

OXFORD LAW

2021
No 24



 Housing
after
Grenfell



Summer Programme in Law piloted
Ahmed Jeyte, our Stephen Lawrence Scholar
Flat owners and the building safety crisis
Lavanya Rajamani and why climate talks matter
Peter Birks Prize Winners



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Ahmed Jeyte

Housing After Grenfell blog logo

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Peter Birks Prize Winners – Joanna Bell and Andreas Televantos

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Dean's Letter



I have now been on the job for a year and it has certainly been a baptism of fire. The pandemic and its consequences has stretched personnel at the Law Faculty to the utmost: academics having to learn the mechanics of teaching online and transform their teaching into a suitable online format; administrative staff having to support ever changing requirements for online teaching and social distancing rules; and librarians having to scramble to provide online resources on an industrial scale. The difficulties were scaled up by unforeseen and significant over recruitment, especially of one-year taught graduate students.

And, the students (we love our students) have had the most difficult year, learning online and often in isolation from others, so that they cannot check understanding, commiserate, or just be young together. This has been so hard for them. In particular, the one-year taught graduates. I can assure you that we have done our level best to deliver the teaching that Oxford is proud of. We have taken emergency measures: extra teaching sessions; ten benches, and tables outside the Library; regular Dean's hour, Dean's emails and walks with the Dean; coffee hours; picnics; book vouchers and so on. We hope you will come and visit in a more normal year.

This edition of Law News brings you significant developments within the faculty, such as:

- undergraduate admissions reform,
- the new Summer Programme,
- the inaugural Dean's Scholar's Fund appeal, and
- retirements and new recruits.

We also bring you some student news, such as:

- the Oxford Women* in Law Student Society Moot, and
- our Stephen Lawrence Scholar.

Finally, we hope you enjoy a small sample of the research and impact of Faculty academics. We hope to hear more of your stories in future editions!

Mindy Chen-Wishart

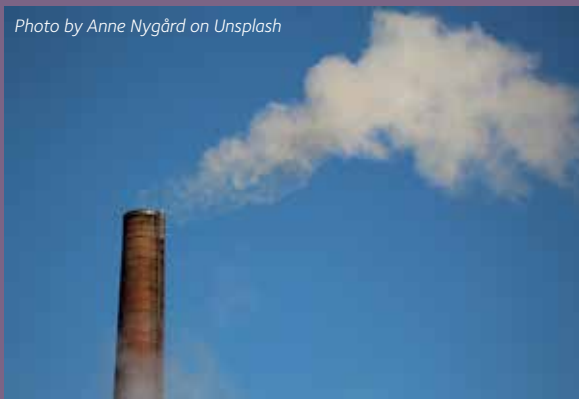
Creating opportunities with the Dean's Scholars Fund

This year, Oxford Law launched the Dean's Scholars Fund, in order to provide financial support and opportunities to those graduate students who have so much to offer, but who would otherwise not be able to take up their places due to financial barriers. Thanks to the support of the Oxford Law alumni community, we are delighted to announce that we will be able to offer two bursaries to graduate students for the new academic year.



Sanja Bogojević to lead legal investigations in government-backed research to help UK reach Net-Zero

Photo by Anne Nygård on Unsplash



Recently the University announced that an Oxford-led Hub received £30 million from the UK Government to coordinate and lead research to help the UK reach Net-Zero.

Sanja Bogojević, Fellow and Associate Professor of Law at Lady Margaret Hall and the Faculty of Law, is one of just two lawyers in the project and will lead the legal strand of investigations together with Dr Navraj Singh Ghaleigh, Senior Lecturer in Climate Change Law at the University of Edinburgh.

Encompassing a dozen universities and with funding for nearly five years, this is the UK Government's largest-ever research programme to understand and scale up greenhouse gas removal (GGR) techniques. The programme consists of five GGR demonstration projects around the country and a Directorate Hub. The work, led by Professor Cameron Hepburn, Director of the Smith School of Enterprise and the Environment, began in June this year.

Inaugural Equality and Diversity Essay Competition



CASSANDRA SOMERS-JOCE

This summer Oxford Law held its first-ever Hogan Lovells Equality and Diversity Essay Competition for undergraduate

students, including those who were finalists in the 2020-2021 academic year.

The panel, composed of Baroness Hale of Richmond DBE, Christopher Hare, and Kristin van Zwieten, was impressed by the standard of the competition. Participants were asked to develop an argument for equality and diversity-related law reform and submissions covered a broad range of topics.

The winner of the competition was Cassandra Somers-Joce, an Oxford Law finalist (2020-21). Cassandra's essay on protests and sentencing reform entitled *Standing in the Way of Control* can be read on our website.

The runner-up was Christina Kartali, with an essay entitled *Moving beyond the Equality Act: a call for trans* affirming structural change and gender expansive education in schools*.

The panel were impressed with the quality and breadth of entries. The Faculty is grateful to Hogan Lovells for kindly sponsoring the prize and making this competition a reality.

NEW: Harcourt Chambers Oxford Family Law Moot



This year Harcourt Chambers has agreed to generously support a Family Law Moot in Oxford. In addition to financial support to fund the administration of the new Harcourt Chambers Oxford Family Law Moot the Chambers will offer a mini-pupillage to the moot winners

and its members will act as judges. The Faculty greatly appreciates Harcourt's willingness to highlight Family Law in this way, creating new opportunities for students to engage with the subject.

Lady Edwina Grosvenor donates three years of funding for the 'Death Penalty Research Unit'



Lady Edwina Grosvenor has donated three years of funding for the 'Death Penalty Research Unit' (DPRU), at the Centre for Criminology. Her donation of £90K will fund a new part-time research administrator

who will work with Professor Carolyn Hoyle on the planning and successful completion of research on the death penalty worldwide and on collaborations with academics, charities and civil society aimed at knowledge production, exchange and dissemination.

The Death Penalty Research Unit will continue Oxford Criminology's close partnership with The Death Penalty Project and other partner organisations to develop empirical, theoretical and policy-relevant research on the death penalty worldwide; to encourage death penalty scholarship including at graduate level, through education, events, research dissemination and an active blog; and to engage in knowledge production, exchange and dissemination in cooperation with civil society, charities, legal practitioners and local academics in those countries where research is ongoing. This exciting new research unit is made possible by this generous donation from Lady Edwina Grosvenor.

Oxford Human Rights Hub contributes to independent review of the Human Rights Act



The Oxford Human Rights Hub has made a submission to the Independent Review of the Human Rights Act. In the submission, they argue that the Human Rights Act 1998 (HRA) strikes the appropriate balance between the legislature, executive and judiciary. The HRA harnesses

and capitalises on the strength of each institution to work together to protect individual rights under the European Convention on Human Rights (ECHR), to which the government has reaffirmed its commitment. They conclude that the HRA brings rights home and in doing so created the necessary institutional space for crafting a uniquely UK approach to the protection of human rights. The architecture of the Act creates a careful and well-thought-out institutional balance between the courts and Parliament, all the while protecting the primary role of Parliament in the development of human rights. The constitutional dialogue that is fostered by the distribution of tasks is a core strength of the HRA and should be maintained. You can view the full report on the Oxford Human Rights Hub website.

The Roger Hood Fund

Last November, the Faculty sadly lost the long-term director of the Centre for Criminology, Professor Roger Hood. Until his death, he remained active in his research as a leading authority on death penalty research, and continued to advise, inspire and influence colleagues, students, lawyers and the judiciary.

In the intellectual depth of his work on the death penalty and his engagement with policy makers and practitioners around the world, Roger was an inspiration and model. Yet the impact of his life resonates most fully through the people and the community he helped to nurture here in Oxford. He was a devoted mentor to generations of students and early career researchers and his care and affection for all who worked and studied here runs through everything we do.

The Centre for Criminology wanted to recognise his impressive academic legacy, and also his deep-seated integrity and humanity so they have established a fund in his name.



Gifts to the Roger Hood Fund will be used for supporting students in Criminology through recognition of academic achievement and honouring Roger's academic legacy through support for teaching and research on the death penalty. The Fund will ensure that students working on the death penalty have the opportunities to make their own contribution to the field and to continue Roger's fight for reform and abolition of the death penalty through collaboration with policymakers around the world.

Two new options courses to be offered on the BCL/MJur programme

In September 2021 two new courses were added to the BCL/MJur options list. Philosophy, Law, and Politics will be led by Professor Ruth Chang, Chair and Professor of Jurisprudence. The second, International Human Rights Law, will be delivered by the Bonavero Institute of Human Rights with Professors Kate O'Regan, Martin Scheinin and Associate Professor Shreya Atrey leading it.

Philosophy, Law, and Politics is an interdisciplinary course that draws on some of the best work from all three named disciplines and brings their analyses to bear on important foundational and practical problems. It is intended as a course ideally for those with some philosophy background and with interests in pursuing careers in academic law and philosophy. Some foundational questions that may be explored include but are not limited to: What are reasons and where do they come from? What is it to be rational and to make rational choices? What are hard choices and how should we understand value conflict in general? What are normative powers? Is there a feminist jurisprudence? How is consent important to understanding freedom and legal justification? What are the limits of democracy? Some applied questions that may be explored include but are not limited to: How should a judge or legislator decide among incommensurable values? How should a government regulate, if at all, speech and pornography? How should we understand consent in the context of sexual crimes? Topics covered from year to year may vary. Over the course of the year, students will be exposed to high level work within each of the disciplines of philosophy, law and politics. The aim of the course is to equip students with the ability to subject complex issues to rigorous theoretical scrutiny from a variety of perspectives.

Associated with the course is the Philosophy, Law, & Politics Colloquium, which features distinguished visiting speakers from around the world who present a work-in-progress. A seminar for students enrolled in the course will be held in advance of each colloquium session to discuss the colloquium paper.



Photo by Soundtrap on Unsplash

International Human Rights Law critically examines both the substance and structure of the field of international human rights law. The main idea is to address the international law of human rights as a semi-autonomous (if not self-contained) regime within the legal order known as public international law. The course will thus facilitate intellectual engagement with 'the field' of international human rights law, resisting the typical approaches of it being characterised as either overly descriptive or normatively inert, and will blend conceptual and practical approaches to systematise the study of the field as a whole. It will be a generalist course which may be of broad interest for students interested in the intersection of public international law and human rights.

You can find the full list of BCL/MJur options on our website.



Summer Programme in Law piloted in 2021

In July 2021, the Faculty piloted a summer programme for students around the world who wanted to experience some of the best legal teaching and research available at a top UK university. The Oxford Introduction to Law in the UK: Thinking Deeply about Law course ran online over two weeks, with over 60 contact hours of teaching. It was open to anyone at University level or above, with most participants being at University or who had graduated and were partway through careers. The course leveraged lectures from leading members of the Faculty, combined with extensive seminar and tutorial teaching from some of our brightest graduate students. It combined core modules across the foundations of the legal system, like contract law, property law and Human Rights, with shorter sessions on everything from tax and sentencing to Parliamentary Sovereignty and what the shift to

online court adjudication has meant. We also had social sessions, an advocacy workshop and moot, as well as a careers session (with particular thanks to Emily Hampshire, Calum Mulderrig and Isaac Low, our recent graduates who gave such interesting insights). For the Faculty, the programme provided a chance to reach out beyond our students, support graduate students with teaching experience for their careers, and generate some money for priorities like student hardship funds, access work or provision of educational materials. Participants on the course stretched from North America to Australia, with a large group from Chinese universities. The feedback was very positive: every respondent would recommend the course, with 65% saying they were very likely to recommend it and it was very good value for money; similarly it met the expectations of all students, and for 60% it exceeded their expectations. One academic who taught on the course has already written an article drawn from the work done to create his module on the course. The hope is that the course will continue in the future, and the Faculty can continue to set new standards for serious intellectual collaboration between academics, graduate students and participants from around the globe.

Undergraduate Admissions Reform



Photo by Stuart Cox

Over the past three years, the Law Faculty's Admissions Co-Ordinator has led a review of the Faculty's Admissions systems. The Faculty engaged consultants to produce a detailed qualitative and quantitative analysis of our processes, and also worked with the Brilliant Club to explore ways

to improve access. Faculty members were also surveyed on their views about reform via interviews, surveys

and faculty meetings. These inputs were combined with analyses undertaken by the University's central admissions office to produce a series of proposed reforms, which were debated at length within the Faculty. The final outcome of the review has been a shift towards a more co-ordinated approach to admissions. From 2021, candidates will first be considered college-blind by a central shortlisting committee comprising representatives from the colleges. Colleges will then have a choice of which applicants on the shortlist they will interview, with those not selected being reallocated for interview elsewhere. The other key change is that all colleges will now undertake second interviews of candidates on the last day of admissions, giving many more candidates not selected by their first college a chance to be considered for a place elsewhere. These changes will see the Faculty working together in a much more co-ordinated way.

OSCOLA Professional Mentorship Programme launches

Photo by Pete Linforth on Pixabay



The Oxford Society for Commercial Law (OSCOLA) is currently seeking practising lawyers (both solicitors and barristers) to be mentors in the inaugural OSCOLA Professional Mentorship Programme. The Programme aims to empower aspiring lawyers at the University of Oxford and help them understand the realities of a career in commercial law.

Navigating the legal industry is a complicated process on its own. Unfortunately, with the scourge of COVID-19, it has only become more of a challenge to learn about the realities of a career in commercial law and develop relationships with members of the legal community. This programme was created by OSCOLA to bridge the gap between aspiring commercial lawyers and legal practitioners, addressing the needs of those who may be uncertain of their career path or how to achieve their goals.

The programme hopes to provide passionate students with access to insights and mentorship from working professionals in the field which can help them make informed career and higher education decisions. In doing so, they aim to build strong connections between legal professionals and students at Oxford, with the hope of developing professional relationships that both mentors and mentees can benefit from.

The programme is open to legal practitioners at any stage of their career and across all jurisdictions. Mentors need not be alumni of the University of Oxford. It is slated to run from January to April 2022. If you are interested in being a mentor in the inaugural OSCOLA Professional Mentorship Programme, please email info@oscola.org

Oxford Women* in Law Student Society 4 New Square Human Rights Moot 2021



The Oxford Women* in Law Student Society (OWLSS) was founded in 2019, to coincide with the 100 year anniversary of women in the UK entering the legal profession. The objective of the society is to promote gender equality and diversity in the legal sector.

In partnership with 4 New Square Chambers OWLSS hosted the inaugural 'OWLSS 4 New Square Human Rights Moot' in March 2021. The moot was open to students of all years and abilities with the aim of encouraging novices and less confident mooters to participate.

16 students prepared written submissions, before appearing in front of barrister Jonathan Worboys of 4 New Square. Participants competed in teams of two, with a total of four court hearings held.

In each of the four court hearings, the judge selected a star mooter based on advocacy, research and delivery. The four mooters selected included Taherah Rahman (BA Jurisprudence, Corpus Christi), Gill Berlad (BA Jurisprudence, Somerville), Caroline Green (BA Jurisprudence, St Anne's) and Rhea Chopra (BA Jurisprudence, Lady Margaret Hall).



This pandemic has been tough on school students, especially those from disadvantaged backgrounds. Both the University and the Law Faculty have been thinking creatively about how we adapt and expand our access and outreach initiatives

to try to compensate for the massive disruption caused by Covid-19.

The University expanded its flagship bridging programme, Opportunity Oxford, which is designed to give law students a flying start to their law degrees. The Law Faculty also introduced a new free online course – Oxford Law Springboard – for students that Colleges felt might benefit from some additional pre-degree training. These initiatives enable more incoming students to access online law exercises which introduce them to key legal subjects, legal sources, and to start developing the essential skills they'll need to successfully complete their degrees. As a result of these combined initiatives, 84 UK students, approximately half of our incoming cohort of UK students, are undertaking law specific training courses before their arrival in Oxford in October 2021.

Our regular access programmes designed to inspire high school students to study law – UNIQ, ExpLaw, and Pathways to Law – were forced to move online, but all crises present opportunities too. We are experimenting with using technology to scale up and down our access work to reach more students, and conduct more focused online workshops for state schools in disadvantaged communities. We are piloting virtual school visits to demystify the Oxford Law



Admissions process, borrowing shamelessly from the title of a brilliant initiative of our colleague, Tarun Khaitan, to improve diversity of academic hiring at the Oxford Law Faculty. The virtual visits will include interview demonstrations and interview and LNAT (The Law National Aptitude Test) workshops.

We hope to move back to in person access work soon, but we also plan to go on using the best parts of virtual meeting technology to expand and deepen our access work.

As for the proof of the pudding, the University's latest admissions statistics report revealed Law has performed strongly on diversity over the last 3 years. 75% of our UK students were from state schools, behind only Maths and Computer Science, and 22% of our UK students were from the two poorest population quintiles, second only to History & Politics. We also had strong performances on BME intake and intake from areas with historically low progression to higher education. The Law Faculty is also working hard to improve access to its graduate courses, with a number of needs based bursaries and scholarships open to students from backgrounds that are under-represented at Oxford.

There is, however, plenty of room for improvement and it is possible to go backwards on diversity if we do not keep renewing our commitment to ensuring that background is no barrier to entry for students with the greatest potential. Unfortunately, there is no cruise control option for improving diversity.

Thank you to everyone in the faculty, our student helpers, and our incredible sponsors and volunteers for all the time, effort and resources they have put into access & outreach this last year, at a time when it is more important than ever.

Andrew Higgins
Access & Outreach Co-ordinator





Bonaverio
Institute
of Human
Rights



British Academy grants awarded to projects in the Centre for Criminology and the Bonaverio Institute for Human Rights



Leah Trueblood and Francesca Esposito have each been awarded £10,000 by the British Academy to further develop their research projects.

Leah is a post doctoral fellow at the Bonaverio Institute and Worcester College. The grant will be used to fund an international conference in Oxford for her project “Following the Science: A Legal and Democratic Challenge” which examines whether, in a democracy and in situations such as a pandemic, the voice of science should prevail.

In a democracy, it is usually said that scientists should be ‘on tap but not on top.’ This project asks if that is always true, and considers the challenges for democracy if it is not. It asks if during certain kinds of crises – pandemics, climate change, natural disasters – the usual rules and roles in democracy do not apply. It then tries to identify what, if anything, might make these types of scientific questions special. The nature of scientific questions

matters because the division of labour in democracies between ministers, advisors, and judges, is meant to reflect the types of questions these actors can and should answer. Following the science during scientific crises is laudable, but it also creates legal and democratic challenges. This project aims to analyse those challenges, and to identify some consequences for democracy and law if scientists must sometimes be on top.

Francesca is a Newton International Fellow at the Centre for Criminology. Her project “The Gender of Margins: Shedding Light on Detained Women’s Experiences” examines the gendered experiences of women who are subject to immigration controls in the UK and Italy and has been developed in collaboration with Professor Mary Bosworth.

This project fills a knowledge gap in our understanding of the experiences of detained migrant women by focussing on time-served foreign national women prisoners who are held under immigration powers, either in prison or in immigration removal centres. Although this group is overrepresented among those in detention, no study so far has focused upon it. While many people in the UK and Italy were released during the Covid-19 pandemic, former offenders continued to be detained. This project, which will draw on participant observation and interviews with detained women and their advocates, will disseminate its findings both via academic publications and through the creation of a short animated film and a 90-second video, to inform scholarly and public understanding.

The £10,000 grant will be used for covering fieldwork in immigration detention centres and prisons in the UK and Italy, for organising a workshop and for the production of an animated film in collaboration with UK (Yarl’s Wood Befrienders) and Italian NGOs (BeFree, Antigone).

Oxford study led by Dr Kira Allmann calls for greater government support for public libraries to help bridge digital divide



Oxfordshire Libraries are facing significant challenges to meet the digital needs of their users, according to a new report from the 2020

Oxfordshire Inclusion Project. The report's authors are calling for libraries to receive more resources from central government to plug the gap.

The study examines the role of 'digital helper volunteers' in Oxfordshire Libraries before the pandemic and finds that volunteers are struggling to deal with the volume of requests for help with internet-related queries.

In their report, 'Libraries on the front lines of the digital divide: The Oxfordshire Digital Inclusion project report', Dr Kira Allmann, Dr Grant Blank and Ms Annique Wong examined the role of libraries in peoples' day to day lives and the type of support that people need from volunteer digital helpers. The researchers observed members of the public using free public computers and interviewed library staff and volunteers.

Lead author Kira Allmann (Centre for Socio-Legal Studies) said, "As a result of the government's digitisation drive, people on the margins of society increasingly need to access their basic rights and perform basic life tasks online, but they are also the least likely to be online or to be digitally literate. Libraries across the UK have seen demand for digital help go through the roof and they're struggling to service the digital needs of the public".

The report finds that the majority of users pre-pandemic had an immediate digital need such as applying for a benefit or a new job, that triggers the visit to the library, rather than a desire to become more computer

literate. Pre-pandemic, 80 digital helpers provided digital assistance across the county's libraries, with many serving the central County Library. Digital helpers offered pre-booked sessions of 30 minutes each.

Kira continues, "We hope our report will provide policymakers and government officials holding the purse strings with useful insights into the role of libraries in this 'digital by default' world we now live in and offer them practical suggestions about how to improve digital help for the public as we try to close the digital divide".

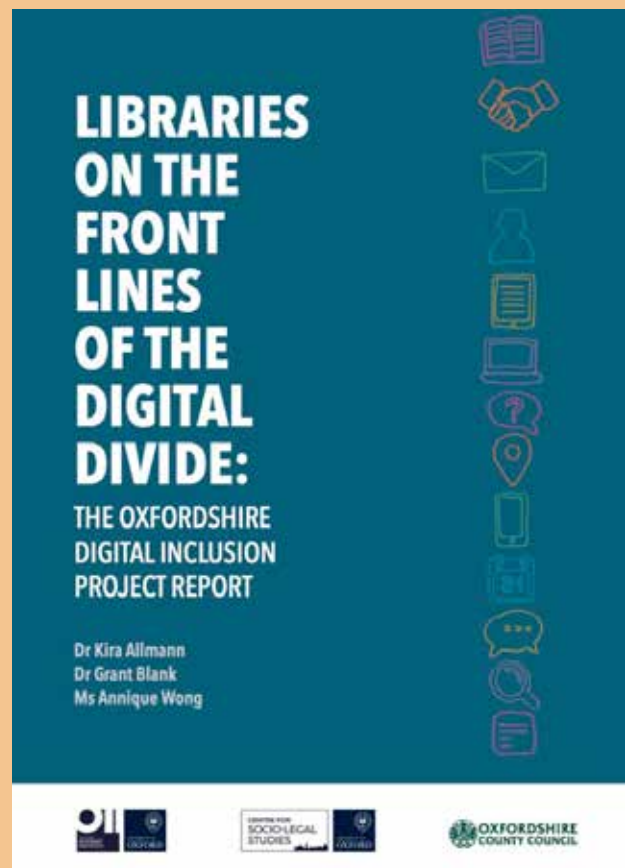


Photo by Markus Spiske on Unsplash



Researchers find climate change imperils countries' ability to repay pandemic debts

As the International Monetary Fund (IMF) and the Board of Governors of the World Bank Group convene their spring meetings, a paper in *Nature* by researchers at the Oxford Sustainable Law Programme finds that most governments have paid scant attention to the effect that climate change could have on their ability to repay debts built up over the pandemic.

They estimate that \$783 billion has been borrowed from the private sector through sovereign bonds that mature 30, 50 or 100 years from now. However, 77% of countries have not disclosed the risks they face due to climate change in this same time period, in a world projected to face growing climate impacts. This lack of disclosure could lead to a severe debt crisis. Over the 30 to 50-year period covered by much of the COVID-19 lending, changes in global average temperatures alone could cause GDP to drop by tens of percentage points in some countries.

Thom Wetzer, Associate Professor of Law and Finance and Director of the Oxford Sustainable Law Programme, said: 'The COVID, climate, and credit crises compound in ways that could create a financial catastrophe during the peak of the climate crisis. This study is a call to action. Countries should transparently disclose climate risks, use the COVID-19 recovery to build climate resilience, and support the most vulnerable borrower countries. It is imperative that we do not leave this burden to future generations – by that time it will be too late.'

'Countries may struggle to pay back their rapidly rising debt because of the impact of climate risks on their

economy. A failure to appreciate, disclose, and manage these risks today could cause serious problems in the future. Unlike companies, countries cannot simply cease to exist when bankrupt – their citizens will bear the cost of debt burdens for generations.'

The authors say: 'The gaps we found suggest that governments do not understand the economic impacts of climate risks or are unwilling to report them. Both explanations are troubling... Without rigorous climate disclosures, investors and governments are flying blind.' The research cites the example of Saudi Arabia's bonds, which will mature in 2060. At this point, lower productivity and higher mortality due to a more extreme climate could cause a 60% drop in GDP.

Estimates like this are likely to be conservative, the authors warn, because they do not account for extreme weather events. When Hurricane Maria hit Dominica in 2017, it caused damage worth an estimated 220% of GDP.

Severe climate shocks, or even the anticipation of them, could cause government defaults (where governments are unable to repay their debt) and a credit crisis. This could lead in turn to higher borrowing costs for vulnerable governments, exclusion from commercial debt markets and the withdrawal of investors, just when the country needs more external capital to respond to the climate crisis.

The authors offer solutions to this oncoming debt crisis in their paper 'National COVID debts: climate change imperils countries' ability to repay' in *Nature*.

AI for English Law project granted unprecedented access to British and Irish Legal Information Institute dataset



Researchers at the University of Oxford can now use artificial intelligence (AI) to explore judicial cases across England and Wales, thanks to an historic agreement with the British and Irish Legal Information Institute (BAILII).

BAILII has granted the AI for English Law research team bulk access to their entire dataset of judicial decisions for research purposes. With more than 400,000 searchable cases, BAILII holds the largest, most comprehensive and most popular freely available dataset of case law in England and Wales. The dataset—which has been diligently curated and updated for more than 20 years for the benefit of the general public and the legal profession—is often the first port of call for charities and the advice sector, law students and scholars, as well as judges, barristers, and solicitors.

Although publicly available, the bulk download of data necessary for natural language processing analysis (a form of artificial intelligence) has been prohibited under the terms of the standard user agreement – until now. This will be the first time BAILII have granted such access to any organisation. The partnership between Oxford University and BAILII promises to unlock new research insights into English case law and also to develop novel research techniques which will improve access to legal information in England and Wales. The negotiations with BAILII took over a year and encompassed a review by stakeholders at the Ministry of Justice and the Judiciary.

Professor John Armour from Oxford's AI for English Law team said:

“The Oxford-BAILII data agreement has the potential to revolutionise lawtech in the UK. For the first time academic researchers will be able to explore

the application of artificial intelligence to the analysis of a very large body of case law from England and Wales. While research has been done with decisions from a range of other jurisdictions around the world, bulk access to data has so far been a stumbling block for work with decisions here. We hope that, in addition to facilitating important academic progress in the application of AI to common law decision-making, our agreement with BAILII will also serve as a model for future such arrangements.”

Sir Ross Cranston, Chair of the BAILII Trustees, said:

“BAILII is delighted to collaborate with the highly regarded research team at Oxford University in their important work on the AI for English Law project. Their findings will guide BAILII in developing a policy on data sharing for large-scale data analysis which aligns with emerging policy at HMCTS and the Ministry of Justice.”

The agreement creates a partnership under which necessary legal and ethical safeguards regarding access to court data can be used to inform the development of BAILII's policy for access by other organisations in the future. These findings were recently published in a project report on Building a Justice Data Infrastructure.



Photo by Markus Spiske from Pexels

Ariel Ezrachi

In this short interview Ariel Ezrachi, Slaughter and May Professor of Competition Law, tells us about his recent book published in March 2020 – *Competition Overdose: How Free Market Mythology Transformed Us from Citizen Kings to Market Servants* (Harper Collins)

Tell us about your book.

Can competition be toxic? And if so, who's pushing this toxic competition? Those aren't questions one hears in my field or generally. So, in our recent book, *Competition Overdose*, which HarperCollins published in 2020, Maurice Stucke and I look at these issues. Once we identified the factors of when competition can turn toxic, it was surprising how much toxic competition surrounds us and affects our lives – from the quality of meat in our burgers, the price we pay for hotels, or online manipulations. In the book, we show when and why policymakers rely on competition as the elixir for many problems, even when this harms society.

What prompted you to consider this problem?

Maurice and I taught, and spent our careers, promoting competition law and competition. If you look at many of today's economies, a clear consensus emerges – an almost religious belief in competition as the key to our prosperity: if a business behaviour or law is pro-competitive, it's inherently good; if anti-competitive, it's presumptively bad. As a result, whatever illness our society suffers, competition is often held up as a cure. Our policymakers use a 'magic formula' – increase choice and competitive pressure and limit government

intervention and expect market forces to sort it all out.

And yet, despite the promise of competition and prosperity, something isn't right. Many of us are simply exhausted from competing. And we fear how our children will fare in a world in which competitive culture often results in a rat race.

Give us examples of toxic competition.

One interesting area is competition between education institutions. We looked at how rankings in the US, led several very prestigious universities to commit highly unethical practices. The competition is so toxic, that we even got Maurice's dog to be recruited to apply to the top-ranked universities in the United States (full details in the book).

We also explore the effect of competition on quality. In principle, when markets work well, more competitive pressure will lead to higher quality and lower prices. And yet, intense competition can result in real degradation of quality.

Why is this research important?

We highlight a potential blind spot for many policymakers. Our key message is that the competitive process is a great tool, often beneficial for society, but it doesn't always work and can backfire.

How was the book received?

Early on, while writing the book, the feedback from the competition authorities and policy makers was very positive and helpful. The book was among Inc. magazine's "New Business Books You Need to Read in 2020" and Publishers Weekly's Top 10 Business & Economics books.



Flat Owners and the Building Safety Crisis



In 2017 I was studying the refurbishment of five tower blocks in Oxford. My focus was particularly on the environmental upgrades (insulation, cladding, new double-glazing) and on how much more complicated it is to renovate a council

owned block of flats with mixed tenure (with both council tenants and flat owners), rather than single tenure. In England, flats are owned under long leases, with a different regulatory regime than applies to the short-term rental tenants. And for the council this makes refurbishment significantly more challenging. The simple message to policy makers, seeking to promote a greener built environment through retrofit is that property law complicates matters, and you need to work with it, not ignore it.

In June 2017 came the disastrous fire at Grenfell Tower. This exposed the fact that combustible materials have, shockingly, been covering the outside of many high-rise buildings built or refurbished in the last two decades or so. In Oxford, 3 of the tower blocks that had brand new cladding on had to have this cladding replaced. It soon became apparent to me, both from this research, but also my work as (then) a fee-paid Tribunal judge, that the problem would escalate. Wearing a research hat (not a judicial one) I observed the first Tribunal case, known as 'Citiscap', to look at the issue of whether leaseholders would have to pay for the interim measures to keep the building safe whilst remediation is being explored, and also the cost of replacement cladding. The answer was yes, at least on the wording of that lease, but this is also the more general picture.

Since then the problem with blocks of flats has escalated dramatically. Thousands of other buildings suffer from a range of fire safety problems, including the use of combustible materials on the external walls and balconies, and also defective construction, such as missing fire stop barriers, and wooden balconies. This is a national scandal. It's been estimated that up to 11 million people have been caught up in the cladding scandal. The costs of remediation are eye-watering. Individual flat

owners are being sent bills of five figure sums, many considerably in excess of £50,000. And, although the government has committed the sum of £5 billion to 'solving' the problem, last year's select committee report estimated that repairs would cost a minimum of £15 billion, and industry experts are now warning that it could be much more, some suggesting £50 billion. On top of remediation costs, leaseholders also have to fork out for 'interim measures' such as fire alarms and 'waking watch' patrols, and insurance costs are rising, reportedly going up for some blocks by more than 1000%. Finally, the human cost of all of this is horrific: mental health worries, financial fears, life decisions are on-hold, bankruptcy, and forfeiture around the corner.

Housing after Grenfell

In 2018, the Oxford Law Faculty set up the Housing after Grenfell blog, designed to host posts about legal and housing issues relating to the crisis. This was the point at which I resigned as a judge, feeling compelled to be able to speak out at the injustices stemming from a failed construction and building regulation system that forces the consequences on those without fault, the leaseholders. Much of my own work in this area is also on the blog, together with conversations on Twitter @suejbright, conference papers, published papers, and lectures that expose the failures of law to provide justice.

My own focus has been upon how property law, and private law more generally, has left leaseholders disempowered, and unable to compel action. Generally, leaseholders cannot compel the freeholder to fix the building. The government's rhetoric that 'building owners should do the right thing and not pass costs onto leaseholders' has achieved little by way of remediation and is undermined by lease wording through which costs of remediation can, in any event, be passed onto leaseholders. The recently published Building Safety Bill does nothing to help with this. There is a clause that says that before charging leaseholders the freeholder must pursue warranties and any third party claims. But these are difficult. Most buildings are too old for warranties to be applicable (and in any event, there are often lots of escape clauses that means warranty providers fail to pay



up, as discussed in a couple of blog posts that I wrote with Professor Jim Davey). Likewise, most potential contract or tort claims are also too late because of the usual 6 year limitation period, as discussed in several blog posts. There is also a problem with tort claims due to the inability to claim for economic loss following the *Murphy v Brentwood* decision, which really needs changing. The Building Safety Bill may help with the timing issues as it proposes extending limitation under the Defective Premises Act 1972 to 15 years, and bringing into force section 38 of the Building Act 1984 (which creates a statutory action for failure to comply with building regulations), also with a 15 year limitation period. But it is early days in the legislative process, and these things take time whereas the crisis is with us now. All lawyers know that litigation is not the answer to a problem on such a vast scale affecting complex buildings, and complex property relationships.

Nor can public law provide an easy answer to the problems. Both the Fire Service and Local authorities have powers to bring enforcement action where buildings fail to meet required safety standards, as discussed in several blog posts. I've also published a paper with Douglas Maxwell examining whether human rights law offers an effective avenue for redress. This illustrates the UK government's failure to implement an effective regulatory system for the building and refurbishment of high-rise buildings and it's worth considering whether this constitutes an ongoing violation of various rights under the European Convention on Human Rights. Our argument, written now more than 2 years ago, was that the government's response does not go far enough to discharge the state's positive obligation to preserve life. Nothing has changed.

Other legal problems are also becoming evident. The Oxford Tower Block case study also shows how freeholders can be prevented from making fire safety improvements by the 'zone of autonomy' conferred

on leaseholders by the property concept of exclusive possession, as shown in my blog post looking at *Piechnik v Oxford CC* (2020, High Court). Leasehold law thus makes it difficult to retrofit fire safety measures such as sprinklers, as apparent in the First Tier's Tribunal consideration of the application by LB of Wandsworth to retrofit sprinklers in all high-rise blocks (also a blog post). Local authorities, in particular, are troubled by the inability to enter leaseholder's flats to undertake fire safety works. The Building Safety Bill may help with this, but the details are yet to be fleshed out.

It is clear that property law as currently structured fails to provide an effective means to address the problems that are emerging post-Grenfell. This reflects broader problems with our current system of residential leasehold. The list of bad landlord practice, landlord self-interest, and taking advantage of leaseholders is long, as shown in recent action by the Competition and Markets Authority, and in the programme of work done by the Law Commission which notes obstructive landlord behaviour and landlords only too willing to exploit 'traps for the unwary'. My recent Blundell lecture (with Paul Letman QC, 14 June 2021) argues that it is time for a paradigm shift in how we think about landlords and 'ownership'. Instead of being self-regarding, they should be 'other-regarding', and the move towards this can be achieved by recognizing that they bear fiduciary duties in relation to some of their functions, and should be seen as stewards, with a duty to use their powers loyally.

This building safety crisis is far from over. The recent, terrible, collapse of the apartment block in Miami raises similar issues. Developed nations with increasing use of high-rise buildings in urban centres need to address the problems raised. The Housing after Grenfell blog is open to contributions from others, internationally or domestically, from academics or others. Get in touch if you have a post that you'd like to write – susan.bright@law.ox.ac.uk

By Susan Bright, Professor of Land Law

Spotlight on the Oxford Human Rights Hub and its Director, Sandy Fredman



Sandra Fredman (FBA, QC Hon) is Professor of the Laws of the British Commonwealth and the USA and director of the Oxford Human Rights Hub.

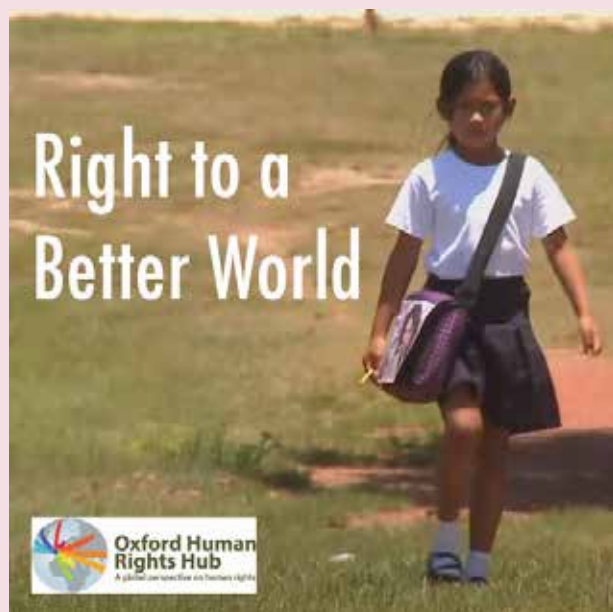
Sandy's research has always focussed on the ways in which the law addresses imbalances in social power, particularly in the fields of equality, human rights and labour law. Her work on equality began with her book *Women and the Law* (OUP, 1997) which develops a critical framework for understanding the meaning of equality and the limits of the law in achieving equality for women. She has continued to develop an analytic framework on the right to equality in many peer-reviewed papers, as well as her book on *Discrimination Law* for the Clarendon Series (2nd ed, 2011, OUP). Discrimination law has been cited in court decisions and translated into a number of languages including Chinese. Particularly important in the development of the analytic framework on the right to equality was a report she was commissioned to write for the



Equal Opportunities Commission in 2002. In this report, she developed a four dimensional analytic framework on equality, based on wide-ranging discussions with stakeholders, practitioners and academics. Rather than attempt to reduce the right to equality to a single concept, such as equality of opportunity or results, this framework sees the aim of the right to equality as simultaneously redressing disadvantage, addressing stigma, stereotyping and violence; facilitating voice and participation; and valuing difference through achieving structural change. This framework has been increasingly influential. It was incorporated in a modified form into the Equality Act 2010; and used to develop the conception of inclusive equality by the UN Committee on the Rights of People with Disabilities. It has been cited by the Supreme Court of India, and used to define equality in the Abidjan Principles on the Right to Education.

A second key theme has been democracy and justiciable human rights, which she has developed particularly in relation to human rights which give rise to positive duties on States, such as to provide health, education or housing. Developed in her books *Human Rights Transformed* (OUP, 2008) and *Comparative Human Rights Law* (OUP, 2018) as well as several chapters and peer reviewed papers, this approach aims to use human rights to strengthen, rather than detract from democracy. Central to this has been her principle of 'bounded deliberative democracy' according to which courts should not attempt to substitute their decisions for that of governments. Instead courts should require governments to justify their interpretation of human rights and their implementation of positive duties by reference to the values within the human rights instrument rather than the power of different interests. This understanding of bounded deliberative democracy was used by the Indian Supreme Court in 2021 in a series of crucial cases on the provision of oxygen and free vaccines during the Covid pandemic.

The Oxford Human Rights Hub



The guiding principle of the Oxford Human Rights Hub (OxHRH) is that by sharing knowledge and best practice of human rights, we can advance human rights everywhere. Through our lively and interactive website, we bring together human rights practitioners, researchers and policy-makers to share cutting-edge new human rights law developments from across the globe. The OxHRHub is a collaborative space. Our blogs, published daily, are written by contributors from numerous different countries, and edited to a high standard by our student editors. Blogs are less than 700 words and written in straightforward language, ensuring that each post is intellectually engaging and accessible to legal and non-legal audiences. It is also a democratic space: our authors range from senior academics, lawyers and UN Special Rapporteurs, to young researchers, NGOs, and students.

But we are not limited to written analyses. Our podcasts showcase interviews with leading human rights lawyers on key issues, whether it is Black Lives Matter, the impact of Covid on human rights, or the death penalty in India. Our podcasts are very popular, attracting tens of thousands of listens.

Added to this, we are committed to dissolving the walls of the classroom in Oxford and reaching beyond, creating video interactions through themed conversations between human rights practitioners facing the same challenges in different locations. Most recently, we partnered with the World Health Organization to create a video series on sexual health and reproductive rights, which is promoted worldwide by the WHO. Our stunning follow-up series brings together experts from countries as far afield as Mexico, Brazil, South Africa, India, Poland, the UK, the US, Kenya, Ghana and the Philippines

to share best practice of using human rights to achieve the SDG goals on reproductive justice.

Central to our commitment to providing high quality legal materials is our academic journal. Unlike other journals, which are behind pay-walls and inaccessible to all but the best resourced universities, the University of Oxford Human Rights Hub Journal (U OxHRH J) features peer reviewed articles free online.

And we contribute actively through submissions to legislatures and UN bodies, many of which have been cited and relied on.

The result is an organic development of comparative human rights law. Our new website, launched this month, has multiple pathways into our rich archive. If you're interested in free speech, education, health, equality, or any other right, you will easily find a host of contributions from everywhere in the world. Or you can follow the interactive map on our website, which takes you to all of our materials from any of the countries we cover.

We are a global presence. Our students leave Oxford but do not leave the Hub. They keep writing for us and disseminating our work. Our materials have impact: our blogs and submissions are cited in courts and reports. Our small team, under the leadership of Professor Sandra Fredman in the law faculty, works on a very small budget and a great deal of energy and imagination. We hope you will visit our website (ohrh.law.ox.ac.uk) and join our community.





Matt Palmer on Unsplash

Bad COP, Good COP? Professor Lavanya Rajamani and why climate talks matter



Photo by John Cairns

Since before most of the world's current leaders were leaders and before climate change had forced its way up the diplomatic agenda, Professor Lavanya Rajamani was actively participating in international environmental conferences. Although still decades younger than many heads of state, Oxford's professor of International Environmental Law is a veteran of Kyoto, Paris and COP: a negotiator, a drafter, a legal adviser.

She was tipped as an 'influential' woman to watch before the ground-breaking 2015 Paris Climate Conference –

and has been at the negotiating table since the 2000s, when she was a doctoral student representing a host of small island nations. But, although she arrived at the party much earlier than most, the 40-something Professor can hardly wait for this year's COP26 in Glasgow. Her enthusiasm for environmental issues is undimmed, since her teenage days picketing KFC in Bangalore – not on grounds of taste but because of concerns over animal welfare.

Six years ago, the Paris conference was a breakthrough point for environmentalists, with world leaders accepting that warming needed to be kept below 2°. This has coalesced around 1.5°, so far so good. But it was left up to individual nations, says Professor Rajamani, to come up with emissions reductions (and net zero) pledges. And words are all very well. Action is needed.

Many have yet to make this translation – while the world waits in anticipation. But, she warns, even if they all come good, it will still not be enough to limit temperature increase to acceptable levels.

So, although no new international treaty is planned for Glasgow, COP26 is not going to be a quiet affair. It offers a chance for the world's leaders to be held to account

for their many and various environmental promises. Are they delivering what they pledged? Is that even close to what is necessary anyway? And this year, Professor Rajamani says, will be an opportunity for more equity to be injected into the race for net zero – so developing nations, which may not have fully electrified, will not be held to the same standards as post-industrial nations.

On top of her academic work, as a tutor at St Peter's College and a professor with Oxford's law faculty, Professor Rajamani is a prolific author (on international environmental law) and consulted by governments and lawyers around the world – most recently about a climate case in Brazil. But she emphasises her passion for the work and is quick to stress the importance of helping 'shape the narrative' which is developing in terms of the environment.

'It is important that we, as scholars, are involved...there has been an uptick in climate litigation...research [from university climate scientists] is moving the debate... academic lawyers can also help move cases forward with rigorous and innovative legal argumentation in cutting-edge cases that will have impact beyond that jurisdiction...much of my work is driven by demand in the field.'

Many of the legal cases, on which she is consulted, involve questions which follow what happened at Paris: where nations were asked to set their own targets and decide if they were doing enough in terms of tackling climate change. The problem is, it is far from clear nations are doing as much as they can and should – which is why the courts have become involved.

Countries are effectively marking their own homework, setting the standards by which their action can be judged – and that has caused an unexpected bonanza for the legal community, with lawyers around the world now embroiled in environmental cases. She explains, national courts are being asked to judge if countries are setting targets that are ambitious enough to address the scale and urgency of the problem, 'What are the bench marks by which you can tell if a country is doing enough? How do we know if a country is doing enough, when the criteria they use [for calculating and measuring the ambition and fairness of their targets] are different – or are self-serving?'

'Most developed countries are doing far less than they should,' says Professor Rajamani bluntly. 'The Paris

Agreement envisaged national governments setting their own targets and [unfortunately] this has given rise to litigation [as courts are asked to decide if countries and regions have set suitably ambitious targets and are on track to achieving their own pledges].'

'It would be much better to have multilateral agreement on each nation's fair share, she says. 'But that's Utopian, given the dysfunctional political context. Litigation is filling the gaps in the regulatory architecture...it needs to be strategically coordinated across fora and nations to be effective.'

Against this background, Professor Rajamani maintains, 'COP26 matters because it is a moment of reckoning [when countries will have to admit what they have done or not done].' She adds, 'These conferences have played a very decisive role in getting us as far as we have, in the direction of travel.'

And critically, she says, 'They are the only fora in which all countries are participants [not just the G7 or G20]... This is not just about the major emitters. This should not be a coalition of the powerful...everyone needs to be at the table – which means the COP has a real function to perform...COP will ensure transparency and hold up a mirror to countries.'

There will also be debates and wrangling about finance and the 'market' for emissions. But Professor Rajamani is keenly interested in the crucial question of targets. She says, whatever has been promised, is not enough, 'We need to scale up our ambitions, we can't rely on those left, [who haven't yet made their commitments public]... it is going to be challenging to get to net zero...but fairness is an issue – Paris side-stepped this. States were allowed to choose their own targets... Now, this will be more about the wider landscape of ambition.'

Professor Rajamani insists not all countries should be held to the same standard, 'It is a difficult issue which comes up time and again... We won't achieve targets without support for developing countries. There has to be fairness around countries – and future generations... It might mean that the US aims for net zero by 2040 and India by 2055 – but they should not both be expected to reach net zero at 2050. That wouldn't be fair.'

It is a very fast-moving field, which throws up new legal questions and new research all the time. At every conference, and beyond, there are novel challenges and fresh problems. But Professor Rajamani admits, 'I love

what I do. I've always been passionate about what I have done.'

She has been a keen environmentalist since she was a child in southern India where, to the bemusement of her family, she announced aged 16 she was going vegetarian. Unlike for many in the sub-Continent, this was not for religious reasons, but because the young Lavanya had helped in an animal shelter and could not face the idea of eating animals she loved.

She has been a vegetarian ever since, and is gradually transitioning to veganism. And she set out on a determined journey which would take her across three continents, from law school in India to Oxford as a Rhodes scholar [the first from her university] to Yale as a postgrad, back to Oxford for a doctorate, a teaching stint in Cambridge, and then back to teach in India, before eventually returning to Oxford (via London, Germany, Singapore, Italy and Australia).

'It's been like coming home, my second home,' she says of returning to the city of spires. 'This is a great place to be doing this. It's right at the heart of climate science and policy.'

When she is not giving advice to governments, helping draft international treaties and advising litigating lawyers, Professor Rajamani admits, 'I love teaching and it feels very impactful.'

'The rest of the work, who knows what impact it has?' she smiles.

I didn't have an ambition to be a Professor at Oxford... That would have been too much. If I'd had defined goals, I would not have done it. I would have been limited by my imagination at the time.

Self-effacing enthusiasm shines through as she talks and Professor Rajamani emphasises, none of this was planned. Her DPhil was in international climate change law, which might seem incredibly propitious. But, it was not like that, she says. And when people ask how they might be an Oxford professor, she says, 'I didn't have an ambition to be a professor at Oxford.'

'That would have been too much. If I'd had defined goals, I would not have done it. I would have been limited by my imagination at the time.'

'I've been driven by passion, not ambition,' she laughs and she finally admits. 'I don't have time...to promote myself.'

Written by Sarah Whitebloom. Previously published on the University of Oxford website.



Lavanya with her brother



DR FLORIAN GRISEL
ASSOCIATE PROFESSOR AT THE
CENTRE FOR SOCIO-LEGAL
STUDIES (CSLS)

Prior to joining CSLS, Florian was the Deputy-Director of the Centre de Théorie et Analyse du Droit (University Paris 10 Nanterre – ENS), a Research Fellow at the Centre National de la Recherche Scientifique (Paris), and a Reader in Transnational Law at King's College London. His main research areas are parallel justice systems, private governance, and legal globalisation. His most recent publication is *The Limits of Private Governance: Norms and Rules in a Mediterranean Fishery* (Oxford, Bloomsbury Hart, 2021). In 2018 Florian was awarded the Médaille de Bronze from the Centre National de la Recherche Scientifique.



DR NGOC SON BUI
ASSOCIATE PROFESSOR
OF ASIAN LAWS

Ngoc Son Bui is Associate Professor of Asian Laws and a Fellow of St Hugh's College. He was previously an Assistant Professor at The Chinese University of Hong Kong Faculty of Law, and a research fellow at the Centre for Asian Legal Studies of the National University of Singapore Faculty of Law. Ngoc works on comparative & constitutional law in Asia with a focus on the socialist and Confucian culture-influenced jurisdictions. He is the author of *Constitutional Change in the Contemporary Socialist World* (Oxford University Press 2020) and is currently writing a new monograph *Legal Reform in the Contemporary Socialist World* for Oxford University Press.



**PROFESSOR SHAZIA
CHOUDHRY**
PROFESSOR OF LAW

Shazia is Professor of Law and the Jeffrey Hackney Tutorial Fellow in Law at Wadham College. She is also an Academic Bencher and Associate Academic Fellow at the Inner Temple. Her research is focused on gender, human rights and violence against women and seeks to examine various dimensions of these areas from an interdisciplinary and feminist perspective. She is editor (with Jonathan Herring) of *The Cambridge Companion to Comparative Family Law* (Cambridge University Press 2019) and is currently working on a two year project awarded major funding by the Oak Foundation: 'The Family Justice Response to Allegations of Domestic Abuse: A Comparative European Analysis.'



DR HASAN DINDJER
ASSOCIATE PROFESSOR OF LAW

Hasan Dindjer is an Associate Professor of Law at the Faculty of Law and the Blanesburgh Fellow and Tutor in Law at Balliol College. He researches and teaches broadly across public law and philosophy of law, as well as related areas of moral and political philosophy.

In public law, he has focused on understanding and assessing standards of review in administrative law. In philosophy of law, he has worked on foundational questions about the nature of law. Hasan was previously an Examination Fellow at All Souls College, Oxford, where he completed his DPhil. He read for his BA and BCL at New College, Oxford, and an LLM at Harvard Law School, where he was a Fulbright Scholar.



PROFESSOR ANTONIA LAYARD
PROFESSOR OF LAW

Antonia is a Professor of Law in association with St Anne's. She is an Academic Member of both the AHRC and ESRC Peer Review Colleges and has undertaken a number research projects with NGOs, particularly in relation to

children, public space, buses and climate change, funded by the AHRC, the ESRC, the University of Bristol and the British Academy. Antonia's research interests are in law and geography where she explores how law, legality and maps construct space, place and 'the local'. She is currently writing a book, *The Paradox of Public Space*, which considers how the lack of consistent legal definitions for public space produces tensions for their management, surveillance, privatisation and sites for contested heritage.



PROFESSOR SOLÈNE ROWAN
PROFESSOR OF LAW

Solène Rowan is a Professor of Law in association with St Edmund Hall. Prior to joining the University of Oxford, Solène held a Futures Scheme Funding Award for world-leading high-performing mid-career

researchers to enhance their research at the ANU (2019–2021). She was also an Associate Professor at the London School of Economics and Political Science (2012–2018) and a Fellow and College Lecturer in Law at Queens' College, Cambridge (2008–2012). Solène specialises in contract, tort, commercial and comparative law and is the author of the award-winning monograph, *Remedies for Breach of Contract: A Comparative Analysis of the Protection of Performance* (OUP 2012), which won the SLS Peter Birks Prize for Outstanding Legal Scholarship.

The Faculty said farewell and wished a happy retirement to some of our most esteemed colleagues this year.

PROFESSOR STEPHEN WEATHERILL, JACQUES DELORS PROFESSOR OF EUROPEAN LAW



Paul Craig, Professor of English Law, retired in September 2019.

Before joining the Faculty, Stephen Weatherill held the Jean Monnet Chair of European Law at the University of Nottingham. His research interests embrace the field of European Law in its widest sense, although his published work is predominantly concerned with European Union trade law. He was the Jacques Delors Professor of European Law from January 1998 until September 2021. He also served as Deputy Director for European Law in the Institute of European and Comparative Law, and was a Fellow of Somerville College. His most recent publications include *Principles and Practice in EU Sports Law* (Oxford University Press, 2017), *The Internal Market as a Legal Concept* (Oxford University Press, 2017) and *Law and Values in the European Union* (Oxford University Press, 2016).

PROFESSOR LES GREEN, PROFESSOR OF THE PHILOSOPHY OF LAW



After beginning his teaching career as a fellow of Lincoln College, Oxford, he moved to Osgoode Hall Law School in Toronto. He was Professor of the Philosophy of Law and Fellow of Balliol College. He has also been a visiting professor at many other law faculties, including Berkeley, NYU, Chicago and, for some years, at the University of Texas at Austin. He continues to hold an appointment as Professor of Law and Distinguished University Fellow at Queen's University in Canada. Professor Green taught and continues to write in the areas of jurisprudence, constitutional theory, and moral and political philosophy. He serves on the board of several journals and is co-editor of the annual *Oxford Studies in Philosophy of Law* and of the book series *Oxford Legal Philosophy*.

PROFESSOR EWAN MCKENDRICK, PROFESSOR OF ENGLISH PRIVATE LAW



Professor McKendrick was Professor of English Private Law at Oxford and Professor of Anglo-American Law at the University of Leiden. He was the Registrar of the University of Oxford from 2011 to 2018, Professor of English Law at University College London from 1995 to 2000, a Fellow of St Anne's College, Oxford, and Linnells Lecturer in Law at the University of Oxford from 1991 to 1995. He continues to be a Bencher of Gray's Inn and a member of Chambers at 3 Verulam Buildings, Gray's Inn, and is also a member of the Editorial Advisory Board of the *Journal of International Banking and Regulation Law*.

PROFESSOR LAURA HOYANO, PROFESSOR OF LAW



Professor Laura Hoyano was Professor of Law and Emeritus Fellow at Wadham College. Her career in academia and at the Canadian and English Bars focuses on the intersections between areas of law commonly regarded as disconnected: Child Abuse and

Criminal, Tort, Human Rights, Family and Evidence Law (taking a comparative approach); Evidence Law and Human Rights; Medical Law & Ethics, Tort Law and Human Rights. Laura graduated from the University of Alberta in Canada with two degrees in medieval history before being converted to law. She was called to the Alberta Bar in 1983 and moved to England in 1994, to an academic appointment at the Law Faculty of the University of Bristol, and continued her part-time practice at the Alberta Bar. Laura is also a tenant at Red Lion Chambers and currently represents the Criminal Bar Association on the End to End Review of the Prosecution of Rape and Other Serious Sexual Offences. Her most recent publication is an empirical study *Cross-Examination of Sexual Assault Complainants on Previous Sexual Behaviour: Views from the Barristers' Row*, published by the Criminal Bar Association in November 2018.

Adrian Briggs



This short valedictory provides a welcome opportunity for a few words of personal reflection on the 29 years I have known Adrian; 27 of them as his colleague in the Faculty. It is no exaggeration to describe him as my closest colleague throughout that time. If I have judged his character correctly, it will be just a few words, since I think that will be his preference.

I should begin, however, with some basic biographical detail. By birth, Adrian is a man of Kent (and not a Kentish man, which I gather is something else and a rather important distinction for some). He first became a man of Oxford in 1975 when he came up to take his place as an undergraduate at Hertford College, where he stayed on for the BCL. He was a contemporary of, among others, Andrew Burrows. As you might imagine, he achieved great distinction in both the Final Honour School and the BCL.

From 1975 onwards he might have remained a man of Oxford throughout, save for a brief period as a Lecturer in the Leeds Law Faculty, immediately after the BCL, where he fell under the guidance of Horton Rogers, perhaps best known for many editions of Winfield & Jolowicz

on Tort. Although Horton's direct mentorship was regrettably short, I am sure Adrian would want me to acknowledge the role he played in the development of his career.

I gather Adrian greatly enjoyed his brief spell in Leeds. I have heard him describe it as one of the happiest times of his working life. Nevertheless, in 1980 he returned to take up the fellowship at St. Edmund Hall from which he shall shortly retire and where he has earned the distinction of being the longest serving law fellow in the history of the college. He was awarded the title of Professor by the Faculty in 2004 and appointed QC (Hon.) by the Lord Chancellor in 2016. He has been a tenant at Blackstone Chambers since 1989 and has appeared in many of the leading cases in his area of expertise.

As for his academic distinction, one need look no further than his prodigious list of publications. If you look closely, you will find initial forays into Criminal Law and, latterly, his book on The Law of Contract in Myanmar, written with Andrew Burrows. His dedication (along with Andy) to the teaching of law in Myanmar, in more settled times than currently prevail, is just one example of his dedication to the most worthy of causes. But almost all of his research and publication has been concerned with the Conflict of Laws, or Private International Law (curiously enough I have never asked him which of the two titles he considers to be more appropriate; I suspect it is the latter).

Any attempt to provide an account of his published work on an occasion such as this is doomed to inadequacy. I will highlight his four major books. His first book on Civil Jurisdiction and Judgments is now in its seventh edition. He also wrote, in 2008, a

superb monograph on Agreements in Jurisdiction and Choice of Law and his shorter outline of The Conflict of Laws in the Clarendon Law Series (now in its 4th edition) has often proved a life saver for BCL and MJur students struggling with some of the intricacies of the subject. His magnum opus is Private International Law in English Courts which was published in 2014.

I should also, in this brief summary, refer to his masterly series of lectures at the Hague Academy on "The Principles of Comity in Private International Law" and his early articles on forum non conveniens which had a significant impact on the development of the law.

If I turn to his teaching and supervision, his dedication to this cause is not in doubt. Once again, examples will have to suffice, provided it is understood that there are numerous such examples: the amended draft thesis returned by hand to a supervisee in Singapore just a few days after it had been received in Oxford; or his single-handedly teaching 50-60 BCL and MJur students on the Conflict of Laws course.

There is no doubt that being taught by Adrian was a rigorous process. I have been sending the Keble students to Adrian for tutorials in Land law for about 20 years. Their view of him tends to evolve from terror, to admiration, to, in some cases, devotion.

My own academic career has been one of the utmost good fortune, but I can safely say that my greatest stroke of luck was to fall under the guidance of Adrian Briggs. He is not gone, but when Michaelmas Term 2021 gets underway, I shall miss him enormously.

By Edwin Peel

A Tribute to Professor Judith Freedman's Outstanding Career



In her usual way Judith had a view on how I should go about this, including asking me to limit my comments to 2 minutes. I said I would do my best. Helpfully, I recently co-edited with my colleague at Leeds, Rita de la Feria, a book of collected essays in Judith's honour, and there's a longer version

of what I am about to say in the Introduction (shameless plug!). When we were looking for a catchy title for the book I suggested the word 'dynamic' — for me it effectively captures those qualities of Judith that those of us who have had the great pleasure to work with her know very well — her boundless energy, drive, and charisma; her relentless commitment to making a positive impact in tax research, teaching, and policy; her dedication to being a (positive) force for change.

Many of you will know that Judith moved to Oxford from the LSE in 2001 to take up the inaugural Chair in Taxation. She had grand plans to make Oxford the centre of the tax law universe and wasted little time in getting started. She quickly launched with colleagues two new tax courses — a Business Tax course on the BCL/MJur (to join the long-standing Personal Tax course) and an undergraduate tax law option — all of which are still going strong. In 2016 she spear-headed the launch of our part-time MSc in Taxation, drawing on her earlier experience helping to launch the MLF. In 2005, Judith and colleagues set up the Oxford University Centre for Business Taxation, based at the Saïd Business School. She was actively involved in the Centre's research programme, publications, conferences/workshops and grants. The Tax Centre has taken on a leading role globally in tax debates and tax policy making. I think it is safe to say today that Judith's plan to make Oxford a world-leading centre in tax has been realised.

When she wasn't empire-building (in the best sense), convincing the Missing Bean to set up in the Faculty (she likes her coffee), or acting as Associate Dean for Development at the Law Faculty, Judith has generated world-leading research. Her work primarily involved tax policy and design, employees and small businesses, the

interaction between law and accounting, tax avoidance, tax and corporate social responsibility, and tax administration. Her impact on the law has been profound. Most notably, her work on the 2010 Aaronson study group directly led to the introduction of the UK General Anti-Abuse Rule in 2013 — translating her academic interest in tax avoidance into concrete legal reform. She has been closely-involved with the highly-regarded Institute for Fiscal Studies, contributing to the Mirrlees Review and chairing the IFS's Tax law Review Committee. Throughout her career she has devoted countless unpaid hours to advising HMRC, HM Treasury, the Office of Tax Simplification and the media, which has helped shape the law and enhanced public understanding of our field.

In 2014 she was involved in founding the Oxford Law Faculty's Oxford Women in Law (OWL) network and then in 2015 she became one of the founding members of the Women in Tax network, which from its initial branch in London has spread worldwide. Her work has been recognised with a CBE and an Honorary Fellowship of the Chartered Institute of Taxation, and has seen her become a Fellow of the British Academy. In 2019, after stepping down to a part-time research post at Oxford, Judith of course took on a new challenge — the role of part-time judge in the Benefits Tribunal.

A Personal Tribute to Judith's Mentorship

When discussing Judith Freedman's outstanding career and contribution to our field it is easy to lose sight of its human dimension, the impact she has had on the careers of so many others, and her role as a mentor of so many young tax academics and professionals.

Rita says in the book 'It is impossible to overstate the impact that Judith has had on my career: I have been lucky enough to have had a few mentors throughout my career, but it is fair to say that, even though I was never technically her student, no-one has had a bigger impact than Judith Freedman.'

I met Judith in 2004 when I took up my first academic job, a CDF here. Like Rita, I quickly figured out how lucky I was to work with Judith. I simply could not have hoped for a better colleague and mentor, and already miss seeing her



as much as I used to (though Zoom this year has helped).

The Faculty wishes her all the best in her retirement!

By Glen Loutzenhiser

Equal Opportunity in the Faculty of Law, a reflection by Baroness Ruth Deech



Photo by John Cairns

Throughout the seventies and eighties (and surely long before) there was a damaging imbalance in the distribution of associate professors and University posts between men's and women's colleges, a discrepancy that became even more unacceptable when the colleges went mixed. No doubt this went right back to the first women law students over a century ago and their lone, even shared, women tutors. As the 20th century saw more bright women candidates to read law, with far fewer places for them than for men, the women law tutors felt a duty to accept as many as they could. So a single law tutor in a (former) women's college might well have been dealing with, say, eight students a year, while the same number in a men's college would most likely have had three or more tutors to look after them. They would have the luxury of teaching fewer subjects and for fewer hours. The Law Board would not contemplate redistribution of posts in my time. It was all the more discriminatory because research was the only criterion for promotion (despite the cap-doffing to good teaching) and a single law tutor was much less likely to have the

same time for research as a man, and more likely to have to teach a wider range of subjects. The Bodleian Law Library was closed for most of the weekend, and there was nothing online in those times of course. Thus the women ended up with fewer publications, but often the devotion of their pupils, a good recompense. A particular sore point was the refusal of the Law Club (the faculty dining club) to accept women members until about 1980. I remember the faculty member who always refused to teach women from women's colleges, as not good enough. And when I raised the funds to finance a second law fellow at college to teach commercial law — now a major subject — I remember the disdain shown by some of the faculty: 'commercial' law indeed, said a fellow at a four-fellow college.

I was sorry that so many women candidates preferred to apply to former men's colleges rather than to a former women's college when we all went mixed, but now it seems to have evened out, and what I describe above is just a distant memory, preserved only by the very old!

Marking National Stephen Lawrence Day in partnership with the Oxford Law Black Alumni Network Career

This year a series of events were organised by the Law Faculty in partnership with the newly established Oxford Law Black Alumni (OLBA) Network to mark National Stephen Lawrence Day.

BCL students Samuel Bailey and Josiah Senu interviewed the Rt Hon David Lammy MP. The Shadow Lord Chancellor offered powerful and moving responses to a series of important questions relating to institutional racism. The full recording is available on the Faculty's YouTube channel. Following the success of this interview, BCL student Seun Matiluko is curating an interview series, in conjunction with the Law Faculty, between OLBA members and inspirational British and international leaders. These interviews are now publicly available on our YouTube channel.

In another event this academic year, Seun Matiluko and fellow BCL student Sfiso Benard Nxumalo chaired an online discussion with Matthew Ryder QC, who represented the Lawrence family in their civil case against the Metropolitan police, and Dr Eddie-Bruce Jones, Deputy Dean of the School of Law and Head of the Department of Law at Birkbeck College, University of London, on institutional racism and the criminal justice system. The event was very well-attended; a recording is similarly available online for those who could not attend live.

The chairs of this second event – Seun Matiluko and Sfiso Benard Nxumalo – have been at the forefront

of the establishment of the OLBA Network. Following extensive conversations with the 2020–21 class of black BCL students and recent black BCL alumni, Seun Matiluko created the OLBA network with the Law Faculty in order to provide a platform for current black students and alumni of Oxford Law to connect with each other, support current students, and build a global, professional network. Seun Matiluko organised many of OLBA's activities this year with Sfiso Benard Nxumalo and, from 2021–2022, Sfiso Benard Nxumalo will be the chief student organiser of OLBA events. You can find out more about the OLBA Network in the Networks section of the Faculty of Law Alumni site. Networking events are currently being planned for both Oxford and London in the 2021–2022 academic year.

The Faculty's Equality and Diversity Committee, together with our Allen and Overy Equality and Diversity Officer (Clara Elod) and Associate Dean for Equality and Diversity (Kristin van Zwieten), continues to work on implementing the Faculty's agreed race equality actions, and to plan additional policy changes, events, and training in furtherance of our equality and diversity goals. We have celebrated a number of recent initiatives, including the launch of new scholarships for UK black or ethnic minority doctoral candidates, and new recruitment initiatives, but are ambitious in our desire to do much more in pursuit of the realisation of our vision of a more equal, more diverse, and more inclusive institution.



Photo by Darryl_SE7 on Flickr

Alumna, Dame Philippa Whipple, made Lady Justice of the Court of Appeal



By Wei-Te Wong from Taipei City, Taiwan, Republic of China - 皇家司法院, CC BY-SA 2.0, <https://commons.wikimedia.org/w/index.php?curid=75193240>

Dame Philippa Whipple, Honorary Fellow of Merton and Faculty of Law alumna, has been appointed as a Lady Justice of the Court of Appeal. She joins Mr Justice William Davis and Mr Justice Snowden, who have been appointed as Lord Justices of Appeal.

The appointment of Lord and Lady Justices of the Court of Appeal are made by Her Majesty The Queen on the advice of the Prime Minister and the Lord Chancellor following the recommendation of an independent selection panel.

NEW: Disability Law Alumni Group

A group for all Oxford Law Alumni with an interest in disability law and associates of the Oxford University Disability Law and Policy Project to connect, share their experience, discover our exciting events and initiatives and champion disability in academia, the legal profession, policymaking and beyond.



The group is run on LinkedIn and so if you would like to join, please request to join the group by searching for 'Oxford Disability Law Alumni Network'.

Alumnus, Kenneth Mwenda, awarded Zambia's highest civilian honour

On Saturday, May 25, 2019, Professor Kenneth K. Mwenda, a Rhodes Scholar and Oxford BCL graduate (Exeter College, 1992–94; and, MBA degree – Hull University, 1994–95), was conferred upon the prestigious Presidential Insignia of Meritorious Achievement (PIMA) by the President of the Republic of Zambia, H.E. President Edgar C. Lungu.

The PIMA award is Zambia's highest civilian honour for meritorious achievement and ranks as the equivalent of the US Presidential Medal of Freedom. This is the first time that the award has been conferred on a legal scholar. He was given the award in recognition of his distinguished scholarly achievements in the field of law, as evidenced by the extensive body of his scholarly publications. A widely recognised thought-leader and author of twenty-five scholarly books, he is also author of more than ninety articles in leading law reviews and academic journals worldwide.

He has also attended Harvard University, Wharton Business School, INSEAD, MIT Sloan School of Management, London Business School, Saïd Business School at Oxford, Yale University School of Management, Cornell University, University of Warwick, Georgetown University, and Northwestern



University in Chicago, US. At the World Bank in Washington DC, Prof Mwenda has served as Senior Counsel for many years and now serves as the Program Manager and Executive Head of the World Bank Voice Secondment Program (VSP). He concurrently holds the position of Extraordinary Professor of Law at the University of Pretoria, South Africa, and has taught at American University Washington College of Law (WCL) in the US, the University of Warwick in the UK, the University of Miskolc in Hungary, the University of Cape Town in South Africa, the University of Western Cape in South Africa, and the University of Zambia.

Legalme joins 2021 UK Lawtech Sandbox cohort



Legalme, a Lawtech startup co-founded by Oxford Law finalist Tian Ma and three other Oxford Alumni, has been one of 8 companies selected

to the 2021 cohort of the UK Lawtech Sandbox – a government-backed incubator programme (a collaborative initiative between Tech Nation, the Lawtech Delivery Panel and the Ministry of Justice) which fast tracks and supports transformative Lawtech startups. The Lawtech Sandbox seeks to 'transform the UK legal sector through tech', and supports Lawtech startups by providing them

with resources, data, and enabling them to test their propositions without falling into regulatory breach. Over the next four months, Legalme will be working with government regulators including the SRA and FCA, lawyers, and R&D professionals to test and build its product, with a view to commercially launch its services in 2022.

Legalme (<https://www.legalme.co.uk/>) is an online platform that helps tenants facing housing disrepair pursue their own legal claims without the need for a lawyer. Using document automation and case management technology, Legalme generates legal filings, manages correspondence, and walks tenants through every step of the complex claims journey. Started by four Oxford students disgruntled with the complex bureaucracy tenants face in bringing disrepair claims, Legalme seeks to revolutionise access to justice in the small claims industry, and bring power back to the consumer.



Mohsin Zaidi

Mohsin Zaidi completed his BA Law with European Legal Studies in 2007. Following his graduation from Oxford, Mohsin spent four years as a solicitor in the dispute resolution department of Linklaters LLP before working as a judicial assistant for almost a year from September 2013 to Lord Wilson of Culworth and Lord Sumption at the Supreme Court of the United Kingdom. In 2015, he transferred to the Bar and is now a barrister based at 6KBW College Hill.

Could you tell us about your journey to Oxford? How did you find the BA?

I never imagined I'd get into Oxford. I didn't even think I'd get the requisite grades but at the end of my first year of A-levels, I did much better than expected. My parents then pushed me to apply. I recall vividly telling them that the university was for people like Benazir Bhutto, Bill Clinton and Imran Khan – not people like me. They insisted and so I applied, and now of course I'm glad that they did.

What attracted you to a career in Law?

A fear of gang violence meant that, on the last day of secondary school, there were police waiting outside the gates to conduct 'stop and searches' on the people in my year. I recall feeling helpless in the face of officers stopping us and I think it was this feeling that planted the seed of wanting to know and understand the rules that governed the relationship between state and citizen.

After Oxford, you worked for some time for Linklaters. Could you tell us more about your time with the firm, what you learned there, and to what extent it was formative for your career?

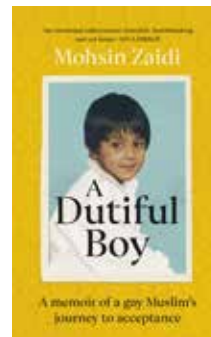
Linklaters is a place that strives for excellence in everything it does and it taught me to do the same. I worked on some high-profile cases, including the phone hacking scandal, and, amongst other things, learnt an immense amount about the importance of commerciality in advising clients. My time at the firm taught me how to be a professional, allowed me to

travel the world and helped me make life long friends.

After working as a Judicial Assistant, you then moved to the Bar, and have been a Barrister with 6KBW for 5 years now. How did that shift come about?

While working for them, Lord Wilson and Lord Sumption both suggested I consider a career at the bar. I had worked with 6KBW whilst I was a solicitor and was extremely impressed by them and by the mixture of cutting edge work they did. I felt very fortunate to be offered pupillage there. Although I've been lucky enough to work on some high-profile cases, including during my time at the Supreme Court, the cases that have most shaped my view of the criminal justice system are those where I've prosecuted a defendant in the magistrates' court. Unfortunately, I witnessed people being treated differently by the bench depending on the way they were dressed, the way they spoke and the colour of their skin. These experiences leave a lasting impression.

This year, you published your memoir, *A Dutiful Boy*, which reflects your experiences growing up as a gay Muslim. What was your motivation behind writing the book?



The book is as much about class and race as it is about sexuality and faith. But more than any individual theme, I hope the story collectively demonstrates what it means to be young and British today. We have become such a divided society and I believe that storytelling is the most powerful way of instilling compassion for others. It is this collective compassion that will overcome the

barriers that divide us. None of us are just one thing and I wanted to write the book to help demonstrate ways of finding common ground where there is seemingly none.

You're on the board of Stonewall – what barriers do the LGBTQ+ community still face within the legal profession? What changes would you like to see happen over the next five years?

As Audre Lorde put it, 'there is no such thing as a single-issue struggle because we do not lead single-issue lives'. The biggest change I would like to see across the diversity spectrum is a greater focus on intersectionality. Instead of just looking at how the legal profession treats queer people or brown people or women, we should think comprehensively about creating professional legal environments that are accepting regardless of background.



Nidhi Singh

Nidhi Singh completed the MSc in Law and Finance in 2016 and her career so far has spanned the public and academic sectors. She is currently Panel Counsel with the Delhi High Court and the Supreme Court of India.

Could you tell us about your journey to Oxford? Why did you choose to study the MLF?

I was accepted onto the advanced taught programme in Law at Oxford in the penultimate year of my law school while studying in India. However, I could not accept the offer on account of deficiency of funds. I applied to Oxford each year for three years with the possibility of availing some scholarship to fund my education at Oxford. I was accepted into Oxford every year and finally in my fourth attempt, I was not only accepted for one of the most competitive courses of Oxford but also offered full scholarships – a Weidenfeld-Hoffmann leadership scholarship, a Chevening scholarship and the MLF Faculty of Law scholarship.

My MLF degree sits at the vantage point of my public sector experience and subsequent engagement with startups, financial market and corporate clients. Studying the interplay of Law & Finance and with post qualification experience, today I am in a better position to appreciate financial jurisprudence. The initial working years in the Government sector had given me a deep-seated understanding of public policy, public-private interface and regulatory underpinnings. My experience of working with the Indian Government in identification of stakeholders, financial inclusion, writing issue notes on Financial Bills, data analysis and regulatory impact assessment had helped me to identify the environment within which business and market operate. The MLF allowed me to study a degree that overlapped with my area of practice and expertise, to that point.

What is your favourite memory of your time at Oxford?

One of my few best memories of Oxford is studying in the Bodleian library with a view of the majestic and iconic Oxford landmark, the Radcliffe Camera and also going for a morning run in the University parks

What was the most important lesson that you learnt during your time here?

Oxford taught me a number of things. I saw the best of the best students not being hooked to their books all the time. People are social. Time management is one of the best skills that I could develop while studying here. It is a place where people lay a lot of emphasis on fitness. Oxford has helped me appreciate the beauty of diversity, importance of socialising, working hard and learning to be creative.

What is a regular day like for you?

I am currently a practising lawyer with the Delhi High Court and Supreme Court of India. I have also recently been empanelled by the Delhi High Court on the Labour & Service Laws panel. My chambers mainly deal in litigation and dispute resolution with cases broadly encompassing the laws concerning tax, competition, mergers & acquisitions, financial crime and economic regulation. My regular day involves preparing for my case listed before the Hon'ble court, attending the hearing and arguing for my clients to seek best possible relief and conducting meetings with the client in the evening, post the hearing of the court. A typical day revolves around advising Indian and foreign clients on commercial agreements, licensing and distribution arrangements, joint ventures and regulatory compliance in various sectors. Conducting client meetings & negotiations, representing clients in various commercial disputes including drafting of arbitration pleading, apart from drafting petitions and advising on Regulatory & Policy issues are some of the essential activities I engage on a daily basis.

I also run a legal policy think-tank, the Institute for Commercial Policy & Legal Research in New Delhi that focuses on Commercial Policy & Legal research. I continue to engage with students via guest lectures in law schools in India and I contribute legal write-ups to national newspapers and journals of repute. As part of pro-bono services, I serve as an Expert in Antitrust & Big Data with Institute for Internet & the Just Society.

What advice would you give to your past self?

Studying at Oxford can be an enriching experience for any student. I wish as a student, I would have explored more of Oxford which is historically so rich. I feel I could have possibly drawn a better balance between academics and life in general.



Professor Chris Hodges OBE appointed member of the Commonhold Council

The Government has today announced the creation of a Commonhold Council, chaired by the Secretary of State for Housing, Communities & Local Government, to advise him on steps to implement the hugely transformative switch from leasehold to commonhold across the country. This implements extensive work done by Prof Nick Hopkins at the Law Commission. The Commonhold Council comprises 11 experts in the property sector, finance and law. The only academic member is Professor Christopher Hodges OBE, Emeritus Professor of Justice Systems, whose remit is to focus on issues of delivering redress and dispute resolution in the commonhold context.

Marie Burton appointed as Senior Research Fellow at Centre for Socio-Legal Studies

04 May 2021

The Oxford Centre for Socio-Legal Studies is pleased to announce that Dr Marie Burton has now taken up the post of Postdoctoral Researcher on 'Enhancing Democratic Habits: an oral history of the Law Centres movement'. This is a four-year AHRC-funded project in collaboration with Queens University Belfast and the British Library. The project aims to produce an in-depth account of activist lawyering in the UK and to consider the ways in which Law Centres – which work in and with disadvantaged communities – have been successful in encouraging active citizenship and democratic engagement among marginalised groups. Marie's background as a social welfare lawyer and socio-legal researcher and academic means that she is uniquely placed to carry out the research in this project. Marie is a former practising solicitor and senior policy analyst whose work has influenced the development of national policy on legal aid, financial exclusion, high cost credit and debt. She has over 30 years' experience of working in and around the civil and criminal justice

system. She practised mainly in the not-for-profit legal advice sector, including at North Kensington Law Centre and as part of the Shelter Legal Team.

Marie was awarded her PhD by the London School of Economics in 2015/16. 'Calling for Justice: Comparing Telephone and Face-to-face Advice in Social Welfare Legal Aid' is a qualitative study of the advice and casework experience of clients, lawyers and advisers working mainly in the field of housing and homelessness law. Her research findings have been taken up by those investigating the impact of the Legal Aid, Punishment and Sentencing of Offenders Act 2012.

'Enhancing Democratic Habits' will use life story interviews and an archive of Law Centre annual reports to capture the voices and experiences of the diverse protagonists of the Law Centres movement – an often overlooked and undervalued area of legal practice. It will also help us frame our response to the current crisis and the ongoing fallout from Covid-19, by providing insights into how to ensure that the claims of marginalised groups are heard.



Professor Dapo Akande first ever candidate to be nominated by both the United Kingdom and Nigeria for the International Law Commission

Professor Dapo Akande, who has been nominated as the UK's candidate for the International Law Commission (ILC) for the period 2023 to 2027, is the first candidate to have been co-nominated by Nigeria.

Professor Akande, Professor of Public International Law at Blavatnik School of Government, is a world-renowned expert in Public International Law who has more than 25 years of legal experience. Raised in Ibadan, Oyo State, he qualified as a lawyer from the Nigerian Law School, and received his LLB at Obafemi Awolowo University. The UK Foreign Secretary, Dominic Raab, has strongly supported Professor Akande's campaign:

"The United Kingdom is pleased to nominate Professor Dapo Akande as our candidate for the International Law Commission for the period 2023 to 2027. The UK has always been a strong supporter of the International Law Commission and is proud of the contribution that British international lawyers have made to its work. I believe that Professor Akande is perfectly positioned to strengthen this contribution yet further."

Catriona Laing CB, the British High Commissioner to Nigeria, reiterated this endorsement:

"This joint support by both our countries for an eminently qualified legal scholar reflects the strong people-to-people ties between the UK and Nigeria. It also demonstrates our support to UK leadership in important international institutions, and to advancing the rule of law across the globe."

Professor Akande has commented: "I am humbled to have been co-nominated by Nigeria for the International Law Commission, alongside the UK. This is a great honour as I was born, educated and started my legal journey in Nigeria. Throughout my career, I have been proud to represent Nigeria before international courts, and to help strengthen its legal system by providing training in international law to lawyers and government officials."

"It would be a privilege to be elected to the International Law Commission and I believe I can make a meaningful contribution to its work. My vision is clear: the codification and progressive development of international law can strengthen the rules on which international cooperation is based, and help promote a just and peaceful system of international relations."



Dr Gabrielle Watson wins European Book Prize

Dr Gabrielle Watson's first book, *Respect and Criminal Justice* (OUP 2020), has been awarded the Policing Book Prize of the European Society of Criminology 2021. The prize recognises major contributions to the development of policing scholarship in Europe and is awarded to the author of the best such book published that academic year.

The book offers the first academic study of 'respect' in criminal justice in England and Wales, where the value is elusive but of central and enduring significance. Owing to some sustained, but ultimately unsuccessful, reform efforts in recent decades, criminal justice institutions regularly appeal to the word 'respect', proclaiming it as a core value in official discourse. Yet, on closer examination, their approach to the value is not clear-cut and, in policing and prisons alike, respect is reduced to a mere slogan. The book critiques this reality, and then envisages the advances that could be made, in inscribing genuinely respectful relations between state and subject.



Faculty members recognised in O²RB Excellence in Impact awards.

The O²RB Excellence in Impact Awards, supported by the University of Oxford's ESRC Impact Acceleration Account, recognise and reward social scientists whose research has achieved excellent economic and social impact.

Mounted Police.

The Fairwork Foundation, of which Professor Sandra Fredman is a principal investigator, was also highly commended for its significant impact on corporate and government policies leading to improved working conditions for workers in the digital gig economy around the world.



Professor Tarun Khaitan was highly commended for the significant impact his work has had on judicial approaches to discrimination law in India, as well as influencing legislative reform and shaping public discourse. His work has been cited by the Indian Supreme Court in a significant case on indirect discrimination and also by the Canadian Supreme Court in a landmark ruling against the Canadian

The O²RB partnership brings together the University of Oxford with the Open University, University of Reading and Oxford Brookes University to enhance the impact of their social sciences research and is supported by the Oxford ESRC Impact Acceleration Account.



Professor Lavanya Rajamani appointed external counsel to the Vanuatu government

The Pacific law firm 'Blue Ocean Law' are leading a team of prominent international lawyers, including Lavanya Rajamani, Professor of International Environmental

Law, who will represent the Republic of Vanuatu in its initiative to request an advisory opinion on climate change from the International Court of Justice (ICJ).



Birke Häcker elected member of the Academy of Europe

Birke Häcker, Statutory Chair in Comparative Law and Director of the Institute of European and Comparative Law, has recently been elected a member

of the Academy of Europe (Academia Europaea), a pan-European Academy of Humanities, Letters, Law, and Sciences.

New scholarships for UK Black or ethnic minority doctoral candidates in Law



Saarrah Ray

The Faculty of Law is delighted to announce four new scholarships for UK Black or ethnic minority doctoral candidates in Law, in collaboration with Merton, Christ Church, New College and Magdalen.

The Christ Church scholarship was awarded this year to Saarah Ray. Her doctoral research, under the supervision of Jonathan Herring and Dr Imogen Goold, explores feminist critiques on the law's engagement with female genital mutilation and female genital cosmetic surgery in the jurisdiction of England and Wales.

These needs-based scholarships provide full Home fees and maintenance for three years and are built on a successful model pioneered for October 2020 by the Centre for Criminology in association with Brasenose College.

Anne Davies, Dean of the Faculty of Law, said:

'I'm delighted that we have been able to create these targeted scholarships and I would like to thank our partner colleges for pooling their resources with ours. In creating these funding opportunities, we are acknowledging that the student body across the University is not as diverse as it should be, and we are investing in the future of academia.'

The Faculty of Law is committed to attracting the very best candidates for research degrees, irrespective of their background or ability to pay. Students from Black or ethnic minority backgrounds who are ordinarily resident in the UK have been under-represented in our doctoral programme in recent years. It is hoped that the scholarships will encourage more students from these backgrounds to apply for the DPhil in Law at Oxford.

These scholarships are among several initiatives that the University is undertaking as part of its Race Equality Charter, and are a positive action measure under s.158 of the Equality Act 2010. Many other scholarships, awarded by the University, Faculty or colleges, are available to graduate students in the Faculty of Law.

The New College, Magdalen and Merton scholarships will be available to candidates starting in October 2022.

NEW: The Dr Surya Subedi Prize in Human Rights Law



Disha Anand is this year's Subedi Human Rights Law prize winner having earned the top marks in the final exam paper. This prize was established this year thanks to a generous gift

made by Professor Surya P. Subedi QC, OBE, DCL who is Professor of International Law at the University of Leeds and Barrister at Three Stone Chambers, Lincoln's Inn, London. He is an alumnus of Oxford. He obtained a doctoral degree (DPhil) in Law with a prize in 1993 and a higher doctorate - the degree of Doctor of Civil Law (DCL) - in 2019 at the University of Oxford.

Postgraduate Prize Winners 2020

Prize	Candidate Name
Allen & Overy Prize in Corporate Finance Law	Janet Chan Yuan Ting
Clifford Chance (Proxime Accessit) for the Second Best Performance in the MJur	Sebastian Lukic
Clifford Chance Prize for the Best Performance in the MJur	Hannes Kamin
Clifford Chance Prize in Principles of Civil Procedure	Chi Chung Yeung Alice Zhou
Herbert Hart Prize in Jurisprudence and Political Theory	Sabrina Golds
John Morris Prize in The Conflict of Laws funded by Quadrant Chambers	Chui Yan Yeung
Law Faculty Prize in Advanced Property and Trusts (shared in 2020)	Yichong Liu Ping Kan Kwan
Law Faculty Prize in Children, Families and the State	Chi Chung Yeung
Law Faculty Prize in Commercial Remedies	Samuel Hoare
South Square Prize in Comparative Corporate Law	Yichong Liu
Law Faculty Prize in Comparative Equality Law	Oskar Sherry Mihika Poddar
Law Faculty Prize in Legal Concepts in Environmental Law	Minh-Quan Nguyen
Law Faculty Prize in Constitutional Theory	Ping Kan Kwan
Law Faculty Prize in Criminal Justice, Security and Human Rights	Oskar Sherry Danielle Houghton
Law Faculty Prize in Comparative Contract Law in Europe	Lisa Huber
Law Faculty Prize in Corporate Insolvency Law	Tim Koch
Law Faculty Prize in Corporate Tax Law and Policy	Thomas Wu
Law Faculty Prize in Human Rights at Work	Elinor Buys
Law Faculty Prize in International Law and Armed Conflict	Alyssa Glass
Law Faculty Prize in International Environmental Law	Alyssa Glass
Law Faculty Prize in International Law of the Sea	Alyssa Glass
Law Faculty Prize in Law and Computer Science	Thomas Wu
Law Faculty Prize in Law in Society	Elizabeth Huang
Law Faculty Prize in Law and Society in Medieval England	Jonathon Horne
Law Faculty Prize in Medical Law and Ethics	Tatiana Kurschner
John Gardner Prize for Philosophical Foundations of the Common Law	Elizabeth Huang
Law Faculty Prize in Private Law and Fundamental Rights	Fai Ming Edward Mak
Law Faculty Prize in Regulation	Elizabeth Huang
Linklaters Prize for Principles of Financial Regulation	Yanni (John) Goutzamanis
Monckton Chambers Prize in Competition Law	Siu Fung Cheung
Peter Birks Prize Restitution of Unjust Enrichment	Charles Dallimore
Ralph Chiles Prize in Comparative Human Rights	Alice Zhou
Vinerian Scholarship (Proxime Accessit) for the Second Best Performance in the BCL (shared)	Alice Zhou Elizabeth Huang
Vinerian Scholarship for Best Performance in the BCL	Alyssa Glass
Winter Williams Prize in International Economic Law	Sebastian Lukic
Law Faculty Prize in Intellectual Property Law	Tatiana Kurschner
Law Faculty Prize in Civilian Foundations of Contract Law (shared)	David Ballmer Martinus Klink
Volterra Fietta Prize in International Dispute Settlement	Alyssa Glass

Final Honours School Prize Winners 2020

Prize	Candidate Name
The D'Sousa Prize (Senior Status) (Overall best 2nd BA)	Timothy Foot
Norton Rose Fulbright in Constitutional Law	Cagla Hatice Dede
Law Faculty Prize for Criminal Law	Tilman Koops
Wronker Prize (Overall Best Performance)	Liam McKenna
Gibbs Prize	Jonas Atmaz Al-Sibaie
Wronker Prize for Jurisprudence	Celine Ng
Wronker Prize for Tort	Jun Xiang Tan
Red Lion Chambers Prize in Criminology & Criminal Justice (shared)	Rachel Robinson Constance Hurton
Penningtons Manches Family Law Prize	Sabrina Apitz-Grossman
Gibbs Prize Proxime	Charles Redmond
Slaughter and May Prize in Contract	Liam McKenna
Gibbs Prize Book 2 of 3	Chaitanya Kediyal
Francis Taylor Building Prize in Environmental Law	Torrance Yun Chien Chen
Law Faculty Prize for Medical Law and Ethics	Jordan Briggs
Wronker Proxime (Second Best Performance) shared	Charles Redmond
Gibbs Prize Book 1 of 3	Liam McKenna
Law Faculty Prize for Roman Law (Delict)	James Marshall
Allen & Overy Prize in European Union Law	Amelia-Rose Edwards
All Souls Prize for Public International Law	Daniil Ukhorskiy
Law Faculty Prize for Moral and Political Philosophy	Ming Zee Tee
DLS Prize (Overall Best Performance)	Josep Maria Tirapu Sanuy
Falcon Chambers Prize for Land Law	Jonas Atmaz Al-Sibaie
Slaughter and May Prize in History of English Law	Guy Cabral
Law Faculty Prize in Media Law	Julia Laganowska
Wronker Prize for Administrative Law (Shared)	Charles Redmond Timothy Foot
Pinsent Masons Prize in Taxation Law	Hui Yi Nicole Chow
Law Faculty Prize for Copyright, Trade Marks and Allied Rights	Andrew Roszkowski
5 Stone Building Prize for Trusts	Jonas Atmaz Al-Sibaie
White & Case Prize in Company Law	Lok Hang Leung
Law Faculty Prize for Civil Dispute Resolution	Allyna Ng
Gibbs Prize Book 3 of 3	Emma Rawkins
Quadrant Prize for International Trade	Jonas Atmaz Al-Sibaie Celine Ng
Law Faculty Prize for Human Rights Law	Amy Kerr
Linklaters Prize for Competition Law	Susannah Hill
White & Case Prize in Comparative Private Law	Charles Howard
Law Faculty Prize for Advanced Criminal Law	Megan Howells
Law Faculty Prize for Personal Property	Jonas Atmaz Al-Sibaie

Final Honours School Prize Winners 2021

Prize	Candidate Name
Wronker Prize (Overall Best Performance)	Alexander Yean
Wronker Proxime (Second Best Performance)	Firdaus Mohandas
Gibbs Prize Winner	Firdaus Mohandas
Gibbs Prize Proxime	Mustaqim Mohammad Iqbal
Gibbs Prize Book 1 of 3	Lok Ho
Gibbs Prize Book 2 of 3	Jonas Black
Gibbs Prize Book 3 of 3	Alexander Yean
The D'Sousa Prize (Senior Status) Overall best 2nd BA (shared)	Stacey Cranmore
The D'Sousa Prize (Senior Status) Overall best 2nd BA (shared)	Victoria Barausova
The D'Sousa Prize (Senior Status) Overall best 2nd BA (shared)	Victoria Barausova
DLS Prize (Overall Best Performance)	Patrick Wittum
Wronker Prize for Administrative Law	Hayley Webster
Slaughter and May Prize in Contract	Firdaus Mohandas
Allen & Overy Prize in European Union Law	Julia Brechtelsbauer
Wronker Prize for Jurisprudence	Alexander Yean
Falcon Chambers Prize for Land Law	Kathleen Wang
5 Stone Building Prize for Trusts	Alice Love
Wronker Prize for Tort	Danielle Watts
3 Verulam Buildings Prize in Commercial Law	Hana Fletcher
White & Case Prize in Company Law	Arthur Wong
White & Case Prize in Comparative Private Law	Julia Brechtelsbauer
Law Faculty Prize for Competition Law	Sophie Whitehead
Law Faculty Prize for Copyright, Trade Marks and Allied Rights	Yehrim Park
Red Lion Chambers Prize in Criminology & Criminal Justice	Sanjana Gunasekaran
Francis Taylor Building Prize in Environmental Law	Max Oliver
Penningtons Manches Family Law Prize (shared)	Anna Brainin
Law Faculty Prize for Human Rights Law	Disha Anand
Slaughter and May Prize in History of English Law (shared)	Anna Brainin
Slaughter and May Prize in History of English Law (shared)	Laura Harray
Quadrant Prize in International Trade	Zhi Yu Foo
Littleton Chambers Prize in Labour Law	Beth Gilmour
Law Faculty Prize in Media Law	Eve Thomson
Law Faculty Prize for Moral and Political Philosophy	Jeongwon Ryu
Law Faculty Prize for Personal Property	Christina Kartali Andriopoulou
All Souls Prize for Public International Law	Lok Ho
Law Faculty Prize for Roman Law (Delict)	Alexander Yean
Pinsent Masons Prize in Taxation Law	See Hyun Park

Postgraduate Prize Winners 2021

Prize	Candidate Name
Allen & Overy Prize in Corporate Finance Law	Connor Munro
Clifford Chance (Proxime Accessit) for the Second Best Performance in the MJur	Robert Stendel

Prize	Candidate Name
Clifford Chance Prize for the Best Performance in the MJur	Jan Kubica
Clifford Chance Prize in Principles of Civil Procedure	Georgia Williams
Herbert Hart Prize in Jurisprudence and Political Theory	Daniel Gilligan
John Gardner Prize for Philosophical Foundations of the Common Law	Benjamin Cartwright
John Morris Prize in The Conflict of Laws funded by Quadrant Chambers	James Farmer
Law Faculty Prize for Commercial Negotiation and Mediation	Hazem Nakib
Law Faculty Prize for Commercial Remedies	Kar Po Clara Wong
Law Faculty Prize for Comparative Constitutional Law	Abhijeet Rawaley
Law Faculty Prize for Comparative Copyright	Amelia-Rose Edwards
Law Faculty Prize in Advanced and Comparative Criminal Law	Chelsea Wallis
Law Faculty Prize in Advanced Property and Trusts (shared in 2021)	Andreas Giannakopoulos Maximilian Rabie
Law Faculty Prize in Business Taxation in a Global Economy	Riya Bhatt
Studio Legale Cappelli RCCD Prize in Civilian Foundations of Contract Law	Celine Ng
Law Faculty Prize in Comparative Corporate Governance	Jack Spain
Law Faculty Prize in Comparative Equality Law	Oluwaseun Matiluko
Law Faculty Prize in Constitutional Principles of the EU	Despoina Goupou
Law Faculty Prize in Constitutional Theory (shared in 2021)	Benjamin Cartwright Daniel Gilligan
Law Faculty Prize in Corporate Insolvency Law (shared in 2021)	Ka Yan Tiffany Tang William Wui Long Wong
Law Faculty Prize in Corporate Control - Law and Finance (shared in 2021)	Yannick Witt Jan Kubica
Law Faculty Prize in Families and the State: Children (shared in 2021)	Hoe Kiu Austin Chan Thomas Edrop
Law Faculty Prize in Human Rights at Work	Long Yin Lui
Law Faculty Prize in Incentivising Innovation	Elvinas Jonaitis
Law Faculty Prize in International Environmental Law	Pranav Ganesan
Law Faculty Prize in International Law and Armed Conflict (shared in 2021)	Daniil Ukhorskiy Alexander Ewing
Volterra Fietta Prize in International Law of the Sea	Laia Guardiola
Law Faculty Prize in Law and Society in Medieval England	John Warriner
Law Faculty Prize in Law in Society	Thomas Edrop
Law Faculty Prize in Legal Concepts in Environmental Law	Edward Mordaunt
Law Faculty Prize in Legal Concepts in Financial Law	William Wui Long Wong
Law Faculty Prize in Modern Legal History	Edward Mordaunt
O'Nora O'Neill Prize in Philosophy, Law and Politics	Oluwaseun Matiluko
Law Faculty Prize in Principles of Intellectual Property Law	Lana Gotvan
Law Faculty Prize in Regulation	Matthew Paterson
Law Faculty Prize in Roman Law	Sean O'Reilly
Law Faculty Prize in Taxation of Trusts and Global Wealth	Eleanor Makeig
Law Faculty Prize in Trades, Marks and Brands	Ann- Marie O'Neil
Prize for Principles of Financial Regulation	Alexander Cook
Monckton Chambers Prize in Competition Law	Elmiina Koskela
Peter Birks Prize Restitution of Unjust Enrichment	Timothy Hall
Ralph Chiles Prize in Comparative Human Rights	Long Yin Lui
Vinerian Scholarship (Proxime Accessit) for the Second Best Performance in the BCL (shared in 2021)	Ka Yan Tiffany Tang William Wui Long Wong
Vinerian Scholarship for Best Performance in the BCL	Edward Mordaunt
Volterra Fietta Prize in International Dispute Settlement	Ka Yan Tiffany Tang
Winter Williams Prize in International Economic Law (shared in 2021)	Jennifer Tse Despoina Goupou
Law Faculty Prize for best Dissertation	Aiden Lerch

My Oxford Journey: Freshfields Stephen Lawrence Scholar, Ahmed Jeyte, on his life changing route to Oxford Law.



My name is Ahmed Jeyte. I was born and raised in Tottenham, North London. My journey to Oxford is slightly unconventional.

At the beginning of year 10, I was picked for the Brilliant Club. The scheme exists to increase the number of pupils from underrepresented backgrounds progressing to highly-selective universities. The Brilliant Club consisted of having weekly discussions with a PhD student throughout the year on varying matters with the opportunity to hand in an extended essay at the end. These weekly discussions were the first time I had conversations with academics and felt as though my opinions were heard. I later found out that I could receive a similar teaching style at a place called Oxford University, and with that, I was sold.

I later went on to be accepted on the LMH foundation year, a free and fully funded year at Oxford for those from disadvantaged backgrounds to enable them to fulfil their academic potential. **My experience on the foundation year was life changing!** It provided me with the opportunity to experience Oxford, to have the tutorials that the year 10 me

so longed for. Since coming to Oxford, I have found it both academically challenging and intellectually stimulating.

My decision to read Law was simple. I am curious about how the world is today and how the world should be tomorrow. I am inspired by clear thinking, the skill to taking an ambiguous mess of a problem and finding a compelling chain of reasoning to chart a clear path forward. It is my understanding that reading Law at Oxford would help fulfil my curiosity as to how the world operates whilst developing me into a person who is able to think and articulate themselves in a clear manner.

Last year I was surprised and delighted to be a recipient of a Freshfields Stephen Lawrence 2020 Scholarship, a scheme designed to address the disproportionate under-representation of black and black mixed-race men from less socially mobile backgrounds in large commercial law firms and other 'City' careers. Over the last six months through the Scholarship I have been able to gain great exposure into the legal industry and beyond. My mentors through the scholarship have been able to offer reassurance and advice.

Throughout my academic journey I have had an immense amount of encouragement and support, without which I would not be where I am today. I am truly thankful and honoured for the opportunities I have been given.

COVID-19 and Online Mooting

This year there was a significant switch to online mooting in light of the COVID-19 pandemic.

Considering lockdown and travel restrictions within the United Kingdom and elsewhere, the Faculty swiftly adapted all internal moot competitions to the virtual environment, with the support of the Faculty's IT team. While MS Teams was the preferred platform for running preliminary rounds, the Finals of all four internal moots were run on Zoom.

26 External Moot Competitions

Oxford participated in a record 26 external mooting competitions this academic year. This included 16 new

external moot competitions not entered in 2019–20. Given most moots ran online this year, travel costs were no longer a barrier to participation in moots, which allowed the Mooting Programme to provide more opportunities to students. It is hoped to maintain as much of this momentum as possible in future.

NEW: Postgraduate Moot Competition

This year the Faculty established the Blackstone Chambers Postgraduate Mooting Championship. Modelled on the undergraduate "Cuppers" competition, this intercollegiate competition was introduced to increase internal mooting opportunities for postgraduate students. The competition attracted significant participation, with 30 participants from 15 different Colleges taking part. It will form part of the regular programme in future, thanks to generous sponsorship by Blackstone Chambers.



Photo by Saúl Bucio on Unsplash



Photo by Anna Shvets from Pexels

Maitland Chambers Intercollegiate (Cuppers) Moot Competition 2020-21

In the 2020-2021 Maitland Chambers Intercollegiate (Cuppers) Moot Competition, 26 teams, consisting of 75 undergraduate students, represented their Colleges in this five-stage contest. The eight top-ranked teams in the preliminary rounds advanced to the elimination stage, comprising Quarter Finals, Semi Finals and a Grand Final. Moot problems covered a range of issues including Criminal and Contract Law. The Competition is the largest Mooting Competition held by the Law Faculty, and is proudly sponsored by Maitland Chambers.

The Grand Final took place between Nadia Roberts and Caroline Green (both BA Jurisprudence, St Anne's) and Bethany Arrowsmith and Ruth Flame (both BA Jurisprudence, New).

The Grand Final was judged by Christopher Parker QC, Nicholas Peacock QC and Gregory Banner QC of Maitland Chambers. After the moot, three further members of Chambers, James Aldridge QC, Narinder Jhittay and Maxim

Cardew, held a Q&A about life at the Commercial Chancery Bar and at Maitland.

Christopher Parker QC returned to deliver a judgment on the merits of the case. Nicholas Peacock QC announced New College the winners by a 2-1 majority judgement.



Top left to bottom right: Caroline Green, Nicholas Peacock QC, Gregory Banner QC, Bethany Arrowsmith, Nadia Roberts, Ruth Flame

Herbert Smith Freehills Disability Mooting Championship 2020



Amy Gregg & Patrick Hall

The Herbert Smith Freehills Disability Mooting Championship focuses solely on legal issues affecting persons with a disability. First established in 2014, the competition expanded to become an Oxford v Cambridge tournament in 2019.

On 14 November 2020 six teams from Oxford and six teams from Cambridge competed in the preliminary rounds. The four top-ranked teams advanced to the Semi Finals and Grand Final, held later that day. The moot problem throughout the competition concerned an appeal to the Supreme Court, and considered both whether a prosthetic limb can be considered an imitation firearm, and whether damage to a mobility aid cannot amount to actual bodily harm.

In the Grand Final, Amy Gregg (DPhil Law, Exeter) and Patrick Hall (BCL, St Cross) of Oxford University went up against Maya

Edelstein and Michael Tucker (both BA Law, Pembroke) of Cambridge University. In a very close decision, Cambridge were victorious.

The Grand Final was judged by Professor Jonathan Herring (DM Wolfe-Clarendon Fellow in Law and Vice Dean of Exeter College, Oxford), Dr Brian Sloan (Fellow and Director of Studies in Law at Robinson College, Cambridge), Zoe Johnson QC (Barrister at QEB Hollis Whiteman Chambers) and Daniel Hudson (Partner at Herbert Smith Freehills).

The Grand Final was followed by a Panel Discussion on the theme "The Right to Health: has the COVID-19 pandemic eroded the health equality and access to adequate healthcare for disabled people in the UK?" Both the Grand Final and Panel Discussion can be watched on the Oxford Law Faculty's YouTube Channel.

The Organising Committee consisted of Dr Marie Tidball (Chair), Dr Luke Rostill (Vice Chair), Dr Rachel Clement Tolley (Vice Chair), Sekela Ngamilo (Student Chair), Katie Bacon (Student Vice Chair), Bryony Toon (Student Vice Chair), Selin Cavdar, George Twinn and Avantika Sengupta.

Blackstone Chambers Postgraduate Mooting Championship 2020-21

In 2020-2021 the Law Faculty launched the inaugural Blackstone Chambers Postgraduate Mooting Championship, proudly sponsored by Blackstone Chambers. The eight top-ranked teams in the two preliminary rounds advance to the elimination rounds of the competition, comprising Quarter Finals, Semi Finals and a Grand Final.

The inaugural 2020-21 competition saw 30 participants from 15 different Colleges take part. Earlier rounds covered a range of issues including those within Public International and Contract Law.

The Grand Final took place virtually on 11 March 2021 between the Jesus College team comprising of BCL students Daniil Ukhorsky and Gareth Deane, and the composite Merton College and St Anne's College team, comprising of

BCL students Riya Bhatt (BCL) and James Baillie-Gray (BCL).

The moot problem for this year's Grand Final concerned an appeal to the Supreme Court, addressing whether the Respondent detainee was within the UK's jurisdiction for the purpose of Article 1 of the European Convention on Human Rights, and whether the circumstances of the Respondent's detention were incompatible with Article 5(4) of the Convention.

The Grand Final was judged by members of Blackstone Chambers. The judges announced the Merton College/St Anne's College team the winners, commending all mooters on the quality of their submissions and advocacy.



Blackstone Human Rights Moot Court Competition 2021

Oxford Lawyers without Borders, the Bonavero Institute of Human Rights and the Oxford Mooting Programme joined forces again this year to organise the Blackstone Human Rights Moot on 6 March 2021. This year's competition, generously supported by Blackstone Chambers, saw five teams argue a hypothetical case concerning the right to take part in public affairs, freedom of expression and freedom of peaceful assembly.

In the preliminary rounds, teams including both undergraduate and BCL students argued once as Applicant and once as Respondent.

The two teams that proceeded to the Final were Alexander Yean (BA Jurisprudence, Exeter) and Firdaus Mohandas (BA Jurisprudence, St John's) for the Applicant, and Alvin Cheung (BCL, University) and Ernest Leung (BCL, St Catherine's) for the Respondent. The finalists made their submissions before a panel of esteemed judges including Professor Kate O'Regan

(Director of the Bonavero Institute of Human Rights), Ivan Hare QC and Tom Lowenthal (Blackstone Chambers), and Sanya Samtani and Ayushi Agarwal (DPhil Law students).

The winners were the Respondent, Alvin and Ernest. Alvin and Alexander were also awarded "Best Speaker, Final Round" and "Best Speaker, Preliminary Rounds" respectively.



Monroe E Price Media Law Moot Court Competition 2020-21



Left to right: William Wong, Samuel Bailey, Ernest Leung, Samira Mathias

The Monroe E Price Media Law Moot Court Competition was established in 2008 by the Programme in Comparative Media Law & Policy at the University of Oxford, and is currently organised by the Bonavero Institute of Human Rights.

The competition challenges students to engage in comparative research at the national, regional and international levels, and to develop their arguments on cutting-edge questions in media and international human rights law. In particular, the competition aims to cultivate interest in freedom of expression and the role of the media and information technologies.

Oxford's team for the 2020-21 competition comprised of four BCL students, Ernest Leung (St Catherine's), Samuel Bailey (Balliol), Samira Mathias (Somerville), and William Wong (Keble).

They were coached by Aparajita Arya (BCL 2019).

The 2020-21 moot problem addressed topical issues concerning disinformation on social media sites and restrictions imposed on individuals in tackling a public health crisis.

The competition is comprised of seven Regional Rounds, followed by the International Rounds. The Oxford team argued in two oral rounds as the Applicant and the Respondent respectively and won both rounds.

Whilst the Oxford team unfortunately did not qualify for the International Rounds, they were awarded Best Memorial. Samuel was additionally awarded the Best Oralist Prize for his excellent advocacy.

DCU National Moot Competition 2020

The DCU National Moot Court Competition, hosted by Dublin City University and sponsored by A&L Goodbody, is the biggest university-level mooting competition in Irish Law. Held virtually for the first time this year, it attracted 40 teams from higher education institutions across Ireland and the UK.

This year's moot problem focused on the law surrounding the tort of medical negligence. Students prepared written submissions for both the claimant and defendant, and were expected to cite leading Irish authorities in the area, although could also draw upon cases from across the common law world.

The competition involved one pre-recorded round, followed by four knock-out rounds judged by academics,

practitioners, and other members of the legal profession.

Three Oxford teams progressed to the knockout rounds, consisting of: (1) Alvin Cheung (BCL, University), Olivia Railton (BA Law with Law Studies in Europe, Wadham) and Laura Harray (BA Jurisprudence, Brasenose); (2) Jennifer Tse (BCL, St Peter's), John Yap (BA Jurisprudence, Mansfield) and Benedict Stanley (BA Jurisprudence, St John's); and (3) Ruth Coughlan (BCL, University), Christina Kartali (BA Jurisprudence, Jesus) and Arthur Wong (BA Jurisprudence, Lady Margaret Hall).

Ruth, Christina, and Arthur progressed through the knockout rounds to the Final to face off against a team from University College Dublin. The Final was judged by Mr Justice MacMenamin of the Supreme Court of Ireland, Judge Stewart of the High Court and Tom Casey, a partner at A&L Goodbody.

Oxford emerged victorious, with Ruth also awarded Best Speaker in the Final.



Landmark Chambers Property Moot Competition 2020-2021



The Landmark Chambers Property Moot Competition provides students who are particularly interested in property law with an opportunity to develop their understanding of

the subject. In the 2020-2021 competition, Oxford was represented by Alexander Yean (BA Jurisprudence, Exeter) and Bethany Arrowsmith (BA Jurisprudence, New).

In the preliminary round, held in November 2020, Oxford came up against Queen Mary University of London. The problem focused on the interpretation of a commercial lease and, in particular, the meaning of "demand" and "vacant possession". The Oxford team was ranked within the highest-scoring eight teams out of over two dozen competing teams.

Having succeeded in the preliminary round, Oxford progressed to the Quarter Finals in early December 2020. Here, the team was triumphant against the London School of Economics, in a moot that focused on the law on implied

terms and the academic question of whether a lease could be determined by repudiatory breach.

The Semi Finals were held in early January 2021, and the problem involved examining a specific provision of the Housing Act 1988 and its application. Despite the highly technical problem, the team was victorious over City, University of London.

The Grand Final problem focused on the ambit of prescriptive easements and the test for unlawful intensification. Unlike previous rounds, the problem was an appeal to the Supreme Court, and the Oxford team (acting as counsel for the Appellants) were tasked with overruling a legal test that has stood for over half a century.

The Grand Final was held on 4 February 2021 between Oxford and Cambridge, and was presided over by HH Judge Dight.

Oxford were crowned the overall winners of the competition, which in 2020-21 saw teams participate from 28 different UK universities. Alexander and Bethany were awarded £500 and invited to undertake mini-pupillages in Chambers.

International Roman Law Moot Court Competition 2021

The International Roman Law Moot Court Competition brings together students and academics to promote the study of Roman law. In teams of four, undergraduate students from eight leading universities conduct research and present legal arguments on complex issues of Roman private law.

This year's competition was held online from 7 to 9 April 2021. Hosted by the Eberhard Karls Universität Tübingen, it featured a problem question set in the former Roman province of Raetia, centred around an horse breeder's quarrels with the local population

Teams debated his contractual rights against an Alemannic equestrian as well as a local sculptor under the *actio praescriptis verbis* and the *actio locati*, respectively. Students were challenged to determine these by reference to Emperor Justinian's *Corpus Iuris Civilis*, compiled in the 6th century AD.

Coached by Dr Joe Sampson, Yun Kei Chow (BA Jurisprudence, Christ Church) and Benedict Stanley (BA Jurisprudence, St John's) appeared for the plaintiff, while Kacper Kryk (BA

Jurisprudence, Corpus Christi) and Henry Fahrenkamp (BA Jurisprudence, Magdalen) argued for the defendants.

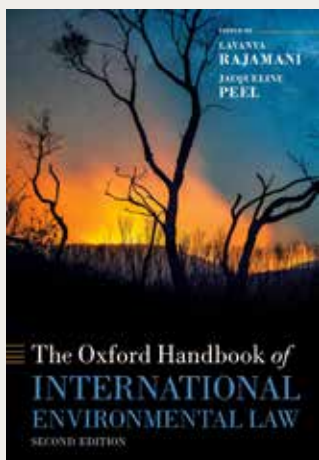
Following the preliminary rounds, the defendants were victorious in their Semi Final against the University of Liège. The plaintiffs then faced the University of Naples Federico II in the Grand Final.

The plaintiffs claimed the *palma victoriae* for Oxford. In addition, Kacper was awarded the Hart Publishing Prize for Best Legal Analysis. The University of Oxford now ranks first in the total number of victories.



Top left to bottom right: Benedict Stanley, Yun Kei Chow, Henry Fahrenkamp, Kacper Kryk

The Oxford Handbook of International Environmental Law (Second Edition) edited by Lavanya Rajamani and Jacqueline Peel

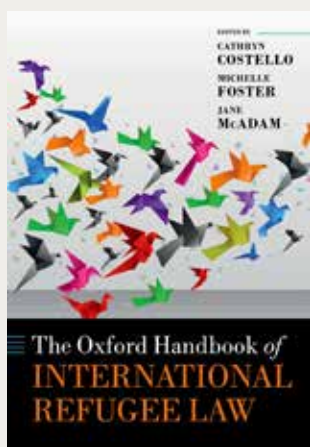


has been published by Oxford University Press. It provides a comprehensive overview of the field of international environmental law, with contributions from leading scholars in the discipline. The latest edition also includes significantly expanded coverage,

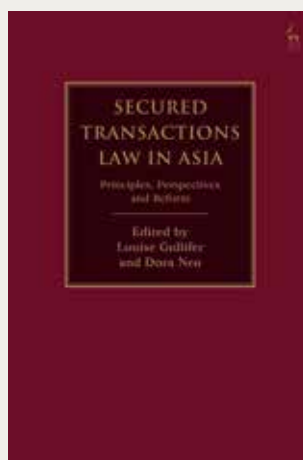
to include new sub-fields such as climate law, wildlife law, shipping, and aviation as well as being infused with 'new generation' thinking international environmental law, with new voices, particularly women and Global South scholars, and new perspectives from other legal and non-legal fields.

The Oxford Handbook of International Refugee Law edited by Cathryn Costello, Andrew W Mellon, Michelle Foster, and Jane McAdam

has been published by Oxford University Press. Drawing together leading and emerging scholars, the Handbook provides both doctrinal and theoretical analyses of international refugee law and practice. It critiques existing law from a variety of normative positions, with several chapters identifying foundational flaws that open up space for radical rethinking.



Secured Transactions Law in Asia: Principles, Perspectives and Reform edited by Louise Gullifer and Dora Neo has been published by Hart Publishing. This collection of essays offers a unique insight and overview of the secured transactions law in many of the most important countries in Asia, as well as reflections on the need for, benefits of and challenges for reform in this area of the law. The book also

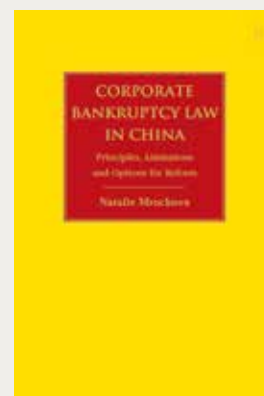


provides a mixture of general reflections on the history, successes and challenges of secured transaction law reform, and critical discussion of the law in a number of Asian countries.

Cover image courtesy of Hart Publishing

Natalie Mrockova's book *Corporate Bankruptcy Law in China* has been published by Hart Publishing. It

provides a unique insight into China's business world and its interaction with the judicial and political system. Mrockova draws on empirical data, decided cases and her experience of how the law and surrounding practices deal with foreign stakeholders whose interests are affected by corporate bankruptcy in China to improve understanding of how China's corporate bankruptcy law has been used in practice, what has limited its practical effectiveness, whether it is desirable for the law to be used more readily in China, and the possible options for its reform.



Cover image courtesy of Hart Publishing

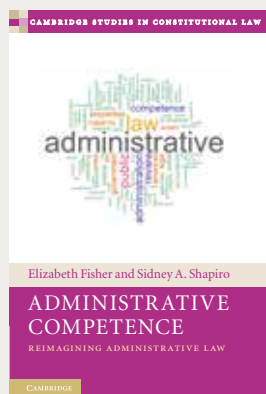
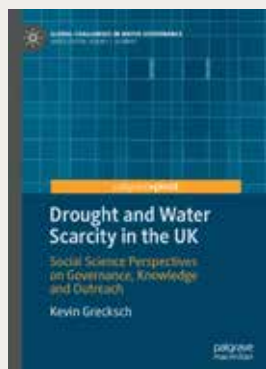


Poorna Mysoor's book *Implied Licences in Copyright Law* has been published by Oxford University Press. Mysoor's book is one of the first full length monographs to provide an exploration entirely devoted to implied licences in copyright law. Unlike the existing literature which are generally more descriptive, this book

focuses on the larger picture by first developing a methodology for implying copyright licences and then

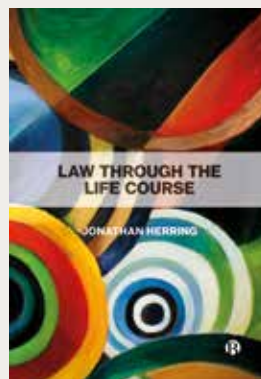
analysing the case law in its light. The book provides both a conceptual and doctrinal analysis of implied licences, laying a firm foundation for the application of implied licences to online as well as offline scenarios.

Kevin Grecksch's book *Drought and Water Scarcity in the UK: Social Science Perspectives on Governance, Knowledge and Outreach* has been published by Palgrave Macmillan. This book presents a social science perspective on drought and water scarcity in the UK. It puts forward a narrative of how different stakeholders manage drought and water scarcity, how they generate and manage knowledge and how power relationships between stakeholders shape drought and water scarcity management.



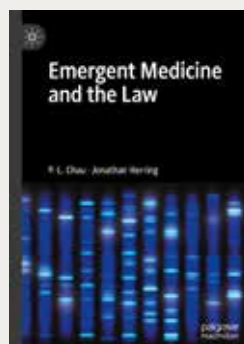
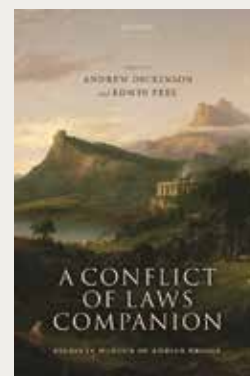
Administrative Competence: Reimagining Administrative Law by Liz Fisher and Sidney Shapiro has been published by Cambridge University Press. The book reimagines US administrative law as the law of public administration by making its competence the focus of administrative law. Grounded in extensive interdisciplinary, historical, and doctrinal analysis, Fisher and Shapiro show why understanding both the capacity and authority of public administration is crucial to understanding administrative law. To address the current precarious state of administrative law, they support a new study of the administrative process by an Attorney General's Committee on Administrative Procedure and argue for a revised Administrative Procedure Act (APA).

Jonathan Herring's book *Law through the Life Course* has been published Bristol University Press. Court decisions are typically seen as one-off interventions relating to an incident in a person's life, but a legal decision can impact on the person as they were and the person they will become. This book is the first to explore the interactions of the law with the life course



in order to understand the complex life journey as a whole. Jonathan Herring reveals how the law privileges 'middle age' to the detriment of the whole life story and explains why an understanding of the life course is important for lawyers. Relevant to those working in family law, elder law, medical law and ethics, jurisprudence, gender and the law, it will promote new thinking by exploring the engagement of the law with the life course of the self.

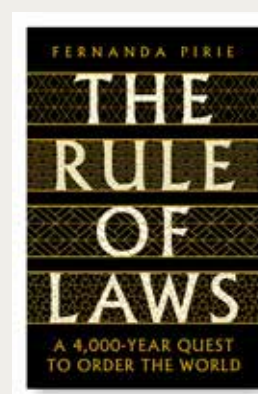
A Conflict Of Laws Companion edited by Andrew Dickinson and Edwin Peel has been published by Oxford University Press.



Emergent Medicine and the Law by Jonathan Herring and P-L. Chau has been published by Palgrave Macmillan.

'The Rule of Laws: A 4,000-Year Quest To Order The World' by Fernanda Pirie has been published by Profile Books.

In her book Fernanda Pirie traces the development of the world's great legal systems – Chinese, Indian, Roman, and Islamic – and the innumerable smaller traditions that have existed in their shadow. At the heart of the story is a persistent paradox: how have the pronouncements of the mighty so often ended up helping ordinary people in their struggle for a better world?



Sfiso Nxumalo



Growing up in South Africa, I have had first-hand experience of human rights violations perpetuated by apartheid. These human right violations and infractions still persist today and manifest in almost every corner of South African townships. These are exacerbated by the increasing social and economic inequality that characterises South Africa. Racial division, although no longer legalised, remains commonplace. Thus growing up in the crucible of inequality, racial division and daily human rights infractions caused me to critically think about the role of the law and the Constitution in addressing these issues.

The human rights entrenched in the Bill of Rights of the South African Constitution, form an integral foundation of post-apartheid South Africa as a constitutional democracy. However, due to the failure of the State to provide basic services such as housing, water and adequate healthcare, many of these fundamental human rights remain meaningless. The material conditions in these townships are largely disconnected from the vision and promise of the Constitution, its

rights remain hubs of violence. I grew up in one of these townships and having lived there for most of my life, I have had a close encounter with the harsh and adverse effects of human rights violations. Perforce, an aspiring constitutional lawyer, this sparked my interest and commitment to human rights.

Today, I firmly believe that law is an integral part of organising a society in such a way that secures social justice, equality, and human dignity for all through the promotion and respect of fundamental human rights. These ideals are notoriously difficult to define, but I am obsessed with coming to understand these elusive notions and particularly their relationship to law. My fixation with issues of human rights, social justice, equality and dignity is driven by a deep dissatisfaction with the glaring inequality and social injustice that permeate South African society as elucidated above.

Reading my first constitutional law cases as an undergraduate at Witwatersrand University, I was struck by the difficulty of the judicial task in bringing the abstract, open-textured values of the Constitution to bear on a complex and often fractured practical reality. This challenging but compelling constitutional imperative captured both my intellectual interest and my sense of social responsibility as an aspiring lawyer. It ultimately propelled me to apply for a clerkship position at the South African Constitutional Court, which provided me with an opportunity to engage in complex matters and assist in the making of the paramount decisions that affect the very realities of the people of the country.

Being a part of the Constitutional Court allowed me to contribute immensely to the jurisprudence of the Court in relation to human rights and the ongoing conversation about constitutionalism. It has been a tremendously challenging but highly rewarding chapter of my life, characterised by unrivalled learning, rigorous debates and critical thinking with innovative solutions. That said, my DPhil constitutes a further chapter in my engagement with human rights and constitutionalism. My thesis is a call for a reimagining of human rights, in which duties are treated as the appropriate starting point of human rights. It is about the re-construction of African legal theory. It is about recognising and taking note of Africa. Decoloniality and centring African legal theory require courts and scholars in Africa to have a deeper engagement with their history and identity.

Recently, I was invited with my co-author to present a paper on the role of courts in upholding the rule of law and preventing democratic regression in Africa at the African Network of Constitutional Lawyer's "Checking the Tide of Democratic Regression in Africa" Conference 2021. Moreover, I have published in peer-reviewed journal articles such as *The Obiter* and the *African Law Review*. I am also the incumbent President of the Oxford Law Black Alumni Network, which aims to build relationships between Black students and alumni of Oxford Law Faculty and establish a global professional network.

The Law Faculty Dean, Mindy Chen-Wishart, invited students during lockdown to go for walks with her around University parks to provide them with some contact with the Faculty. Many students joined her, here are just a selection.



Connecting with Students over Lockdown



Director of the Masters in Law and Finance, Luca Enriques, also took his students to the park for a chance to meet in person and discuss the course.

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