



Shakespeare and the Law



CEL on the EU Referendum



Climate Change Adjudication

# Law Profile

The Dickson Poon  
School of Law  
**2015–16**



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Shakespeare & the law  
Page 8



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Politics, Philosophy & Law  
graduation Page 14



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Media spotlight  
Page 18



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Country focus: Brazil  
Page 40



# Contents

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Welcome	2
The Dickson Poon School of Law in numbers	4
News in brief	6
Shakespeare & the law	8
Student spotlight	12
Politics, Philosophy & Law graduation	14
Meet the academic staff	16
Media spotlight	18
The Centre of European Law on the EU referendum	20
Research update	24
Books: selected publications from the school in 2015–16	28
Portraits of a global law school	30
Transnational Law Summer Institute	38
Country focus: Brazil	40
Climate change adjudication	42
Mooting	46
Events	48
Philanthropy	50
Connect with us	52

# WELCOME

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It is my pleasure to welcome you to this year's annual report on The Dickson Poon School of Law. As President and Principal of King's College London, I feel a great sense of personal pride as I witness the School's continued transformation, thanks to the remarkable vision and generosity of Sir Dickson Poon, into one of the best law schools in the world.

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Professor Edward Byrne AC,  
President & Principal, King's College London

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Ever since I joined King's College London in September 2013, I have been continually impressed and excited by the breadth and scale of activity taking place every day within The Dickson Poon School of Law. Ranked number one in the UK for its world-leading research in the 2014 Research Excellence Framework and recognised globally as one of the best law schools in the world, The Dickson Poon School of Law has built an outstanding reputation for its innovative teaching, interdisciplinary research and inspiring outreach work that is making a profound impact on law, politics and society worldwide.

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Professor Evelyn Welch,  
Provost & Senior Vice President (Arts & Sciences)

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## *Introduction from Acting Executive Dean Professor Ben Bowling*

### **It's been another busy and exciting year for King's and for The Dickson Poon School of Law.**

I feel honoured to serve as Executive Dean in the interim between former Dean Professor David D Caron and Professor Gillian Douglas who takes up the Deanship in 2017. My goal is to maintain the upward trajectory of the School which – thanks to the dedication, global outlook and passion of our students, staff and alumni – continues to push the boundaries of legal research and education and to make an impact on the wider world.

Our School would be nothing without our students and I count myself incredibly lucky to work alongside some of the brightest, most interesting young people who are hungry to learn, inquisitive, and passionate in their ambition to make the world a better place. Their successes are impressive and numerous. In the Student Spotlight section of this report you will read about some of their mooted achievements, academic awards, scholarship awards and student led conferences.

Our alumni are integral to our community. We are delighted to be able to share with you some interviews with alumni and staff past and present.

Also in this report, you can read about how new scholarships, established by our alumni, are helping current students achieve their ambitions even when they are in urgent financial need.

Staff at The Dickson Poon School of Law are highly active in research and are engaged in a number of exciting initiatives, many of which are interdisciplinary and at the cutting edge of scholarly thought. We are fortunate to be able to celebrate a number of awards such as the appointment of Professor Robert Blackburn and Professor Jonathan Harris as honorary QCs for their contribution to English and Welsh law. Our experts remain at the forefront of transnational legal scholarship and international debate on Britain's complex relationship with the European Union; the School looks forward to a lively engagement with the Brexit debate in 2016-17.

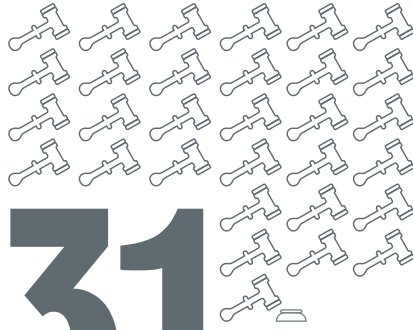
The members of our community come from all corners of the world, bringing a vibrancy to the Law School that reflects our location in the cosmopolitan and diverse world city that is London. I hope you enjoy finding out more about our 2015-16 academic year and look forward to welcoming you to the School in the year ahead.



**Left: Professor Benjamin Bowling attends a celebration event for Politics, Philosophy & Law graduands earlier this year.**

# THE DICKSON POON SCHOOL OF LAW

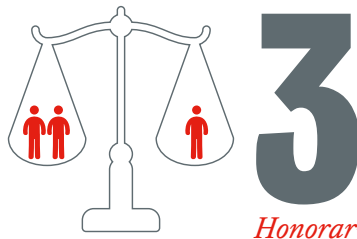
*In numbers*



*international judges  
at the School's events  
throughout the year*



*international partners  
across the globe*



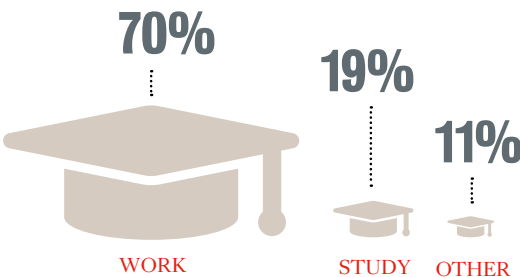
*Honorary QCs*



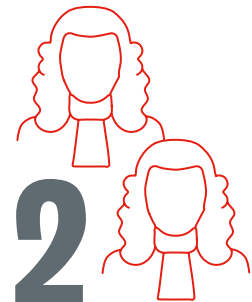
APPROX



*Graduate destinations:*



*student societies affiliated  
with the Law School*



*former Lord Chief Justices  
of England and Wales are  
Distinguished Visitors*

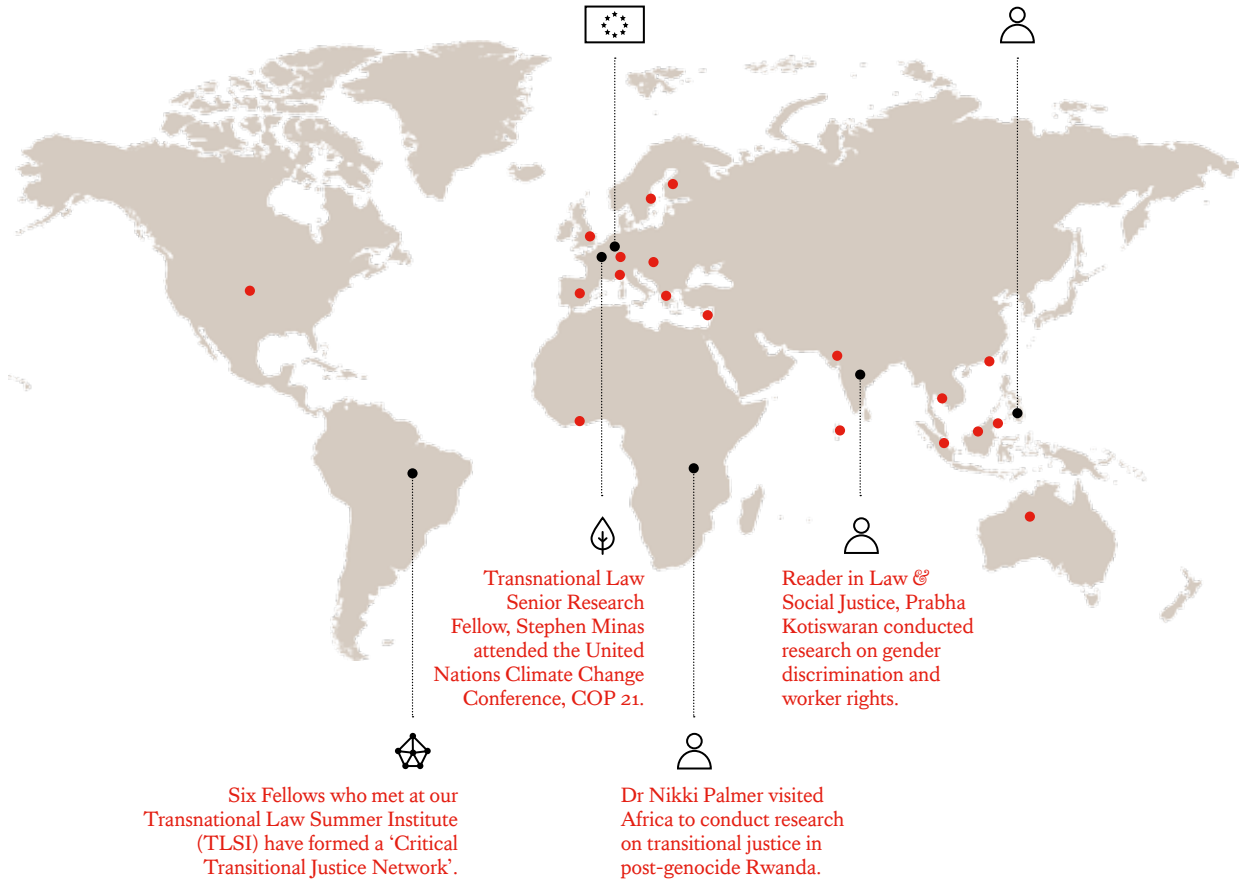
# 48

*countries represented across the first year undergraduate cohort*

● International scholars that were recruited from their respective countries in the 2015–16 academic year.

LLB student Maria Luchian won the Alexander Chloros Scholarship and interned at the Court of Justice of the European Union.

LLM student Armi Beatriz Bayot, who is from the Philippines, won the prestigious Georg Schwarzenberger Prize in International Law.



# NEWS

*In brief*



## **QC appointments: Professor Robert Blackburn and Professor Jonathan Harris**

In January 2016, Her Majesty The Queen approved the appointment of two King's professors as honorary QCs for their outstanding contributions to English and Welsh Law. Professor Robert Blackburn and Professor Jonathan Harris were among the eight new honorary QCs appointed. Professor Blackburn was recommended for his constitutional law work including his report on how a written constitution might work. Professor Harris was recommended for his work on private international law and in particular for having written the law in several jurisdictions on firewall trusts.



## **Seton Award for best writing**

Dr Barbara Lauriat received the prestigious 2015 Seton Award for best writing by a lawyer under 40 published in the Journal of the Copyright Society of the USA. Dr Lauriat's winning article, 'Free Trade in Books: The 1878 Royal Commission on Copyright,' explores the complex relationship between the free trade doctrine and copyright policy using the example of Britain's Royal Commission on Copyright. Dr Lauriat is a Senior Lecturer at King's, a Research Fellow at the Oxford Intellectual Property Research Centre and an Academic Fellow of the Honourable Society of the Inner Temple.

## **Professor Penney Lewis appointed to the Human Tissue Authority**

In March 2016, Professor Penney Lewis was appointed as an Authority Member to the Human Tissue Authority (HTA) by the UK Secretary of State for Health. The HTA is the regulator for human tissue and organs and was created by Parliament as a non-departmental public body following inquiries which uncovered how some UK hospitals were removing and retaining human organs and tissues without consent. Professor Lewis is Co-Director of the Centre of Medical Law & Ethics and has published on a wide range of medical law topics, including advance decision-making, refusal of treatment, assisted dying, medical treatment of children and medical procedures which are against the interests of adults lacking capacity.

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King's was established to be distinctive not by simply serving our own concerns or those of our students, but by being committed to benefiting others in the wider world.

King's College London  
Strategic vision

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Above: Professor Maleiha Malik meets staff at Vietnam National University.

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### **Knowledge Transfer Partnership with Vietnam National University**

Led by Professor Maleiha Malik and established in 2015, King's innovative Knowledge Transfer Partnership with the School of Law at Vietnam National University has seen a number of early successes this year. Highlights include the launch of the King's at VNU-Law Lecture Series in Hanoi in October 2015, which saw King's human rights law expert Professor Robert Wintemute engage 30 students on the subject of discrimination against LGBT communities around the world. Professor Malik has also been involved in discussions with NGOs and government officials in Vietnam on issues such as the country's death penalty laws.

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### **Sustainability Silver Award**

The School has recently been awarded a Sustainability Silver Award for its contribution to reducing King's environmental impact and protecting the planet. The initiative was led by the university's Sustainability Department in conjunction with the NUS Green Impact Awards. Champions in the School promoted sustainability in their local areas with the use of an online toolkit, which introduces easy to follow actions, such as initiatives involving waste and recycling. The School has also introduced house plants to staff offices, student common rooms and communal areas.

# Shakespeare & the Law

*When King's marked the 400th anniversary of Shakespeare's death, we asked 'what can law students learn from the bard?'*



'Shakespeare and the Law' at Inner Temple.



In 2016, King's marked the anniversary of Shakespeare's death through *Shakespeare400*, a consortium of leading cultural, creative and educational organisations coordinated by King's.

Professor Lorenzo Zucca (The Dickson Poon School of Law) and Dr Hannah Crawford (Department of English) developed and taught undergraduate module Shakespeare & the Law for the first time in the autumn term of 2015. Students explored the role of the law in mediating the place of the individual in society and considered private legal issues relating to marriage, betrothal, contracts, property and inheritance. Students also engaged with the public aspects of Elizabethan law that Shakespeare would have been familiar with, addressing the legal implications of early modern debates about the power of the monarch, the responsibilities of a nation towards its ruler and principles governing succession. The module culminated not with an exam paper or an essay but with a performance set in a Shakespearean court of law.

The mock trial took part at Inner Temple in March 2016 with English and Law students assuming the roles of characters from one of Shakespeare's most performed plays, *Measure for Measure*. The play ends with a trial in which Angelo is accused of blackmail and corruption. The Judge, Duke Vincentio, is the ruler of Vienna and has resumed his authority after an absence during which Angelo was in charge and



committed the crimes for which he is standing trial. At the end of Shakespeare's trial the Duke pardons Angelo. However, King's mock trial questioned the legality of the Duke's pardon of Angelo. The student prosecutors sought a reversal of the pardon and argued that the law should be strictly applied and Angelo found guilty of both blackmail and corruption. The second part of the King's trial questioned the Duke's legal and moral responsibility for maladministration and for relinquishing his obligations as a ruler. King's student prosecutors sought that the court find the Duke guilty of dereliction of duty. The student jury found both Angelo and Duke Vincentio guilty – Angelo guilty of blackmail and corruption and Duke Vincentio of dereliction of office.

The judges in the Inner Temple proceedings were The Rt Hon Lord Judge, Lady Justice Arden and Professor David D Caron. Speaking about the event Lord Judge said 'the joint effort between the School of Law and the Department of English to write and perform what would have been Act VI of *Measure for Measure* (a great play about law and justice) as the trial of Angelo and the further trial of the Duke was a remarkable achievement. When I first heard about it I thought the idea was wonderfully courageous, in the sense that it was very risky and would be desperately hard to accomplish, and the efforts of the academic staff and the students from both faculties put every one of my original hesitations into a deep sleep. I shall be very pleased if in my time at King's, any other event repeats the delight I had in this venture.'



Right: 'Shakespeare and the Law' at Inner Temple.

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When it comes to Shakespeare, law clearly benefits from engagement with his works. So much has been inspired by his use of rhetoric and ability to present arguments. Studying law through the lens of Shakespeare's plays certainly contributes to the development of skills for lawyers.

Professor Lorenzo Zucca,  
Chair of Philosophy & Law and co-leader  
of the Shakespeare & the Law module.

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## Shakespeare banners

Banners celebrating Shakespeare's close relationship with legal London are on display in the Law School as part of the School's visual arts programme. *For pity is the virtue of the law* comprises three 18 metre long banners by honorary artist David Borrington. The banners hang in the stairwells of Somerset House East Wing and comment on the connections between present day and Shakespearean legal London. Borrington's original drawings are on vellum, a parchment that was prevalent in Shakespeare's time and which is still used in the government's drafting of bills today.

**Left: Artwork for one of three banners specially commissioned by the School to celebrate Shakespeare400.**

**Below: Professor Lorenzo Zucca looks on as actor Juliet Stevenson performs during 'Shakespeare and the Law' at Inner Temple. (Credit: Peace Brigades International)**

## Celebrating Shakespeare's 400-year influence

In November 2015, Professor Lorenzo Zucca participated in a special event to raise funds towards capacity building programmes in Kenya and Nepal. The event, entitled 'Shakespeare and the Law', was hosted at Middle Temple by Peace Brigades International UK and The Alliance for Lawyers at Risk and featured performances by leading actors Sheila Hancock, Alex Jennings, Juliet Stevenson and Samuel West.



# STUDENT SPOTLIGHT

## Alexander Chloros Scholarship

Undergraduate law student Maria Luchian was awarded the Alexander Chloros Scholarship at the Court of Justice of the European Union in 2016. The scholarship covers an internship generously funded by the family of Professor Alexander Chloros, the first director of the King's Centre of European Law and judge at the European Court of Justice. Maria spent two weeks interning at the chambers of Judge Christopher Vajda, at the Court of Justice. She said, 'being an intern at the Cabinet of Judge Vajda was both an invaluable experience for me as a future lawyer and a wonderment for me as a student. Having painstakingly studied at an academic level so many judgments of the Court, it was eye-opening to shift perspective and see how the Court actually works.'

## Georg Schwarzenberger Prize

Transnational Law LLM alumna Armi Beatriz Bayot was awarded the prestigious Georg Schwarzenberger Prize in International Law by the Institute of Advanced Legal Studies at the University of London. Ms Bayot is an Associate Solicitor from the Office of the Solicitor General of the Republic of the Philippines. She is also one of the lawyers of the Government of the Philippines (GPH) peace panel in talks with the Moro Islamic Liberation Front. The highly competitive process calls for six University of London law schools to nominate an exceptional candidate to be considered for the award. Ms Bayot came to King's on a Chevening Scholarship and wrote her award-winning paper as part of the Transnational Law LLM module 'Hard Cases' in Transnational Law & Global Governance.

Above: speaker and students at a recent Lawyers Without Borders event; PILnet seminar series hosted by the School in February



## Transnational challenges and opportunities: the 10th International Graduate Legal Research Conference

The first of its kind amongst top universities in the UK, the International Graduate Legal Research Conference, hosted at King's, is organised by and aimed at doctoral researchers. To mark the 10th year of the conference, the organisers – four of whom, Emma Perot, Estelle Marks, Adi Goldiner and Ezequiel Monti, are first-year Dickson Poon PhD Scholars – chose to centre the discussions around the broad theme: 'The Transnational Legal Landscape: Challenges & Opportunities.'



*The fourth annual KCL-UCL Postgraduate Environmental Law Symposium was held two months after the Paris Climate Conference*

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## KCL Law Forum

Democratically elected by King's law students, the KCL Law Forum is the representative body for students at The Dickson Poon School of Law. Its annual student satisfaction survey, which gathers data on a broad range of topics, from careers support to tutorials and seminars, has proved hugely successful, creating a dialogue between the student body and the School that is helping to tackle key student issues. The Law Forum also hosted their inaugural public debate in March 2016. The debate was designed to engage students with the current changes taking place within UK legal training, and to explore how these changes will shape culture and values of the legal profession for the future.

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## The fourth annual KCL-UCL Postgraduate Environmental Law Symposium

Co-convened by third-year Dickson Poon PhD Scholar Ioanna Hadjiyanni in February, the 2016 KCL-UCL Postgraduate Environmental Law Symposium brought together researchers from all over the world to hear presentations on some of the most pertinent issues relating to transnational environmental law. Held just two months after the Paris Climate Conference, the conference touched on many different areas of environmental law and was chaired by interdisciplinary experts from both King's and UCL.

Ioanna's research focuses on the transnational reach of European environmental law. She is part of a growing community of specialists in environmental law at King's and has co-organised the Postgraduate Environmental Law Symposium with UCL for the past two years. 'Environmental law is becoming much more prominent in UK law schools,' Ioanna explains. 'I think this kind of event is really important in building an international research community, as you see the same people attending year after year. It's nice because you get a sense of belonging to a research community.'

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## Partnership with Lawyers Without Borders

In January 2016, the School launched a new partnership with Lawyers Without Borders, a USA-based charity that harnesses the pro bono work of practising lawyers and law students into a global volunteer service promoting access to justice and the rule of law in developing countries. Student divisions play a vital role in supporting the organisation's work by acting as on-call research teams and raising awareness of pro bono, the rule of law and human rights issues.

The President of the King's Lawyers Without Borders Student Division, Farnush Ghadery, was involved in setting up the new division. 'I came across Lawyers Without Borders at a King's careers event and thought it was a great NGO,' says Farnush. 'The division has two roles: firstly, to assist with the organisation's research. We recently did some research into legal issues around wildlife tracking in Kenya. Secondly, we organise events for students on rule of law issues and human rights in developing countries. We held an interesting event recently that Dr Eva Pils spoke at, which focused on the dangers human rights lawyers can face in some countries.'

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## Collaboration with Public Interest Law Network

Through a special series of public and private seminars hosted at King's in February 2016, the School is strengthening its partnership with international NGO PILnet, the Public Interest Law Network. The events, which considered current threats to global civil society as well as global human rights advocacy, were attended by School staff, the King's Lawyers Without Borders Student Division and the King's School of Global Affairs. As a result of this successful collaboration, the School is now exploring the possibility of co-developing a transnational public interest law fellowship programme with PILnet and Columbia Law School. This initiative would build on the success of the long-established Columbia PILnet Fellows Programme, allowing Fellows to spend a short period of time at King's in London. During this time, it is anticipated that the Fellows would enrich the School's research and teaching in public interest law and human rights law through a range of events and outreach activities.

# POLITICS, PHILOSOPHY & LAW GRADUATION

The first cohort of Politics, Philosophy & Law (PPL) students graduated in summer 2016.

The School hosted a breakfast celebration event to mark the occasion and PPL graduands, their families and staff were invited. Professor John Tasioulas (Director of the Yeoh Tiong Lay Centre for Politics, Philosophy & Law) and Dr Christoph Kletzer (Programme Leader) congratulated students on their achievement.

The Politics, Philosophy & Law LLB offers students the opportunity to fulfil the requirements of a qualifying law degree, while at the same time being able to engage with a wide range of optional modules from the Philosophy and Political Economy departments at King's. Students receive an interdisciplinary education that prepares them for working in an increasingly globalised environment. The programme launched in 2012 and is underpinned

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It's a wonderful course and the best thing about it is the people you meet.

Raid Hachankeng, graduand,  
Politics, Philosophy & Law LLB

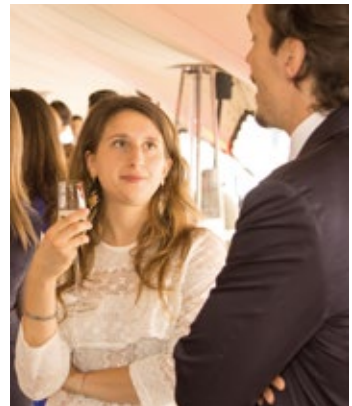
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by the expertise in the Yeoh Tiong Lay Centre for Politics, Philosophy & Law.

Speaking at the event, graduand Kiran Chita commented on the flexibility the programme gives students to choose the optional modules that most interest them while still allowing them to graduate with a degree in law. 'It's really everything that you want it to be,' she said. 'It's a wonderful course and the best thing about it is the people you meet,' added graduand Raid Hachankeng.



All images: Politics,  
Philosophy & Law  
(PPL) students  
graduation  
breakfast







**Sophie de Mello, President of the PPL Society, gives a speech at the PPL graduation breakfast celebration.**



# MEET THE ACADEMIC STAFF



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## **Introducing: Professor Catharine MacMillan, Distinguished Chair**

After a rigorous recruitment and selection process, the School has appointed Catharine MacMillan as Professor of Private Law and Distinguished Chair.

Professor MacMillan has an outstanding reputation as a leading scholar on the legal history of English contract law and has extensive experience of teaching contract and commercial law. She is particularly interested in the historical development of the common law in the nineteenth and twentieth centuries. Alongside projects concerned with the history of the Judicial Committee of the Privy Council, Professor MacMillan is working on a legal biography of nineteenth-century American lawyer Judah Benjamin.

Professor MacMillan will join the School from her current post as Professor of Law and Legal History at the University of Reading in the 2016–17 academic year.

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**You specialise in private law, with an emphasis on the historical development of the common law. What especially interests you about this topic and what is the impact you hope to make with your work?**

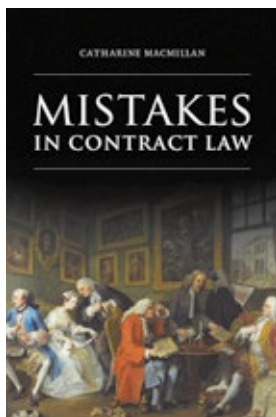
‘My expertise lies in private law, most notably contract and commercial law. I have a particular interest in how the law has developed as it has – what are the forces, both internal and external – which have shaped the law. My work is also concerned with various transnational elements in the development of English private law and explores issues such as how the law developed across the British Empire in the nineteenth and early twentieth centuries and how this development was also influenced by other legal systems, notably the French and German legal systems. One of my current projects examines the decisions of the Judicial Committee of the Privy Council in this period, to better understand how it functioned as a form of ‘global court’ and to understand its role within the British Empire. The impact of my work lies not only in the understanding of private law’s ‘past’ but, because of the nature of the common law, provides an understanding of where and how private law can develop in the future. In addition, my work provides valuable insights into the processes of legal harmonisation, which is important for the development of European Union law.’

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I am delighted to be joining The Dickson Poon School of Law. It will be an honour to work with the faculty to further enhance the School’s already strong research and teaching profiles.

Professor Catharine MacMillan,  
Distinguished Chair

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Professor MacMillan’s 2010 monograph, *Mistakes in Contract Law*, takes an innovative approach to contract law, providing a historical analysis of the common law doctrine of mistake and its application to contract law since the time of the Roman Empire.

**Tell me about your forthcoming book, a legal biography of Judah Benjamin. What contribution do you hope to make to legal scholarship with this work?**

‘Judah Benjamin was a very prominent figure in nineteenth-century America, best known for being the Confederate Secretary of State during the Civil War – Abraham Lincoln famously referred to him as the ‘brains of the bunch.’ When the South lost, Benjamin fled to England where he rose to pre-eminence as a barrister. This work identifies and analyses the cross-Atlantic legal influences Benjamin brought to bear upon not only English law but also the law throughout the British Empire. Biographers have previously focused on Benjamin’s political activities, but he was also one of nineteenth-century America’s best lawyers and he brought many new ideas and concepts with him to England. With this project and legal biography more generally, I’m intrigued by the impact key individuals such as Benjamin made on the shaping of English – particularly commercial – law.’



**Dr Zelia Gallo,  
Lecturer in Criminal Law and  
Criminology & Criminal Justice**

Dr Zelia Gallo’s research and teaching covers a range of topics relating to international criminal law, including comparative criminal justice and punishment and democracy. Dr Gallo is currently researching how the political and economic changes experienced in Italy following the Euro crisis have impacted on law and punishment in Italy. She is preparing a research paper for a special issue of *Theoretical Criminology* on the link between the state, citizens and punishment in Italy.

Dr Gallo obtained her PhD from the London School of Economics, where she was also a Research Fellow between 2013 and 2015. In 2015, she was awarded the London School of Economics Law Department Teaching Prize. In June 2016, less than a year after joining The Dickson Poon School of Law, Dr Gallo was awarded a King’s Teaching Excellence Award. These awards recognise teaching staff who have made exceptional contributions to the university’s teaching.

‘The students at The Dickson Poon School of Law have been a tremendous stimulus. Teaching such a diverse and interesting body of undergraduates, with their different experiences and aspirations has been a source of hope that our academic research may contribute to the development of our students’ generation, leading them to think beyond current intellectual, but also structural, boundaries.’

# MEDIA SPOTLIGHT



## **BBC News: did the UK lose its sovereignty in 1972?**

In March 2016, Professor Takis Tridimas of the Centre of European Law, appeared on BBC News for a discussion on British sovereignty within the context of the Brexit debate. 'What is not on offer is selective compliance with EU law, ie a situation where Parliament picks and chooses which provisions of EU law to follow and which not to follow on a case-by-case basis. This is not on offer under any international agreement,' he said.



## **The Independent: EU Referendum reforms**

Professor Alexander Türk of the Centre of European Law was quoted in an article in The Independent in February 2016 on Justice Secretary Michael Gove's claim that the recent EU reforms secured by Prime Minister David Cameron could yet be overturned by the European Court of Justice.

## **BBC Brazil: impeachment in Brazil**

The lower house of Congress in Brazil recently voted to impeach the President of Brazil, Dilma Rousseff. Dr Octavio Ferraz, Reader in Transnational Law, was invited to provide comment for BBC Brazil in April 2016.



## **New York Times, the Wall Street Journal and the Economist: Is humanity getting better?**

Over the past few months, Professor Leif Wenar and his recent book *Blood Oil: Tyrants, Violence and the Rules that Run the World* have featured heavily in the international media. In an opinion piece published in the *International New York Times* in February 2016, Professor Wenar commented: 'The real trick to understanding our world is to see it with both eyes at once... Keeping both eyes open gives depth to our perception of our own time in history, and makes us better able to see where paths to more progress may be open.'

## **BBC World News: the Centre of Medical Law & Ethics**

Noted expert on medical law and ethics Professor Penney Lewis was quoted on BBC World News in October 2015 following the State of California's decision to allow terminally ill patients to legally end their lives with a doctor's supervision.



### Financial Times: Diplomatic immunity hearings in London courts

In an article published in January 2016, Dr Philippa Webb, Reader in Public International Law, commented on the increasing number of people claiming diplomatic immunity in London courts. 'In the past, most cases where diplomatic immunity has been said to have been abused have been settled behind closed doors. What is unusual about these cases is they are coming to court and the UK is clarifying the law in this area.'



### New York Times: Technological progress and business regulation

In the aftermath of the Volkswagen air emissions revelations, Professor Karen Yeung wrote a piece for the New York Times in November 2015 commenting on the lack of incentives for businesses to set, comply with, police, and punish violations of their own standards. The article argued that global markets therefore cannot ensure that firms will 'behave with integrity.'

### BBC Radio 4: Should law be enforced?

In an interview on BBC Radio 4 in October 2015, Professor John Tasioulas commented on whether there is any point in having laws which cannot be or are not enforced. Professor Tasioulas said: 'Legal systems can exist in theory without any enforcement and mechanisms.'



### The Spectator: UK Bill of Rights

Professor of International Law Guglielmo Verdirame published an opinion piece in The Spectator in October 2015, arguing that the introduction of a British Bill of Rights would serve to protect liberty. In the article, Professor Verdirame also argues that the 'EU's power to interfere with our liberty is growing.'



### Wall Street Journal: China cracks down on rights figures with subversion charges

Chinese authorities have formalised the arrests of several long-detained human-rights lawyers and activists on suspicion of subversion. Dr Eva Pils is quoted: 'a political decision was made that lawyers doing their job in this way was something the authorities couldn't tolerate. It's incompatible with the goals of the state.'



THE CENTRE OF  
EUROPEAN LAW ON

# The EU referendum

*The UK went to the polls on 23 June 2016 to vote in the EU referendum. The result has so far raised more questions than it has answered. Find out how the Centre of European Law is responding to Brexit.*



## In 1974 when King's established its pioneering Centre of European Law the EU comprised of just nine member states.

The Centre began by exploring the implications of EU membership and has been a leading authority on EU law ever since, providing a focal point for legal and multi-disciplinary research and offering one of the most comprehensive programmes of study in European law. The possibility of Brexit has given a new focus to the Centre's work and its members have been engaging with the debate in a number of areas.

Professor Andrea Biondi co-edited *Britain Alone! The Implications and Consequences of United Kingdom Exit from the EU* which was published in 2016. The publication brings together conclusions from the Centre's 2014 conference on Brexit. In it, scholars of British constitutional law and EU law discuss such factors as the impact of EU membership on the UK constitution and the perspectives of the UK's constituent regions, along with numerous practical issues of economics and administration. Since June 2016, these considerations have come to dominate British political life and members of the Centre have been in demand, hosting and attending public engagement events, writing academic papers. Professor Sir Francis Jacobs, President of the Centre of European Law, was interviewed on the Today programme on BBC Radio Four and said, 'EU law must remain sovereign for the EU to function properly.'



The audience at the 2016 European Law Conference

Professor Takis Tridimas, Director of the Centre of European Law, discussed the UK's EU membership renegotiations on BBC News. 'At the moment we have a draft agreement which needs to be approved by the representative of the other members of state,' he said. On the question of whether David Cameron's EU deal is legally binding, Professor Tridimas, in an interview with BBC News, said: 'Ultimately, the precise interpretation and effect of the UK's arrangements will be subject to the jurisdiction of the European Court of Justice. However, it would be inconceivable for the European Court to ignore a binding commitment by all member states which has been endorsed by a popular referendum.'

Speaking to The Independent, Professor Alexander Türk said: 'The ECJ would have to think very long and hard to overturn an arrangement which has been agreed over many months in a difficult political situation. The Court would have to be convinced this is worth derailing.'

The Centre has a dynamic programme of events scheduled for the forthcoming academic year, which includes a series of 12 seminars covering different areas of law on which Brexit is likely to have an impact. Seminars are planned on the subjects of The European Economic Area, the World Trade Organisation, State Aid and more. No matter what is to come for the UK's relationship with Europe one thing is clear, the Centre of European Law will continue to be at the forefront of teaching and scholarly research in all areas of European Law.

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It is not an exaggeration to say that 'Brexit' gives rise to the most intricate legal problems ever encountered in the history of European legal systems.

Professor Takis Tridimas,  
Director of the Centre  
of European Law.

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Above: Professor Takis Tridimas speaking on BBC news

Below (L-R): Professor Takis Tridimas, Judge Christopher Vajda QC of the European Court of Justice, Professor Andrea Biondi, and Lord Justice Vos, Lord Justice of Appeal at the 2016 European Law Conference





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The legal consequences will unfold in the coming weeks and months. Some important decisions will concern the timing of the notification under Article 50 TFEU, which triggers the two-year time limit for negotiation; the extent of access to the single market and the demands of the EU for such access; the rights of residence of EU nationals in the UK and UK nationals in the EU and much more.

Professor Alex Türk speaking the day after the UK's decision to leave to the EU.

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## King's Student Law Review EU Law Blog

PhD students in The Dickson Poon School of Law publish an EU Law blog. Student-run and student-led, the blog accepts submissions for review from researchers from around the world. Its most recent series explores the implications of the EU referendum and Brexit. The articles published address questions concerning Ireland's experience with referendums on EU matters, how other Union members and the USA view Brexit, the legal technicalities of the referendum which are causing arguments between the 'In' and 'Out' camps and a review of *Britain Alone! The Implications and Consequences of United Kingdom Exit from the EU*. King's research student community will continue to engage with the debate in the months and years to come.



## Britain Alone!

*Britain Alone! The Implications and Consequences of United Kingdom Exit from the EU* (2016 Kluwer Law International) is among the first academic publications to analyse the potential legal implications of Brexit. Co-edited by Professor Andrea Biondi, the timely volume assesses the impact on topics such as constitutional law, criminal law and labour rights.

# RESEARCH UPDATE



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Our academics connect and collaborate with other universities, healthcare providers, practitioners and policy makers, to ensure that our research is having global impact.

King's College London  
strategic vision

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Above: Professor Penney Lewis,  
Co-Director of the Centre  
of Medical Law & Ethics.

## Centre for Medical Law & Ethics: reproductive ethics and the law

Human reproduction, and the donation of human reproductive materials in particular, raises many highly challenging and important questions for governments and policy makers. However, the issue has remained a comparatively neglected topic in the study of ethics and law.

Researchers at the Centre of Medical Law & Ethics are engaged in a five-year research collaboration with specialists at Lancaster University. Their ground-breaking project, entitled 'The Donation and Transfer of Human Reproductive Materials', is funded by a prestigious £950,000 Wellcome Trust Senior Investigator Award in Ethics and Society, which has the potential to make a major impact on the development of law, regulation, policy and clinical practice in this wide-ranging area, both in the UK and beyond.

The project is co-led by Professor Rosamund Scott, an expert in the legal and ethical aspects of human reproduction and co-Director of the Centre of Medical Law & Ethics with Professor Penney Lewis. The first of its kind in the UK, the Centre of Medical Law & Ethics engages with law and regulation beyond the domestic sphere, with specialisms in law at the end of life; law, ethics and mental health; and ethics and disability. The Centre has close links with the Guy's, King's and St Thomas' School of Medicine, as well as with the Institute of Psychiatry, Psychology & Neuroscience.

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## The Centre for Technology, Ethics, Law & Society: influencing policy on a new frontier

Launched in 2007, the Centre for Technology, Ethics, Law & Society is a growing hub for forward-looking interdisciplinary research that explores the legal, ethical and social implications of new and emerging technologies, including surveillance, robotics, artificial intelligence, neurotechnology and nanotechnology. Many new technologies have a transnational reach, so legal solutions to the challenges that arise in society will often need to embrace a global approach. The Centre's present Director is Professor Karen Yeung, a leading scholar in regulation studies with an international reputation for her work on the governance of, and governance through, new and emerging technologies.

The Centre's founding Director, Professor Roger Brownsword, is a member of the UK NHS Screening Committee, which in January 2016 decided to pilot a non-invasive prenatal test for Down's syndrome. If introduced, the highly accurate test could reduce the number of women having to undergo invasive and potentially risky amniocentesis testing. The test could also reveal a great deal more about the genetic status of the foetus and the health of the mother, raising questions such as whether the law should recognise a right to know this additional information. Professor Brownsword is also part of an expert Royal Society Working Party on machine learning, a type of artificial intelligence that provides computers with the ability to learn without being explicitly programmed. The project aims to engage the public with machine learning, its applications and implications – both positive and negative – for society, ethics and the law.



Above: (L-R) Professor David Mosey, Director of the Centre of Construction Law & Dispute Resolution with Professor David D Garon.

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## Construction: engaging with industry global giants

Founded in 1987 by Professor John Uff QC, the Centre of Construction Law & Dispute Resolution and its signature part-time MSc in Construction Law & Dispute Resolution are widely regarded by experts as leading in the field. Interdisciplinary work that engages routinely with key players in the global construction industry is at the Centre's core, and this is reflected in its approach to teaching: staff and students are drawn from all sides of the construction industry and its related professions, including lawyers, engineers, surveyors and architects. The Centre's distinctly international character, with partnerships in Australia, Singapore and Germany, chimes with the broader transnational research agenda of The Dickson Poon School of Law and ensures that its research continues to drive forward innovation in the sector.

The Centre's Director, Professor David Mosey, is a noted expert in construction law, particularly in the areas of procurement and collaborative contracting. In association with the Association of Consultant Architects (ACA), Professor Mosey will shortly launch his new 'Framework Alliance Contract' – a hotly anticipated and completely new form of contract, which is the culmination of a significant body of work spanning 15 years. The contract has been refined through an extensive international consultation process involving well over 100 international organisations. In November 2015, Professor Mosey was given a lifetime achievement award by the ACA for his 'crucial contribution to the adoption and use of partnering in the procurement process.'

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## Competition Law

Competition law has been an integral part of life at King's since 1991. In 2015-16 competition lawyers have run a series of events including an internal eminent guest lecture series for students, the international Herbert Smith Freehills competition law moot, public lunchtime lectures and an alumni event and one day conference in Brussels.

In 2015-2016, in addition to publishing books that provide core research resources for competition researchers, students and practitioners (e.g., Whish and Bailey, *Competition Law* (OUP, 2015), Jones and Sufrin, *EU Competition Law* (OUP, 2016) and Nazzini, *Competition Enforcement and Procedure* (OUP, 2016)), a focal point of some of the competition group's work has been, and continues to be, on studying new systems of competition law (especially China), including how they are enforced, evolve and yield improvements over time. The Competition Law group has had extensive engagement with new regimes and international organisations (including the International Competition Network (ICN), United Nations Conference on Trade And Development (UNCTAD) and Organisation for Economic Cooperation and Development (OECD)) as expert advisers, researchers and instructors (including putting on a three day training programme for the Chinese competition agency, NDRC).

In 2016-2017, research focuses of the group will include; the interaction between procurement and competition policy and how the two systems can work better together to detect, prevent and deter bid-rigging; methods for evaluating the performance of competition agencies and links between institutional design and the effectiveness of competition agencies; how antitrust remedies can deal with problems arising in relation to complex patents; the working and operation of the ICN and the European Competition Network (and the merit of diversity within the EU competition law system); and price discrimination and big data.

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This is a rapidly developing field of study, new cars and vehicles already produce constant streams of data relating not only to their own operation but the transport environment around them.

Perry Keller,  
Reader in Media & Information Law

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## Investigating the implications of smart city technologies

In many countries, including the UK, smart city technologies have already brought substantial benefits to the operation of major cities, underpinning transport services, energy efficiency, waste disposal and public security. Reader in Media & Information Law, Perry Keller is leading a major research project looking at the rise of these technologies and their implications for data privacy in public and personal life.

‘This is a rapidly developing field of study,’ says Mr Keller. ‘New cars and vehicles already produce constant streams of data relating not only to their own operation but the transport environment around them. This transformation in information production and use means that research that interrogates the implications of these changes for urban life and proposes changes to law or other methods to regain effective personal control over data privacy is essential.’



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### Expert group on international investment policy

Dr Federico Ortino, Reader in International Economic Law at King's since 2007, is a member of E15 on Investment Policy – a prestigious international group of experts with experience in academia, government, non-governmental organisations and investment, jointly organised by the International Centre for Trade and Sustainable Development and the World Economic Forum. E15 on Investment Policy aims to analyse the state of the global investment system and its current challenges, offering policy recommendations for governments around the world. Dr Ortino's findings were presented in a summary paper at Davos in January 2016 and will form the basis of his forthcoming publication, commissioned by Oxford University Press.

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### Stop and search

Professor Ben Bowling is a founding member of StopWatch, a coalition of legal experts, academics, civil liberties campaigners and young people engaged in research and action for fair and accountable policing. The group aims to address the disproportionate use of police stop and search powers, promoting best practice and ensuring fair, effective policing for all. Professor Bowling's research examines practical, political and legal problems in policing and the connections between local and global police power. His publications, *Violent Racism* (1999 Oxford University Press) and *Racism, Crime and Justice* (2002 Longman) are the standard works on these subjects. In 2015, Professor Bowling co-authored a book chapter in a book entitled *Stop and Search: The Anatomy of Police Power* (2015, Palgrave Macmillan UK) with Dickson Poon PhD Scholar Estelle Marks.

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### Minimum core obligations of human rights

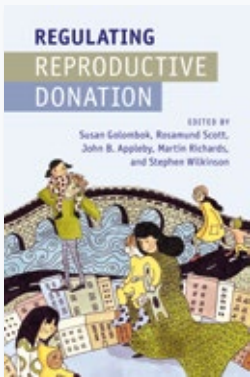
Professor John Tasioulas' research this year included finalising a 20,000 word report on the concept of 'minimum core obligations' of human rights, which he wrote in his capacity as a consultant to the World Bank. This report provides an original and wide-ranging explanation and defence of 'minimum core obligations' - understood as human rights obligations - that must be immediately fulfilled by all states. The report will be published in the academic year 2016-17 and will be followed up by separate World Bank reports applying the 'minimum core' idea to the rights to education and to health.



# BOOKS

## *Selected publications from the School in 2015–16*

Members of academic staff publish textbooks, edited collections, monographs and reference works with leading national and international publishers. This spread gathers a handful of the new books from the School's faculty in the past year.



Professor Rosamund Scott and Dr John B Appleby have co-edited a ground-breaking new book, *Regulating Reproductive Donation* (2016 Cambridge University Press), with researchers at the University of Cambridge and Lancaster University. The interdisciplinary book offers fresh perspectives on the current challenges facing the regulation of reproductive donation.

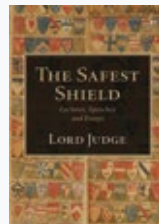


This excellent interdisciplinary volume clearly combines the empirical research and the theoretical debates, creating ethical discussions that for once are applicable to actual family situations.

Fiona MacCallum,  
University of Warwick.



*Britain Alone! The Implications and Consequences of United Kingdom Exit from the EU* (2016 Kluwer Law International) is among the first academic publications to analyse the potential legal implications of Brexit. Co-edited by Professor **Andrea Biondi**, the timely volume assesses the impact on topics such as constitutional law, criminal law and labour rights.



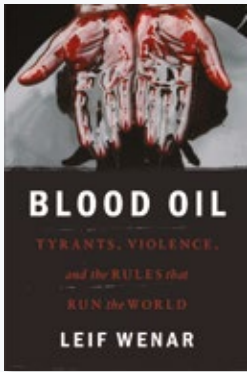
Dickson Poon Distinguished Visitor Lord Judge has published *The Safest Shield* (2015 Hart Publishing), a collection of his previously unpublished lectures, speeches and essays exploring a wide range of legal topics, including the constitution, liberties and rights.



Dr Massimo Renzo's co-edited essay collection, *Philosophical Foundations of Human Rights* (2015 Oxford University Press), features contributions from an array of eminent legal philosophers, including several members of School staff.



*Environmental Principles and the Evolution of Environmental Law* by Dr Eloise Scotford (2016 Hart Publishing) aims to deepen the legal understanding of environmental principles in light of recent legal developments. This is a step forward in understanding a key feature of modern environmental law, as well as being a contribution to environmental policy debates and discussions internationally.



Leading political philosopher Professor Leif Wenar has published a new monograph, *Blood Oil: Tyrants, Violence, and the Rules That Run the World* (2015 Oxford University Press), exploring the hidden global economic structures that thwart democracy and development.



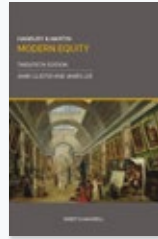
Leif Wenar has written the indispensable guide [to] what we ought to do to make the world a better place.



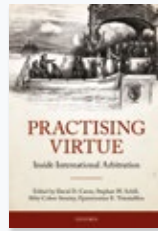
Angus Deaton, Nobel Laureate in Economics 2015.



Professor Ben Bowling has co-edited a major new four-volume set, *Global Policing and Transnational Law Enforcement* (2015 SAGE). These volumes set an interdisciplinary theoretical framework for studying this rapidly developing field.



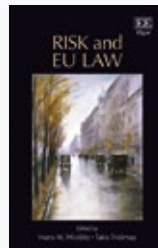
Mr James Lee has co-edited the 20th edition of the leading textbook *Hanbury & Martin: Modern Equity* (2015 Sweet & Maxwell). First published in 1935, the 20th edition has been significantly updated and restructured to reflect the way in which Trusts modules are now taught.



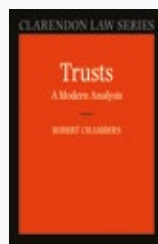
Professor David D Caron has co-edited a book entitled *Practising Virtue: Inside International Arbitration* (2015 Oxford University Press). With more than 40 chapters written by core actors in the field, the book features interdisciplinary approaches that examine international arbitration in its social, cultural and historical context.



Mr James Lee's co-edited book *Fifty Years of the Law Commission: The Dynamics of Law Reform* (2016 Bloomsbury) brings together past and present law commissioners, judges, lawyers, academics and law reformers to analyse the past, present and future of the Law Commissions in the UK and beyond.



Professor Takis Tridimas published a co-edited volume entitled *Risk and EU Law* (2015 Edward Elgar Publishing). The book analyses EU risk regulation in a variety of sectors.



Professor Rob Chambers' forthcoming book, *Trusts: A Modern Analysis* (Oxford University Press), aims to provide academic and practicing lawyers with a comprehensive overview of trusts, private law and their application in the contemporary, transnational legal world.

# PORTRAITS OF A GLOBAL LAW SCHOOL

Photo exhibition Portraits of a Global Law School celebrates the School's global community through portraits, images and recollections of past and present staff, students and alumni.

The exhibition, which has been installed in the Law School since 2015, featured on last year's cover of this report. This year we have continued the project with in-depth interviews with students and staff past and present.

*Interviews conducted by Kieran McGrath, Law Visual Arts Programme.*

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## **David D Caron** **United States of America**

*Professor 2013–Present (Dean 2013-2016)*

*Judge, Iran – United States Claims Tribunal 2015–Present*

Professor David D Caron joined King's as Executive Dean of the School in 2013. He has enjoyed a diverse and rewarding career that has taken him from the US Coast Guard Academy to the University of California at Berkeley with a range of experience working in the US and Europe. Since coming to London, Professor Caron has presided over a period where the School has consolidated its focus on transnational law, grown as an institution with a truly global community, and welcomed students and academics from all over the world.

When asked about Portraits of a Global Law School, Professor Caron explained how he was impressed by the participants' generosity and the collective sense of community it articulates: 'When I looked at the project I was struck by how much all these people share. We are born into very different worlds, different conditions, yet we experience similar impulses and possess similar aspirations.'

For Professor Caron, these aspirations reflect the fact that we all confront the same human condition, and are all born into the same point of world history. Although our view of that world may start very differently, our shared aspiration to understand its complexities can lead us to value each other's perspectives. The sense that there is something vital at stake in negotiating this complexity has remained with Professor Caron since his childhood in Connecticut. As a nine-year-old boy faced with the stark reality of the Cuban Missile Crisis, Professor Caron has clear memories of this profound historical moment: standing on his parents' driveway, thinking about the ominous news, he clearly remembers not



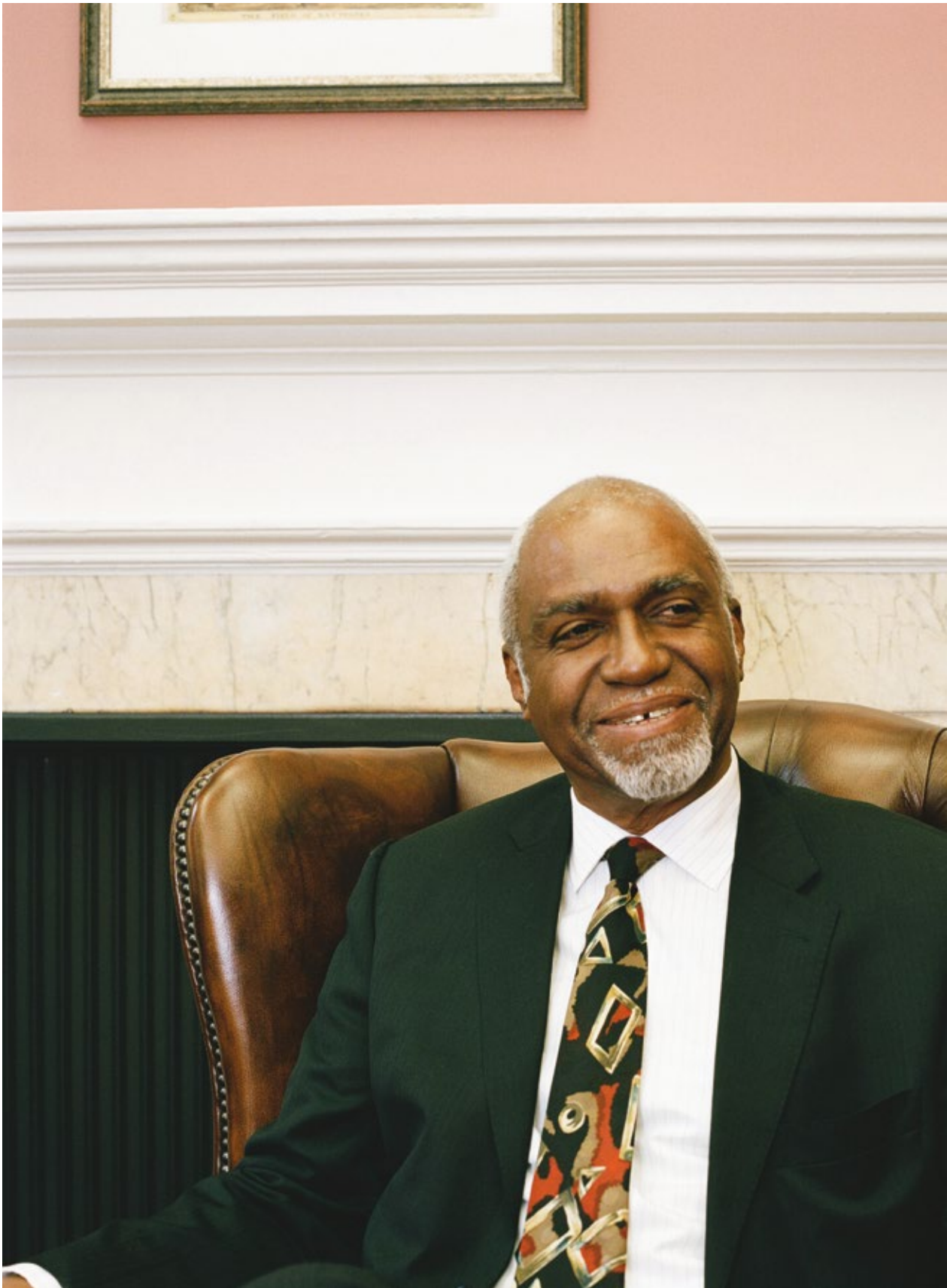


being able to reckon with the prospect of such a devastating conflict ever being entertained by world leaders.

This confrontation with the world's geopolitical complexity led to Professor Caron seeking a resolution through his studies. At first he chose to undertake a degree in physics because of 'a desire to understand and put order on the world,' but this interest soon shifted to a focus on politics and law in his search for insight into how 'meaning among people is constructed.' Many years later, his career led him to assume the Deanship at King's and a recent appointment on the Iran – United States Claims Tribunal as its reaches what are arguably its most significant cases.

The monumental shifts in global politics and history over the last few decades have served as the backdrop to Professor Caron's career and as such, this interest in complexity and the potential incoherence of the world's diversity has only become more multi-faceted. This has challenged Professor Caron's sense of progress and its perception: 'The combination of technology and the false peace of the Cold War allowed one to have a sense that norms could converge and that order could be built' he explains, 'I think the values of the world over the last two decades have shown themselves to be diverse and universal simultaneously. That fact makes the project of finding the real consensus we have as human beings all the more important.'

As such, the School's diversity and focus on a transnational approach to law hold a crucial sense of importance for Professor Caron. 'The reality is that the world is both local and global simultaneously,' he said, praising Portraits for a Global Law School for supporting 'the tolerance that allows us to appreciate our difference.'





Watch the interview with Judge Patrick Robinson in full on our YouTube channel.

## Patrick Robinson Jamaica

*LLM 1972*

*Judge at the International Court  
of Justice in the Hague*

In 1970, Patrick enrolled in the Hague Academy of International Law, where he attended lectures by Sir Francis Vallat on the Law of Treaties. Sir Francis was, at that time, the Director of International Studies at King's. Patrick remembers his meeting with Sir Francis as a foundational moment in his career. It was this meeting that encouraged him to focus his studies on international law, which would become the focal point of his career.

Before his semester at The Hague, Patrick had been working in Jamaica's Office of the Director of Public Prosecution, where he prosecuted the country's first extradition case. This experience provided a fascinating introduction to one aspect of international law. The profound changes occurring in Jamaica at that time also contributed to his interest in the discipline. Jamaica gained independence in 1962, generating a need for new international partnerships and treaties. The negotiation and adoption of the 1969 Vienna Convention of the Law of Treaties proved an important backdrop for the negotiation of agreements brought about by Jamaica's newfound autonomy.

These developments provided the context for Patrick's studies in The Hague. Sir Francis' enthusiasm and experience

reinforced his decision to focus upon, what was then, an emerging field of international law.

Patrick credits his former professor with being able to command respect with his vast knowledge. It was on Sir Francis' recommendation that he applied to study for an LLM in International Law at King's.

After completing his LLM, Patrick returned to Jamaica to work in the Attorney General's Department, where his expertise in international law proved invaluable. This was the starting point of an active and successful career as an international lawyer that saw him appointed as a member, and then President, of the Inter-American Commission on Human Rights in 1988 and 1991, respectively; as a member of the International Law Commission in 1991; and, as a Judge (from 1998), and President (from 2008), of the International Criminal Tribunal for the Former Yugoslavia, where he presided over the trial of Slobodan Milošević.

In 2015, Patrick was appointed as a Judge of the International Court of Justice. That same year he also returned to King's, where he took part in a special interview with Professor David Caron, then Executive Dean of The School. During the interview, Patrick spoke broadly about his career and his thoughts on international law, including the Law of Treaties.

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## Senior Master Barbara Fontaine UK

LLB 1972-75

*Senior Master and Queen's Remembrancer*

In 2003, Barbara Fontaine was appointed as a Master of the Queen's Bench Division of the High Court of Justice and since 2014 she has had the dual role of Senior Master and Queen's Remembrancer. The latter role dates back to 1164. She also has the distinction of being the first woman and first solicitor to ever be appointed as a Senior Master.

Senior Master Fontaine describes her current position as being a mix of judicial, statutory, managerial and ceremonial roles. Her judicial role focuses on a broad field of civil work, dealing with both the interim and occasionally the trial stages of High Court claims in the areas of contract and tort. This can mean working on everything from personal injury and industrial disease disputes to defamation, business and human rights cases.

It is precisely this kind of variety that first attracted Senior Master Fontaine to studying the law. Before arriving at King's in 1972 she admits to not having much knowledge of what to expect: 'I'm not sure there was even any history of anyone at my school applying to do law,' she explains with regards to her interest, 'I'm not entirely sure where it came from, but there's such a diversity of subjects in the law that there's always something to be interested in.'

It was in tutorials led by Professors Robin Morse and Tony Guest that this interest really began to develop: 'It was the human story underlying even something like contract law, there's always people and a dispute underneath which is entertaining. You get a sense of the personalities who are involved.'

Senior Master Fontaine's insight into the law's fundamental complexity has served her well on the Queen's Bench. The role involves ceremonies that are steeped in the traditions and history of English law. Whether she's presiding as Queen's Remembrancer over the 'Trial of the Pyx' – designed to verify new coinage which dates back to the 13th century but is now carried out by modern



It was the human story underlying even something like contract law, there's always people and a dispute underneath which is entertaining. You get a sense of the personalities who are involved.

Senior Master  
Barbara Fontaine



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technological methods – or the nomination of High Sheriffs, these responsibilities have demonstrated the historical roots of English law and how it relates directly, to the function of tradition in society.

In contrast to the well-established traditions involved in her role, Senior Master Fontaine's career has also been marked by a profound shift in cultural and institutional attitudes. Her appointment as the first female Senior Master is the latest in a long line of such changes that have shaped her professional life. She became the first female solicitor at Hill Dickinson's London office in 1978 and the only non-Chinese female solicitor at Baker & Mackenzie while working at their Hong Kong office. In 1991 she was also the only female equity partner of the Baker & Mackenzie global firm appointed in that year.

When asked about the inevitable challenges she faced, Senior Master Fontaine explains that she simply considers herself fortunate to avoid ever being held back because of her gender. During the early 1970s many law schools admitted only a small number of female students. By that point though, a third of King's law students were women. However, it's the broader sense of unity in collegiate life Senior Master Fontaine remembers from her time at the School. 'Our faculty was quite a close-knit group,' she explains, 'I think King's has always managed to foster a sense of community.'







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## Sara Ewad Iraq

*Student on the Politics, Philosophy & Law LLB (2013-17)*

Third year PPL student Sara Ewad was one of the participants in the 2016 Jessup Moot. Here she shares her thoughts on the once-in-a-lifetime experience in Washington DC.

*Congratulations on your team's success, beating over 550 schools from 80 countries to win the UK championships before reaching the semi-finals in Washington DC.*

*What made you get involved in mooting?*

'When I first arrived at university I got involved in a few student societies, in particular the Bar Society. My first mock trial was appalling – I had no idea what I was supposed to do, but because of the supportive environment it was fine and I progressed. I did a few more moots in my first year, and I just loved advocacy. There's something about being told a small legal problem and completely dissecting it.'

*And now you have just returned to London from the international rounds of the Jessup Moot.*

'This was the second year in a row that I've done the Jessup Moot. It's incredibly international – overall 500–600 teams take part – and you find, particularly in the field of public international law, that many successful lawyers have taken part in the Jessup at one point or another. Professor Caron took part in the seventies and is still bitter that his team lost in the quarter finals! Participating has improved every aspect of me as a person – my writing style, ability to digest information in a short period of time, thinking on my feet, ability to handle pressure. Jessup is a big commitment but at the end it's such a worthwhile experience.'

*It's also a chance to broaden your horizons and hear different legal viewpoints.*

'I had to research detention practices and the right to a fair trial – a topic I can now debate with people from all over the world with vastly different perspectives. A coming together of cultures over a legal problem is something really brilliant. You form lifelong friendships. The Jessup was both utterly exhausting and utterly fantastic, and I will always look back at my time on the team with great fondness.'

# TRANSNATIONAL LAW SUMMER INSTITUTE

The inaugural Transnational Law Summer Institute (TLSI) took place in 2015 from 28 June to 10 July. 52 PhD students and Early Career Researchers (TLSI Fellows) from 27 countries around the world travelled to King's to take part in the two-week programme.



Aimed at advanced doctoral students and early-career legal academics, the institute provides a platform for in-depth discussion of cutting edge scholarship and best practices in transnational legal research and teaching. It also facilitates the development of ongoing research collaborations and networks through small grants to support networking meetings, workshops and/or joint publications. Since the 2015 summer institute, one group of TLSI Fellows has gone on to establish an international partnership, 'Transnational Law & Local Struggles', which brings together research featuring case studies in Israel, Argentina, the Maldives and Australia.

The TLSI in 2016 built on the success of the 2015 event and saw 61 Fellows travel to London for intensive workshops and lectures on 'Transnational Lawyering & Judging: Evolving Concepts & Practices'. Fellows came from countries including Argentina, Cambodia, France, India, Australia, Kenya, Mexico, Brazil, Ecuador, Poland, Serbia, Sweden, Singapore, USA and Canada. The fellows enjoyed lectures by Albie Sachs, former Judge on the Constitutional Court of South Africa; Professor Saskia Sassen, Professor of Sociology at Columbia University; Professor M Sornarajah of the National University of Singapore, and Professor Fleur Johns of the University of New South Wales among others. Participants had the opportunity to network with like-minded academics in an international environment and hone their skills through writing workshops and panel discussions.

The TLSI is convened by Transnational Law Institute Director Professor Peer Zumbansen and Dr Prabha Kotiswaran, Reader in Law & Social Justice.

**Top Left: Professor Zumbansen welcomes Fellows to the TLSI in 2016.**  
**Left: TLSI Fellows on a guided radical walking tour of London in 2015.**



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I can't stress enough what a wonderful experience this has been...allowing me to develop my research in interesting ways, meet some great young and senior scholars and setting up collaborations that I hope will develop.

I knew that it was going to be exciting and stimulating, but I was amazed by the breadth and depth of research and ideas that were canvassed and the commitment of all the Fellows and Faculty. It was an extraordinary event. Frankly, I don't think it gets any better than this.

The Institute was helpful to draw together some of the long-running and newer interventions in transnational law, socio-legal studies, and the public-private divides that characterise and are disturbed by these fields.

Feedback from Visiting Staff.

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Watch TLSI lectures on our YouTube channel.



Above: Staff and Fellows at the 2015 Transnational Law Summer Institute. Bottom: Professor Sally Engle Merry, New York University, delivers the TLSI Inaugural Keynote Lecture.

# COUNTRY FOCUS: BRAZIL



Brazil was in the spotlight in 2016 as Rio de Janeiro prepared to host the Olympic and Paralympic Games, while the country faced a political and economic crisis. King's and the Law School engaged with the sporting celebrations and speculation over the country's upheaval with a series of activities and events including Brazilian partners.

Above: President & Principal Professor Edward Byrne opens Brazil Week at King's.





*In January 2016, King's hosted Brazil Week in the lead up to the 2016 Olympic Games.*

## Brazil Week

In January 2016, King's hosted Brazil Week with a programme of activities celebrating the university's proud tradition of partnerships and engagement with the country. Dr Octavio Luiz Motta Ferraz, Reader in Transnational Law was joined by Film Director, Carlo Alexandre Teixeira da Silva, Rap artist and activist MC Leonardo and writer and musician Delcio Teobaldo for a debate on cultural expression and discrimination in the public spaces of Rio de Janeiro in the lead up to the 2016 Olympic Games. The event, titled 'Equality & the City: Discrimination, Cultural Identity and Street Art in Rio de Janeiro' was a collaboration with King's Brazil Institute and included a film screening of *Memórias do Cais do Valongo*.

## Brazilian Judiciary Congress

In May 2016, while the Senate of Brazil began the judicial process of impeachment against the former President Dilma Rousseff, the School co-hosted the Brazilian Judiciary Congress. The Associação dos Magistrados Brasileiros (AMB) is one of the largest membership organizations in the world judiciary and is connected to the International Union of Magistrates (UIM) based in Rome, and Latin American Federation of Magistrates (FLAM) in Buenos Aires. The School hosted two events, one focussing on 'Restorative Justice and the fight against corruption' and another on the 'The English Legal and Judicial System'. With the ongoing political and constitutional crisis developing in Brazil at this time providing a unique context for these events, our speakers and guests were able to engage with a variety of issues affecting the Latin American nation's constitutional, political and legislative problems.



Above: Capoeira dancers in the Great Hall Foyer during Brazil Week.

Speakers from King's included Dr Octavio Luiz Motta Ferraz, Professor Paul Matthews, Professor Benjamin Bowling, Professor Anthony Pereira and Dr Joanna Newman, Vice Principal (International). External speakers represented the Ministry of Justice, The Crown Prosecution Service, the Court of Appeal, the High Court, the Magna Carta 800 Committee, the London School of Economics and Queen Mary University of London.

## The Association of Federal Judges of Brazil (AJUFE) London Programme

Summer 2016 saw the School host The Association of Federal Judges of Brazil (AJUFE) London Programme, a week-long programme focused on the dynamic relationship between the English Common System and EU and Transnational Law. Once again, with the political upheaval still developing in Brazil, these talks and discussions were particularly charged in their direction, demonstrating how the School is on the forefront of research and academic discussion around some of the world's most complex constitutional and judicial issues.

'Climate Change and  
Judicial Perspective  
World

# Climate change adjudication

*As the international community prepared for the December 2015 Paris climate change summit, The Dickson Poon School of Law and partners brought together a diverse group of judges, government officials, legal practitioners and academics to discuss how courts are dealing with the complex problem of climate change.*

*Report by PhD students Ioanna Hadjiyianni and Stephen Minas.*

# the Rule of Law: s from Around the d'

The Adjudicating the Future: Climate Change and the Rule of Law symposium (September 2015) was a joint initiative of the UK Supreme Court, the Foreign and Commonwealth Office, the Journal of Environmental Law and The Dickson Poon School of Law, with support from the United Nations Environment Programme (UNEP) and the Asian Development Bank.

Over three days, participants met at the Foreign Office, the Supreme Court and King's to exchange experiences and ideas. The event was organised by Dr Eloise Scotford and Dr Emily Barritt from King's and Professor Liz Fisher from the University of Oxford, at the initiative of Lord Carnwarth of the Supreme Court.

The event was prompted by growing recognition that multiple aspects of climate change are coming before the courts in different areas of law and legal practice. These include planning, tort, commercial, contract and trust law, human rights and administrative/judicial review, including at the European level. Threading through the event was discussion of the ways in which climate change is disrupting areas of law and legal doctrines that are not primarily 'environmental'.



Speakers take part in the *Journal of Environmental Law* Annual Lecture, 'Climate Change and the Rule of Law: Judicial Perspectives from Around the World'.



Participants were able to share unparalleled insights into how courts from different jurisdictions are grappling with the multi-level and multi-actor challenge of climate change, which transcends geographic and legal boundaries, in different ways. For example, the conference heard from one of the Dutch judges who decided the landmark Urgenda ruling in which the Hague District Court ordered the Dutch government to cut its greenhouse gas emissions, and Justice Syed Mansoor Ali Shah explained his recent ruling in the Lahore High Court establishing a climate change commission to hold the Pakistani government to its climate change policy.

The symposium included two keynote lecture sessions that were open to the public. In his keynote address in the chamber of the Supreme Court, Professor Philippe Sands QC called for the United Nations General Assembly to request that the International Court of Justice give an advisory opinion on the future climate responsibilities of states and other actors, including with respect to burden sharing. Professor Sands stressed that we have got to limit our expectations but that does not mean that we should not have any expectations or hopes about the role that international courts might play. Speaking in response, Judge James Crawford of the ICJ noted that climate litigation is very much a work in progress. He added that the ICJ had evinced a preparedness to grapple with science and not merely to parrot it. Professor Lavanya Rajamani of the Centre for Policy Research also spoke on the trajectory of the UNFCCC negotiations.

At the Journal of Environmental Law annual lecture at King's the following evening, a panel of judges shared experiences on the theme of 'Judicial Perspectives from Around the World'. Each reflected on both the responsibilities and the opportunities of court judgments. Lord Carnwath noted that it will ultimately



be up to judges to sort through the legal implications of the Paris outcomes. Justice Antonio Benjamin of the National High Court of Brazil, who also chairs the IUCN World Commission on Environmental Law, predicted that the Urgenda decision would probably inspire the public interest bar in Brazil as elsewhere, while warning of the urgency of the climate challenge: 'Imagine droughts in the Amazon ... I have seen it'.

Justice Swatanter Kumar of India's National Green Tribunal spoke of the challenge of putting a stop to 'illegal and unscientific' mining while protecting people's livelihoods, while Justice Brian

**Top:** Justine Thornton QC speaking at the opening session of the Adjudication the Future symposium in the Locarno Suite of the Foreign and Commonwealth Office.

**Below:** Climate Change panel discussion with Lord Carnwath and Sir Francis Jacobs at King's.



Preston of the New South Wales Land and Environment Court discussed how court judgments can ‘add value’ to government decision-making.

Symposium participants were in broad agreement that climate change is increasingly an issue for the courts to deal with and cannot be left solely to intergovernmental negotiation or executive action. Participants debated the exact function of the courts and strategies for building the capacity of judicial systems regarding climate change. It was noted that the global scale of the climate problem should not discourage courts from dealing with its significant local implications. Candid exchanges on practice reform and innovative and novel institutional approaches were enriched by the diversity of positions and jurisdictions represented by those in the room.

The ‘Adjudicating the Future’ symposium did much to strengthen a network of lawyers who share in the work of crafting legal responses to climate change. The constructive discussions attested to the complementary nature of the distinct roles of judges, practitioners and legal academics in addressing both the practical and normative challenges of climate change. This event clearly demonstrated the pragmatic benefits of a direct discussion on what can be identified as ‘climate adjudication’ among different actors of the legal world. As the demands of climate mitigation and adaptation grow ever more urgent, there will be significant opportunities for lawyers to contribute to climate solutions.

**Below: Dr Eloise Scotford addresses the roundtable as part of the Adjudicating the Future: Climate Change and the Rule of Law symposium.**



# MOOTING

## Mooting success

Mooting – participating in a mock trial – provides a valuable opportunity for law students to develop their oral advocacy, legal research, analytical and writing skills, engage with complex and topical legal issues, and work collaboratively as part of a close-knit team. It is recognised as an important skill on a candidate’s CV by employers globally, not only because of the initiative it shows but also because it teaches students to look in depth at a problem and understand how the law in a particular area works – a skill that cannot be obtained through reading and lectures alone.

The School provides a wealth of opportunities for students to get involved in mooting, from smaller regional and national moots to large international competitions such as the Philip C Jessup International Law Moot Competition.

## Philip C Jessup International Law Moot Competition

In April 2016, a team of King’s law students reached the semi-finals of the international rounds of the 57th annual Philip C Jessup International Law Moot Competition in Washington DC; with 116 teams in the initial rounds, Jessup is the largest and most prestigious mooting competition in the world.

LLM student Raneem Asad, PPL student Sara Ewad and LLB students Christal-Anne Low and Yikang Zhang won all four of their preliminary round moots against universities from Ukraine, Malaysia, Tanzania and India. In the advanced knock-out rounds, the team beat The Russian Foreign Trade Academy, Russia, the Universidad del Rosario, Colombia and Universität Wien, Austria.

‘The Jessup is an experience second to none,’ says LLM student and participant in the 2014 Jessup Moot Mubarak Waseem, who coached the team with King’s alumnus Aqueel Noorali over six



Left: The King’s Philip C. Jessup International Law Moot Competition team in front of the White House, Washington DC; at the international rounds of the Jessup Moot Competition.



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We all wanted to do the best we could for King's. We are grateful to the members of academic staff and the legal profession who helped to prepare us for the competition this year.

Mubarak Waseem, Jessup  
Moot Coach and LLM student

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challenging but rewarding months. 'I think one of the real advantages of the competition is that it has an immense reputation. It is seen as the pinnacle of success. In Asia, the Jessup is called the 'Olympics' of mooting because it's so competitive to get onto the teams.'

The result is exceptional; for the second time in three years, King's has reached the top four Jessup mooting teams in the world. Their success is a testament to the hard work of the team, and the support and dedication of the School to public international law and mooting. In the run up to Washington DC, the team met three times per week to practice their delivery. 'We all wanted to do the best we could for King's', says Mubarak. 'We are grateful to the members of academic staff and the legal profession who helped to prepare us for the competition this year including academic advisor Dr Holger Hestermeyer, Professor Ben Bowling, Dr Philippa Webb, Natasha Simonsen, Dr Emily Hudson and barristers Andrew Carruth & Lucas Bastin (Quadrant Chambers), as well as Sophie Weber and Jonathan Worboys.'

The skills that students develop while taking part in the competition also mean that many go on to forge successful careers, often reaching senior positions in their fields. Mubarak says, 'the School really understands how much success in this competition means for the students who participate in terms of their sense of personal achievement, progression in their studies and ability to get a job.'



Above: The King's Philip C Jessup International Law Moot Competition team at the international rounds of the Jessup Moot Competition.

### The Herbert Smith Freehills Competition Law Moot

Following the success of the inaugural Herbert Smith Freehills Competition Law Moot in 2015, the School will host the next competition in June 2016. Despite being a relatively new competition, the organisers have received written submissions from teams all over the world – two teams from India, one from Poland, one from Hungary and several from the Netherlands. The School has secured 33 judges for this year's moot, including practising solicitors, barristers, judges, competition authority members, senior academics and PhD students.

Professor Alison Jones is part of a team of specialists in international competition law at King's and was involved in organising the 2015 competition. She says, 'An international moot looks really good to employers as students need to be very dedicated to balance participating in competitions like these on top of studying. It shows a real ability to juggle a number of competing things and work well under pressure.'

# EVENTS



**Our central London location in Somerset House East Wing places the School in the heart of the British legal world, with Parliament, governmental departments, the Royal Courts of Justice, the Inns of Court and the offices of all major global law firms within reach. Politicians, judges and legal practitioners routinely give public lectures at King's, sharing their expertise with staff and students.**

## **50 years of our right to apply to Strasbourg**

The Centre of European Law hosted a conference in January 2016 to mark the 50th anniversary of the UK's decision to allow people living in the UK to take cases to the European Court of Human Rights. The conference, which was organised by Professor Robert Wintemute, brought together a wide range of speakers to discuss whether UK citizens' right to apply to Strasbourg should be preserved.

Speakers included: Sir Nicolas Bratza, former Member of the European Commission of Human Rights (1993–98), Judge (1998–2012) and President (2011–12) of the European Court of Human Rights; Lord Anthony Lester QC, counsel to the UK's first applicants to Strasbourg; Dominic Grieve QC MP, former Attorney General; Keir Starmer QC MP, former Director of Public Prosecutions; and Baroness Shami Chakrabarti, former Director of Liberty (National Council for Civil Liberties).

'I feel very privileged to have been asked to chair this important conference to celebrate a special birthday and to do so in the company of many stars of the human rights world.' Sir Nicholas Bratza, former Member of the European Commission of Human Rights, Judge and President of the European Court of Human Rights.



## Culture, Dispute Resolution and the Modernised Family

In July 2016 King's Waterloo Campus was home to Culture, Dispute Resolution and the Modernised Family convened by Professor Marilyn Freeman, Co-Director of the International Centre for Family Law, Policy and Practice. Speakers came from all over the world to take part and included both academics and practitioners as well as representatives from many other disciplines. The conference saw over 200 delegates attend a range of keynotes and panel sessions on topics such as: 'Current Trends in UK Surrogacy Law and the Case For Reform'; 'Culture, Same-Sex Couples and Dispute Resolution'; 'The Best Interests of Abducted Children: How Do Courts Know, Or Do They?'

## Chance, Order, Change: A Book Symposium with ICJ Judge James Crawford

The Yeoh Tiong Lay Centre for Politics, Philosophy & Law hosted a symposium on ICJ Judge James Crawford's book, *Chance, Order, Change: The Course of International Law* (2014 Brill | Nijhoff) in June 2016. The discussion focussed on key questions such as, is international law truly law? Is it systematic? In what sense is international law 'universal'? Can it respect the rule of law? Can it be a means for furthering global justice? The event was chaired by Professor John Tasioulas and speakers included: Professor David D Caron (King's); Dr Danae Azaria (UCL); Dr Sarah Nouwen (Cambridge) and Professor Robert McCorquodale (Director of the British Institute Of International & Comparative Law (BIICL)).

Top left: Baroness Shami Chakrabarti speaks as part of a panel on '50 Years of Our Right to Apply to Strasbourg'.

Top right: A member of the audience poses a question to the panel.

Right: '50 years of the Law Commission' at the UK Supreme Court.



## 50 years of the Law Commission

In partnership with the Law Commission of England and Wales and the Scottish Law Commission, The Dickson Poon School of Law and the Faculty of Law at the University of Cambridge co-organised a major conference in July 2015 to mark the 50th anniversary of the Law Commissions Act 1965. The conference reflected upon 50 years of institutional law reform in the UK, featuring keynote addresses by Baroness Hale of Richmond, Deputy President of the UK Supreme Court and Sir Kenneth Keith, Former Justice of the International Court of Justice.



## ICSID at 50: the next 50 years

2015 marked the 50th anniversary of the International Centre for Settlement of Investment Disputes (ICSID) Convention, the most widely used multilateral treaty for resolving investment disputes. Co-organised with BIICL's Investment Treaty Forum and in association with the 2015 FDI Arbitration Moot, the conference was held in October 2015 at Gray's Inn as part of the School's International Arbitration Speaker Series. Participants evaluated the benefits and challenges of treaty arbitration and considered what the next 50 years hold for the ICSID, including alternatives to arbitration.

# PHILANTHROPY

Philanthropic support for students and research is at the heart of the ethos at King's. Through a number of scholarships funded by our alumni and friends, it has been possible to transform the lives and possibilities of talented students. Without these generous donations, many students would not be able to develop their potential and to follow their dreams. Below are just a few of their stories.

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## The Norman Spink Scholarship

The Norman Spink Scholarship is a generous bequest from the late Mr Norman Spink. Norman did not have the opportunity for a university education, which he regretted. He therefore decided that this scholarship should provide funds for graduates to undertake postgraduate studies in Law. Anjali is the recipient of one of these scholarships.

Anjali was born and raised in the Netherlands. Her parents were raised in Punjab, India. Her background is one of the factors that gave her the motivation, discipline and energy to make the most of her studies. Out of her entire family, Anjali was the first woman to go to university.

When Anjali was awarded the Norman Spink Scholarship she was in urgent financial need. The funding lightened her financial burden, allowing her to focus on her degree rather than on finding funding, which requires a lot of time and effort.

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My dream is to become a lawyer, and even though my parents provided me with all the financial support they could, this adventure is something that lies out of my financial capacities. Therefore, I am very glad that the late Mr Norman Spink established this scholarship in his will to sponsor me on my big adventure.

Anjali, Norman Spink Scholar

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### **The Willie Kwan bursary**

Alumnus Willie Kwan (Law, 1959) is a resident of Hong Kong and prominent member of the Hong Kong King's alumni branch. He funded the Willie Kwan bursary for law students. Emily is the grateful recipient of one of these bursaries.

Emily is originally from Guernsey and is in the second year of her law degree. She is the Vice President of the King's Mooting Society. Her goal is to pursue a career as a commercial solicitor.

Thanks to the Willie Kwan bursary, the financial pressures of being a student in London will be eased for Emily. She plans to spend a portion of the money on living expenses, and to also pre-pay for next year's textbooks. In addition, Emily would love to represent King's at an international

level moot, and will be putting some of the money aside for that. Without this very generous gift this simply would not be possible. Emily is also giving back in her own way by participating in a mooting mentorship programme, through which she mentors five novice mooters. Through this, she will help to build their advocacy skills and form friendships and contacts along the way. Emily has been selected as President of the Mooting Society for next year, something she greatly looks forward to.

Alumni who have enjoyed the benefits of a King's education are often the first to support students as they follow in their paths. The power of the King's community is a source of immense pride and support for the university. As each cohort reaches graduation, we feel confident that they will wish to continue this benevolent tradition.

# CONNECT WITH US

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## Keep in touch

Follow us on Twitter: [@KCL\\_Law](#)

Watch highlights of our events on YouTube: [KCL\\_Law](#)

Follow us on LinkedIn: search for 'The Dickson Poon School of Law'

Listen to lectures and interviews on our SoundCloud account: [@KCL\\_Law](#)

Visit us at one of our public events. See our website for details or join our events mailing list: [lawevents@kcl.ac.uk](mailto:lawevents@kcl.ac.uk)

Join our Alumni Online community to find out more about our alumni associations around the world: [www.alumni.kcl.ac.uk](http://www.alumni.kcl.ac.uk)



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## Give

Each year thousands of King's alumni choose to give back to their alma mater, helping to support students through scholarships and bursaries and enabling our world-class research.

Visit: [www.alumni.kcl.ac.uk/give-back](http://www.alumni.kcl.ac.uk/give-back) to find out more.

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## Benefit

King's Alumni can take advantage of a wide range of benefits, services and discounts. Benefits include a 10 per cent discount on all Continuing Professional Development programmes from The Dickson Poon School of Law and access to JSTOR and the library, as well as to King's Connect - the online community that brings together King's alumni and current students in mentoring relationships.

For a full list of alumni benefits, please visit [www.alumni.kcl.ac.uk](http://www.alumni.kcl.ac.uk)



