



SLS Conference Administration Team

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Society of Legal Scholars Annual Conference

10TH TO 13TH SEPTEMBER 2007



Sponsors and Exhibitors

Welcome

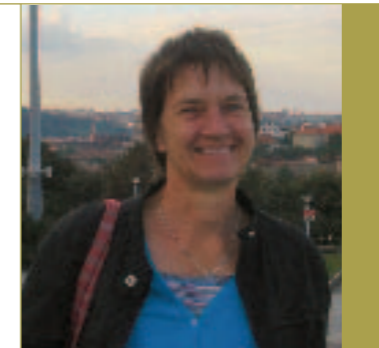
The Society of Legal Scholars and Durham University would like to thank our supporters and exhibitors for their generous support of the 2007 SLS Annual Conference

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Welcome to the SLS 2007 Annual Conference

I hope that you find everything you need here to negotiate your way round the University, the City and the programme of events. The sight of people puzzling over maps is common in Durham. Our purple T - shirted conference helpers are here to assist, please don't hesitate to ask for help.

From specialist subject section meetings to plenaries, from the publishers' exhibitions in the Penthouse suite to a reception in Durham Castle, from a ceilidh in Collingwood College to the Annual Dinner in Beamish Hall, there is, I trust, something for everyone (and possibly more than enough for some).

Conferences are a long time in the planning. I would like to record my gratitude to my colleagues at Cardiff Law School who helped shape this programme, and to my colleagues here in Durham, especially Roger Masterman and Erika Rackley, who have worked hard throughout this year to make it happen.

And finally, the Society acknowledges the support of the following publishers who have sponsored specific conference events: Blackwell Publishing, Cambridge University Press, Hart Publishing, LexisNexis, Oxford University Press, Routledge-Cavendish, and Sweet and Maxwell.

Celia Wells



Registration

Collingwood College Reception Foyer
The SLS registration and conference desk will be open from 9am to 5.30 pm from Monday 10th to Wednesday 12th September, and from 9am until 12 noon on Thursday 13th Sept.

Sessions and Locations

The conference programme in summary form is on page 3. Plenary sessions are listed on page 4. Detailed schedules for the Subject section sessions start on page 5 for Group A and page 13 for Group B. All subject section meetings take place on the Science Site.

The SLS plenary sessions on the 11th September and 12th September will take place in the Scarborough Lecture Theatre (also on the Science Site).

Conference Refreshments

Morning and afternoon refreshment breaks during the conference will be served in the Scarborough Coffee area. A two course buffet lunch with hot and cold options will be served daily in the Dining Hall at Collingwood College. Coffee after lunch will be available in the publishers' Exhibition area. Please note that no lunch is provided on the 13th September.

Publishers' Exhibitions

The publishers' exhibitions are in the Penthouse Suite at Collingwood College.

Evening Events & Entertainment

We begin on 10th September with a welcome from the Vice Chancellor of Durham University at a reception and buffet in the historic splendour of the Great Hall of Durham Castle. Both this event and the Early Career reception which immediately precedes it are sponsored by Blackwell Publishing. The Castle is a pleasant 10-15 minute walk from Collingwood (less from the Science Site). Because access to the site is restricted we can only run a shuttle mini bus service; please walk if weather permits.

The evening of the 11th September opens with a drinks reception provided by Routledge-Cavendish in Collingwood College during which we will announce the winners of the Birks book prizes. A three course informal service dinner in the Dining Hall is followed by a Ceilidh band with dancing until midnight.

The Annual Dinner on the 12th September is at Beamish Hall, a country house hotel north of Durham. A drinks reception in the Monboucher Suite at 7.00pm (sponsored by Sweet and Maxwell) is followed by dinner (sponsored by LexisNexis and OUP) in the Winter Garden at the Hall. The evening's entertainment will include a string quartet (sponsored by Cambridge University Press).

Buses will leave from and return to both Collingwood and Van Mildert Colleges.

Please sign up to the table plan at the Registration desk before midday on Wednesday.

Early Career / PhD Session

This is open to anyone in the early stages of their academic career in law, to post graduate research students and to those for whom this is their first SLS Conference. The session will commence at 6.00 pm on the 10th September in the Senate Suite in Durham Castle, during which Carl Monk, Executive Director of the Association of American Law Schools will give a short talk.

Accommodation

Your accommodation is in Collingwood or Van Mildert Colleges.

Transport

General: please ask at the Registration desk if you need transport between your accommodation and any of the meeting rooms.

Monday: Minibus shuttle to Durham Castle will depart from Collingwood College and Van Mildert College from 6pm. Coaches will return to the colleges from Durham Castle at 9.00pm.

Wednesday: Coaches to Beamish Hall for the Annual Dinner will depart from Collingwood College and Van Mildert College at 6.30pm and return from Beamish Hall at 10.30pm.

Programme Summary

Monday 10th September 2007

- 09.15 UKNCCL
- 10.45 CHULS (Ustinov Rm Van Mildert College)
- 11.00 Registration Opens at Collingwood College
- 12.30 Lunch at Collingwood College
- 14.00 Group A1 section meetings
- 15.30 Afternoon refreshments in the Scarborough Refreshment Area
- 16.00 Group A2 section meetings
- 18.00 Early career reception at Durham Castle
- 18.30 Reception and buffet at Durham Castle sponsored by Blackwell Publishing

Tuesday 11th September 2007

- 09.00 Group A3 section meetings
- 10.30 Morning refreshments served in the Scarborough Refreshment Area
- 11.00 Welcome and SLS Penary Address: The Rt Hon Dame Sian Elias, Chief Justice of New Zealand
- 12.30 Lunch at Collingwood College
- 14.00 SLS Plenary Panel: Equality Duties
The Hon Justice Roslyn Atkinson
Professor Teresa Rees CBE AcSS
Karon Monaghan, Matrix Chambers
- 15.30 Afternoon refreshments in the Scarborough Refreshment Area
- 16.00 Group A4 section meetings
- 18.00 Drinks Reception in the JCR at Collingwood College sponsored by Routledge-Cavendish
- 19.00 Dinner at Collingwood College
- 21.30 Ceilidh

Wednesday 12th September 2007

- 09.00 AGM / Council
- 10.30 Morning refreshments served in the Scarborough Refreshment Area
- 11.00 Group 1 section meetings
- 12.30 Lunch at Collingwood College
- 14.00 SLS Plenary: Baroness Hale in Conversation with Professor Rosemary Hunter
- 15.30 Afternoon refreshments in the Scarborough Refreshment Area
- 16.00 Group B2 section meetings
- 18.30 Coaches depart for Beamish Hall
- 19.00 Drinks Reception in the Monboucher Suite at Beamish Hall sponsored by Sweet and Maxwell
- 20.00 Dinner at Beamish Hall sponsored by LexisNexis and OUP

Thursday 13th September 2007

- 09.15 Group B3 section meetings
- 10.45 Morning refreshments served in the Scarborough Refreshment Area
- 11.15 Group B4 section meeting

Plenary Sessions



The three plenary sessions will take place in the Scarborough Lecture Theatre on the Science Site. The lecture theatre is adjacent to the Scarborough refreshments area.

TUESDAY 11th September 11am
PLENARY LECTURE

The Rt Hon Dame Sian Elias, Chief Justice of New Zealand

TUESDAY 11th September 2 pm
PLENARY PANEL
Equality Duties

The Hon Justice Roslyn Atkinson
Professor Teresa Rees CBE AcSS
Karon Monaghan, Matrix Chambers
Chair
Professor Clare McGlynn

Wednesday 12th September 2pm
PLENARY CONVERSATION

The Rt Hon the Baroness Hale of Richmond
In conversation with
Professor Rosemary Hunter

Group A Subject Sections

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Civil Liberties LOCATION CM 101

Convenor Professor Helen Fenwick
Email: h.m.fenwick@durham.ac.uk
Professor Gavin Phillipson (deputy convenor)

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Merris Amos (Queen Mary)
The Principle of Comity and the Relationship between British Courts and the European Court of Human Rights
- 1B Kevin Kerrigan and Phillip Plowden (Northumbria)
Worth the Paper It's Written On? Declarations of Incompatibility and Exhaustion of Domestic Remedies in Convention Law
- 1C Fiona de Londras (Cork)
Guantanamo Bay: Towards Legality?

Session 2 September 10th 16.00 - 17.30

- 2A Eric Heinze (Queen Mary)
Abuses of Human Rights Discourse
Commentator - Michael Hamilton (Ulster)
- 2B Conor Gearty (LSE)
"Civil Liberties": the law and practice of political freedom

Session 3 September 11th 09.00- 10.30

- 3A Nick Bamforth (Oxford)
The Nature of Domestic Human Rights Law
- 3B Alphonse de Kluyver (BPP)
Protecting Rights in the UK and Australia: Differing Conceptions of Parliamentary Sovereignty?
- 3C Ellie Palmer (Essex)
Courts, the HRA and a British Bill of Rights: All Change or Business as Usual?

Session 4 September 11th 16.00 - 17.30

- 4A Aileen Kavanagh (Leicester)
Proportionality and Deference under the HRA 1998: Determining the Standard of Review
- 4B Tom Hickman (Blackstones Chambers)
Beyond Proportionality
- 4C Liz Heffernan (Trinity College Dublin),
Taking Liberties with Limits on the Use of DNA Samples and Profiles?

Company Law LOCATION CG 91

Convenor Dr Alan Dignam
Email: a.dignam@qmul.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Lee Roach (Portsmouth)
Auditor Liability: Does the 'Cap' Fit?
- 1B Les Whiteley (Melbourne)
Whither or Wither? A Role for Institutional Investors in Corporate Influence.

Session 2 September 10th 16.00 - 17.30

- 2A Blanaid Clarke (University College Dublin)
Fiduciary Duties ? European Style

Session 3 September 11th 09.00 - 10.30

- 3A Shirley Quo (Monash)
A comparative analysis of the unfair preference test in Australia and the United Kingdom.
- 3B Sandra Frisby (Nottingham)
A Brush with Reality: Empirical Research into Corporate Insolvency.

Session 4 September 11th 16.00 - 17.30

- 4A Claire Howell (Aston Business School)
The corporate governance of registered social landlords. Private companies [f]or the public good?
- 4B Irene Lynch Fannon (University College Cork)
Delivering Effective Corporate Governance, The Relationship Between Legal Standards And Non Legally Enforceable Norms.

Comparative Law LOCATION CM 107

Convenor Professor Sue Millns
Email: s.millns@sussex.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Paula Giliker (Bristol)
Reform of the French Code civil: New Directions in the Law of Delict - A Comparative Approach
- 1B Dorota Leczykiewicz (Oxford)
Dispensing from the Proof of Damage: English and French Tort Law Compared

Session 2 September 10th 16.00 - 17.30

- 2A Mel Kenny (Durham)
Unhappy Families: Comparative Analysis of Surety Agreements across Europe
- 2B Emmanuel Guinchard and Simone Schnitzer (Northumbria and Newcastle)
The Draft Rome II Regulation - Changes to Judicial Methodology and Substantive Provisions

Session 3 September 11th 09.00 - 10.30

- 3A Samantha Velluti (Liverpool)
A Case Study of Gender Equality and Mainstreaming in the Re-Articulation of Labour Market Policies in Denmark and Italy
- 3B Jackie Jones (West of England)
Same-Sex Marriage and Family: EU Constitutional Law Moving the Debate on?

Session 4 September 11th 16.00 - 17.30

- 4A Heli Askola (Cardiff)
Human Trafficking and Victim Protection: Implementing the Council of Europe Convention Against Trafficking in the UK
- 4B Susan Farran (Dundee)
Comparative Reflections on a Small Case Study: Property Rights and Family Rights

Consumer Law LOCATION EM 101

Convenor Professor Robert Bradgate
Email: j.r.bradgate@sheffield.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Mel Kenny (Durham)
The Consumer Acquis Review and the Commission's Green Paper
- 1B Christian Twigg-Flesner (Hull)
The Consumer Acquis Review: a Further Response

Session 2 September 10th 16.00 - 17.30

- 2A The consumer Acquis Review : Discussion

Session 3 September 11th 09.00 - 10.30

- 3A Carol-Anne Jakeman (Central Lancashire)
Part 2 of the Supply of Goods and Services Act 1982: Making it Work - A Regulatory Challenge
- 3B Angus Johnston (Cambridge)
The Double-Headed Approach of the ECJ concerning Consumer Protection

Session 4 September 11th 16.00 - 17.30

- 4A Annette Nordhausen (Manchester)
The Unfair Commercial Practices Directive

EU and Competition Law LOCATION CM 221

Convenor Mike Cuthbert
Email: mike.cuthbert@northampton.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Jonathan Fitchen (Aberystwyth)
Encouraging an Effective English Competition Law Remedy for Breach of Articles 81 and 82 EC: the Need for our Judiciary to Recognise and Apply an 'Abuse of Rights' Approach.
- 1B Declan J Walsh (University College Cork)
The Green Paper on Damages Actions - Cartels, Leniency and Private Party Actions.
- 1C Penny Kent (Middlesex)
Between a Rock and a Hard Place: Voting Rights in Gibraltar in the European Parliamentary Elections

Session 2 September 10th 16.00 - 17.30

- 2A Florian Becker (Aberdeen)
Export Cartels in the European Union: Between Competition and Protectionism
- 2B Antonis Antoniadis (Durham)
The European Court of Justice and the Appellate Body of the WTO: Judicial Cross-Fertilization in International Law
- 2C Jessica Hua Su (Queen Mary, London)
Chinese Competition Law: European Impression and National Characteristics

Session 3 September 11th 09.00 - 10.30

- 3A Grainne Gilmore (NUI Galway)
Mind the Gap: Locating Rule of Law in the new framework for EU Criminal Justice
- 3B Samuli Miettinen (Edge Hill)
The Europeanization of Criminal Law: Reflections on the developing Relationship Between EC Law and National Criminal Law
- 3C Cian C Murphy (King's College London)
The Rule of Law in the EU: Common Foreign and Security Policy and Terrorism

Session 4 September 11th 16.00 - 17.30

- 4A Richard Parrish and Samuli Miettinen (Edge Hill)
Nationality Discrimination in Community Law: An Assessment of UEFA Regulations Governing Player Eligibility for European Club Competitions (The Home-Grown Player Rule)
- 4B Gavin Barrett (UC Dublin)
Creating a Community Employment Law - The experience of two roads travelled
- 4C Peter Yeoh (Wolverhampton)
Corporate Social Reporting in the EU: Is It Moving in the Right Direction?

Gibraltar LOCATION CG 221

Convenor Professor Tony Bradney
Email: A.Bradney@law.keele.ac.uk

Group A September 11th 2007

Session 3 September 11th 09.00 - 10.30

- 3A Ronan McGinty and Frank Bates (University of Newcastle, Australia)
Poetic Injustice: Ned Kelly's Jerilderie Letter as Part of Australia's Celtic and Legal Culture
- 3B Geoffrey Samuel (Kent)
Law and Film
- 3C Ronan Mcree (LSE)
Religion and EU Law
- 3D Ho Hock Lai (Singapore)
The Role of Belief in trial Deliberation

Session 4 September 11th 16.00 - 17.30

- 4A Eman Naboush (Glasgow Caledonian)
The Body in Question: The Meaning of 'Bodily Injury' in Air Carriage Conventions
- 4B Jack Anderson (Queen's, Belfast)
What is Sports Law?
- 4C Deborah Rook (Northumbria)
The Legality of Intensive Farming Practices in the UK

Intellectual Property LOCATION E005

Convenor Professor Alison Firth
Email: Alison.firth@newcastle.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- Introduction and Section news; arrangements for election of Convenor
- 1A Duncan Matthews (Queen Mary, London)
The WIPO Development Agenda
- 1B Chris Wadlow (East Anglia)
The Connection Between 'Unfair Competition' and the Protection of Regulatory Data under Article 39 of TRIPS

Session 2 September 10th 16.00 - 17.30

- 2A Djims Milius (Sheffield)
Innovation Differentials as a Basis for TRIPS
- 2B Abbe Brown (Edinburgh)
Patents, Competition and Human Rights
- 2C Matt Fisher (Bristol)
Patent Claim Interpretation under the Protocol - the View in 2007

Session 3 September 11th 09.00 - 10.30

- 3A A Ayan Roy Chowdhury (Queen Mary, London)
Copyright Issues in India and Bollywood
- 3B Uma Suthersanen (Queen Mary, London)
The Three Step Test in Copyright - International Aspects
- 3C Jonathan Griffiths (Queen Mary, London)
The ThreeStep Test in Copyright - UK Aspects

Session 4 September 11th 16.00 - 17.30

- 4A Alison Firth (Newcastle)/ Chris Wadlow (East Anglia) - rapporteur
Hale Jurisprudence and Intellectual Property
- 4B Jasem Tarawneh (Manchester)
Comparative Advertisement; Where Are We Now and Where Are We Going? A Question of Trade Mark Law and Unfair Competition

International Law (and Maritime Law) LOCATION CG 60

Convenor International Law
Matthew Happold
Email: M.Happold@hull.ac.uk

Maritime Law
Dr Richard Barnes
Email: R.A.Barnes@hull.ac.uk
Dr Theodora Nikaki (deputy convenor)

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- Human Rights, Sex and Gender
- 1A Alice Edwards (Nottingham)
The Silenced Sex: Sex Discrimination, Violence against Women, and the Interpretation of International Law
- 1B Alison Stuart (Robert Gordon)
The Right to Freedom of Religion and Belief, and Women: Are the Two Mutually Exclusive?
- 1C Brigit Toebes (Aberdeen)
Sex Selection under International Human Rights Law

Session 2 September 10th 16.00 - 17.30

- International Law: Expansion, Diversification, Fragmentation?
- 2A Campbell McLachlan (Victoria University of Wellington; President, ANZSIL)
Fragmentation and Custom in Investment Treaty Law

Session 3 September 11th 09.00 - 10.30

- Conflict and Security Law
- 3A Tarcisio Gazzini (Glasgow)
The Use of Force against International Terrorism and the Law of State Responsibility
- 3B Gary Wilson (Liverpool John Moores)
Regional Arrangements as Agents of the UN Security Council: Africa and Europe Contrasted
- 3C Neil Boister (Canterbury)
Conspiracy and Common Purpose in the International Military Tribunal for the Far East

Session 4 September 11th 16.00 - 17.30

- The Law of the Sea
(a joint session with the Maritime Law subject section)
- 4A Karen Scott (Canterbury)
Antarctica and Maritime Security
- 4B Andrew Serdy (Southampton)
Accounting for Catch in Internationally Managed Fisheries: What Role for State Responsibility?
- 4C Richard Barnes (Hull)
Everything to Everyone? Fisheries Partnership Agreements

Medical Law LOCATION CG 83

Convenor Dr Shaun Pattinson
Email: s.d.pattinson@durham.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Margaret Brazier (Manchester)
'Born Under the Wrong Star' -
Trust and the Human Tissue Act
- 1B Monica Navarro Michel (Barcelona)
Increasing the Number of Organs Available for Donation:
Can the Spanish Model be Transplanted into England?

Session 2 September 10th 16.00 - 17.30

- 2A David Price (De Montfort)
Contemporary Issues Relating to Living Organ Donor
Transplantation in a Global Context
- 2B Antonia Cronin (Manchester)
Violation or Privilege: A Perspective on the Donation and
Receipt of a Solid Organ for Transplantation

Session 3 September 11th 09.00 - 10.30

- 3A Remigius Nwabueze (Southampton)
Dead Bodies and Trust
- 3B Jennifer Schweppe (Limerick)
Best to Agree to Disagree? Parental Discord, Children's
Rights and the Question of Immunisation

Session 4 September 11th 16.00 - 17.30

- 4A Keith Syrett and Oliver Quick (Bristol)
Possibilities, Pitfalls and Problems: Teaching Public
Health Law
- 4B Tracey Elliott (Queen Mary's College, London)
Pursued by the Fat Police? Medicine, Law and the
Obesity Epidemic

Migration Law LOCATION CM 219

Convenor Dr Helene Lambert
Email: helene.lambert@brunel.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Annalisa Meloni (East London)
The EC Visa Code: Harmonization at Last?
- 1B Elaine Dewhurst (University College Cork)
Accessing Justice: Migrant Workers Need Not Apply
- 1C Helen Toner (Warwick)
Accession, Transitional Arrangements and EU Citizenship

Session 2 September 10th 16.00 - 17.30

- 2A Sarah Craig (Glasgow) & Kay Goodall (Stirling)
More Than an Attempt to Re-argue the Issues? - a Study
of Reconsiderations and Onward Appeals from the AIT
in Scotland
- 2B Hélène Lambert (Brunel)
Dominant and Emerging Approaches to International
Refugee Law

Session 3 September 11th 09.00 - 10.30

- 3A Alex Kun-Lue (Hong Kong Baptist Uni.)
An Overview of the Australian Skill-Independent Migration
for Managers
- 3B Liam Thornton (University College Cork)
Upon the Limits of Rights Regimes: Reception Conditions
of Asylum Seekers in the Republic of Ireland

Session 4 September 11th 16.00 - 17.30

- Hale Theme
- 4A Vanessa Bettinson (de Montfort)
Gender Claims in the Refugee Convention
 - 4B Declan O'Callaghan (barrister)
Baroness Hale's Contribution to Refugee Law: Hoxha,
Limbuela and FC.

Practice, Profession & Ethics LOCATION E102

Convenor Frances Burton
fburton@dsl.pipex.com
Paul Maharg, Michael Petley (deputy convenors)

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A and 1B E-Learning
Paul Maharg and Others (GGSL, Strathclyde)
SIMPLE: Learning Through Simulations

Session 2 September 10th 16.00 - 17.30

- Profession: Portfolios
Chair: Michael Petley
- 2A Judith Willis (BPP)
Using Portfolios to Assess Work Based Learning - How Can
Assessors Know What they Are Doing?
 - 2B Nigel Duncan (City) and Sara Chandler (College of Law)
Report of the International Survey on the Teaching of Ethics

Session 3 September 11th 09.00 - 10.30

- Practice: Chair: Professor Alan Paterson
- 3A Bryan Clark (Strathclyde)
Lawyers and ADR
 - 3B Lynn Mainwaring (Swansea)
Territorial Justice and Access to Knowledge: The
Distribution of High Value Legal Skills in the Regions of
England and Wales

Session 4 September 11th 16.00 - 17.30

- Hale Jurisprudence Chair: Professor Alan Paterson
Judicial Perceptions
- 4A Fiona Raitt (Dundee)
Robust and Raising to Go: Judicial Reflections on Child
Witnesses, Advocacy Techniques, Vulnerability
and Resilience
 - 4B Erika Rackley (Durham)
What a Difference Difference Makes: Baroness Hale and
Female Genital Mutilation

Public Law LOCATION CG 218

Convenor Dr Javier Oliva
Email: j.oliva@bangor.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

- 1A Navraj Singh Ghaleigh (Edinburgh)
Public Law and New Technologies: Tentative Findings
from Holyrood 2007
- 1B Ian Ward (Newcastle)
Skirley Keeldar and the English Constitution

Session 2 September 10th 16.00 - 17.30

- 2A Fiona Mc Kenzie: (Barrister from Melbourne)
Presenting Administrative Law Upside Down
(from Australia to the UK)
- 2B Joseph Corkin (Middlesex)
Decentred Governance: Charting Europe's
Legislative Underworld
- 2C Christopher Costigan (BPP Law School Manchester)
Rule of Law

Session 3 September 11th 09.00 - 10.30

- 3A Vito Breda (Cardiff)
Constitutional Devolution and Globalisation: Idiosyncrasy
or Synergy
- 3B Karsten Nowrot (Martin-Luther-Universität Halle-Wittenberg)
The Republican Principle as a Normative Guiding Concept -
Domestic and European Dimensions
- 3C David Marrani (Essex)
Reflections on the Semi-Presidentialism: Dynamics and
Evolution in the French Fifth Republic Constitution

Session 4 September 11th 16.00 - 17.30

- 4A Barbara Mauthe (Lancaster)
Conceptual Analysis and the Feminisation of Public Law
- 4B Ian Leigh (Durham)
Military Ombudsmen: Why Do We Need
Another Ombudsman?
- 4C Caroline Sawyer (Oxford Brookes):
Statelessness

Restitution LOCATION CG 85

Convenor Professor Francis Rose
Email: francis.rose@bristol.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

1A Charlie Webb (London School of Economics)
The Classification of Restitutory Claims

Session 2 September 10th 16.00 - 17.30

2A Duncan Sheehan (East Anglia)
Disentangling Equitable Personal Liability for Receipt
2B Kelvin Low (Hong Kong)
Recipient Liability in Equity

Session 3 September 11th 09.00 - 10.30

3A Birke Haecker (All Souls College, Oxford)
Restitution for Mistaken Gifts
3B Charles Mitchell (King's College London)
Compound Interest and the Time Value of Money

Session 4 September 11th 16.00 - 17.30

4A Craig Rotherham (Nottingham)
Restitution for Wrongs: Choosing the Measure of Relief

Tax Law LOCATION CM105

Convenor Tim Vollans
Email: t.vollans@coventry.ac.uk

Group A September 10th and 11th 2007

Session 1 September 10th 14.00 - 15.30

1A Paul Kenny (Flinders)
Business Tax Reform

Session 2 September 10th 16.00 - 17.30

2A Tim Vollans (Coventry)
Defining 'Business' for IHT Business Property Relief
2B Glen Loutzenhizer (Oxford)
Further observations on Jones v. Garnett

Session 3 September 11th 09.00 - 10.30

3A Phyllis Alexander (Bournemouth)
The Principal Private Residence

Session 4 September 11th 16.00 - 17.30

4A Cynthia Coleman (Sydney) & Rodney Fisher (Ernst & Young Australia)
A View of Tax - Can General Anti Avoidance Provisions Ever be Effective?

Group B Subject Sections

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Banking and Finance Law LOCATION CM101

Convenors Dr Orkun Akseli
Email: n.o.akseli@ncl.ac.uk
Dr Nic Ryder
Email: Nicholas.Ryder@uwe.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Wen Li (Queen Mary)
Finality Rules within the Law of Domestic Large Value Electronic Funds Transfer in China.
- 1B Anjanette Raymond (Queen Mary)
Intellectual Property as Collateral in Secured Transactions: Collision of Divergent Approaches
- 1C Orkun Akseli (Newcastle)
A step towards modernising secured credit laws: UNCITRAL Legislative Guide on Secured Transactions

Session 2 September 12th 16.00 - 17.30

- 2A Ebenezer Adodo (Singapore)
An Evaluation of the Criteria for Granting Interlocutory Injunctions in Letters of Credit and Performance Guarantees Litigation
- 2B Peter Yeoh (Wolverhampton)
Hedge Funds Regulatory Intervention: Media Panic or Financial Prudence?
- 2C Neil Maddox (National University of Ireland, Maynooth)
Impact of Competition Law on Enforceability of Mortgage Clause

Session 3 September 13th 09.15 - 10.45

- 3A Andrew H. Baker (Liverpool John Moores)
Banking and Corporate Responsibility Revisited
- 3B Clare Chambers (Bournemouth)
Financial Exclusion in Manchester - A Case Study

Session 4 September 13th 11.15 - 12.45

- 4A Nicholas Ryder (West of England)
The Financial Services Authority and the Money Launderer - A Game of Cat and Mouse
- 4B Kevin Rogers and Maureen Johnson (Hertfordshire)
The Fraud Act 2006 and Phishing
- 4C Tunde Ogowewo (Kings College London)
Tactical Litigation in Takeover Bids

Contract and Commercial Law LOCATION E102

Convenor Professor Robert Bradgate
Email: j.r.bradgate@sheffield.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Ademun-Odeke (Galway)
From New York to Singapore via London: Future Prospects of Fraud and Nullity Exceptions in Credit Operations under Common Law Jurisdictions
- 1B John Adams (Notre Dame)
Privity of Contract

Session 2 September 12th 16.00 - 17.30

- 2A Penny-Anne Cullen (Penny- Anne F. Cullen & Associates)
The Cutting Edge of 19th-Century Thinking: an Historical Hangover
- 2B Noel McGrath (University College Dublin)
The Role of Registration in Determining the Priority of Property Interests

Session 3 September 13th 09.15 - 10.45

- 3A Richard Austen-Baker (Lancaster)
Slimming Down for Better Relations
- 3B Sean Thomas (Manchester)
A Comparative Analysis of the law of Mistake of Identity Following Shogun Finance v Hudson

Session 4 September 13th 11.15 - 12.45

- 4A George Qi Zhou (Manchester)
Is Efficient Breach Possible under English Sale Law
- 4B David Campbell (Durham)
Better Than Fuller: A Two Interest Model of Remedies for Breach of Contract

Criminal Justice LOCATION CM 105

Convenor Dr Matthew Weait
Email: m.weait@bbk.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Tracey Elliott (QMUL)
Protecting the Rights of the "Other": Baroness Hale and the Criminal Law
- 1B Karen Brennan (Queen's University, Belfast)
Infanticide and Scientific Rationalism

Session 2 September 12th 16.00 - 17.30

- 2A Fran Wright (Bradford)
Legality v Reality: some Lessons from the Pitcairn Islands
- 2B Catherine O'Sullivan (University College, Cork)
Teenagers, Sex and the Law: The Regulation of Teenage Sexuality

Session 3 September 13th 09.15 - 10.45

- 3A Grainne Gilmore (National University of Ireland, Galway)
Mind the Gap Locating Rule of Law in the New Framework for EU Criminal Justice
- 3B Charlotte Walsh (Leicester)
On the Threshold: How Relevant Should Quantity be in Determining Intent to Supply?

Session 4 September 13th 11.15 - 12.45

- 4A Daniele Alge (Manchester)
Plea Bargaining: The Role of the Defence Lawyer
- 4B Stephen Shute (Birmingham)
Satellite Tracking as a Technique to Monitor the Movements and Manage the Risk of High-Risk Offenders

Cyberlaw LOCATION CM 219

Convenor Professor Steve Hedley
Email: S.Hedley@ucc.ie

Session 1 September 12th 11.00 - 12.30

- 1A Joseph Savirimuthu (Liverpool) and Anne Savirimuthu (Lancashire)
Coase and The Fraud Act 2006: Or Why Information Security is Not Purely a Problem of Technology?
- 1B Okechukwu Benjamin Vincents (National University of Singapore)
When Rights Clash Online: The Tracking Of P2P Copyright Infringements vs. The EC Personal Data Directive
- 1C Rónán Kennedy (NUI Galway)
Property in Online Game Objects

Session 2 September 12th 16.00 - 17.30

- 2A Anne-Kathrin Kuehnel (Aberystwyth)
Microsoft, Open Source and the Software Ecosystem: Of Predators and Prey
- 2B Nicola Lugaresi (Trento)
Fighting spam through opt-in: places, ways, money, shortcuts

Session 3 September 13th 09.15 - 10.45

- 3A Karen Mccullagh (Manchester)
A Study of Privacy in the Blogosphere
- 3B Daithí Mac Síthigh (Trinity Dublin)
Mass-aging Internet law for Unwise Crowds
- 3C Marcelo Thompson Mello Guimaraes (Oxford Internet Institute)
Technology and Neutrality in the Information Age - On the Value of Persons and Access

Session 4 September 13th 11.15 - 12.45

- 4A Jordan S Hatcher (Edinburgh)
Mesh Networks: A Look at the Legal Future
- 4B Faye Fangfei Wang (Southampton)
E-Confidence: Online Contracting
- 4C Pablo Cortes (Cork)
Challenges to ODR

Environmental Law LOCATION CM 221

Convenor Professor Colin Reid
Email: c.t.reid@dundee.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Stuart Bell and Laurence Etherington (Nottingham Law School)
The 'European Lifestyles and Marine Ecosystems' project
- 1B Bill Howarth (Kent)
Environmental Policy Principles and the EC Common Fisheries Policy
- 1C Peter Yeoh (Wolverhampton)
Carbon Trading Scheme Frameworks

Session 2 September 12th 16.00 - 17.30

- 2A Richard Macrory (UCL)
Reforming Regulatory Sanctions
- 2B Aine Ryall (Cork)
EIA and Access to Justice: Implications of Article 10a EIA Directive for National Judicial Review Procedures

Session 3 September 13th 09.15 - 10.45

- 3A Chris Hilson (Reading)
Going Local: Law Localism and Climate Change
- 3B Chris Willmore (Bristol)
Taking the Environmental Out of Sustainable Development
- 3C Andrea Ross and Hazel Hughes (Dundee)
Implementing EC Environmental Law

Session 4 September 13th 11.15 - 12.45

- 4A Elen Stokes (Manchester)
Revisiting the US/EU Debate: An Analysis of Precautionary Litigation through Trends in Judicial Review
- 4B Joel D'Silva (Surrey)
Legal Regulation of Nanotechnology
- 4C Stephanie Switzer (University College, Dublin)
Environmental Governance and Biofuels

Family Law LOCATION CM 107 (Session 1 in CG 85)

Convenor Penny Booth
Email: P.J.Booth@staffs.ac.uk
Rebecca Probert, Sonia Harris-Short, Shazia Choudry, Dr Caroline Keenan (deputy convenors)

Session 1 September 12th 11.00 - 12.30 (LOCATION CG 85)

- Joint session with Property and Trusts on Hale Jurisprudence
- 1A Lynne Livesey (Central Lancashire)
Uncommon Intention: the Illusion of the Bargain. Should the Judiciary Direct the Reasonable (Wo)man on the Omnibus to the Cohabitees' home?
 - 1B Robin Lister (Bradford)
Stack v Dowden: Just not Fair? Another Chapter in the Gissing Saga
 - 1C Neil Cobb (Durham)
"You Can't Mistake my Biology": Baroness Hale, Re G and the Lesbian Mother.

Session 2 September 12th 16.00 - 17.30

- 2A Stuart Bridge (Law Commissioner) and Jo Miles (Law Commission and Cambridge)
The Law Commission Report on The Financial Consequences of Cohabitation
- 2B Gillian Douglas (Cardiff)
Report on Cohabitation Research

Session 3 September 13th 09.15 - 10.45

- 3A Laura Byrne (Trinity College, Dublin)
Evans v United Kingdom - Flawed Answers to Hard Questions
- 3B Brigitte Clark (UEA)
Forced Marriage - Does it Need Criminalisation?
- 3C Peter de Cruz (Liverpool John Moores)
title tbc

Session 4 September 13th 11.15 - 12.45

- 4A Frank Bates (Newcastle, New South Wales, Australia)
Roads Mistaken and Turnings missed - Errors in Australian Family Reform
- 4B Joint Registration of names on the birth certificate - consultation and the views of the SLS: a discussion session.

Jurisprudence LOCATION CG 91

Convenor Philip Bielby
Email: p.bielby@hull.ac.uk
Mary Ford
Email: mary.ford@strath.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Veronica Rodriguez Blanco (Birmingham)
Law as Shareable Reasons: Understanding the Normativity of Law
- 1B András Jakab (Liverpool)
Problems of the Stufenbaulehre: Kelsen's Failure to Derive the Validity of a Norm from Another Norm

Session 2 September 12th 16.00 - 17.30

- 2A Eric Heinze (Queen Mary)
Epinomia: An Alternative History of Legal Theory
- 2B Sylvie Delacroix (University College London)
Legal Norms and Normativity: An Essay in Genealogy

Session 3 September 13th 09.15 - 10.45

- 3A Adam Tucker (Manchester)
The Rule of Recognition and the Limits of Parliamentary Sovereignty
- 3B Stephen Skinner (Exeter)
Dislocation, Justice and Violence in Conrad's Fiction and Legal Theory

Session 4 September 13th 11.15 - 12.45

- 4A Deryck Beyleveld (Durham) and Roger Brownsword (King's College London)
Use and Abuse of Precautionary Reasoning in Law
- 4B James Lee (Reading)
Fidelity in Interpretation: Lord Hoffmann and the Adventure of the Empty House

Labour Law LOCATION E101

Convenors Professor Mark Bell
Email: mark.bell@leicester.ac.uk
Pascale Lorber
pascale.lorber@leicester.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Douglas Brodie (Edinburgh)
The Employment Contract: Risk Allocation and Psychological Damage
- 1B Roger Walden (Manchester)
Workplace Psychiatric Injury and the Law: Assessing the Impact of Lady Justice Hale's [as she then was] Practical Propositions in Hatton

Session 2 September 12th 16.00 - 17.30

- 2A Pascale Lorber (Leicester)
Five years on: Evaluation of the Fixed-Term Employees Regulations
- 2B Marilyn Pittard (Monash)
Shifting Roles for Labour Law following Moves to Bargaining, Deregulation and Globalisation

Session 3 September 13th 09.15 - 10.45

- 3A Sam Middlemiss (Robert Gordon)
The Legal Implications of Sexual Favouritism in the Workplace
- 3B Patrice Rosenthal, Alexandra Budjanovcanin and Graeme Lockwood (King's College, London)
Sexual Harassment Employment Tribunal Cases: Factors Associated with Success and Failure of Claims 1995-2005

Session 4 September 13th 11.15 - 12.45

- 4A Lucy Vickers (Oxford Brookes)
Freedom of Religion and Religious Discrimination: Complementarity or Conflict?
- 4B Virginia Mantouvalou (Leicester)
The Impact of the Human Rights Act on Labour Law

Legal Education LOCATION CG 83

Convenor Chris Ashford
Email: chris.ashford@sunderland.ac.uk
Helen James, Leo Raznovich (deputy convenors)

Session 1 September 12th 11.00 - 12.30

- 1A Hilary Sommerlad (Leeds Metropolitan)
Modernity, Post-modernity and Pre-modernity: Outsider Lawyers and the Discursive Practices of Professional Entry
- 1B Peter Yeoh (Wolverhampton)
Enriching the Learning Process in Corporate and Financial Services Law through Business Case Studies
- 1C Gary Wilson (Liverpool John Moores)
The Tutorial Model for Undergraduate Law Courses: Objectives, Approaches and Outcomes

Session 2 September 12th 16.00 - 17.30

- 2A Louisa Dubery (Bournemouth)
Restoring Real Property
- 2B Julian Webb (Warwick)
Legal Education in the C21st: Facing the Challenges

Session 3 September 13th 09.15 - 10.45

- 3A Anne Hewitt (Adelaide)
Assessing Professional Skills. What are the Key Criteria in Assessment Design and Can they be Reconciled?
- 3B Vito Breda and Nicola Langton (Cardiff)
How Good is your E-Learning Blend? Innovation and E-Support in Cardiff Law School
- 3C Karen Barton and Paul Maharg (Strathclyde)
E-simulations in the Wild: Interdisciplinary Research, Design and Implementation

Session 4 September 13th 11.15 - 12.45

- 4A Edward Hart (Florida)
Research and Library Support in Distance Learning Law Postgraduate Courses
- 4B Tim Vollans (Coventry)
Relationship Model of Law Schools and Public Bodies
- 4C Frederick Price (College of Law)
The Virtuous Circle: Course Design, Teaching and Exams in Professional Legal Education

Legal History LOCATION CG 60

Convenor Dr Lorie Charlesworth
Email: l.r.charlesworth1@livjm.ac.uk
Judith Rowbotham (deputy convenor)

Session 1 September 12th 11.00 - 12.30

- 1A John Tribe (Kingston)
John Barkedale's 1628 Bankruptcy Reading at Lincoln's Inn: The Transcription, Translation and Interpretation of a Discourse on 21 Jac. C. 19.
- 1B Eric Heinze (Queen Mary, London)
The Neglect of Plato and Rousseau by Legal Theorists

Session 2 September 12th 16.00 - 17.30

- 2A Anne Lyon (Plymouth)
The Mad heir Apparent and the Spanish Succession
- 2B Catharine Macmillan (Queen Mary, London)
'American States' Rights and British constitutionalism: Judah Benjamin and the British North America Act 1867
- 2C Geoffrey Samuel (Kent)
Law and the Authority Paradigm: Historical Perspectives

Session 3 September 13th 09.15 - 10.45

- 3A Warren Swain (Durham University)
Da Costa v Jones, the law of contract and the problem of gambling in the eighteenth century
- 3B Matt Dyson
The Criminal Courts and Civil Compensation in the 19th and 20th Centuries

Session 4 September 13th 11.15 - 12.45

- 4A Judith Rowbotham (Nottingham Trent)
Legislating for your own good. The Victorian Vaccination Act
- 4B Lorie Charlesworth (Liverpool John Moores)
Socio-legal Readings of the Vaccination Acts

Media and Communications Law LOCATION CG 218

Convenor Professor Tom Gibbons
Email: tom.gibbons@manchester.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Lesley Hitchens (New South Wales)
Rethinking Content Regulation in a Converged Media Environment
- 1B Irini Katsirea (Middlesex)
The Principle of Separation of Advertising and Programme Elements in a Comparative Perspective

Session 2 September 12th 16.00 - 17.30

- 2A Mike Varney (Hull)
Structure, Infrastructure and Content in the Media: Divisible or Indivisible?
- 2B Sharon McLaughlin (Galway)
Virtual Child Pornography
- 2C Charles O Mahony (Law Reform Commission of Ireland)
The Changing Nature of Television Consumption

Session 3 September 13th 09.15 - 10.45

- 3A Ursula Cheer (Canterbury, NZ)
Developments in Privacy Law in New Zealand
- 3B Kirsty Hughes (Cambridge)
Recent Developments in UK Privacy Law

Session 4 September 13th 11.15 - 12.45

- 4A Pauline Sadler (Curtin University of Technology, Perth)
Keeping secrets: the DA Notice system and free speech post 9/11
- 4B Benjamin Vincents (Singapore)
Interception of Internet Communications Pursuant to the Regulation of Investigatory Powers Act 2000 and UK's Obligation under article 8, ECHR

Property and Trusts LOCATION CG 85

Convenor Nicholas Hopkins
Email: N.P.Hopkins@soton.ac.uk

Session 1 September 12th 11.00 - 12.30

- Joint Session with Family Law on Hale Jurisprudence
- 1A Lynne Livesey (Central Lancashire)
Uncommon Intention: the Illusion of the Bargain. Should the Judiciary Direct the Reasonable (Wo)man on the Omnibus to the Cohabitees' Home?
- 1B Robin Lister (Bradford)
Stack v Dowden: Just not Fair? Another Chapter in the Gissing Saga
- 1C Neil Cobb (Durham)
"You Can't Mistake my Biology": Baroness Hale, Re G and the Lesbian Mother.

Session 2 September 12th 16.00 - 17.30

- 2A Andrew Robertson (Melbourne)
Shaping Estoppel Remedies: The Minimum Equity Principle in Practice
- 2B Ben McFarlane (Oxford)
The Nature of Equitable Property

Session 3 September 13th 09.15 - 10.45

- 3A Remigius Nwabueze (Southampton)
Dead Bodies and Trust
- 3B Paul Beckett (Mannin Chambers, Isle of Man)
A New Manx Equitable Principle

Session 4 September 13th 11.15 - 12.45

- 4A John Mee (University College Cork)
Radical Reform of Land Law in Ireland: Overdue or Over the Top?
- 4B Una Woods (Limerick)
The Position of the Procrastinating Owner Under the Irish Law on Adverse Possession

Torts

LOCATION CG 221

Convenor Ken Oliphant
Email: Ken.Oliphant@bris.ac.uk

Session 1 September 12th 11.00 - 12.30

- 1A Christian Witting (Melbourne)
Tort Law and Policy
- 1B Geoff McLay (VUW)
Enforcing the Kindness of Strangers - Courts and the
Delivery of Welfare Services

Session 2 September 12th 16.00 - 17.30

- 2A Jane Wright (Essex)
What does the designation of the court as a 'public
authority' under section 6(3) of the Human Rights Act mean
for the law of tort?
- 2B Tsachi Keren-Paz (Keele)
Discrimination as Negligence

Session 3 September 13th 09.15 - 10.45

- 3A Jason Neyers (Western Ontario)
Rights-based Justifications for Unlawful Interference with
Economic Relations: Are there any?
- 3B Panel discussion on the decision of the House of Lords in
OBG Ltd v Allan (2007)

Session 4 September 13th 11.15 - 12.45

Baroness Hale Special Session:

- 4A Jesse Elvin (City)
Hale LJ's 'practical propositions' and the Legal Response to
Occupational Stress Claims
- 4B Jean Meiring (Cambridge)
'And yet, and yet ...': Baroness Hale and wrongful birth

2008 Annual Conference LSE

LEGAL SCHOLARSHIP AND LEGAL PRACTICE

The 2008 Annual Conference will take place at the London School of Economics and Political Science, commencing in the afternoon of Monday 15 September and concluding after lunch on Thursday 18 September. The theme of the conference is Legal Scholarship and Legal Practice. Conference sessions will take place in the LSE's New Academic Buildings off Lincoln's Inn Fields, and accommodation will be available in halls of residence or local hotels.

Further information on the conference will appear on the SLS website (www.legalscholars.ac.uk) after the closure of the 2007 conference.

President

Sarah Worthington
Professor of Law and Pro-Director
London School of Economics and Political Science
Houghton Street, London, WC2A 2AE

Tel: (44) 020 7955 6389

Fax: (44) 020 7852 3630

Bookings

Booking forms will be sent out via Constituencies in May 2008

Call for Papers

Convenors of subject sections will be sending out a call for papers in February 2008. Contact details will be available on the Sections website

www.legalscholars.ac.uk/sections/ and members are invited to register their interest in providing a paper with the relevant convenor.

Subject Sections Programme

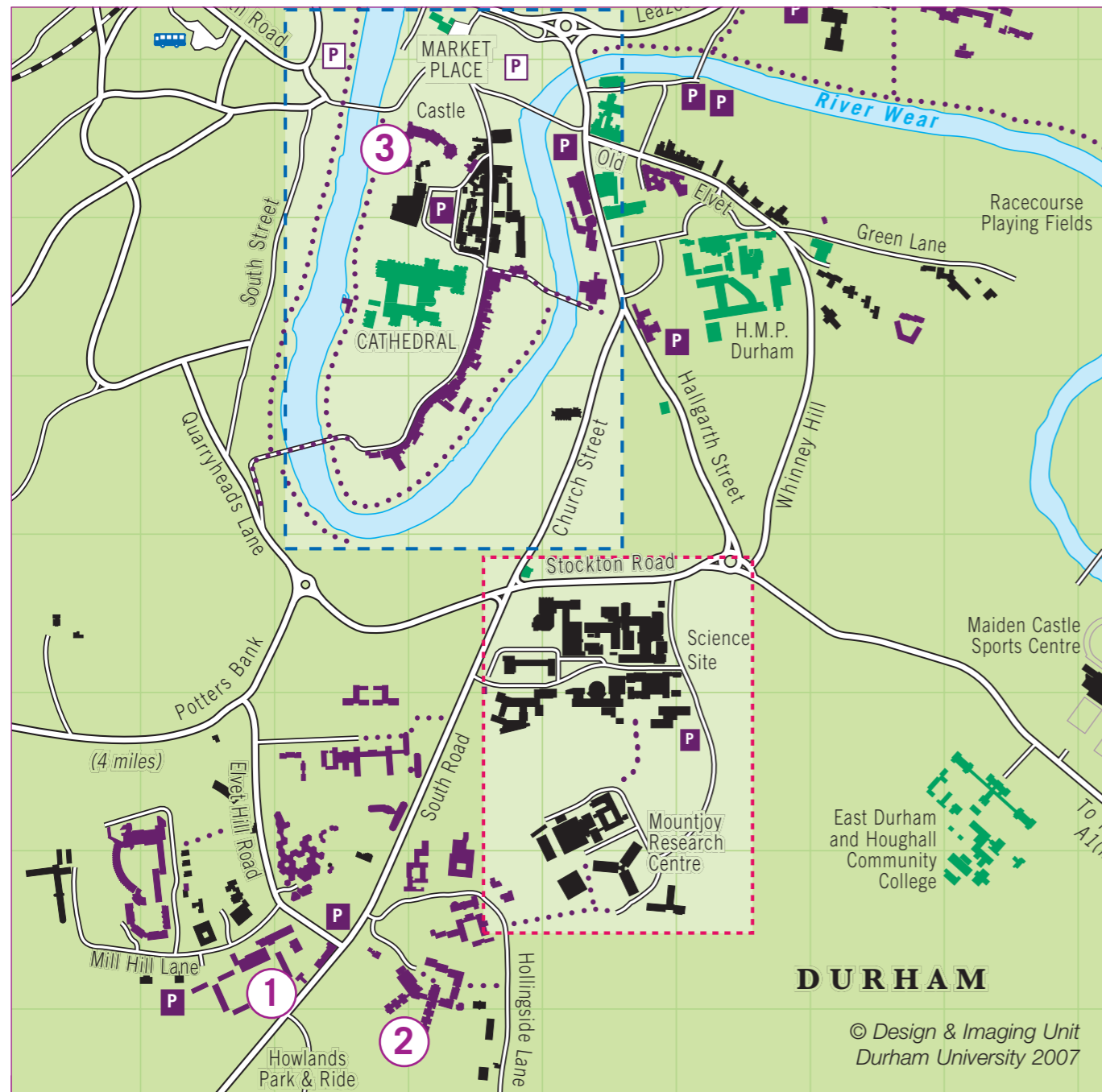
The division of Subject Sections into A and B groups will be confirmed on the website by mid October 2007, and members will then be able to check the days on which their subject section programme will be running.

Enquiries

General enquiries may be directed to the Subject Sections Secretary.

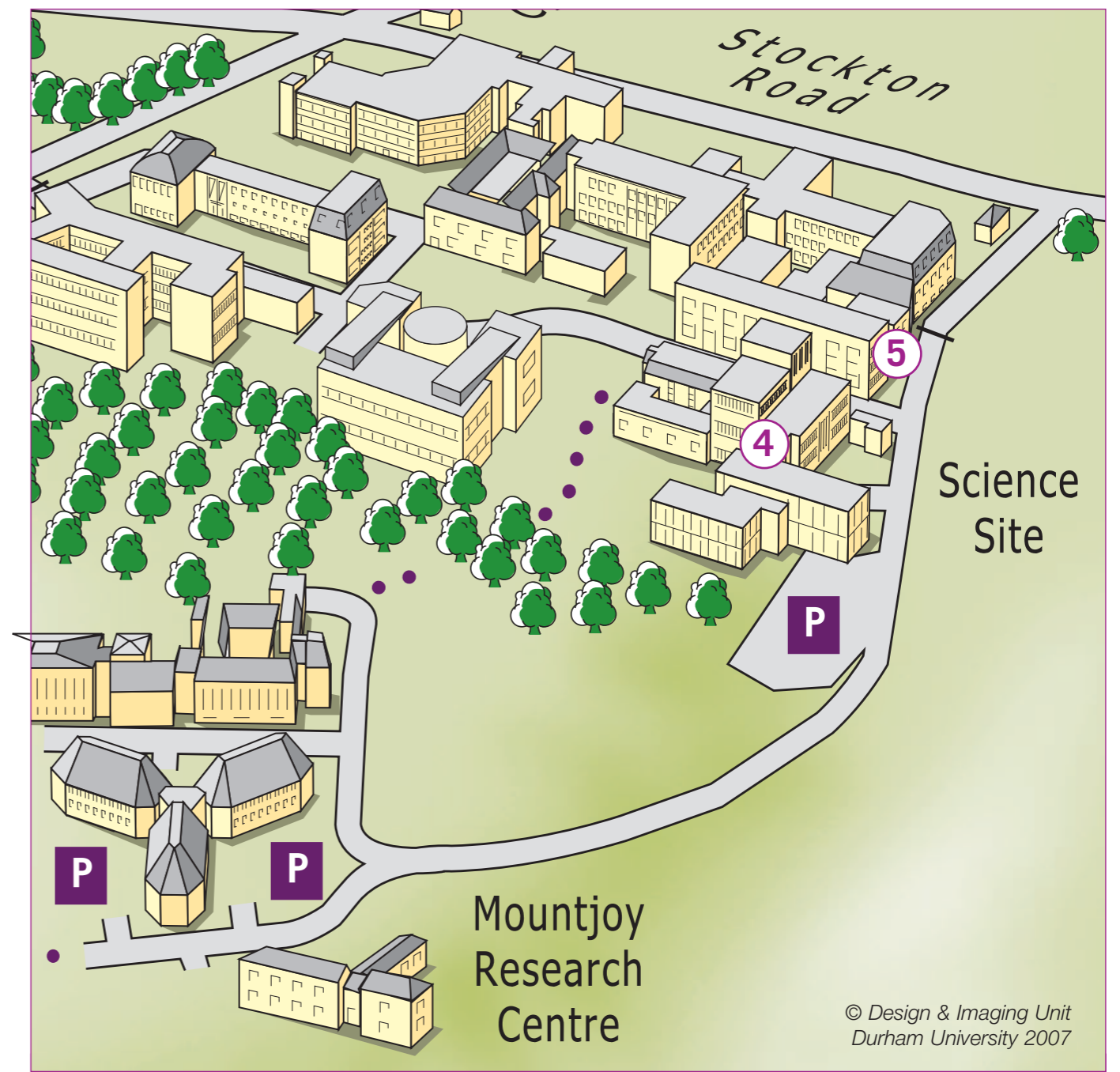
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- 1 Van Mildert College
- 2 Collingwood College
- 3 Durham Castle

Map of Campus



- 4 Engineering Lecture Rooms
- 5 Entrance To Scarborough Area

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