

Holdsworth

An annual publication from the School of Law

Join us for the Fourth Annual London Law Network



You are invited to join staff from the School of Law at the fourth Annual London Law Network. Lovells have kindly agreed to host the event on 15 February 2007 from 6.30pm – 8.30pm.

The University's Registrar and Secretary, Dr Jonathan Nicholls, and the Head of the School of Law, Professor Anthony Arnall, will speak on the developments and recent activities of the University and the School of Law.

Enjoy wine and canapés whilst you have the opportunity to chat to Law School staff and network with fellow alumni who are also working in the legal profession.

All alumni living or working in London who graduated in Law or are now working in the legal professions will be sent an electronic invite. It would be great if you could let us know if you are interested in attending or if you know of anyone that would like to attend.

For further information please visit www.law.bham.ac.uk/alumni or contact Miss Emer McGahan, details on page 8.



Welcome from the Head of School

Anyone who holds a Birmingham law degree is part of the School's history and its traditions and I believe that we should take pride and pleasure in what our alumni achieve. This first newsletter is intended to establish better links with our graduates and to involve them more closely in the life of the Law School.

We hope that you'll consider attending the London Law Network if it is convenient for you, or just re-establishing contact with your *alma mater*. I like to think that there will be thousands of alumni with happy memories of the time they spent in Birmingham and who might wish to return to the School and take part in some of its activities.

I joined the School of Law in 1992 and became Head last Summer. I am proud of our research and teaching record and the calibre of our staff and students. The people who work in the School – academic and support staff, students and others – are outstanding and we are all very fortunate to work in such a stimulating and civilised environment. I treasure and celebrate the genuine loyalty and affection that my colleagues feel for the School. I know that its alumni feel the same way.

Professor Anthony Arnall

Profile: the new Head of School

Professor Anthony Arnall took over as Head of School in August 2006. We spoke to him about the School of Law and its future, and his career and research.

On the School of Law's academic staff

Among our staff we are fortunate to number some of the country's top legal scholars, people whose research is at the cutting edge of their fields and whose work is quoted throughout the world. In the recent past, we have also been able to recruit a large number of outstandingly promising young scholars. It is one of the jobs of the Head of School to provide members of the academic staff with an academic environment which enables them to do their best work. We have academics from France, Germany, Greece, the United States, Cameroon, New Zealand, Uzbekistan and Venezuela. This cultural diversity is of immeasurable benefit to the intellectual life of the School, a visible manifestation of the globalisation of law.

On the future

The main challenge during my term as Head of School will be to help secure a good result in the 2008 Research Assessment Exercise, or RAE. This is a huge undertaking which will involve submitting the School's research output over the period from 1 January 2001 to 31 December 2007 to a panel of experts appointed by the Higher Education Funding Council for England (HEFCE). The Law School, along with the rest of the University, began planning for the 2008 RAE some time ago. It has recruited a number of new members of staff, in many cases fending off fierce competition from rival institutions, with a view to ensuring that its return is as strong

as possible. It is also working hard to ensure that research-active staff remain in post until the census date, 31 October 2007.

The outcome of the RAE should be known by the end of 2008 and will have a major effect on the extent to which the School's research is funded by HEFCE. It can also be expected to affect the School's ability to recruit the best students and staff.

On his own research:

The second edition of my monograph, *The European Union and its Court of Justice*, was published by Oxford University Press in June 2006. The purpose of the new edition remains essentially the same as that of the last: to examine the contribution the European Court of Justice has made to shaping the legal framework within which the European Union operates. I have assumed that the main readers will be academic lawyers and law students, but I hope the book will also be useful to scholars and students of other disciplines, to national judges and practitioners, and to officials throughout the Union and beyond who are interested in finding out what makes the Court tick.

On becoming Head of School

I am proud to say I have been part of the team at Birmingham for 14 years, and so it is fitting that I am now taking my turn to embark on a three-year term as Head of the Birmingham Law School. I am looking to the next three years with some trepidation.



Professor Anthony Arnall,
BA, PhD, Solicitor

- Joined Law School in 1992 as Professor of European Law
- Director of Institute of European Law 2000–2006
- Has advised Parliamentary Select Committees
- Author of *The European Union and its Court of Justice* (OUP, 2nd ed. 2006) and co-author of *Wyatt and Dashwood's European Union Law* (Sweet & Maxwell, 5th ed, 2006).

I expect to discover that there are some things I can do that I didn't anticipate, and some things I expected to be able to do that I can't. I shall certainly feel a special affinity with the 2006 intake, because when I attend their graduation ceremony in 2009, the end of my term as Head will be imminent. And my daughter, who was a baby when I arrived at Birmingham, will have done her GCSEs. So I shall certainly be feeling a lot older!

Learn more

To read more from Professor Anthony Arnall please visit www.law.bham.ac.uk/alumni

The School of Law in 2007:

- 40 members of academic staff, from all over the world
- 1000 students, over half on the LLB programme
- 100 students reading for the 2-year LLB for Graduates
- 50 students on the 1-year Graduate Diploma in Legal Studies (CPE)
- 75 postgraduate LLM students and 50 research postgraduates
- 15 Postgraduate Teaching Assistants – research students who teach up to 60 hours per year in the School



News from the Holdsworth Club

George Applebey

Any publication bearing the proud name of Sir William Holdsworth on the title page would be incomplete, even run the risk of breaching the consumer protection laws of this country, if it did not include at least a short piece on the Holdsworth Club itself. Many of you will remember happy days of little receptions in the Moot Room, pub crawls to Stratford-Upon-Avon, trips to Alton Towers (perhaps not) or even what went on at the Law Ball (which maybe you would rather forget). Well the Holdsworth Club is still here and continues to add a small note of social interaction and enjoyment to the stressful task of getting a degree.

The Holdsworth Ball

The annual Ball is a major event, run by the committee, who put a tremendous amount of work and effort into making a success of what is now one of the premier social evenings in the campus year. Last year the Ball (with a 'Roaring Twenties' theme) was back at the Botanical Gardens in Edgbaston, after a trip to the International Convention Centre in Broad Street in 2005. An announcement will go on the website of the next Ball in February or March. Alumni are always most welcome to attend, and we would love to resume the practice of having a large number of our graduates present. Older alumni should be warned that times have changed. This is no longer the old annual dinner. The Balls of recent years have undoubtedly been the best ever, in the opinion of most participants.

Presidents

The Club also remains proud of its Holdsworth Presidents, the list of which is second to none. The President for 2006–07 was Lord Mance. His lecture, 'Europe and the Common Law' was delivered in November 2006 and will as usual be published in printed form. Copies can be obtained from Helen Lewis, at the Law School Office. Sir Francis Jacobs, formerly Advocate General at the European Court of Justice, has agreed to serve as President of the Holdsworth Club for the academic year 2007–08.

Sadly our President for 2004, Sir Michael Davies died in September 2006, aged 85. Sir Michael was himself a graduate of the



Holdsworth President Lord Mance and the Holdsworth Club committee

Birmingham Faculty of Law, and retained many stories of life as a law student here in the old days. He was particularly interesting on the virtues and foibles of the original Dean of the Law Faculty and founder of the Holdsworth Club, Charles Smalley-Baker. He will be missed.

Activities

The Club carries out a whole range of useful activities in the School, such as organising that frenetic induction to life at University, Freshers Week. We also organise careers evenings for intending solicitors and barristers. A new and interesting aspect of the Club is the formation of the Holdsworth Drama Society. Lawyers and drama have always had a connection, of course, since the days of Shakespeare. So far two plays have been produced by law students, *The Crucible* and *The Importance of Being Earnest*.

Mooting

Mooting has continued to develop within the School and our students do remarkably well in national competitions. This year's Master of the Moots, William Dobson came second in the Essex Court National Mooting competition at the Royal Courts of Justice. He has also

persuaded one of the Law Lords, Lord Walker of Gestingthorpe, to judge the Camm Cup final in March 2007.

Get back in touch

We would really like to hear from our former students who hopefully recall this lovely campus with affection. The Alumni Office and the School have begun organising events, and we certainly would like to see you. If the event is on campus it is usual for a few of the current generation of Holdsworth students to show our graduates around the building. As you wander along the corridors you will recognise many things with which you are familiar, but also much that is new and interesting. The Holdsworth Club for which you paid, back in your first year at University, is a life membership. We look forward to seeing you again.

George Applebey, Chairman

Learn more

For more information on what the Holdsworth Club are up to, visit their website: www.theholdsworthclub.co.uk

Alumnus profile:

Andrew Hall, QC

Andrew Hall is a former solicitor and, before transferring to the Bar in 1990, was a partner in the London firm of Hodge Jones and Allen and Head of the Criminal Law Department. His practice at Doughty Street Chambers is exclusively in crime with a strong emphasis on civil liberties and human rights.



He has lectured, published and broadcast for a number of years on issues relating to the criminal justice system and has advised national organisations, including Liberty, The Legal Action Group, Justice and the National Association of Probation Officers on proposed legislation. Andrew is a co-opted member of the General Council of the Bar of England and Wales and also an elected member of the Criminal Bar Association of which he became Chairman in September 2006. He is a member of Justice, Amnesty International, Liberty and the Commonwealth Lawyers' Association.

Why did you choose Birmingham?

I chose law because I had a (romantic) notion that it would equip me to be involved in some way with social justice, and Birmingham because the Faculty had a very high academic reputation.

How did you find your time at Birmingham and what are your favourite memories?

Initially, as a working class lad from the North, I found the experience of University a bit of a culture shock. That was a different age, when less than 10% of school leavers aspired to higher education and I was the first in my family to achieve this. However, I played rugby quite well (including captaining a brilliant Law Faculty XV – 'the Mermaids') which gave me self-confidence and through which I made life long friends. The campus was also a very lively one with lots of political societies and events, and the best bands of the day played at the Union. My favourite memory? Probably a composite, but when I close my eyes I am racing down the wing in dappled winter sunshine towards an alarmed looking Medics full back. The roaring crowd of law students on the bank include a certain flame-

haired Welsh beauty, and from the Union comes the distant sound of Rod Stewart's 'Maggie May'.

Did your time at Birmingham shape your subsequent interest in civil liberties?

I took a module in Criminology with Peter Moodie which came as a breath of fresh air and provided the first real opportunity to connect the study of law with social reality and politics. It was inspirational and later led me to go on to the Institute of Criminology in Sheffield for my Masters. Three years as a student gave me the freedom to throw myself into politics and literature, and a hunger for knowledge and debate. All of this developed my political thinking. It led me to believe that qualifying as a lawyer would eventually allow me to be a force for change, in some small way, and embedded in me the respect for legal process, civil liberties and human rights which has shaped my life as a practitioner.

What advice would you give to someone thinking of a career in Law?

A career in law – certainly a career in the sort of law I practice – is far more than a means of earning a living. It is a calling. Lawyers are public servants and have a crucial part to play, in the public interest, in delivering justice. The independence of the legal profession, high ethical standards, and the very best quality of advice and representation are essential to this. The advocate, in particular, has great responsibilities and life at the Bar is particularly demanding and highly competitive. Great dedication, and sometimes considerable personal sacrifice, are required to enter the profession and make a success of it. But the rewards and personal satisfaction can be immense.



Forthcoming events

Conferences

Journal of Private International Law

26–27 June 2007: The two day conference will be held in the University. The greater part of the conference will focus on academic papers in all areas of private international law. The morning of 26 June will be devoted to papers given by postgraduate students on their current research topic.

To register your interest in attending the conference, and receive more information via email, please contact: conflicts-conference@contacts.bham.ac.uk For more information visit our conference website www.law.bham.ac.uk/conflicts

Contract Damages – Domestic and International Perspectives

28–29 June 2007: The first day of the conference will be dedicated to the examination of damages in the context of the common law, the second will be structured around international contract law instruments. Speakers include: Professor Andrew Burrows; Professor Daniel Friedmann; Professor Anthony Ogus; Professor Stephen Waddams; Dr Harvey McGregor; Professor Ingeborg Schwenzer; Professor Michael Joachim Bonell; Professor Jan Ramberg; Professor Alexander Komarov; Professor Franco Ferrari; Professor Michael Bridge; Professor Michael Furmston.

To register your interest please contact: contractdamages@bham.contacts.ac.uk or telephone +44 121 414 6285. For more information please visit www.law.bham.ac.uk/contractdamages

Lectures

Issues in Criminal Justice

1 March 2007 at 5pm: Mr Andrew Bridges CBE, HM Chief Inspector of Probation – What is achievable when managing dangerous offenders in the community?

8 March 2007 at 5pm: The Rt Hon Lord Philips of Worth Matravers, Lord Chief Justice – ‘Murder’

15 March 2007 at 5pm: Professor Lucia Zedner, Professor of Criminal Justice, Corpus Christi College, University of Oxford – Preventive justice or pre-punishment? The case of control orders

Issues in Criminal Law Theory

16 March 2007, 4pm: Professor Andrew Ashworth, Vinerian Professor of English Law, All Souls College, University of Oxford, FBA, QC
Criminalisation: What Do 2005's New Crimes Tell Us About the Law?

23 March 2007, 4pm: Professor Duff, Department of Philosophy, University of Stirling, FBA
Strict Liability and Strict Responsibility

If you wish to attend any of the above events, please contact Emer McGahan, School of Law, University of Birmingham (telephone 0121 414 6285; email e.mcgahan@bham.ac.uk)

Alumni Events

15 February 2007 – London Law Network. Join the School of Law staff in London for an evening to meet fellow Birmingham alumni working in the legal profession. The reception will be hosted by Lovells and is an excellent opportunity to network while enjoying wine and canapés.

30 June 2007 – University Campus Reunion

For more information on the Alumni events please visit the Alumni Office website at www.alumni.bham.ac.uk/events

Research

We have some of the top legal scholars in this country on our books – people whose research is at the cutting edge of their disciplines and whose work is cited around the world. Here are just a few examples of the work going on at Birmingham.

Satellites to track offenders

Professor Stephen Shute is currently carrying out a new project on the Evaluation of Satellite Tracking, funded by the Home Office. The objective of the research is to review the operation of three pilot schemes – in the West Midlands, in Manchester and in Hampshire – that have been using satellites to track offenders. The study will explore the views of offenders and victims and those who work for the various criminal justice agencies that are involved with the pilots. The School of Law has employed a team of research associates to support Professor Shute and the project will report in 2007.

Institute of Medical Law

The Institute of Medical Law (IML) was set up in June 2004 as a joint venture between the Schools of Law and Medicine. Its aim is to foster interdisciplinary research into medical law within the University as a whole and the wider community. To that end, the IML hosts an annual conference which brings together lawyers, medical professionals and philosophers to discuss issues of importance to medical law. The first conference, *Scientific Advancements in Medicine: Legal and Ethical Issues*, was held in 2005 and the second, *Doctor's Dilemmas: Law, Practice and Ethics*, was held in September of 2006. www.iml.bham.ac.uk

European Law

The School's Institute of European Law provides a catalyst for research on European law at Birmingham. Its members contribute to the academic literature and to the domestic and European policy-making process. The Institute's Annual Lecture is designed to enable students at the University and the Institute's friends and associates to hear the views of prominent figures who have been directly involved in the formation or application of European Law. The 2005 lecture was given by Sir David Edward and Sir Konrad Schiemann, respectively the immediate past and present British Judges at the European Court of Justice. The subject of the lecture was the future of the Court. Professor Arnall said: *'We were delighted to welcome both Judges to the Law School at this crucial time for the European Union as it digests the recent enlargement and awaits a decision on the entry into force of the Constitutional Treaty. The Court of Justice has played a fundamental role in the Union's development but, like the Union's other institutions, is having to adapt to changing circumstances.'* www.iel.bham.ac.uk

University Alumna of the Year

As the first ever female Justice of the Supreme Court of Belize, Michelle Arana is used to acclaim. And now the 37-year-old has another plaudit, as the University has named her Alumna of the Year.



Justice Arana graduated from the School's prestigious LLM in Commercial Law programme and has degrees from Ball State University, Indiana and the University of the West Indies. In 1998, she was appointed to the National Women's Commission in Belize, before becoming Registrar General and Registrar of the Supreme Court and Court of Appeal of Belize.

Why did you choose Birmingham?

It has a reputation as an outstanding institution of tertiary learning, and my late father, Gregorio Arana Sr, gained his Masters in English here in 1976. He had many positive experiences at the University which imbued me with a love for it even as a child.

What are your favourite memories of the University?

I truly enjoyed my time at Birmingham. My lecturers were well prepared, encouraging and helpful. I met people from all over the world – China, St. Kitts, Nigeria and Germany

to name a few. My fondest memories include shopping in the Bullring and going dancing at The Works nightclub on Broad Street. I also loved visiting the Barber Institute on Sundays to see their Turner, Raphael and Boticelli paintings.

What advice would you give to someone thinking of a career in Law?

Ask yourself if you are truly prepared to spend hours researching cases, textbooks, journals and statutes. Most of a good lawyer's work is done before entering the courtroom because preparation is the key to competent performance.

Has studying at Birmingham helped your career?

Definitely – it significantly broadened my outlook on life, and deepened my understanding of commercial law. My postgraduate degree from Birmingham also elevated my academic credentials which were key to me becoming the first female Supreme Court Justice of Belize.

In the Frame

A display of 101 screen prints – here admired by former Head of the School of Law, Professor John Baldwin – has breathed new life into an area next to the student common room in the Law Building. The prints, entitled *Moonstrips Empire News*, were made and donated by honorary graduate, Sir Eduardo Paolozzi RA, whose Faraday sculpture can be seen near the University railway station.



Alumnus profile: Stephen Parish, LLB 1973, Head of Global Banking at Norton Rose

As Head of Global Banking at Norton Rose, Stephen Parish spends an average of 10 weeks a year travelling and focussing on the International side of the company's business activities. Despite spending limited time in the UK, Steven has maintained good contact with the University of Birmingham and is a great supporter of ours.

Why did you choose Birmingham?

The University of Birmingham had, and still has, a good reputation as a solid Redbrick University and this was a key criteria for me when I was looking for a University. I was also looking for a campus University and Birmingham ticked all of the boxes!

How did you find your time at Birmingham and what are your favourite memories?

My time at Birmingham was fantastic, I had a great three years that seemed to go by all too quickly!

I spent my first year in High Hall of Residence, moving to Moseley for my second year and then back to Griffin Close for my third. I think my favourite time was living in Halls in my first year. Like many students, it was the first time

I had lived away from home and to be able to live in such a great social environment with a group of likeminded people was a great experience. Looking back, the thing that strikes me most is the ease with which we were all able to settle into it.

There are also a couple of my lecturers who stand out in my memories – Professor Hood Philips, a very impressive teacher who taught the Constitutional Law class and Dr Bryn Perrins whose catchphrase was 'equity is fun'!

Have you maintained contact with the University?

During the 1990s I was Recruiting Partner for Norton Rose and obviously had a very active relationship with the University and this is something that I have always made sure that

I maintain. In fact, my eldest son graduated from Birmingham this year.

What advice would you give to someone thinking of a career in Law?

The beauty of a legal career is its flexibility. I believe that you can fit a legal career around your lifestyle aspirations, whether you want to work in a small family private practice or work in a large international law firm and travel widely, anything is possible.

My advice to anyone entering the profession now would be to work out what your lifestyle aspirations are and then look for a role which will enable you to achieve them. There are many varied opportunities out there for someone with a good legal degree behind them.

Academic Profile: Professor Jonathan Harris

Professor Jonathan Harris, Professor of International Commercial Law and Deputy Head of School

Last year, the School's Professor Jonathan Harris was called to the Bar through the exceptional academic route. In February 2006, he undertook a six month accelerated pupillage at Brick Court Chambers in London and is now practising there as a door tenant.

Professor Harris joined the School as a lecturer in 1995. He left in 2000 to join Nottingham University but returned just two years later to take up a chair in International Commercial Law, aged just 29. He is currently Deputy Head of the Law School.

Professor Harris is one of the authors of the new edition of *Dicey, Morris & Collins The Conflict of Laws*, the main practitioner work on private international law. He wrote eight chapters of the 14th edition, published in September 2006. In 2005, he was one of the authors of *International Sale of Goods in the Conflict of Laws* (Oxford University Press) the first book devoted exclusively to the subject.

Professor Harris on pupillage:

'I had no idea what to expect from my pupillage. I'd heard all kinds of scare stories about the brutal workload I would face and I knew it was going to be a rite of passage. The stories were right about the workload – I faced an enormous learning curve. My academic work allows me to focus on specialised projects and areas of law. In contrast, life at Brick Court required me to prepare briefs on practically any area of commercial law, usually to very tight deadlines.

The most daunting moments were the monthly assessed advocacy exercises, which were the verbal equivalent of gladiatorial combat before a panel of QCs for 90 minutes.

After the initial period of adjustment I began to thrive on the adrenalin and enjoy the pressure. I thoroughly enjoyed my experience at Brick Court Chambers and now look forward to combining academia with legal practice.'

On *Dicey, Morris and Collins, The Conflict of Laws*:

'I was invited to tea with Sir Lawrence Collins for an "interview" to discuss working on *Dicey*,



Morris and Collins. After satisfying himself as to my suitability, I was offered the irresistible opportunity to become involved with one of the great works of English law and set to work on my chapters with a mixture of excitement and trepidation. As the work is used widely by practitioners, it presented a rather different challenge to my other academic work. *Dicey, Morris and Collins* is an encyclopedic work that includes all relevant authorities from the Commonwealth and requires one to explicate the law clearly and succinctly using a series of rules, yet without oversimplifying the subject. This is quite a task!

News in brief

Emeritus Professor Honoured

Professor Neville Brown, Professor of Comparative Law in the School between 1966 and 1990 has been awarded the title of Commandeur dans l'Ordre des Palmes Académiques by the French Ministère de l'Education Nationale, de l'Enseignement Supérieur et de la Recherche.

The award is in recognition of his academic career and his services over many years to the propagation of the language and culture of France. Many of our graduates will remember Professor Brown, who published his memoirs two years ago, and we're sure you will all wish to join us in congratulating him.

Firm helps students write the future

At Birmingham we are aware that studying law and entering a career in the legal sector imposes particular writing demands on student. Top legal firm Slaughter and May have very generously sponsored the creation of the School's first Writing Skills for Law Clinic. All first year LLB students are now required to take a course in legal writing skills.

David Waterfield, a partner at Slaughter and May and also an alumnus of the School of Law, said:

'Improving the standard of students' written English is something that is particularly close to our hearts as we have noticed a steady decline in the quality of graduates' written work. Clear, concise and unambiguous writing is critical to what practitioners do.'

School in top ten

Ahead of many competitors, the Birmingham School of Law was ranked eighth in *the Guardian's* 2006 UK University Guide. The School gained top marks for student to staff ratio and quality of staff, and scored highly for spend per student and graduate employability. Among elite law schools with the highest entrance requirements, Birmingham was ranked sixth and is one of the most inclusive in terms of the range of students it accepts.



Former student donates undergraduate bursary

Since the introduction of University tuition fees in 2006 it has become even more important that Universities provide scholarships and bursaries to help students in financial need. This academic year one of our students took up a bursary donated by alumna Diane Benussi. Explaining her donation, Diane said:

'I was lucky enough to be awarded a place at the University of Birmingham. I then benefited from a scholarship to pay my fees. Without that help I could not have embarked upon the career which has given me much success and reward.'

Diane is a senior partner at *Benussi & Co*, a matrimonial legal practice. She is currently Chairman of Birmingham Forward, which represents over 100,000 employees from the professional, financial and business service sectors.

International Mooting competition

Dr Djakhongir Saidov will be taking a team of Birmingham law students to the Willem C VIS International Commercial Arbitration Moot in Vienna at the end of March 2007. It is the world's largest and most prestigious student moot competition in its field, with over 100 universities taking part. We'll report on their progress next issue!

Contact us

We want this newsletter to be an annual publication but we will need the help of our alumni to do this. You can help by making sure that your details are updated on the Alumni Office website and by getting in touch with our Alumni Secretary, Miss Emer McGahan.

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