

*Annual reports from sections: 2008*

### **Section Name: Banking and Finance**

The attendance for the Banking and Finance stream was excellent. A total of 11 papers were presented this year (details below) on a wide range of issues. Unfortunately, one of the speakers was unable to present due to an illness.

Session 1: September 17th 14.00 - 15.30 Room A698

A total of 18 people attended this session which contained two papers. Indira Carr and Miriam Golby, both from the University of Surrey presented a paper entitled 'The UN Anti-Corruption Convention and Money Laundering'. The second paper contribution was made by Andromachi Georgosouli from the University of Leicester. The paper was entitled 'The Interpretive Shift in Financial Regulation'. Both papers were extremely well received by the attendees.

Session 2: September 17th 16.00 - 17.30 Room A698

14 people attended the second session on the first day of the Banking and Finance Stream, where two of the papers concentrated upon various aspects of financial crime. The first paper to be presented was by Rob Stokes from the University of Liverpool 'Virtual Money Laundering'. The second presentation was by Nicholas Ryder (UWE) was called 'Islamophobia? A critical review of the legislative approaches towards the prevention of terrorist finance by the United States of America'. The final paper to be given in this session was by Susan Yin, a from Queen Mary. Her paper was entitled 'Establishment of a Legal and Institutional Infrastructure for Governing a Globalised Securities Market'. All papers were extremely well received by the attendees.

Session 3 September 18th 09.00 - 10.30 Room A698

The third session was attended by 11 people and the proceedings were opened by Mohammed Haitham Salman (Abu Dhabi), who presented a paper entitled 'The Legal Aspects of Islamic Finance'. The second paper was given by Andrew Campbell from Leeds University 'Bank Insolvency Law: Getting the Balance Right', whilst the final paper 'Securitisations in Scotland: why the law on assignments needs reformed' was presented by Tom Burns (Aberdeen). All papers were extremely well received by the attendees.

Session 4 September 18h 11.00 - 12.30 Room A698

The final session of the stream were attended by 10 people. The papers were presented by Clare Chambers from Bournemouth University ('Innovation in Inclusion: Initiating a research project'), Angie Raymond from London ('Development of the Modern International Secured Transactions Mechanism: Necessities, Issues and Limitations as the Modern System Emerges) and Orkun Akseli from Newcastle University ('The UNCITRAL Legislative Guide on Secured Transactions and some key issues'). All papers were extremely well received by the attendees.

### **Section Name: Civil Liberties**

*Convenor:* Helen Fenwick

*Deputies* Prof Gavin Phillipson - aids with choice of papers and takes a share in chairing meetings

### *Conference*

As in previous years, the meeting of the Civil Liberties section was a successful and well attended one, with a wide variety of important contemporary subjects addressed by a number of different speakers. The room and facilities were generally entirely satisfactory. The organization of rooms and web-site etc was very efficient. It was very useful to have a student in attendance.

No special comments; it was very well organised at LSE. At some sessions a few attendees had to stand; could Civil liberties have a slightly larger room as 3 out of the 4 sessions were very popular.

### *Attendance at Conference broken down by session*

Session 1 – approx 45

Session 2 approx 30

Session 3 approx 18

Session 4 approx 45

### **Section Name: Company Law**

1. Convenor: Christopher Riley

2. Deputies: None

3. Conference

Thanks to all speakers, to Professor Tomasic for chairing the first session, and to all those who contributed to our discussions.

4. Attendance at Conference broken down by session :

Session 1: 24

Session 2: 15

Session 3: 14

Session 4: 12

### **Section Name: Comparative Law**

1. Convenor

Susan Millns (as per conference programme).

To be replaced by Professor Paula Giliker (University of Bristol)

Professor Paula Giliker

Professor of Comparative Law

University of Bristol

Tel: 00 44 (0)117 331 5213

Fax: 00 44 (0)117 925 1870

Email: Paula.Giliker@bristol.ac.uk

2. Deputies

N/A

3. Conference  
Programme – As per conference

4. Attendance at Conference broken down by session

1A	28
1B	18
2A	8
2B	6

### **Section Name: Consumer Law**

Convenor Christian Twigg-Flesner

Changes to Conference Programme

**3B** Marina Pavlovic (Ottawa, CA), “And yet, we keep writing: Contribution of legal Scholarship to the consumer arbitration jurisprudence in the United States and Canada” –**speaker did not attend for medical reasons**

**3C** Vijaya Nagarajan (Macquarie Sydney), “A New Regulatory Space: Dealing with the marketing of genetic information” **Speaker did not attend and did not notify section convenor.**

Attendance at Conference broken down by session

Session 1 (joint with EU): 16  
Session 2: 7  
Session 3: 8  
Session 4: 12+ 4guests (Law Commission)

### **Section Name: Contract and Commercial Law**

#### **1. Convenor**

Contact details remain the same.

#### **2. Deputies**

George Zhou, Sheffield University has provided considerable assistance and chaired one of the section’s sessions, for which I would like to thank him sincerely.

#### **3. Conference**

The programme went ahead as advertised – all papers were delivered.

#### **4. Attendance at Conference**

With apologies – I did not take a note of attendance at each session. However, I did take counts and I recall that attendance never fell below 15, with some higher attendances than that, including 18 at the last session.

#### **5. Other meetings during the year**

None. I hope to work with colleagues on possibly organizing some in the future. The section's mailing list has, however, been used to advertise a number of relevant events to section members.

### **Section Name: Criminal Justice**

1. Convenor: Damian Warburton, UWE

2. Conference Programme –

Thanks to Professor Richard Taylor of UCLAN, and Dr. Penny Darbyshire of Kingston for chairing the Criminal Justice Sessions at the LSE in my absence.

3. Attendance at Conference broken down by session  
10-15 attendees at each session

4. Other meetings during the year if any  
None.

5. Law Commission etc responses if any  
None.

### **Section Name: Cyber Law**

Convenor – Steve Hedley

Conference

Changes to Conference Programme

Session 2 was as follows:

Andrew Kenyon (Melbourne): Controlling content on digital media

Pablo Cortes (Leicester): Online Dispute Resolution

Nicola Lugaresi (Trento): The protection from spam and the role of DPAs

All else as per programme

Attendance at Conference broken down by session

1: 11  
2: 11  
3: 10  
4: 9

## **Section Name: Environmental Law**

Convenor

Prof. Colin T. Reid,  
School of Law, University of Dundee, Dundee DD1 4HN  
[c.t.reid@dundee.ac.uk](mailto:c.t.reid@dundee.ac.uk)  
tel. 01382 384637(direct) 384461(Dept.) fax 01382 386737

Deputy

Prof. Karen L. Morrow  
School of Law, University of Swansea, Singleton Park, Swansea SA2 8PP  
[K.Morrow@swansea.ac.uk](mailto:K.Morrow@swansea.ac.uk) tel. 01792 602623

Conference:

Attendance at the section meeting was higher even than last year's very good figure and we heard a wide range of stimulating papers. Within that range it was possible to have two related groups of papers, one on climate change issues and one on EU topics, which fitted together well and we ended with a discussion on the state of environmental legal scholarship, absolutely in line with the overall theme of the conference. Speakers covered the whole academic spectrum from professors to postgraduate researchers with variety in their geographical origin and focus.

As in previous years, the interest in giving papers meant that most sessions had three papers scheduled and the experiment in one session of two very short "updates" on papers given last year in addition to two main speakers proved successful. All the speakers played their part excellently by giving short talks that allowed time for discussion, rather than reading full papers, and I know that discussion continued into the social events and is being maintained through correspondence. The view of those attending remains that it is more valuable to maintain the range and diversity of topics rather than cutting down the number to gain a little more time for each speaker.

I am grateful to all the speakers for providing abstracts timeously and for the substantial number of papers presented for the Paperbank. Mel continued to be of great assistance in supporting my work as Convenor.

The room for the Section meeting was fine, and the student assistant was very helpful indeed. Since we were a big enough group we did not feel particularly cut off or isolated when meeting in a building separate from most other sections, although the opportunity for inter-section networking over breaks was obviously reduced.

Attendance at Conference broken down by session:

Session 1 - 22, session 2 - 21, session 3 – 23, session 4 - 16.

Other meetings during the year if any:

Because of the difficulties of finding a time and place convenient to a sufficiently large number of interested people (we are a particularly widely scattered group – this year's speakers included ones from Aberdeen, Cork, Swansea and Kent) arranging a further meeting has not proved practicable, but I know that contacts made at the conference and through the section are continued through correspondence throughout the year.

Law Commission etc responses if any:

No formal responses to consultation papers but we are developing closer links with the UK Environmental Law Association, a predominantly practitioner society which is conscious of the benefits of greater academic engagement whilst offering academics good opportunities to gain a greater understanding of practical issues and concerns and to participate in its working groups that contribute to policy formation.

## **Section Name      EU and Competition Law**

### Convenor

A new convenor has taken over from Mick Cuthbert. The new convenor is Penny Kent, Middlesex University, The Burroughs, Hendon, London NW4 4BT  
+44 (0)20 8411 5837 - [P.Kent@mdx.ac.uk](mailto:P.Kent@mdx.ac.uk)

### Deputies

Sara Drake, Cardiff Law School, Cardiff University, Law Building, Museum Ave,  
Cardiff, CF10 3AX  
+44 (0)29 208 74367 - [DrakeS@cardiff.ac.uk](mailto:DrakeS@cardiff.ac.uk)

### Conference

The Conference Programme covered the full range of interests in EU and Competition Law. More papers were submitted than could be accommodated in the Section Sessions so a Gibraltar Session containing three papers was given on the first day of the conference. All the papers offered were well received and generated a good discussion. There was also a joint session with the Consumer Law Section where the papers demonstrated the impact of EC law!

A special thank you is due to Sir Francis Jacobs (King's College London) who chaired the final session and stimulated a rewarding discussion of the papers.

### Attendance at Conference broken down by session

The sessions attracted 12-14 delegates with the exception of the final session where there were 18 present to discuss the papers presented.

## **Section Name    Family Law**

### Convenor

PENNY BOOTH

Penny Booth was appointed as Convenor in September 2005. Steps should have been taken to inform the section members of the need to appoint a new convenor in September 2008 and this was an omission.

After discussion with deputy convenors it was decided to inform the section membership of a new election in 2009 and that Penny Booth would convene the section until then.

### Deputies

REBECCA PROBERT  
SHAZIA CHOUDHRY

### Conference

There were no changes to the advertised programme.

Thanks are due to all speakers, and especially to Dr Stephen Cretney for agreeing to present to the conference on this last occasion.

### 4. Attendance at Conference broken down by session

Session 1	22
Session 2	18
Session 3	13
Session 4	12

#### 5. Other meetings during the year if any

Staffordshire University Family Law Seminar Day on the first Saturday in February every year is regarded by many member section members as a mid-year 'unofficial' meeting.

#### **Section Name: Gibraltar**

Convenor: Anthony Bradney

#### Conference

Three papers by Lupi, Majumdar and Williams were withdrawn close to the beginning of the conference.

#### Attendance at Conference broken down by session

Two sessions were given over to overflow papers from Legal History and European Union law. I did not attend those sessions. In the three session that I chaired there were respectively 10, 3 and 8 people.

#### **Section Name: Intellectual Property**

##### 1. Convenor:

Dr Mike Adcock, Durham Law School, Durham University, Durham.

##### 2. Deputies

Dr Jasem Tarawneh, University of Manchester

##### 3. Conference

Dr Sivaramjani Thambisetty London School of Economics pulled out 3 days before the conference. It was impossible to change the programme or to find a replacement at such short notice.

Special thanks to Jasem Tarawneh for trying to find a replacement and in general for helping to ensure good sessions.

It is a shame that intellectual property and EU and competition law are both in Group A as many intellectual property lawyers also have an interest in competition law. Perhaps in the future we could hold one joint session.

##### 4. Attendance at Conference broken down by session

We had between 12-15 people in each of the four sessions

##### 5. Other meetings during the year if any

Philosophy and Intellectual Property Conference, 29-30 Mar, 2009. London. See <http://www.philip-conf.org/>

#### **Section Name: International Law Subject Section**

Convenor: Matthew Happold

Conference No changes from conference programme

Attendance at Conference broken down by session

Session 1	12
Session 2	13
Session 3	13
Session 4	15

Other meetings during the year if any

The 17<sup>th</sup> annual SLS International Law Subject Section / British Institute of International and Comparative Law seminar on theory and international law was held in at Charles Clore House on Monday 14 April 2008. The topic was "International Law and the English Legal System". Some 85 persons attended. A programme is annexed.

### **Section Name: Jurisprudence**

1. Convenors (joint):

Phil Bielby (Hull) ([p.bielby@hull.ac.uk](mailto:p.bielby@hull.ac.uk))

Mary Ford (Strathclyde) ([mary.ford@strath.ac.uk](mailto:mary.ford@strath.ac.uk))

[Joint term of office 2005-2008.]

2. Deputies

N/A

3. Conference

Programme as shown on conference website.

Phil & I feel that the Section was a great success this year. We were privileged to host nine presentations from high-profile speakers, and the programme represented a diverse range of sub-disciplinary and methodological perspectives, but with interface between them which was clear and apparent and allowed all present to engage with the content. As such, the discussion following all of the presentations was stimulating and enthusiastic; there was never a shortage of contributions, and when chairs had to conclude the discussions it was always with a sense that they could have continued indefinitely.

The joint tenure of the current convenors ends at this conference. As previously intimated to the Subject Sections Secretary, there was an expression of interest from James Lee (Lecturer at Birmingham Law School) in taking over the convenorship. Both current convenors regard this as an ideal succession and it has been approved in principle by the SLS. As is standard procedure, Phil and I announced our stand-down and the intended hand-over to those attending the Section at this year's Conference, and the universal opinion of those present was to approve Jamie as Jurisprudence Section convenor for the next three years. As such we ask that it now be endorsed. Jamie chaired the final session of the Section partly as an introduction to the convenorship, and partly because the subject-

matter of that section was more in line with his disciplinary expertise, and did so very successfully.

The possibility of my remaining as a deputy convenor because of my past experience in convening the Section has been discussed. Jamie has indicated that he would like me to remain as deputy, and I am happy to do so, if that is acceptable to the SLS.

Phil & I would like to record our thanks to all who have presented and attended at the Section during our three conferences as joint convenors, and to all at the SLS, particularly Lucy and Mel, for their support.

Attendance at Conference broken down by session

Session 1: 8 (Chair P Bielby)  
Session 2: 15 (Chair M Ford)  
Session 3: 11 (Chair P Bielby)  
Session 4: 12 (Chair J Lee)

These attendance figures represent a healthy turn-out for Jurisprudence; all of the talks were well-attended.

### **Section Name: Labour**

Convenor

Professor Mark Bell and Pascale Lorber, School of Law, University of Leicester

Conference

Programme – see conference

Attendance at Conference broken down by session

Session 1 – 17  
Session 2 – 15  
Session 3 – 14  
Session 4 - 12

Law Commission etc responses if any

- Pascale Lorber on consolidation of the law relation to information and consultation of employees

### **Section Name: Legal Education**

Chris Ashford. Details as programme.

Deputies

Helen James  
Leo Raznovich

Conference

As the website programme.

Attendance at Conference broken down by session

Session 1: 15  
Session2: 18  
Session 3: 12  
Session 4: 11

### **Section Name: Legal History**

Co Convenors Judith Rowbotham and Lorie Charlesworth

#### Conference

There had to be a last minute change, just in time for the printed programme. However, the printed programme did not move Marianna Muravyeva's paper from the Legal History Section strand to Gibraltar B, though it was advertised there also, which could have been confusing.

#### Attendance at Conference broken down by session

Session 1: 20  
Session 2: 15  
Session 3: 12  
Session 4: 12

#### Other meetings during the year if any

:SOLON conferences, eg 1 day Experiencing the Law conference, IALS, December 2008; War Crimes conference, February 2009; Crime Violence and the Modern State, St Petersburg, May 2009

### **Section Name: Maritime**

Convenor: Richard A Barnes

Email: [R.A.Barnes@hull.ac.uk](mailto:R.A.Barnes@hull.ac.uk)

Deputy Convenor

Theodora Nikaki (Swansea) Email: [t.nikaki@swansea.ac.uk](mailto:t.nikaki@swansea.ac.uk)

There were no changes to the programme. Numbers at each session approximately 6.

### **Section Name: Media and Communications Law**

The convenor of the Section was Professor Tom Gibbons, University of Manchester. There is no deputy, although Professor Eric Barendt of University College London would have taken on the role if needed.

The programme for the LSE conference took place almost as advertised. Unfortunately, Lesley Hitchens had to withdraw at short notice and the first session was consequently re-arranged.

The programme was arguably even better than last year's, which was the best we had had for many years. Nine papers were offered, from a range of jurisdictions and from speakers at all career stages, and they provoked lively discussions. Attendance was healthy, with the four sessions respectively attracting the following numbers: 12, 14, 12, and 12.

A business meeting was held at the end of Session 2 and two items were considered:

1) Tom Gibbons confirmed that he was standing down as Convenor. It was agreed that Dr Mike Varney, University of Hull, should take over the role. If necessary, either Tom Gibbons or Eric Barendt will be willing to act as Deputy.

2) It was announced that Hart Publishing will be publishing a new refereed periodical in the field in 2009, the Journal of Media Law. It will be edited by Eric Barendt, Tom Gibbons and Dr Rachael Craufurd Smith (Edinburgh). Details of the journal's aims and format were discussed and members of the Section were invited to submit their work for consideration.

**Section Name: Medical Law**

Convenor – Dr Shaun Pattinson and Dr John Coggon

Attendance at Conference broken down by session

Session 1 – 17

Session 2 – 14

Session 3 – 18

Session 4 – 21

Please note that Shaun Pattinson has acted as co-convenor over the past year, with the 2008 conference marking the end of his term as convenor.

I am very grateful to Shaun for all the help and advice he gave me this year, and made a statement to this effect at the start of the conference.

**Section Name: Migration Law**

Convenor

As before, Helen Toner, Warwick University,  
[H.F.Toner@warwick.ac.uk](mailto:H.F.Toner@warwick.ac.uk)  
024765 23326

Conference

The Migration section had a successful and full programme. The only alteration from the published programme was that James Sweeney could not attend. All other sessions had three papers on a wide variety of work in progress which gave rise to some interesting discussion. Thanks to everyone who contributed.

Attendance at Conference broken down by session

Attendance varied but was approximately 6 or 7 at each session

**Section Name: Practice, Profession and Ethics**

1. Convenor: Professor Hilary Sommerlad (Leeds Metropolitan,  
[H.Sommerlad@leedsmet.ac.uk](mailto:H.Sommerlad@leedsmet.ac.uk))

2. Deputies:

Michael Petley (College of Law)  
Convenes Mid Year Meeting in London

### 3. Conference

The papers were of a good quality, some excellent, and stimulated lively discussion

Programme – as advertised

4. Attendance The audience tended to be the same for each session (from between 6-9) which was fruitful in terms of the debates. It has also laid the foundation for some collaborative work

### **Section Name: Property & Trusts**

Convenor: Nick Hopkins

#### Conference

Following publication of the final programme, one speaker (Jill Morgan, Swansea) was unable to attend the conference. A written copy of her paper was however provided in the paperbank.

Special thanks are due to Mel for a number of updates to the programme that were made between publication of the original draft and the published version and for including in the paperbank papers received at a fairly late stage.

#### Attendance at Conference broken down by session

Session 1:	15
Session 2:	18
Session 3:	15
Session 4:	12

#### Law Commission etc responses if any

No responses were made to Law Commission consultation papers, though work is in progress in relation to the Law Commission's paper on Easements, Covenants and Profits a Prendre.

### **Section Name: Public Law**

Convenor: Dr Javier Oliva (the details remain the same)

#### Conference

The stream was very successful and the quality of speakers was extremely high. The sessions were conducted as they had been previously announced and fortunately there were no last minute changes.

#### Attendance at Conference broken down by session

Session 1-	25 to 30 attendees
Session 2-	25 to 30 attendees
Session 3-	10 attendees
Session 4-	20 to 25 attendees

#### Law Commission etc responses if any

We are currently in the process of preparing a response to the Law Commission Consultation Paper No 187, 'Administrative Redress: Public Bodies and the Citizen'

## **Section Name: Restitution**

### 1. Convenor

The Restitution Section celebrated its first quarter of a century, convened by Francis Rose, at the institution where the teaching of the modern law of Restitution of Unjust Enrichment began.

### 2. Deputies

The Deputy Convener, Stephen Watterson succeeds as the new Section Convener.

### 3. Conference

[Programme - Convenors need only supply changes from programme advertised at Conference Other matters - any special thanks, comments or suggestions for improvement]

### 4. Attendance at Conference broken down by session

Mitchell: 13

Mcfarlane/Robertson: 15

Jaffey: 12

Mcfarlane: 17

## **Section Name: Tax Law**

*Convenor:* Glen Loutzenhiser

St Hugh's College

St Margaret's Road

Oxford

OX2 6LE

UK

01865 274900

[glen.loutzenhiser@law.ox.ac.uk](mailto:glen.loutzenhiser@law.ox.ac.uk)

### *Conference*

The Tax Section's sessions at the Society's Annual Conference at LSE took place over the first two days of the Conference, Monday & Tuesday, 15th & 16h September 2008.

Attendance at the sessions was better than previously (session attendance averaged about 12) and the papers continued to reflect the diversity of the interests of the section's membership.

On the first day, Monica Bhandari (King's College London) spoke on 'Reconsidering tax arrangements', Timothy Vollans (Coventry) presented his work on 'The Concept of Extra-Territoriality' and Rita de la Feria (Oxford University Centre for Business Taxation) gave a paper entitled 'The EU VAT treatment of public sector bodies: slowly moving in the wrong direction'.

The second day was devoted to small business tax issues, with presentations by Judith Freedman (Oxford) on 'Small Business Taxation and the Mirrlees Review', Paul Kenny (Flinders University) on 'Defining a Small Business under the Australian tax code: Small Business Entities', and Glen Loutzenhiser (Oxford) on 'Income Shifting and Small Business: Latest Developments'.

### *Attendance at Conference broken down by session*

- a. Session 1 - 12
- b. Session 2 - 11
- c. Session 3 and 4: 12

Owing to a relatively last-minute timing conflict with a high-profile tax event taking place in London at the same time as Session 3 and at which the majority of SLS attendees wished to attend, Sessions 3 and Session 4 were merged into one extended afternoon session. This arrangement was unanimously approved by all the conference attendees in Session 1.

The convenor records his gratitude to all those attending.

The Tax Section continues to enjoy its particularly strong links with the Tax Research Network (several SLS Section members travelled to Galway to attend the 2008 Annual Conference), the Centre for Law at the University of Cambridge, and the Oxford University Centre for Business Taxation.

### **Section Name: Torts**

Convenor: Ken Oliphant has stepped down as Convenor after three years. Section members present at the final session of the annual conference approved the appointment of Annette Morris (Cardiff Law School) as his successor.

#### Conference

One presenter (Hall) withdrew late in the day. Another presentation was misnamed and mis-ascribed – to someone called Marrani, rather than McDonald – in the conference booklet (but not on the website). Other than that, the sessions ran as advertised and were apparently well-received. In a review of section activities at the end of the final conference session, there was considerable support for the panel discussion format adopted in Session 1 (European Tort Law) and also for adopting in the other sessions a three-paper format (rather than having two per session, as has been the section norm in the past).

### Attendance at Conference broken down by session

Session 1: 30  
Session 2: 19  
Session 3: 18  
Session 4: 22

### Law Commission etc responses if any

None, but the incoming Convenor will investigate the possibility of a response to the current consultation on Administrative Redress.