

# Holdsworth

An annual publication from Birmingham Law School

## ‘A momentous day in the history of the School’



Professor Michael Sterling (Vice Chancellor), Lord Walker of Gestingthorpe, Professor Stephen Shute, Sir Dominic Cadbury (Chancellor), Professor Anthony Arnall (Head, Birmingham Law School)

That was how Professor Anthony Arnall, the Head of Birmingham Law School, described the School's 80th anniversary celebrations on 24 October 2008. The day's events included a black-tie dinner in the University's Great Hall.

See pages 6–7 for full story

## From the Head of School

Welcome to the latest edition of our alumni newsletter. The last 12 months were marked by notable successes and milestones in the life of Birmingham Law School. Our anniversary celebrations and our successes in the Research Assessment Exercise, the National Student Survey, and the league tables of the Guardian newspaper are all featured in this newsletter but are worth highlighting here.

In December, the Research Assessment Exercise judged 90% of the School's research activity to be of international quality. The School emerged seventh in the country for world-leading and internationally excellent research. The outcome of the RAE is of enormous significance to those taking part,

affecting morale and prestige as well as the funding universities receive for research.

On 24 October 2008, the School celebrated its 80th anniversary with a series of events throughout the day, including the black-tie dinner (see pages 6–7). The last of the guests did not leave until the following morning. It was an honour to have played a part in the celebration of such a special event

This is my last contribution to the newsletter as Head of School, as I shall reach the end of my term in July. I have learned a great deal about the University, the School and myself since my term of office began in August 2006 and have only acquired a few extra grey hairs. It has been a privilege to lead the School



through a dramatic period in its history. I now prepare to rejoin the ranks as we look forward with confidence to the future.

Professor Anthony Arnall

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## The Holdsworth Club

# Eighty-one years on and still going strong

By Christopher Snell

LLB Student and Holdsworth Chair

The prestige and long-standing tradition of the Holdsworth Club rests to a considerable extent on the distinguished members of the highest judiciary and many eminent jurists to have served as Club Presidents since 1928. The Rt. Honourable Lord Walker of Gestingthorpe, Lord of Appeal in Ordinary and soon-to-be Justice of the Supreme Court from October 2009, honoured the Club by being Holdsworth President for the year 2008–09. He delivered the annual Presidential Address in front of a crowded audience of staff and students on 24 October 2008, titled *The First Amendment and Article Ten: Sisters Under The Skin?* Copies of the address were available on the day and can be obtained from the Law School.

Eighty-one years on from its creation, Professor Smalley Baker's Holdsworth Club is still going strong. The academic year began with some of the Club's most eagerly anticipated events: 400 members turned out for a leisurely three-legged stroll along Birmingham's Broad Street, taking in some social beverages on the way; a chilling cruise on the River Severn for Halloween; a fantastic Christmas jaunt to Amsterdam and a dramatic visit to the West End to see Rowan Atkinson in *Oliver*.



(L–R) Nicola Simmons (ICSA Vice Chair), Joe Kaymar (Holdsworth Club Treasurer), Abigail Tudor (Holdsworth Club Publicity Representative), Lord Walker of Gestingthorpe (Holdsworth Club President 2008–09), Joe Hewton (Sports Representative) and Kat Callow (Holdsworth Club Social Secretary)

Not wishing to fall foul of the Government's 'drink aware' policy, the Autumn term saw a flourishing yet busy careers calendar, with advice aplenty available for all intending solicitors and barristers. On the sporting field, building on Birmingham's domination of the earlier national Law School's sports tournament, the hockey, netball and football teams have continued their success (most especially against the medics!) in the intra-mural leagues. On stage, the Club's drama society will be performing their production of Arthur Miller's masterpiece, *The Crucible*, in March of this year.

Of course, no Holdsworth year would be quite the same without the annual ball. Having witnessed the Great Hall's transformation into a 'Midas Touch' golden palace in 2008, for 2009 the Club will, by the time you have read this, have spent a night at the Phantom's Ball. The setting will be one of Birmingham's most

prestigious venues, the Town Hall, surrounded by the archaic limestone steps and stately fountains of Victoria Square. It promises to be a very special night, not for the faint of heart, but full of surprises and laughter of the kind that create lasting memories.

The Holdsworth Club's history is long, illustrious and distinguished. This is in no small part down to those who have played a role in it. It was a pleasure to meet so many alumni at the black-tie dinner in October. We would like to thank all of the alumni for contributing to the success of the Club and the Law School. Remember, membership is for life, not just for law school! We look forward to seeing you again soon.

**Learn more**  
[www.law.bham.ac.uk/alumni/holdsworth-club.shtml](http://www.law.bham.ac.uk/alumni/holdsworth-club.shtml)

## College of Arts and Law

In September 2008 Birmingham Law School took its place as part of the University's new College of Arts and Law. Made up of six schools (the others are: Archaeology and Antiquity; English, Drama and American & Canadian Studies; History and Cultures; Languages, Cultures, Art History and Music; Philosophy, Theology and Religion), the College has more than 5000 students and provides excellent facilities and a supportive learning and research environment. Many of the subjects taught in the College - including Law - were highly rated in the 2008 Research Assessment Exercise. One immediate benefit to Law students is that all our postgraduates can take advantage of membership of the new College Graduate School.

Head of College Professor Anne Pauwels said:

*'Law is a crucial part of a College embracing disciplines which are cornerstones of a civil and humane society. At Birmingham our teaching is research-led with emphasis on developing critical thinking, stimulating creativity and on innovative approaches to learning and knowledge. Our graduates are well known for their ability to tackle complex issues in a considered way. They are key contributors to the creation of new ideas and practices which enhance well-being in societies around the world.'*

**Learn more**  
[www.artslaw.bham.ac.uk](http://www.artslaw.bham.ac.uk)

## News

## Liberty director on campus

Human rights campaigner Shami Chakrabarti concluded the Law School's annual lecture series on Issues in Criminal Justice by arguing that the UK's existing legal system is robust enough to deal with the post-9/11 terrorist threat. Ms Chakrabarti, director of Liberty, was critical of the Government's proposals to increase pre-charge detention limits for terror suspects to 42 days.

In her speech: 'Human Rights in a Time of Terror', the former Home Office lawyer also condemned the controversial system of control orders enforced on alleged terrorists. Ms Chakrabarti, who is a barrister by background, said the relationship between the criminal law and terrorism was of huge academic and legal interest, but it was also one of the most important political debates facing the country today. The threat of terrorism and the



Liberty Director Shami Chakrabarti with Birmingham Law School's Professor Stephen Shute

corresponding fears it sparked, together with the politics of terrorism and counter-terrorism, meant the criminal law was under enormous pressure.

*'We (Liberty) believe our legal system and the foundations of it – and the basic human rights principles underlying it – are robust enough, and flexible enough, to deal with the terrorist threat.'*

*'Very often people on the other side of the argument take the view that we have to change quite dramatically the legal norms in order to respond to the threat from terrorism.'*

Ms Chakrabarti's lecture followed previous debates in the Issues in Criminal Justice series by Sir Ken Macdonald QC, Director of Public Prosecutions and Baroness Scotland QC, Attorney General.

## Student profile: Owen Watkins



In summer 2008, Law student Owen Watkins travelled to Sri Lanka to help rewrite the country's mental health legislation. Adopted in 1873, the existing law is dramatically out of date, with individuals suffering from minor conditions still being removed from their families and taken into state care.

Overseen by the World Health Organisation, Owen worked with the Sri Lankan College of Psychiatrists to draft a new Act. Owen wasn't new to the world of global aid development,

and this project continued his long held desire to work in the field of international human rights: *'Having volunteered for UNICEF, Medicine Sans Frontiers, and both Oxfam GB and Oxfam Uganda in my gap year, I had some understanding of what this work entailed. I've worked for Non-Governmental Organisations alongside the people who need help - usually either refugees, Internally Displaced Persons or those living in developing countries.'*

But the internship in Sri Lanka added a new dimension to his previous experience: *'I worked alongside the government in protecting these people, something which excited me greatly. I had the chance to help those with little to no capabilities of protecting themselves, and found it to be a fantastic opportunity to improve the lives of others.'*

Of Birmingham, Owen says: *'Coming from Cardiff, a small city in comparison, I was amazed at what this place has to offer! Birmingham is alive with culture. The university itself, being campus based, is a haven for*

*student life. The chance to combine work, career-enhancing activities and the social life offered by the student union make university very busy and rewarding. The supportive tutors and lecturers in the Law School are a major plus point for me as well. My expectations of both the university and city have been exceeded by miles.'*

Where would Owen like to be in five years time? *'Either working for an NGO and living wherever I am needed, or working as a human rights lawyer in chambers. I'm also really interested in the work done by the human rights organisation Liberty. A degree in law is absolutely crucial to a career in human rights. My degree, from such a well-respected university, is going to be a formidable tool in the working world.'*

Owen's placement was financed through the Honey Pot, an alumni-funded scheme enabling students to undertake internships aimed at broadening their experience and career prospects.



## Staff profile: Sonia Harris-Short

Sonia Harris-Short joined Birmingham Law School in 2006 and is a Reader in Law. After undergraduate law studies at Christ Church, Oxford, Sonia travelled to Canada to undertake a masters degree by research. On her return to the UK, Sonia qualified as a barrister, but her year in Canada had convinced her to pursue an academic career.

Following her first academic appointment in 1999, Sonia began publishing on a wide range of family law issues including adoption, the rights of the child in the context of assisted reproduction, and the implications for family law of the Human Rights Act 1998. In 2007, she and a co-author published a major new family law text, *Family Law: Text, Cases and Materials*.

Sonia also has a keen interest in the law relating to indigenous peoples, having seen first hand the grave socio-economic problems facing Canada's aboriginal communities. She recently completed a monograph on aboriginal child welfare examining the mechanisms for protecting the rights of indigenous children under Canadian, Australian and international law. She says that one of the highlights of the project was returning to Canada to explore with aboriginal and non-aboriginal leaders how self-government over child welfare could help reverse the damaging legacy of Canada's colonial past.

In addition to her academic work, Sonia retains important links with the legal profession. She currently sits on the Family Committee of the Judicial Studies Board and is an honorary door-tenant at St Philips Chambers, Birmingham. In September 2008 she became Director of Birmingham Law School's LLM Programme.

### Are you enjoying working at Birmingham Law School?

At Birmingham I have found a first-class research environment, talented and enthusiastic students and dedicated, supportive colleagues. I look forward to working here for many years to come.

### Can you tell us about your current research?

I have a long-standing interest in the legal and ethical issues arising from assisted reproduction and have recently returned to my work in this field. I am currently involved in two projects concerned with the legal regulation of frozen embryos. The first examines the 'equality myth' of the current legal approach to control over the use and disposition of frozen embryos in the UK. The second reflects my developing interest in gender debates within family law and is part of an ongoing ESRC-funded project which aims to produce the 'missing feminist judgments in English law'. Based on the Women's Court of Canada, leading feminist scholars from across the UK have been brought together to write alternative judgments for several key cases from across the legal disciplines. In a new form of critical legal scholarship, feminist theory and critique will be used to engage in the process of writing actual judgments, with other contributors providing commentary and reflection on the results. I will be providing an alternative Court of Appeal judgment in the case of *Evans v Amicus Healthcare*.



The other major project I am currently working on examines the effect of equal shared parenting and family-friendly employment policies on residence and contact disputes. I am interested in exploring whether policies aimed at entrenching equal shared parenting within intact families can help promote consensual shared parenting post-divorce with reduced levels of bitterness and hostility. In order to carry out research for this project I will spend January – April 2010 as a visiting scholar at the University of Stockholm.

### Can you tell us how you're finding running the LLM programme?

The LLM students play a very important role in the life of the School. We have students from all over the world with a wide variety of experiences to share. It is very rewarding being so closely involved with such a diverse range of talented individuals, many of whom go on to develop impressive legal careers in their home countries. The LLM programmes continue from strength to strength and we plan to build on this in the coming years to offer a wider variety of programmes and modules. This makes it a particularly exciting time to be the Director.

### Can you tell us what you're currently working on?

Getting to the end of term in one piece!

## Institute of Medical Law

The Institute of Medical Law (IML) was founded by the Birmingham Law School and the School of Medicine at Birmingham in June 2004. The IML's purpose is to foster interdisciplinary research and teaching into issues of importance in medical law.

In 2008, the IML has hosted both an annual seminar series and its 4th annual conference. The seminar series brought acknowledged experts within the fields of medicine, law and ethics to Birmingham for discussions about medical views on risk and consent, the value

of life, the importance of human rights in healthcare and the new Mental Capacity Act. This year's annual conference was entitled Transformation/Transgression: The Legal, Medical and Cultural Regulation of the Body. It featured speakers from law, medicine, sociology, theology, philosophy and archaeology discussing a number of issues related to the body and body modification. The conference was sponsored by a grant from the University of Birmingham Collaborative Research Networks fund.

**Learn more**  
[www.iml.bham.ac.uk](http://www.iml.bham.ac.uk)

## Research at Birmingham Law School

# Birmingham Law School's world-leading research officially recognised

Ninety percent of Birmingham Law School's research activity is of international quality in terms of originality, significance and rigour. A significant part of it is world-leading. That was the verdict of the official Research Assessment Exercise published on 18 December 2008.

Conducted by the UK's higher education funding bodies, the RAE measures the quality of the research activity carried out in British universities. In late 2007 institutions submitted

details of four publications for each member of staff selected for inclusion. Those publications were then assessed by subject-specific panels of experts alongside the research environment in which their authors work and the esteem in which they are held.

The RAE is a massive exercise and its outcome is of enormous significance to those taking part, affecting morale and prestige as well as the funding universities receive for research. The 2008 RAE was the sixth such exercise and Birmingham Law School's results were

its best ever, securing its position in the front rank of British law schools. Together with the exceptional outcome it achieved in the National Student Survey earlier in 2008, this underlines the School's strength across the legal curriculum, the top-class teaching it provides and the extent of its contribution to policy making and our understanding of the modern world.

**Learn more**  
[www.rae.ac.uk](http://www.rae.ac.uk)  
[www.research.bham.ac.uk/rae](http://www.research.bham.ac.uk/rae)

### Current research of interest:

#### **Dr Kate Doolin, The Implementation of Restorative Justice in a Civil Law System: The Belgian Example**

Dr Kate Doolin spent four weeks in the summer of 2008 as a visiting scholar at the Institute of Criminology, Catholic University of Leuven in Belgium. The visit was part of a project funded by the British Academy, which examines the application of restorative justice as a response to youth offending in a civil law system, in contrast to its application in common law jurisdictions, namely New Zealand and England and Wales.

Restorative justice processes have become an integral part of the Belgian legal system. Victim-offender mediation is available at all stages of the criminal justice process and conferencing based on the New Zealand

model is used in some parts for medium-serious youth offending. As part of her research at the Leuven Institute of Criminology, Dr Doolin conducted interviews with federal and regional government policy-makers, academics and researchers at the university, and practitioners working in restorative justice schemes in Flanders, Belgium.

#### **Dr Stephen Smith, Director of the Institute of Medical Law**

Dr Stephen Smith is currently working on a monograph entitled *End of Life: Principles and Policies for Regulating the Dying Process*. The monograph will consider the ethical and legal issues involved in a number of different medical decisions that can be made at the end of life, including the withdrawal of treatment, terminal sedation,

assisted suicide and euthanasia. The first part of the book will consider a number of ethical issues that are important to our consideration of what practices should be morally acceptable for doctors to perform at the end of life. The second part of the book will then examine how to best regulate the types of decisions considered morally acceptable in the first part of the book.

#### **Professor Rob Cryer, Professor of International and Criminal Law**

Professor Cryer's work on the Tokyo International Military Tribunal was published in 2008 by Oxford University Press. As well as his *Reappraisal*, he edited an edition of the Judgment and related documents. His next work will be as co-editor of *The Oxford Companion to International Criminal Justice*.

### Institute of European Law

The Institute of European Law celebrates its 20th anniversary in 2009. Its members contribute regularly to the academic literature on Europe, are involved in international research networks and projects and work closely with colleagues interested in European issues elsewhere in the University.

In July 2008 the Director of the Institute, Professor Martin Trybus, organised a successful conference on the future of European law and policy, which attracted scholars, officials and practitioners from all over Europe. In March 2008, former judge at the European Court of Justice Sir David Edward visited Birmingham to speak

on the future of the internal market. In May 2008, a large and diverse audience attended a conference on 'Microsoft, the IT industry and the future of EC competition law' to hear a glittering array of speakers assembled by the Institute's Deputy Director, Dr Luca Rubini. In addition to seminars on topics as diverse as EU Public Procurement, European Citizenship, and EU Labour Law, the Institute invited Professor Damian Chalmers from the London School of Economics to give the 2009 annual lecture on 'Judicial Dynamics and Legal Change Beyond Lisbon', which was attended by over 200 members of staff, outside guests, and students.

**Learn more**  
[www.iel.bham.ac.uk](http://www.iel.bham.ac.uk)

## Black-tie dinner in the Great Hall

# Birmingham Law School celebrates its 80th Anniversary on 24 October 2008

Our 80th Anniversary events began with the Holdsworth Club Presidential Address, delivered this year by Lord Walker of Gestingthorpe (pictured top right). Speaking to a packed lecture hall, Lord Walker explored attitudes to free speech under the US Constitution, the European Convention on Human Rights and other related instruments. The full text of his scholarly and thought-provoking address is available online.

After lunch, the day continued with a seminar conducted by Lord Walker and chaired by James Lee, Deputy Director of Alumni Relations and lecturer at Birmingham Law School, on

the work of the House of Lords. After a short opening presentation, Lord Walker took questions from students on a variety of topics, including the establishment of the new Supreme Court, the impact of the European Union and the merits of particular decisions.

Everyone then drew breath before the main event of the day, a black-tie dinner in the Great Hall of the University. Those attending numbered over 300 and included the Chancellor and Vice-Chancellor of the University, members of the judiciary and the legal professions and alumni from every decade since the 1940s, along with students and



current and former staff. They all listened attentively to a speech from the guest of honour, Lord Walker, about the contribution made by legal scholarship to the work of the courts. The last of the guests did not leave until the early hours of the following morning.

Head of School Professor Anthony Arnall remarked afterwards: *'It is a great honour to be Head of Birmingham Law School as it reaches this milestone. That so many people should have joined in our celebrations was both humbling and uplifting. With the support of so many friends, we are confident that we will be able to fulfil our aspirations for the future.'*

### Learn more

[www.law.bham.ac.uk/news/80-report.shtml](http://www.law.bham.ac.uk/news/80-report.shtml) or [www.law.bham.ac.uk/alumni](http://www.law.bham.ac.uk/alumni)





Friday 24 October 2008



## Conferences and events

The Law School continues to thrive and its extensive programme of events is one of the ways in which alumni can get involved in School activity. To find out more and keep track of upcoming events, keep an eye on the Law School website [www.law.bham.ac.uk](http://www.law.bham.ac.uk) or contact Emer McKernan: [e.mckernan@bham.ac.uk](mailto:e.mckernan@bham.ac.uk) or telephone: 0121 414 6285

### Anniversary celebrations – Saturday 20 June 2009

Alumni from 1984, 1974, 1969, 1959 and the pre-1959 'Golden' classes are invited to return to the Law School this summer to mark the anniversary of their graduations. Visit the school, take a tour of the Harding Law Library and meet current students before joining classmates from across the University for a reunion lunch.

For further details, contact Clare Capella (0121 414 8904, [c.h.capella@bham.ac.uk](mailto:c.h.capella@bham.ac.uk) or [www.alumni.bham.ac.uk/events](http://www.alumni.bham.ac.uk/events)) in the Alumni Office.

If any alumni have a copy of the graduation photo for 1974 or 1984, we are trying to locate copies to present attendees with a commemorative copy at the reunion. If you can help, please contact Emer McKernan at [E.McKernan@bham.ac.uk](mailto:E.McKernan@bham.ac.uk).

1959



1969



### Issues in Criminal Justice Ninth Annual Series Spring 2009

An annual series of lectures held at the University of Birmingham Law School focusing on the most pertinent and problematic issues in criminal justice today. About to begin the 9th series of lectures, the Issues in Criminal Justice series is firmly established as an unmissable occasion for students, professionals and practitioners alike to engage in high-level debate on the shape and structure of the criminal justice system.

#### ■ Thursday 21 May, 5pm

The Rt Hon Jack Straw MP, Lord Chancellor and Secretary of State for Justice *'Title to be confirmed'*

**Contact:** Mr David Robertson, Birmingham Law School  
(tel: 0121 414 6312  
email: [d.robertson@bham.ac.uk](mailto:d.robertson@bham.ac.uk))

### Institute of Medical Law

#### ■ Thursday 23 April

Professor Robert Arnott, University of Birmingham, Institute of Medical Law *'Title to be confirmed'*

#### ■ Thursday 14 May

Dr Suzanne Ost, University of Leicester, Law School. *'Beyond Harm: Exploitation as a Criminal Law Principle'*

#### ■ Wednesday 10 June

Dr Caroline Jones, University of Southampton, School of Law. *'Exploring the Routes from Consultation to (In)forming Public Policy'*

### Institute of European Law Events

#### ■ 5 May 2009, 5.30pm

IEL lecture: Due Process in Competition Cases.

Professor Ian Forrester QC (Partner, White and Case, Brussels)

**Contact:** [IEL@contacts.bham.ac.uk](mailto:IEL@contacts.bham.ac.uk)

- 16–18 April 2009, European Research Institute, University of Birmingham Graduate Centre for Europe Interdisciplinary Conference Europe: A Continent of Paradoxes History, Politics, Culture, Language, Geography, Economics and Law  
**Contact:** [gcf@contacts.bham.ac.uk](mailto:gcf@contacts.bham.ac.uk)

## Birmingham Law School shines in national student survey

Birmingham Law School performed exceptionally well in the latest National Student Survey, the results of which were released in September 2008. 92% of respondents said they were satisfied with the quality of their courses. Respondents were particularly impressed with the enthusiasm of staff, their ability to explain things clearly and

to make material intellectually stimulating. They also praised the School's library and IT resources and the way courses are organised and run.

The National Student Survey is carried out by Ipsos MORI and covers nearly all final year undergraduates studying for higher education qualifications in the United Kingdom. A threshold of 23 respondents and a 50% response rate must be met before results are made available to the public. At Birmingham Law School, 139 of the 216 eligible students took part.



## Alumni profile: Rose D'Sa



**Rose D'Sa is currently one of the members of the Economic and Social Committee of the European Communities, a Brussels-based advisory body.**

Born in Kenya and educated in Nairobi and Somerset, Rose graduated with a First Class Honours degree from Birmingham in 1979 and then a PhD in Public International Law in 1983. After qualifying as a Barrister in 1981 she held a Visiting Lectureship at the Kenya School of Law and Lectureships in Law at Cardiff and Bristol Universities. She was then appointed to work in the Commonwealth Secretariat in London where she assisted Commonwealth governments on compliance with International Human Rights Law.

She was subsequently appointed as the first Professor of European Law at the University of Glamorgan in Wales and awarded a Jean Monnet Chair in EC Law by the European Commission. Her many publications include *European Community Law on State Aid* (Sweet and Maxwell, 1998).

In 1995 Rose D'Sa won the 'Welsh Woman into Europe' prize and was honoured by an invitation from the Queen to a State Banquet at Buckingham Palace a decade later, together with her husband, Emeritus Professor John Matthews.

### **What made you choose the University of Birmingham for your studies?**

Birmingham was recommended to me by the Careers Tutor at Millfield School, Street, Somerset as being among the 'top 5' Universities to study law in the mid-70s. I also greatly enjoyed my careers interview with Professor Evelyn Ellis.

### **Which memories of Birmingham really stand out?**

The high standard of the lectures; the intensity of study needed in the tutorials (which were conducted in quite small groups); and the excellent support and co-operation of the library staff. My career and my abilities in Law were profoundly influenced by the charismatic teaching of Keith Hendry (EU Law) and by the scholarly research guidance and thoroughness of Dr Frank Wooldridge (Public International Law)

### **Tell us about the earlier part of your career after graduating in 1979?**

I first studied for the PhD and also completed the Bar Examinations. My first employment

was as a Lecturer in Law (first at Cardiff and then Bristol University). I moved on to the Commonwealth Secretariat in London to pursue my interest in Public International Law, and there helped to establish a pioneering Human Rights Unit to provide technical legal advice to Commonwealth Governments, especially Law Ministers and Attorneys General.

### **Could you explain your current role?**

My most recent role is that of a UK Government nominee on the Economic and Social Committee in Brussels, which is an advisory body made up of civil society representatives from the 27 EU States. The Committee is consulted by the European Commission and the Council on EU legislative and other proposals. I am also a Consultant in European Union Law, mainly in the field of State aid (which is a key part of EU competition policy).

### **If you still had your career ahead of you, would you do anything differently?**

No; studying at Birmingham (and the teaching I received there) was the cornerstone of my career.

### **Do you have any advice for our current students studying law?**

Avoid this degree subject UNLESS you are prepared to work very hard for many, many years!

## Evelyn Ellis retires

**Professor Evelyn Ellis, who has been associated with the School for so long and was Head of School from 2000–03, retired on 1 October 2008. A dinner in her honour was held at the University on 26 June 2008.**

Evelyn first came to the Law Faculty in 1970 with a first from Cambridge to do the LLM. She was interviewed by the late Bob Pennington, who found her 'a bright, competent and self-assured young woman.' He would not have been disappointed when she was awarded the degree with distinction the following year. Evelyn then went off to do the Bar Finals (where she achieved the highest marks in her year) before returning to Birmingham as a lecturer in October 1972 at the princely salary of £1,788.

Evelyn's early publications were on aspects of family law, but it was in the fields of sex discrimination law and EC law that she built an international reputation. Her book, *Sex Discrimination Law*, was published in 1988 and was followed three years later by the first edition of *EC Sex Equality Law*, which soon established itself as a leading text

in its field. Her distinction was recognised by the award of a personal chair in 1996. Her most recent book, *EU Anti-Discrimination Law*, was published in 2005 and is essential reading for anyone working in the field, full of insight and wisdom and expressed with her characteristic clarity and directness.

Evelyn's energy, charisma and sense of humour have been much missed since her retirement, though happily she still visits the School frequently. She is continuing her regular trips to the University of Western Australia and honing her knitting skills following the birth of her first grandchild. She was made an Emeritus Professor immediately on her retirement as a mark of her immense contribution to the University.



## New appointments



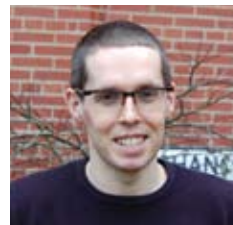
**N. Jansen Calamita,  
BA, JD (Boston), BCL (Oxon)**

Jansen Calamita joined Birmingham Law School in September 2008 as a Lecturer in Law, having previously been a visiting fellow of Mansfield College, Oxford, and a lecturer at St. Hilda's College. He has served in the Office of the Legal Adviser in the US Department of State and in the Office of Legal Affairs (International Trade Law Branch) at the UN. He has also been in private legal practice in New York, specialising in international arbitration and litigation. He continues to consult on international matters. Jansen is the new Director of Alumni Relations.



**Mr James Lee, BA, BCL (Oxon)**

James Lee joined Birmingham as a Lecturer in June 2008, having previously been a Teaching Fellow at the University of Reading. He completed the Bachelor of Civil Law at Balliol College, Oxford, where he was also an undergraduate. While teaching at Reading, he was invited to teach a course on the jurisprudence of Martin Luther King for University College London in 2006-7. Currently, his principal theme of research examines judicial reasoning in superior appellate courts, focusing in particular on the House of Lords. James is the Jurisprudence Subject Section Convenor for the Society of Legal Scholars and will be organising the SLS Annual Seminar for 2009.



**Graham Gee, LLB (Exeter),  
LLM (Harvard), MSt (Oxford)**

Graham Gee joined the Law School in September 2008 having previously taught at Exeter and Oxford Universities. Graham is a graduate of Exeter, Harvard and Oxford, and is currently completing a doctorate at Brasenose College, Oxford. After completing his undergraduate studies, Graham worked at the London office of Freshfields Bruckhaus Deringer, qualifying as a solicitor in 2002. Graham's primary research interests lie in constitutional law and he has worked with UCL's Constitution Unit, including as the coordinator of an ESRC-funded project on Law and Devolution.



**Bharat Malkani,  
LLB (Bristol), LLM (Nottingham)**

Bharat Malkani joined Birmingham Law School in September 2008 as a lecturer. His interests lie in human rights law and criminal law. Bharat wrote his doctoral thesis on the role that international human rights law and comparative constitutional rights law can play in domestic judicial proceedings. His interest in this subject developed while he was working against the death penalty for juvenile offenders in the USA in 2002-03. In addition to campaigning and raising awareness about the juvenile death penalty, Bharat authored an amicus curiae brief that was submitted to the US Supreme Court, urging the Court to take into account standards of international human rights law when ruling on the constitutionality of the juvenile death penalty. The Court cited this brief when ruling the punishment unconstitutional in *Roper v Simmons* in 2005.



**Dr Celine Tan, LLB (London),  
LLM (Warwick), PhD (Warwick)**

Dr Celine Tan joined Birmingham in September 2008 as a lecturer. Prior to Birmingham, Celine taught law at Warwick where she completed her PhD and held a Postgraduate Research Fellowship. She was also a consultant researcher with the Third World Network, a research and advocacy organisation based in Malaysia and Switzerland. Celine's research explores aspects of international economic regulation with a focus on international development financing law, policy and governance. Celine is currently working on her monograph, *Governance through Development: Poverty Reduction Strategies, International Law and the New Disciplinary Power* and co-editing a book on *International Law, Economic Globalization and Developing Countries*.

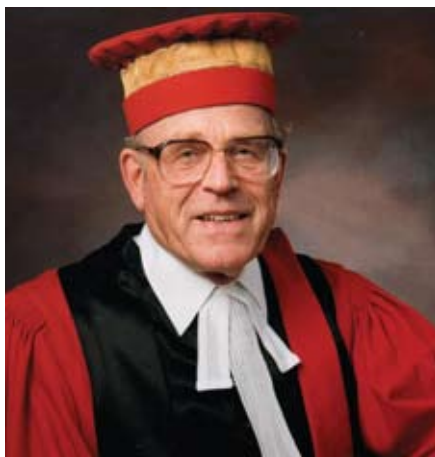


**Katharina Möser, LLM (Lancaster)**

Katharina Möser joined Birmingham in January 2009 as the DAAD Lecturer in German Law and teaches German Private and Constitutional Law. The DAAD lectureship in German law is one of only a handful of comparable posts funded by the DAAD, the German government academic exchange institution, in the UK. The creation of the new post represents a significant recognition of the Law with German degree at the Law School. Katharina studied law at the University of Marburg and the University of Lancaster, and is currently completing her PhD at the University of Leipzig. Her research examines German and English laws on the Disqualification of Company Directors.

**Learn more**  
[www.law.bham.ac.uk/staff](http://www.law.bham.ac.uk/staff)

## Obituaries



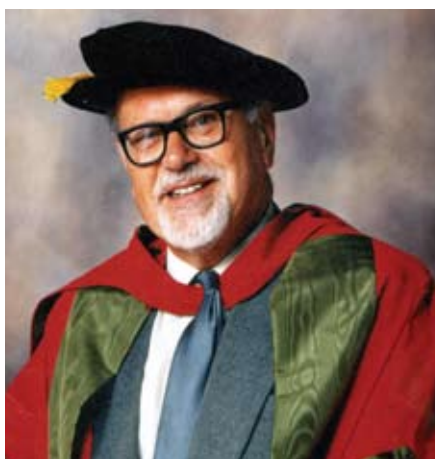
### Professor L Neville Brown 1923–2008

It is with great regret that Birmingham Law School announces the death of Professor L Neville Brown in November 2008. Neville joined the University of Birmingham as a lecturer in Roman law and comparative law in 1955 and was Professor of Comparative Law from 1966 until his retirement in 1990, serving as Dean of the then Faculty of Law from 1970–74. The School was privileged to welcome Neville to its 80th anniversary dinner less than two weeks before his death.

Neville's contribution to the University and legal scholarship was monumental. It was largely because of his initiative and foresight that the School has the Law with French degree programme and the Institute of Judicial Administration. He also did much to put Birmingham on the map as a centre of excellence for the study of European law. His publications on that subject, as well as French law and comparative law, were read by and influenced generations of scholars and students.

Neville was awarded an OBE in 1988 for services to English law and in 2006 the French Government made him a *Commandeur dans l'Ordre des Palmes Académiques* in recognition of his contribution to scholarship and the language and culture of France. He is survived by his wife Mary, their three sons, one daughter and nine grandchildren.

■ *A full obituary was published in 'The Times' on 28 November 2008*



### Robert Roland Pennington 1927–2008

It is with sadness that we announce the death of Professor Bob Pennington at the age of 80 in February 2008.

Bob read Law at Birmingham from 1943–46. He returned to the University in 1962 as Senior Lecturer in Commercial Law and in 1968 was elected to the Chair of Commercial Law, a post he held until his retirement in 1994. Bob served as Director of Legal

Studies from 1978–79 and as Dean of the Faculty of Law from 1979–82.

Bob's best known book, *Pennington's Company Law*, the eighth edition of which was published in 2001, combined a mastery of doctrinal analysis with a profound understanding of the history of the subject and its practical implications. It made Bob a familiar figure to generations of law students. His international reputation led to his appointment as special adviser on company law to the European Commission from 1973–79, when he assisted with the European Community's harmonisation programme. Bob's eminence was recognised by the publication two years after his retirement of a collection of essays in his honour (D Feldman and F Meisel (eds), *Corporate and Commercial Law: Modern Developments* (Lloyd's of London Press, 1996).

■ *A full obituary was published in 'The Times' on 14 March 2008*

### Robert Boyd (LLB 1969)

Robert Boyd, who died in October 2007, was one of the leading education lawyers of his day. He read Law at Birmingham in 1969 and qualified as a solicitor in 1972 and in his early career worked as a criminal defence advocate. In the late 1980s he formulated the Parent Contract, regulating the School and Parents relationship and which forms the basis of the contract used by Independent schools today. By the mid-1990s he was widely recognised as a leader in the specialised field of the law of independent schools, having drafted many of the contract, policy and procedure templates required for the regulation of independent schools, and as the author of *Independent Schools – Law Custom and Practice* (1998), which was used as a reference by the House of Lords in the celebrated case of *Phelps V London Borough of Hillingdon* in 2000. Robert was widely recognised by the legal directories and school's professional associations as a leader in this highly specialised field. He is survived by his wife Marilyn and his three children, two of whom have followed in his footsteps to study at Birmingham.

### Charles Flint (LLB 1963)

Birmingham lawyer Charles Flint died in March 2008 aged 65 after a lengthy battle against leukaemia. Charles graduated from Birmingham with an LLB in 1963. He was a partner in the firm Harold Roberts & Lea which would eventually become Shakespeares, of which he was a senior partner from 1995–2001. He served on the council of Birmingham Law Society, and was Pro Chancellor and Deputy of the Board of Governors of the University of Central England (now Birmingham City University) and held numerous non-executive directorships of Midlands companies. He was a member of the Lunar Society and the Birmingham Graduates Club, and was on the CBI's West Midlands Council from 1993. He is survived by his wife Marie and two children.



## News in brief

### New alumni relations team

The Law School has appointed a new alumni relations team. Mr N Jansen Calamita, who joined the School as a lecturer this September from Oxford, has been appointed as Director, Alumni Relations and Careers. Mr James Lee, who joined the School as a lecturer in June from Reading, has been appointed as Co-Director. Mrs Emer McKernan continues as the School's Alumni and Professional Relations Officer.

The Alumni Relations Team look forward to growing the role of alumni in the life of the Law School and working to develop links between the faculty, students and alumni. Following the celebration of the Law School's 80th anniversary, we hope that alumni will be in touch with reminiscences of their time at the Law School and their thoughts about the future of the School as it moves forward toward its 100th anniversary in 2028.

### Contact your Alumni Officer

We try to keep our alumni up-to-date with activities and the latest news from the School in this annual newsletter. Contributions from our alumni are always welcome, so whether you would like to share some news about yourself, or make suggestions about the content, we would be thrilled to hear from you.

We launched an email newsletter in the autumn and plan another edition later this year. If you would like to receive it, please make sure we have your current email address.

#### Emer McKernan

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## Law students on tour: Europe

On a cold, dark Wednesday evening in December, 46 Law students set out for the European Parliament in Brussels. Organised by Birmingham Law student John Ison with just three weeks notice, the trip was entirely free to students because of support from the European Union Visitors Fund, which aims to make the citizens of member states more aware of the work done within the Parliament.

After travelling through the night the group arrived in Brussels in the bitter chill of winter, but soon warmed up inside the Parliament. The group attended a presentation on the UK's membership of the EU, followed by a presentation by Mike Nattrass, MEP for the West Midlands, and then a healthy and somewhat lively debate on European issues. The students witnessed the Parliament in

action and made full use of the translation service to follow proceedings.

Speaking after the event John Ison said 'I will definitely be running this trip again but next time I will ensure that we give much more notice to students and can book everyone into hotels. The fact that this trip cost nothing is a bonus – but more importantly the fact that our lectures have been enhanced is fantastic!'

'The trip provided an experience for the students where they could relate what they had learnt in lectures to what actually happens in Brussels. The trip has changed many opinions about the EU, some quite dramatically. I would definitely recommend a visit – it could make the difference between an upper second and a first class degree!'

### The Guardian ranks Birmingham Law School 7th in the country

Birmingham Law School's status as one of the country's top law schools received independent confirmation in the latest edition of *The Guardian University Guide*. Published in the newspaper on 13 May 2008, the Guide ranks Birmingham Law School 7th out of 86 institutions, a rise of two places on the previous year. Birmingham Law School has now featured in the top ten for the past five years.

### Mooting achievements

Birmingham students have had great success in mooting competitions so far this year. In the prestigious Inner Temple Inter-Varsity Mooting Competition, our team of Felicity Crockford and Arshnoor Amershi reached the semi-finals in a competition against 28 teams from other universities. In the Oxford University Press/ BPP National Mooting Competition, our team of Stuart Pibworth and Charlotte Bull defeated the University of Reading and King's College London to reach the quarter-finals in April.