureship at the Victoria University of Wellington.

Ms Joanne Scott (Clare College) was appointed to a Professorship at University College London.

Dr Rebecca Williams (Robinson College) was appointed to a CUF Lectureship at Pembroke College, Oxford.
MAJOR PUBLICATIONS BY FACULTY MEMBERS

Philip Allott, Towards the International Rule of Law: Essays in Integrated Constitutional Theory, Cameron May, 2005

Philip Allott, Invisible Power: A Philosophical Adventure Story, Xlibris, 2005

John Bell, Interpretare leggi nel tempo, Lecco: Pensa Editore, 2004 (Costituzionalismi difficili; 3)


Andrew Bainham (ed), The International survey of family law, 2005, Bristol: Family Law, 2005


Andrew Bainham (with Clem Henricson), The Child and Family Policy Divide, Joseph Rowntreat Foundation, 2005

Anthony Bottoms, Sue Rex and Gwen Robinson (eds), Alternatives to prison: options for an insecure society, Cullompton: Willan, 2004

Elizabeth Burney, Making people behave: anti-social behaviour, politics and policy, Cullompton: Willan, 2005

Seán Butler, A Guide to UK and EU plant variety rights, Rutland: Transpose Technology Limited, 2005

Malcolm Clarke, Policies and perceptions of insurance law in the twenty first century, Oxford: Oxford University Press, 2005

Lionel Bently and David Vaver, Intellectual Property in the New Millenium, (Festschrift for W R Cornish) Cambridge: Cambridge University Press, 2004


James Crawford, Rights in one country: Hong Kong and China. Hong Kong: Faculty of Law, University of Hong Kong, 2005 (Hochelaga Lectures)


Martin Dixon, Modern land law, London: Cavendish Publishing Ltd, 2005


David Farrington and António Cast FONSECA (ed), Comportamento anti-social e crime: da infância à idade adulta, Coimbra: Almedina, 2004


David Farrington, Trevor Bennett and Katy Holloway, The Effectiveness of criminal justice and treatment programmes in reducing drug-related crime: a systematic review, London: Home Office, 2005 (Home Office Online Report; 26/05)

David Farrington and Kate Painter, Gender differences in offending: implications for risk-focused prevention, London: Home Office, 2004 (Home Office Online Report; 09/04)

David Farrington (ed), Integrated developmental and life-course theories of offending, Somerset, HJ; London: Transaction, Eurosapan, 2005

David Farrington, Amanda Perry-Kessaris and Cynthia McDougall (eds), Reducing crime: the effectiveness of criminal justice intervention, Chicester: John Wiley, 2005


Kevin Gray and Susan Gray, Land law, Oxford: Oxford University Press, 2005

Bob Hepple, Evance Kalula and Neville Rubin (eds), Code of international labour law: law, practice and jurisprudence, Cambridge: Cambridge University Press, 2005

Bob Hepple, Rights at work: global, European and British perspectives, London: Sweet & Maxwell, 2005 (The Hamlyn Lectures)


Alison Liebling and Maruna Shadd (eds), The Effects of imprisonment, Cullompton: Willan, 2005 (Cambridge criminal justice series)


Guglielmo Verdirame and Barbara Harrell-Bond with Zachary Lomo and Hannah Garry, Rights in Exile: Janus Faced Humanitarianism, Berghahn Books, 2005

Andrew Simister and Andrew von Hirsch (eds), Incivilities: regulating offensive behaviour, Oxford: Hart Publishing, 2005


Andrew von Hirsch, Fairness, verbrechen und strafe: strafrechtstheoretische abhandlungen, Berlin: BWV, 2005

Andrew von Hirsch and Andrew Ashworth, Proportionate sentencing: exploring the principles, Oxford: Oxford University Press, 2005