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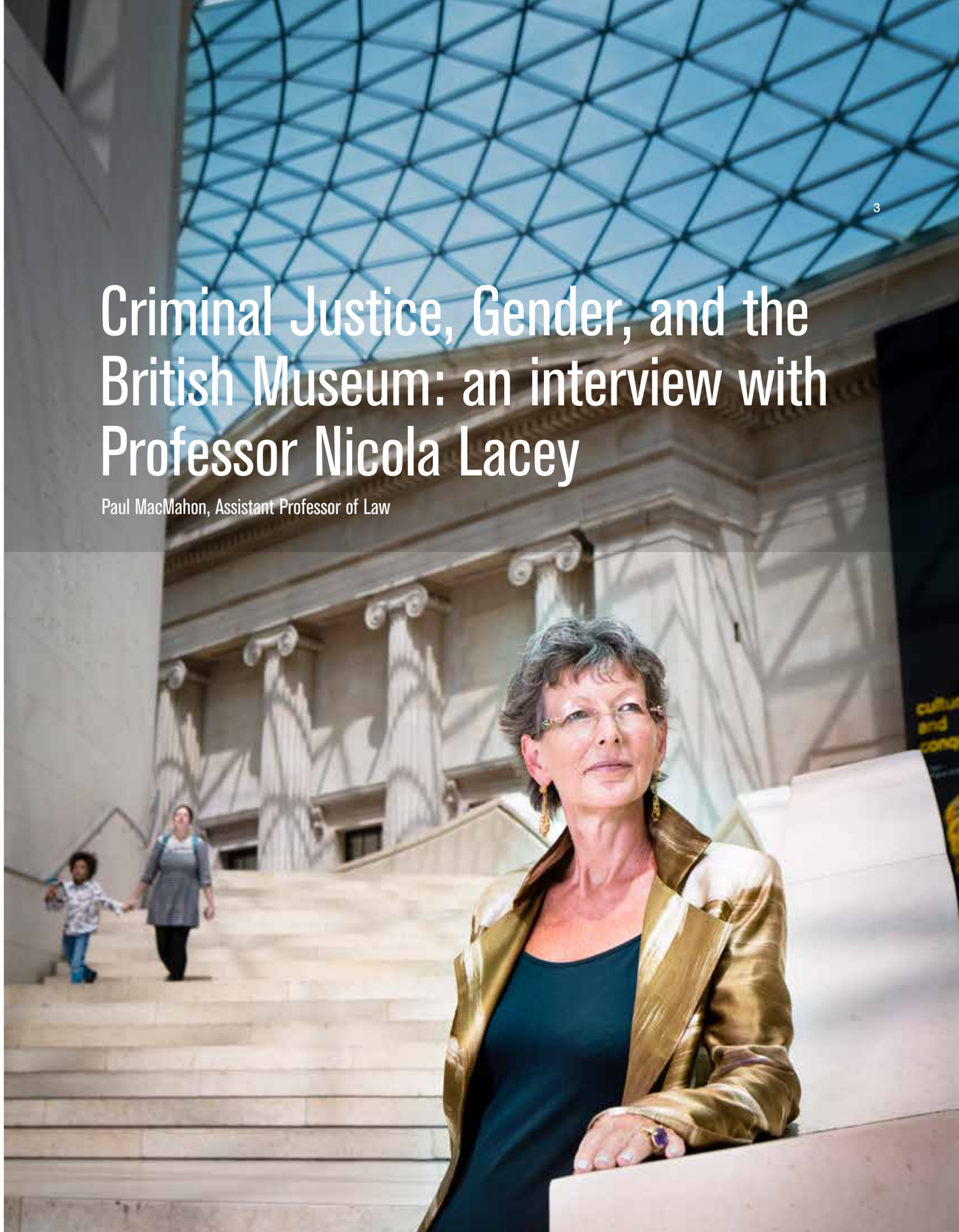

Criminal Justice, Gender, and the British Museum: an interview with Professor Nicola Lacey

Paul MacMahon, Assistant Professor of Law

Nicola Lacey is School Professor of Law, Gender and Social Policy at LSE. Niki held a Chair in Criminal Law and Criminal Theory in LSE Law from 1998 to 2010. After a three-year hiatus at Oxford, she returned to LSE in 2013. Last year, she received the rare honour of being appointed a Trustee of the British Museum. In conversation with Paul MacMahon, she speaks about the many facets of her work.

We have a great deal to discuss, but let's start with a recent development. How does a feminist legal theorist with a special interest in criminal justice become a Trustee of the British Museum?

Nicola Lacey: The short answer is, "Sheer good luck"! A slightly longer response is that each of the national "Learned Societies" makes a nomination, and I was put forward by the British Academy. I suspect that the fact that a woman lawyer trustee – also a feminist lawyer as it happens – had recently stepped down made the Trustees think that I might fill a gap.

How might the British Museum hope to benefit from someone with your background?

NL: Well, hopefully the Museum won't be in need of my criminal justice skills…! But seriously, at my informal interview with the Director and the Chair of Trustees, I was asked to consider how the Museum can most effectively develop its research programmes and raise research funding. I was also encouraged to think about its very exciting and wide-ranging education policy, which spans everything from initiatives for school students to training programmes for curators in parts of the world where resources for such programmes are limited. Equally important, in recent years the Museum has been giving a lot of thought to how to use its collections to construct alternative historical narratives, particularly from the point of view of those whose experiences have been marginalised. There is a huge opportunity here, though one which takes real imagination, given that surviving artefacts tend disproportionately to represent the experiences of the privileged and powerful. So I also look forward to being involved in how the Museum can realise this progressive vision. I also hope that it may be possible in the longer term to organise some joint events – our colleague Emmanuel Melissaris has already come up with a great idea…

Intriguing – we will watch that space! Since 2013, you have held the title of School Professor of Law, Gender and Social Policy at LSE. What's the advantage of being attached to three different departments?

NL: As a School Professor (and, I'm sorry to say, the only woman in that role), my brief is to encourage interdisciplinary initiatives at LSE. So it is really illuminating to be a part of two departments as well as my "home" discipline of law, and particularly so because the Social Policy Department (which hosts the Mannheim Centre for Criminology) and the Gender Institute are themselves multi-disciplinary units. I have also learned a lot about how differently departments work at LSE. The Gender Institute, albeit multi-disciplinary, is closely integrated, in part doubtless because of its relatively small size, but also because of a strong sense of shared intellectual/political purpose. Law and Social Policy are comparable in size but operate in quite different ways, with Social Policy divided into specialist groupings for a significant number of purposes, and Law thus far preserving a unitary structure. So I have been able to observe the advantages and disadvantages of these different forms of organisation – both in terms of internal cohesiveness and in terms of capacity to reach out to other units in the School. One slight downside has been the consequent size of my email inbox!

You were the co-director of LSE's Gender Commission, which published its Report last year. How did the Commission fit with your previous scholarly work?

NL: I have worked on both feminist theory and gender issues, particularly in criminal law, throughout my career. I have also tried to alternate, in my research programme, between "purely" academic work which I pursue out of sheer curiosity, and work which seeks a broader audience, either a student audience, for example the criminal law text with Celia Wells and Oliver Quick, or collaborative policy work, for example the Prison Reform Trust report on Women's Imprisonment in 2000 and the British Academy's policy report on prisons, *A Presumption Against Imprisonment*, in 2014. So when Diane Perrons told me that the Gender Institute had been offered Knowledge Exchange funds to run a Commission on Gender Inequality and invited me to co-direct it with her, it seemed an ideal opportunity both to develop my relationship with Gender Institute colleagues and to develop another wider-audience project. And in fact our hearings drew in colleagues from all around the School, from Law to Economics via Anthropology, Government, Media and Communications, Social Policy and Sociology, as well as scholars, policymakers, lawyers and activists beyond LSE.

What did the Report conclude?

NL: The Report ranges across four areas – law, the economy, the political sphere and the media – and dealt with four themes cutting across those sectors: rights and the worth of rights; power and its distribution; gendered violence; and work-life balance. So, as you can imagine, its conclusions are wide-ranging. Readers who are interested in the detail might like to have a look at the Commission's website at lse.ac.uk/genderInstitute/research/commission/home.aspx. But one headline conclusion – and one of our most controversial findings – was that, in a number of spheres, the evidence suggests that change is unlikely to occur without a real commitment to targets, and even to quotas (though we acknowledge both the legal and the political obstacles to the latter). Conversely, we found that in several – particularly legal – areas, existing provisions at both national and international level are not necessarily being effectively exploited. Key examples include the public sector equality duty and other positive action provisions in the Equality Act 2010 and international conventions such as the Convention on the Elimination of All Forms of Discrimination against Women.

You're also involved in LSE's new cross-disciplinary International Inequalities Institute. Why take an international perspective on inequality?

NL: There are several reasons for looking at inequality both internationally and comparatively. First, if we confine our attention to our own country, we can easily miss issues of real significance: status inequalities in particular can easily become invisible when they are quotidian. Second, the existence of both similarities and differences in patterns of inequality and of their trajectory over time raises important social science questions about how we can explain these phenomena, as well as real opportunities, through comparative methods, for coming to a better understanding of what shapes them. Third, if inequality matters, morally speaking, in one place, then it matters everywhere, even though its weight as a moral consideration might vary with circumstances.

Finally, in a world of constant flows of people, capital, ideas, images, goods, it makes little sense to confine one's attention exclusively to particular areas: the world is dynamic, and our social science models and spheres of attention need to be dynamic as well. The recognition of this aspect of "globalisation" is vividly reflected in legal practice and scholarship, isn't it? When I studied for my degree at UCL in the late 1970s, you could graduate without any knowledge of another system other than Roman law, and those who, like me, chose to study international law or – a period curiosity – socialist legal systems, were regarded as exhibiting a taste for the exotic! Today, I am struck by how many of our department research seminars tackle multi- or cross-jurisdictional issues, and I know that the same is true of our curriculum.

> "In a world of constant flows of people, capital, ideas, images, goods, it makes little sense to confine one's attention exclusively to particular areas"

Does growing economic inequality tend to exacerbate gender inequality?

NL: The answer is hugely context dependent. In some areas, it is a very strong "yes"; for example, the evidence we gathered for our Commission Report showed that women and children have been disproportionately losers from austerity policy in this country. And it stands to reason that where the status quo is one of inequality to the economic disadvantage of women, and in which women continue to bear a disproportionate share of the sort of caring labour for which support is being rapidly withdrawn by government policies, a period of retrenchment in public spending is almost certain to affect women particularly badly. Moreover, public spending cuts are having a devastating effect in other policy areas, with a key importance for women and children, notably the provision of accommodation and support for victims of domestic violence.

But in other ways, the answer is a qualified "no". This is because a lot of the huge economic restructuring in rich democracies of the last forty years has provided new opportunities for women while wiping out forms of employment – stable, relatively well paid industrial labour – which largely benefited men. Moreover, in many countries, women's educational attainments are outstripping men's by some distance. I describe the "no" as qualified, however, for a number of reasons. Many of the growing service sector jobs in which women predominate are part time, insecure and poorly paid, leaving women vulnerable to the vagaries of national and regional welfare provision; we know that the continuing unequal division of caring work continues to disadvantage women, and that discrimination against women around pregnancy and motherhood in the labour market persist notwithstanding legal regulation; and we know that women are still seriously under-represented in the highest echelons of the most privileged professions, notably law, politics, finance, culture, media and sport, and business.

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But if we look at trends over the last thirty years in countries like the UK, we can nonetheless see that women have made huge strides in both education and employment, and it seems unlikely that this progress is going to be reversed by economic inequality.

Are you optimistic that academics can influence what governments do?

NL: I certainly think that research can on occasion influence policy-makers: at LSE, we have examples arising out of work in not only Law but also units like the Centre for the Analysis of Social Exclusion, LSE Health, and the Centre for Economic Performance. On the other hand, one has to be realistic about this. I have spent quite a bit of time over the last decade researching how governments' criminal justice policy is shaped by political and institutional dynamics – incorporating factors as diverse as the ebbs and flows of public opinion, levels of party discipline, and how the details of electoral systems structure the incentives of ministers, parties and candidates for office. This work has given me a keen sense of the way in which policy ideas are filtered through the lens of the political system itself. Doubtless our former colleague Gunther Teubner would have interesting things to say about this from a systems theory point of view… In any event, I regard academics' primary responsibility to be, following the LSE motto, seeking to understand the causes of things: however tenuous our ability to shape government action, having the best possible understanding of how the world works is a necessary condition for developing good policy.

Much of your work on criminal justice is comparative, for example, your Hamlyn Lectures titled *The Prisoners' Dilemma: Political Economy and Punishment in Contemporary Democracies* (2008). How do you manage to speak with authority about punishment in places as far apart as the United States, Germany, and Australia?

NL: It's very kind of you to suggest that I speak with authority! Because, needless to say, I have ventured onto comparative terrain with a generous helping of diffidence. My original journey in this direction had personal origins: my husband, David Soskice (now School Professor in the Government Department at LSE) is a comparative political scientist, and I have always been intrigued by his and his colleagues' work – as well as hopeful that comparative expertise might turn out to be maritally transmitted! Also, David and I have spent periods living in various parts of the US, in Germany, and in Australia, and sheer curiosity about how these places work – in what ways they are similar to, and different from, the UK, and why – led me towards comparative analysis quite soon after David's move to a job in Berlin in 1989. I confess, though, that I find it easier to do comparative work in criminal justice than in criminal law: whereas criminal justice and social science data on associated phenomena such as poverty, literacy, education attainments, segregation or imprisonment rates are readily available in English, language issues are far more constraining in relation to legal materials such as cases and legislation. So I especially admire colleagues and students who are able to work across languages as well as across jurisdictions.

You have often sought to place legal ideas in their social and historical context. What do you think is distinctive about contemporary ideas of punishment and responsibility?

NL: I have just published a book – *In Search of Criminal Responsibility: Ideas, Interests and Institutions* (OUP) – which traces the way in which ideas of criminal responsibility in English law have been shaped since the 18th Century by a range of institutions and by the power of interests across a number of spheres. The controversial punchline of the book is that, while English criminal law has always featured co-existing practices of responsibility-attribution based on criteria such as engaged volitional and cognitive capacities, bad character, the causation of harmful outcomes, and the presentation of risk, contemporary criminal justice is being marked by a resurgence of ideas of responsibility as founded in bad character. But this modern resurgence of character responsibility is assuming a distinctive hybrid form which interprets the presentation of certain kinds of risk, notably in areas such as terrorism or public disorderliness, as markers of bad character. This has in turn, I would argue, contributed to an increased toleration of stigmatising practices of law enforcement and punishment. The United States presents a dystopian vision of what lies ahead should this country continue on its present criminal justice trajectory. And while there are plenty of reasons to think that the US is quite distinctive in both political and legal culture and institutional form (something on which I am currently working with David Soskice), we must nonetheless hope that the pattern of resort to ever more elaborate forms of criminalisation as a form of governance in this country can be modified in favour of more constructive, less stigmatising, less divisive methods of social regulation (something on which I am working with Hanna Pickard).

The British Museum: Photo by David Iliff

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Some readers may know you best from your biography of H.L.A. Hart, *A Life of H.L.A. Hart: The Nightmare and the Noble Dream* (OUP, 2004). The lives of academics are generally much too boring to sustain biographies. What made Hart different?

NL: Since one of my favourite biographies is Ray Monk's life of Wittgenstein, I'm inclined to resist the premise of your question! But, more seriously, perhaps that example helps to answer it. I don't think that biographies, purely understood, are usually made interesting primarily by their subjects' work – though that work or achievement provides the springboard for biography as a genre. What animates a really interesting biography, I think, is something unusual about the way in which an individual has interacted with his or her circumstances and relationships to create that work or make those achievements, and about the way in which this illuminates both individual character and social dynamics. What made Wittgenstein fascinating was the extraordinary force of his character and originality of his intellect; the power he had over others notwithstanding his enormously difficult personality. And, of course, the quality of the sources he left, and of the testimony of other highly sensitive and observant people who knew him and either provided his biographer with interviews or left rich written sources of their own. In Hart's case, the springboard for a biography is the decisive impact which his work had on post-war legal and political philosophy. But what made it such an interesting project was the extraordinary openness with which Hart's letters and diaries revealed the process of intellectual creation, with its agony as well as its fulfilment, and how this process related to his deepest sense of himself. The fact that I also had access to marvellously open and observant interviewees among his family and friends was also hugely helpful.

A biography is also a window on the social world through the prism of an individual life. So the fact that Hart excelled in four very different careers, and lived through a period of rapid social change, added to the interest of the project. But, most fundamentally, Hart's story is one of the contradictions with which people often have to, or choose to, live amid the cross-cutting dynamics of social attitudes, mores and institutions. It is the story of a Jewish Yorkshireman who presented, as one of my interviewees put it, as a middle-class "patrician" public school boy; of a married father of four who felt himself to be homosexual; of a world-famous scholar who was tormented by a self-doubt of which many of his colleagues were quite unaware. I of course hope to have done justice to Hart's work and its influence, as well as providing an extended sketch of the rapidly changing world of Oxford and of the legal and philosophical academies in the decades following the Second World War – itself a story richly peopled with picturesque eccentrics and with codes of distinction worthy of Bourdieu's analysis in *Homo Academicus*. But the real gift of the project for me has been to enable Hart's experience, courage and insight to speak to other people. Two examples I particularly treasure. First, I received the dozens of emails from young scholars, telling me how comforting they found it to discover that even a scholar of Hart's eminence struggled with issues of self-belief. Second, several colleagues in the US have been generous in telling me of the deep impact on their students – amid continuing and often heated debates about gay rights in that country – of Hart's diary revelations that the inability freely to express his sexuality implied a more general sense of loss in his ability to express himself, realising itself in a profound attachment to indirect forms of emotional expression through literature and, particularly, music.

You have also held posts at Oxford, Birkbeck, and UCL. Without disparaging those very fine institutions, would you say there's something about LSE that particularly suits you?

NL: I have been really lucky to work in a number of, as you say, fine institutions – as well as at the ANU in Canberra, the Wissenschaftskolleg in Berlin, and at NYU, Harvard and Yale in the US. But I can honestly say that I am happiest at LSE. This was reflected in my decision to return in 2013 after only three years at All Souls College. My time back in Oxford gave me a very keen sense of how much I treasure the huge sense of intellectual energy at LSE, which comes from all sorts of things: our cosmopolitan students and faculty; our location at the heart of one of the world's most exciting cities; a certain social informality; a widespread feeling of strong identity with the institution – which somehow manages to combine with a healthy willingness to be critical of it!; and, particularly in LSE Law, a really special quality of collegiality, which encompasses our students. I'm very grateful to be back!

Further details on the books and articles mentioned are available at bit.ly/LSENicolaLacey

The Report of the Gender Commission is available at lse.ac.uk/genderInstitute/pdf/Confronting-Inequality.pdf

A Minute in the Mind of Dr Meredith Rossner

What are you working on?

I'm working on a number of empirical projects about courtroom design and process. With a big team of social scientists, we are studying the way the placement of the accused during a criminal trial impacts jurors' perceptions. In particular, we argue that the use of the dock in criminal proceedings is prejudicial. I also do research on how technology is changing legal procedure.

How does it relate to your previous research?

My previous research is about restorative justice – face to face meetings between victims and offenders of crime. My research into the staging of such non-adversarial encounters led me to research more traditional adversarial design, which is how I got involved in courtroom design.

What's the next paper you want to write?

I want to write a paper about rituals in justice proceedings and in the role that lay people play in making such rituals successful or unsuccessful. I'm on sabbatical next term and I hope to get this done then!

What's the last conference you went to?

Just last week I went with a group of architects, judges, and academics on a research tour of new court buildings in Denmark and Sweden.

What do you teach?

I teach Introduction to the Legal System and Outlines of Modern Criminology on the LLB, and Theories of Punishment and Socio-legal theory and practice for LLM and PHD students.

What's the most fun you've had while teaching?

We have our LLM and PhD students create a visual representation of their research proposals as their formative assessment and have a "mini conference" where students present their ideas, followed up by drinks at the George – it's a great time!

What's the most challenging topic you've tackled while teaching?

Police violence and institutional racism. It's very important, but also challenging, to get people thinking clearly and talking honestly about race, racial violence, and the role of institutions such as the police.

What are your administrative responsibilities?

I coordinate the LLB dissertations, am on the departmental research committee, and am a member of the Athena SWAN self-assessment team investigating issues around gender equality in the Department. I also help to organise the Mannheim criminology seminars with the Departments of Social Policy and Sociology.

How is London treating you?

I moved to London from Sydney, so it was a bit of a shock to get used to the madness and the weather, but now I love it.

How do you get to work?

Bicycle!

Do you have any pets?

I have the best dog in the world, a Pomeranian named Gertrude. Do you want a picture?

Where are you from, and how did you end up in LSE Law?

I am from Connecticut, in the northeast of the USA. After university I moved to London to work for the Home Office on a research project on restorative justice, this got me interested in the topic and I went back to the states to do a PhD in Philadelphia. After my PhD I got a job in Sydney as a research fellow doing research on restorative justice and on juries, which is how I ended up moving into research on court design. I ended up at LSE because they were looking for a criminologist and I fit the bill, so I left sunny Sydney for London.

What recent or current news story has grabbed your attention?

I'm trying to stay away from the crazy media frenzy around the US presidential election, but not doing such a good job!

What's the last film you saw?

Does *Game of Thrones* count?

What are you reading for pleasure?

Elena Ferrante's Neapolitan novels. I think that the best literature can teach us more about ourselves and society than some classic sociology.

Sarah Lee: from NZ to UK

Paul MacMahon, Assistant Professor of Law

Sarah Lee gets things done. She brings a refreshing, good-humoured, no-nonsense style to her work as Service Delivery Manager for LSE Law's undergraduate programmes. But there's much more to Sarah than organising courses and social events for law students. Even if you know her, you may be surprised at just how rich and varied her life is beyond the New Academic Building.

Sarah came to London from her native New Zealand two years ago to take up her current role at LSE. "I had decided that I wanted to gain some experience in university administration outside New Zealand and I also wanted to do some travelling in the Northern Hemisphere and spend time with relatives in the UK and Europe. I chose London because it is very multicultural." As Service Delivery Manager for Undergraduate Programmes, Sarah is responsible for ensuring the smooth running of the LLB. It's a big task. "I have been fortunate to have two extremely competent undergraduate programme administrators in Jen O'Connell and Enfale Farooq which makes my job much easier than it would otherwise be." Sarah's job is particularly stimulating these days as the LSE LLB undergoes a process of renewal. The Department needs to plan ahead: the Solicitors Regulation Authority is proposing changes to the requirements for qualifying law degrees with fundamental implications for the shape and content of the LLB. But Sarah's main focus at the moment is looking for ways to improve the undergraduate experience, in part by gathering feedback from the students themselves. She has learned, for example, that students would benefit from more cohesion across different undergraduate courses and from more awareness of extracurricular activities and sources of support.

"I have been fortunate to have two extremely competent undergraduate programme administrators in Jen O'Connell and Enfale Farooq which makes my job much easier than it would otherwise be."

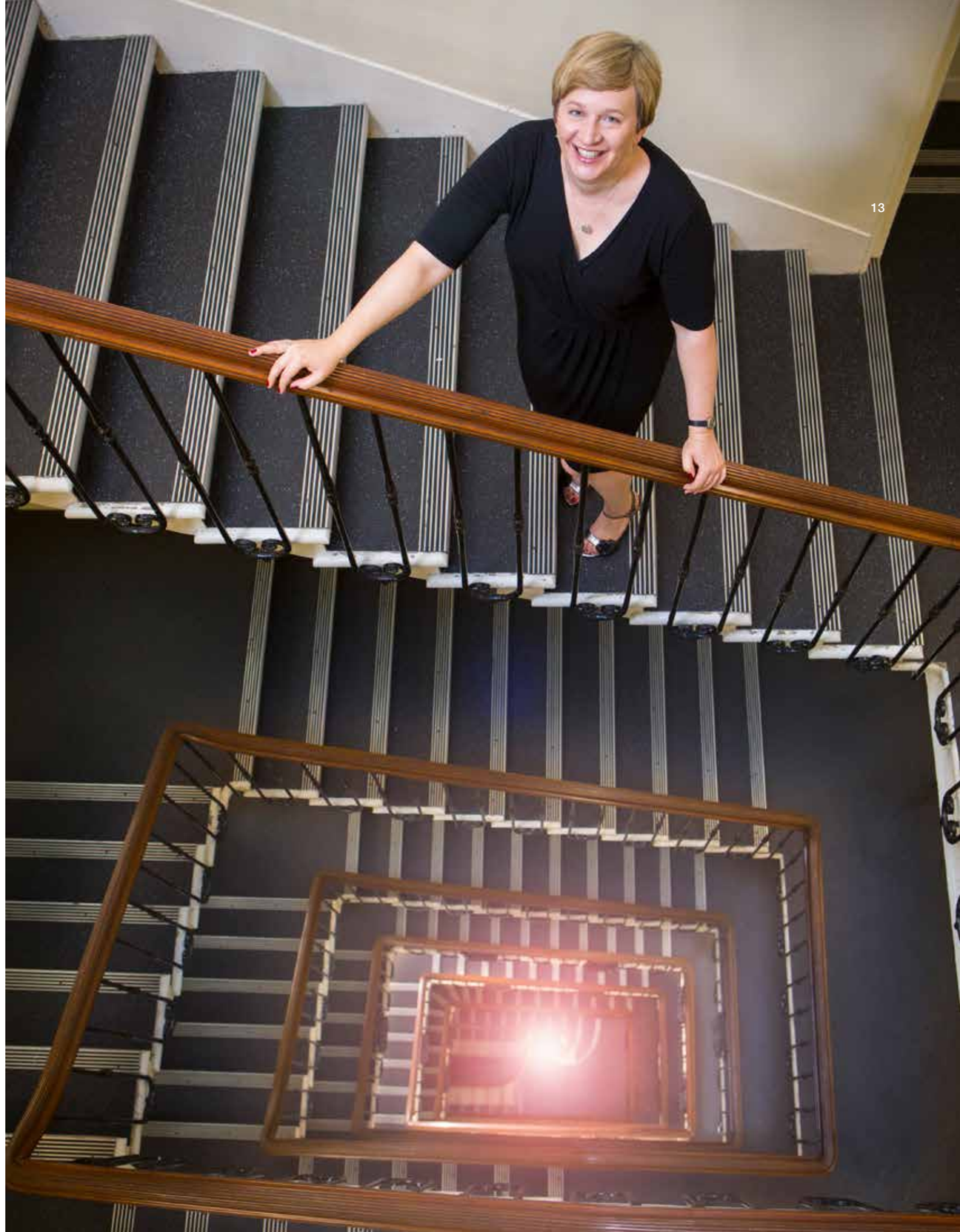
Running our undergraduate programmes is not Sarah's only job at LSE. As Warden of Northumberland House, she oversees more than three hundred LSE students, most of whom are living away from home for the first time. She seems ideally suited to being a Warden: Sarah, one imagines, is calm and unruffled in a crisis. A perk of the job is that it comes with accommodation just one block from Trafalgar Square. She can walk to LSE and has easy access to central London's museums, galleries, theatres, and restaurants. She takes full advantage of London's culinary offerings: a recent trip to a supper club, for example, yielded an "outstanding" Jerusalem artichoke and truffle velouté.

Another major aspect of Sarah's extra-curricular life is her passion for Latin American culture. She is sufficiently fluent in Spanish to understand the "very entertaining" insults flung by Buenos Aires football fans at opposing players. When she started learning the language, some Latin American friends in Auckland invited her to join a dance group, thus sparking a new interest. She can dance salsa and tango, but she especially enjoys the informality of Argentine folk dancing.

She now enjoys attending peñas, traditional events organised by a London group, where people come together to enjoy Argentine food, wines, dance, and live music. As is typical for Sarah, she attacks her interest in Latin American culture from several angles. Before coming to London, she earned an MA in sociolinguistics, focusing on intergenerational language transfer among Chilean immigrants to New Zealand. She is particularly excited to present her findings to the internationally renowned Sociolinguistics Symposium in Murcia, Spain, this summer.

Sarah loves participating in London's full and diverse cultural life, but that's not to say she doesn't miss home. "I enjoy the closeness to nature that we have in New Zealand. Even in Auckland, our largest city, you are never more than a short drive away from both beaches and forests. I also miss having a garden and being able to have all my friends over for a barbecue". She maintains ties to New Zealand; she is involved in a charity that provides young Maori and Pacific Island people from New Zealand with the opportunity to spend time in the UK. She really enjoys seeing the Maori cultural group Ngati Ranana perform, and she participated in a mass kapa haka (song and dance) performance at the ANZAC Day Dawn Service last year. Sarah imagines that she will return to live in New Zealand in the fullness of time.

For now, Sarah feels very lucky to be working in the "friendly, collegial atmosphere" of LSE Law: "I think that we have a great group of colleagues." And, happily for LSE Law, the city holds enough attractions that Sarah plans to be in London for several years yet.



Distinguished Doctors of LSE Law

Professor Nicola Lacey, School Professor of Law, Gender and Social Policy

LSE's graduation ceremonies each July and December are always wonderful occasions, celebrating as they do the achievements of those key members of our intellectual community: our students.

And as the icing on the cake to this celebration, our winter degree ceremonies often celebrate the achievements of those awarded honorary doctorates in law – several of the distinguished honorands themselves being graduates of the Department. This December, Baroness Hale DBE PC QC FBA, who is of course the first (and remains the only) woman member of the UK's Supreme Court, was honoured: and I was one of those who had the pleasure to hear the inspiring and modest way in which she accepted the award, speaking in a very warm and personal way to the other new graduates. Baroness Hale, who is also the Deputy President of the Supreme Court, is the most senior female judge in the history of this country, and someone who has brought not only her fine intellect but also her feminist sensibility and deep concern with gender justice to her judicial role. She is also someone who had a distinguished career as a legal academic, at the University of Manchester, where her work on women and law, family and social welfare law established her reputation as a leading scholar, before she moved to the Law Commission, where she was the architect of a reform of family law which decisively reshaped that field. She is also someone whose generosity in finding time to keep closely in touch with the legal academy despite her judicial obligations is legendary. So Baroness Hale was a most popular and fitting recipient of this distinction. She is, moreover, the latest in a long line of eminent figures, whose stature and wide geographical spread and professional achievements reflect the influence and standing of the Department. So her award seemed a useful launching pad for a brief review of our other honorands over the last decade.

"She is also someone whose generosity in finding time to keep closely in touch with the legal academy despite her judicial obligations is legendary."

A connecting Manchester thread leads us back to the first of our honorary graduates of 2014, Professor Andrew Ashworth CBE QC FBA, formerly Vinerian Professor of English Law at Oxford. Andrew Ashworth did his LLB at LSE, but then moved on to Manchester to do his doctorate, before proceeding on a career path which has made him, as Mike Redmayne put it in his oration, 'the most influential criminal lawyer of his generation'. As Mike went on to note:

"Behind these obvious indications of a successful academic career is a very significant body of academic work. There are the sophisticated and successful textbooks, on criminal law, sentencing, and criminal process, books on human rights and criminal justice, as well as many, many articles. What marks out this work is its continual emphasis on the importance of the law being humane and principled, and here Andrew has never been afraid to be critical, even controversial. He chided the Royal Commission on Criminal Justice for its failure to address human rights, questioned the growing popularity of restorative justice because it lacked safeguards for defendants, and recently argued that people should no longer be sent to prison for the offence of theft. In all this Andrew has done much to shape the many aspects of criminal justice he has written about. I'd like to put particular emphasis on his work on sentencing. The various editions of his book, *Sentencing and Criminal Justice*, have done much to make sentencing a truly academic subject, linking clear analysis of the law with questions of principle and empirical information."

In characteristically generous tribute to a man who had become a friend as well as a co-author, Mike concluded:

"Despite all his achievements, Andrew remains an essentially modest man. Born in Rochdale, and the first in his family to attend university, he memorably described himself as walking to work at All Souls every day with a spring in his step, hardly able to believe his good fortune. We, too, are lucky today to be able to honour him."

2015 was a bumper year since – staying with distinguished figures who set out from the North of England – it also saw the award of a Doctorate in Literature to Dame Hilary Mantel DBE FRSL. You will

Baroness Hale

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already know that Hilary Mantel is among the most talented and imaginative English writers of her generation. What you may not know is that Hilary spent her first year as an undergraduate studying law at LSE. She has described her year at the School as "one of the most vivid times in my life" and wrote about it both in her novel, *An Experiment in Love*, and in her memoir, *Giving up the Ghost*, in which she remembers her course as "engrossing". "The rattling, down-at-heel, overcrowded buildings", she adds, "pleased me better than any grassy quad or lancet window"! Hilary's best-known works to date are the first two instalments of a trilogy on the life of Thomas Cromwell: *Wolf Hall* (2009) and *Bring up the Bodies* (2012), both of which won the Man Booker Prize. The Cromwell novels concern complex, intelligent individuals engaged in intricate, internecine struggles. They brilliantly shine the past on the present, and have prompted many of her readers to draw analogies between the Tudor court and various modern instances of political and monarchical vulnerability. They demonstrate, furthermore, her remarkable capacity for combining intensely psychological characterisation with a panoptic vision of the social world in which her characters move. The scholarly research and interpretive acumen which went into the writing of these books would alone count as a major contribution to our understanding of 'the causes of things'. Few modern writers have matched Hilary Mantel in carefully articulating their own reflections on the method and meaning of fiction, and on the intellectual and imaginative resources needed to produce it. It is difficult to imagine a more worthy recipient of an honorary degree.

In 2013, we honoured Keir Starmer QC, just as he stepped down from a distinguished period of service as Director of Public Prosecutions. Keir Starmer did his LLB at the University of Leeds and a BCL in Oxford, before joining the Bar in 1987, becoming a QC in 2002. He was also joint head of Doughty Street Chambers and, from 2003 until he became DPP in 2008, Human Rights Advisor to the Policing Board in Northern Ireland. As Conor Gearty noted in his oration:

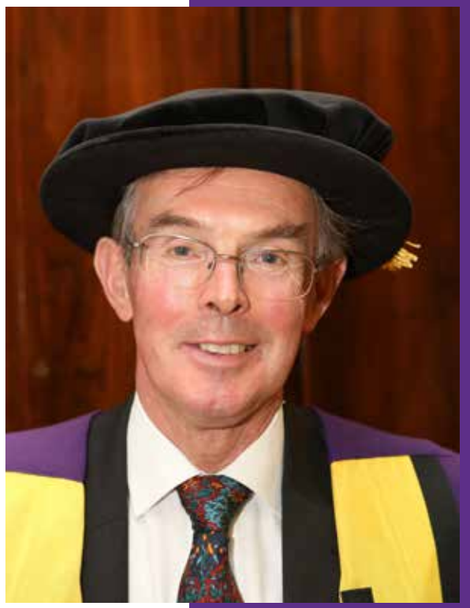
"At the time of the introduction of the UK Human Rights Act in 1998, Keir Starmer was a leader among the group of academics and practitioners who took on the task of explaining the Act – its implications and likely interpretation by the Courts – to the judiciary, the legal professions and the wider public. His book, *European Human Rights Law* (1999), became one of the most popular texts on the new law. He has authored and edited a number of other publications as well, including *Justice in Error: Three Pillars of Liberty – Political Rights and Freedom in the UK*.

As DPP, Keir Starmer was responsible for prosecutions, legal issues and criminal justice policy. His brief included issues of assisted suicide, of social media abuse and of MP expenses fraud. He established new levels of openness and accountability within the organisation, publishing a wide range of consultation documents through which he engaged the wider public in discussion on how best to deploy the hitherto wide and largely unquestioned exercise of discretion by the DPP. Starmer has transformed the office of DPP. He has made an outstanding contribution to criminal justice policy in the UK, bringing a new culture of openness and public accountability to prosecutorial discretion."

It is gratifying to note that the national awards system soon caught up with LSE(!): Keir was appointed Knight Commander of the Order of the Bath (KCB) in the 2014 New Year Honours for "services to law and criminal justice".

We must then skip back to 2009, which was another rich year for honorary doctorates in Law. The Department nominated the Right Honorable Baroness Butler-Sloss GBE PC. Another pioneer among women judges, Dame Elizabeth was, in 1988, the first woman appointed as a Lord Justice of Appeal. Recalling her distinguished legal career, Julia Black noted in her oration that:

"In 1987-88 she chaired the Cleveland Child Abuse Inquiry and in 1999 she became President of the Family Division, once again the first woman to hold this position. Indeed, until 2004 she was the highest ranking female judge in the United Kingdom. In the course of her judicial career she was called upon to make some very challenging, and controversial, legal and ethical decisions. These included the determination in 2001 that the new identities of the killers of Jamie Bulger should remain



Top Left: Andrew Ashworth
Above: Hilary Mantel
Left: Keir Starmer

Top: Baroness Butler-Sloss
Above: Justice Kate O'Regan

CONTINUED

secret for the rest of their lives on their release from prison (*Venables v News Group Newspapers Ltd and others; Thompson v News Group Newspapers Ltd and others* [2001] 2 WLR 1038), and in 2002, the ruling that a patient who was mentally competent had the right to refuse treatment even if it would result in her death (*Re B* [2002] EWHC 429).

She retired from the judiciary in 2005, but that did not mark the end of her role in public life. She sits on the appointments panel for Queen's Counsel, and has served as Chairman of the Security Commission, which investigates breaches of security by government departments. Most significantly, in 2006 she was granted a life peerage by the House of Lords Appointments Commission and appointed to the House of Lords as one of the 'people's peers', gazetted as Baroness Butler-Sloss of Marsh Green in the County of Devon."

2009 also saw Professor Jagdish Bhagwati, currently University Professor of Economics, Law, and International Relations at Columbia University, and nominated by the Economics Department, awarded an honorary doctorate in Law to mark his outstanding achievement in international trade scholarship and policy, and his standing as one of the world's leading scholars of law and economics.

Last but by no means least, at the summer ceremony in 2008 we honoured another lawyer who stands as a beacon for women – Justice Kate O'Regan. She was then still sitting as one of the original judges of the South African Constitutional Court, and she is justly and closely associated with the achievements of the rule of law in post-apartheid South Africa. Kate O'Regan is another honorand whose origins lie in the north of England, this time in Liverpool; but she grew up in Cape Town, and after graduating from the Universities of both Cape Town and Sydney, it was our good fortune that she came to LSE to do her doctoral research. From there, she moved on to a distinguished academic career at the University of Cape Town, establishing a high reputation for her work as a founder member of both the Law, Race and Gender Research project and the Institute for Development Law at that great seat of learning. As Sarah Worthington noted in her oration:

"Long before it was fashionable or safe, she was an advisor to the African National Congress on land claims legislation, and at the same time worked with the National Manpower Commission on gender equality law. She also served as a trustee of the Legal Resources Trust.

The Constitutional Court of the Republic of South Africa is more than a tribunal for the definitive interpretation of the law; it is the custodian of that country's constitution and its bill of rights, symbol as well as ultimate guarantor of the values underpinning the glorious revolution in that country that finally brought race-based government to an end. In case after case, the court of which Justice O'Regan has been a member, and with her often in a lead role, has played a vital part in maintaining and deepening South Africa's commitment to democracy, to dignity and to the rule of law. The capacity to be an activist and a scholar as well as a distinguished judge – an almost impossible combination of talent in a single person – is what marks out Kate O'Regan."

These six distinguished figures join an equally distinguished list which includes our former colleague and eminent international lawyer Dame Rosalyn Higgins, and the distinguished Caribbean jurist and politician Sir David Simmons, a former Chief Justice and Attorney General of Barbados. The Department treasures our association with all of them.

Staff Updates

Appointments

LSE Law congratulates **Professor Julia Black** who has been appointed Interim Director of the School from 1 September 2016 until 31 August 2017, or earlier upon the successor to Professor Craig Calhoun taking up appointment. Julia will continue to hold her current role as Pro-Director for Research, to which she is appointed until 31 July 2018, in parallel with the Interim Directorship.

Professor Neil Duxbury has been appointed as LSE Law's Deputy Head of Department, taking over from **Professor Niamh Moloney** who has served the Department for three years. We thank Niamh for all her work and welcome Neil to the post.

Professor Julia Black

Professor Niamh Moloney

New arrivals

Two new faculty members are joining us this year. **Tatiana Cutts** will be joining us from the University of Birmingham having previously held posts in 2015/2016 as a Parsons Visiting Fellow at the University of Sydney and as a Simon Roberts Visiting Fellow here at LSE.
Dr Heikki Marjosola comes to LSE from the University of Helsinki. He recently held the position of Research Associate at the European University Institute following a period of practice.

Three LSE Fellows have also been appointed. **Dr Daniel Clarry** will be joining LSE from Harvard Law School. Daniel has also previously held teaching positions at the University of Cambridge and University of Queensland. **Dr Andriani Kalintiri** is joining LSE from Queen Mary, University of London having previously practised as an Attorney in Greece. **Hillary Nye** will be joining LSE from the University of Toronto where she currently holds a position as a Visiting Doctoral Researcher.

We have also appointed **Shami Chakrabarti** as Visiting Professor in Practice. Shami is an LSE alumna and former Director of Liberty.

We are delighted to welcome you all to LSE Law.

Tatiana Cutts

Dr Heikki Marjosola

Dr Daniel Clarry

Dr Andriani Kalintiri

Hillary Nye

Shami Chakrabarti

Congratulations to **Professor Damian Chalmers**, awarded an ESRC Senior Fellowship. The aim of the Fellowship programme is to provide evidence and analysis across the broad range of issues and policy areas affected by the UK's position in a changing European Union (EU).

Professor Julia Black is the winner of the 2016 Award for Regulatory Studies Development, made by the Standing Group on Regulatory Governance of the European Consortium for Political Research. The award is intended to recognise a senior scholar for his or her achievements in, and contributions to, regulation & governance scholarship and teaching.

Professor Conor Gearty has been made a member of the Royal Irish Academy (RIA). RIA membership is in recognition of Professor Gearty's distinguished reputation for legal scholarship in the field of civil liberties, human rights and the dilemmas and risks posed for freedom and democracy.

Professional Services Staff changes

Harriet Carter went on maternity leave in the summer of 2016 and we welcome **Nyssa Lee-Woolf** as her cover for Department Manager for Operations and Personnel. **Rebecca Newman** also went on maternity leave earlier this year and we welcomed **Mary Wells** as her cover for Postgraduate Programmes Administrator.

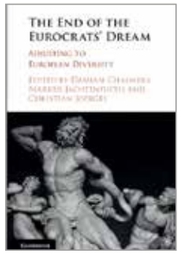
We are saying goodbye to **Enfale Farooq** who has secured a role in the Department of Mathematics. The remainder of Enfale's secondment period will be covered by **Anna Lisowska** who was formerly covering **Gosia Brown's** maternity leave on the Executive LLM programme. **Stephen Jenner**, Postgraduate Exams and Assessment Administrator, has departed for a role in the Department of Economics; his successor will be announced in due course. We are delighted to welcome back Gosia and thank you to Enfale and Stephen for their contributions to LSE Law.

Nyssa Lee-Woolf

Mary Wells

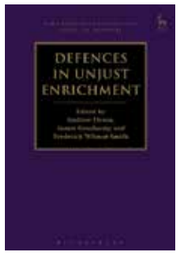
New Books

Arnull, Anthony and Chalmers, Damian (eds) (2015)
Oxford Handbook of European Union Law
Oxford University Press, Oxford, UK
ISBN 9780199672646



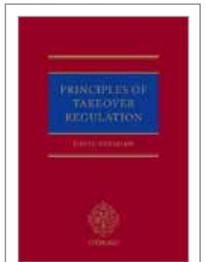
Chalmers, Damian, Jachtenfuchs, M. and Joerges, C. (2016)
The End of the Eurocrats' Dream: adjusting to European diversity
Cambridge University Press, Cambridge, UK
ISBN 9781107107182

Diduck, Alison, Peleg, Noam and Reece, Helen (eds) (2015)
Law in Society: reflections on children, family, culture and philosophy (essays in honour of Michael Freeman)
Brill, Leiden, Netherlands
ISBN 9789004261495

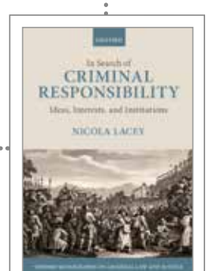


Dyson, Andrew, Goudkamp, Jamebs and Wilmot-Smith, Frederick, (eds) (2016)
Defences in Unjust Enrichment
Hart Publishing, Oxford, UK
ISBN 9781849467254

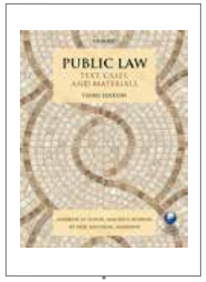
Hovell, Devika (2016)
The Power of Process: the value of due process in Security Council sanctions decision-making
Oxford University Press, Oxford, UK
ISBN 9780198717676



Kershaw, David (2016)
Principles of Takeover Regulation
Oxford University Press, Oxford, UK
ISBN 9780199659555



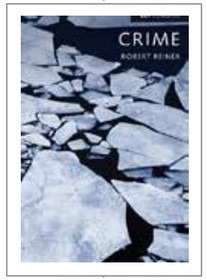
Lacey, Nicola (2016)
In Search of Criminal Responsibility: ideas, interests, and institutions
Oxford University Press, Oxford, UK
ISBN 9780199248209



Le Sueur, Andrew, Sunkin, Maurice and Murkens, Jo Eric Khushal (eds) (2016)
Public Law: text, cases and materials
3rd edition, Oxford University Press, Oxford, UK
ISBN 9780198735380

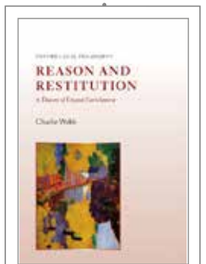
Lynskey, Orla (2015)
The Foundations of EU Data Protection Law
Oxford University Press, Oxford, UK
ISBN 9780198718239
ISBN 9780198717676

Moloney, Niamh, Ferran, Eilís and Payne, Jennifer, (eds) (2016)
The Oxford Handbook of Financial Regulation
Oxford University Press, Oxford, UK
ISBN 9780199687206



Reiner, Robert (2016)
Crime, The Mystery of the Common-Sense Concept
Polity Press, UK
ISBN 9780745660301

Scott, Andrew and Miller QC, Gavin (2016)
Newsgathering: law, regulation and the public interest
Oxford University Press, Oxford, UK
ISBN 9780199685806



Webb, Charlie (2016)
Reason and Restitution: a theory of unjust enrichment
Oxford University Press, Oxford, UK
ISBN 9780199653201

Returning to University Studies: the Executive LLM experience

John Ludden, Executive LLM student,
Executive Vice President and General Counsel of GE Capital Aviation Services Limited

A common question which I receive is why, after qualifying as a solicitor 25 years ago, did I embark on a Masters in Law (LLM) programme.

In truth, there is no single, standout reason, but rather a myriad of motivating factors. One such factor is that I am conscious that the area of law which I specialise in, namely the leasing and financing of commercial aircraft, is rather narrow even though it touches a number of different facets of law and I was keen to broaden my knowledge. I was also cognisant of the huge changes in English law (especially those pertinent to my area of specialisation), since I originally studied law at University and I was keen to undertake some formal, structured studies to close this information gap. Overall, when I think deeply enough about this question, one overarching theme emerges which is a hunger to continue learning, improving and developing. As a solicitor, the requirement for continuing professional development (CPD) rightly assumes an obligatory status, however, at times, there is a sense of going through the motions, attending courses for the sake of confirming that one's CPD requirements have been fulfilled for the year, without any true belief that significant educational advancement has been attained.

Attending the Executive LLM at LSE is a wholly different, scholarly experience. For sure, before I had completed any modules, I was filled with a degree of self-doubt and foreboding. How would I manage to juggle work, study, a family with four children and still succeed in having some down time? Would I be able to measure up in such an esteemed academic environment? How would I cope undertaking exams again under pressure? In many respects, as my participation in the Executive LLM has unfolded, these fears have proven to be needless concerns.

The Executive LLM at LSE has been structured to accommodate students in full-time employment who wish to acquire an LLM, over a period of time, from an absolutely world class law department and university. Some of the notable features of this LLM, which I have found particularly helpful in facilitating this objective of combining studies and work life, include the following:

- Modules being offered in three blocks during the year in spring, autumn and winter, enabling a student to undertake three to four modules each year. Although it is necessary to complete eight modules to qualify for your LLM, I like the flexibility around the timing of the modules and the freedom of choice as to the modules which you can select;

- A reading pack being prepared by LSE and sent to each student in advance of the relevant module. There is an expectation that you will have read most of the core material contained in the pack before attending the module at LSE, however, it saves greatly on time that this pack is assembled for you by LSE, rather than having to engage in the exercise of collating the relevant material yourself;

- The lecturers making themselves available by email and Skype to address any queries which you may have post completion of the module. This is also supplemented by a group revision session via an online video conference with the lecturer; and

- The exam for each module being structured in a take-home format which occurs two months following the end of the on-site classes. Students have access to their reading materials during the exam and have 48 hours from the commencement of the exam to submit their answers online.

The vast majority of the cohort of students attending the Executive LLM at LSE are not based in the UK and accordingly, the course is structured to minimise the amount of travel to and from London, by requiring the physical presence of students at LSE only for the purposes of attending the one week of classes pertinent to each module. The diversity of students attending the Executive LLM is really extraordinary, in terms of areas of specialisation, location, background and age. Having the opportunity to spend time with fellow students, to hear about their careers and experiences to date and aspirations for the future is very inspiring. To place this in context, there are students from the United States, Russia, Azerbaijan, the Bahamas, the UAE, Turkey and China to mention just a few of the league of nations represented on this course.

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While it is fabulous to connect with such a diverse mix of students, the highlights from this Executive LLM revolve around the intellectual stimulation derived from undertaking the modules. The choice of modules is very broad and covers subjects such as: International Economic Law, Comparative Corporate Governance, Constitutional Law, Arbitration, Company Law, Finance Law and Employment Law, among many others. The small class sizes and the engaging nature of the lecturers taking the modules lends itself to healthy debate and challenge while learning about various facets of the law. The one week modules at LSE allow students to leave their usual day lives behind and immerse themselves in an intense week of life in academia. Post attendance at the module, the forcing function of having to read through the course pack and lecture notes in preparation for the exam results in a thorough learning and understanding of the relevant subject matter. And yet, the good news is that students are not expected to learn off and regurgitate the material, but rather to apply the material in a considered and rational manner in answering the relevant questions.

I have recently completed my sixth module of this Executive LLM and while, at times, it has proven difficult to compartmentalise my life between work, study and family, I have found this course to be a truly enriching and stimulating experience. As I approach my last two modules, with the finish line in sight, my sense of purpose is tinged with no small measure of regret that my studies at LSE will soon be completed.

With thanks to Atlantic Aviation and Star Cargo Airways

OBITUARY

Valentin Ribet

Juliette Halbout and Rebecca Nahon, LLM Alumni 2014

13 November 2015 marks the date on which a bright destiny was brutally ended. This destiny walked the corridors of LSE Law and was meant to flourish, to prosper and to change the course of many other peoples' lives. This was the destiny of Valentin Ribet.

His murder at the hands of terrorists in the Paris attacks profoundly shocked the people close to him and continues to be mourned by people that never had the privilege of meeting him. The loss of this young and promising life touched many within the LSE community and beyond.

Few words are not enough to describe Valentin and what he meant for many people.

Valentin was a wonderful person. He was not only clever, but also gifted with a decidedly joyful and funny character. Indeed, he was that type of friend that we all hope to meet once in life, someone who sincerely loved people, not only for their qualities but also – which is rare – their flaws intrigued him.

We remember his distinct kindness towards anyone along with his great elegance. Though a veritable Parisian, Valentin did not randomly choose London and LSE for his studies. Cultivating his dandy looks as well as an offbeat sense of humour, he came as close as any Parisian to embodying a perfect British gentleman.

Thanks to his natural talent to bring people together, he soon stood out for his charismatic leadership. Passionate about football, he created the first LSE LLM football club. Sincerely investing in the team, he not only organised tournaments among the London Universities, but also carefully elaborated his own match strategies. No skill criteria were specified to join the team and Valentin's aim was to ensure LLM students shared a good time on the football field altogether. It was in this spirit of community that "the coach", as he was nicknamed by the players, initiated the first LLM reunion following graduation, which was held in Paris one month prior to his death. It brought together LSE alumni from all parts of the world, enabling us to once more share good moments together.

Being passionate about law, Valentin was well aware of the unique academic opportunities that LSE offered him. The courses he followed in his LLM programme reflected his diverse legal interest in all matters controversial such as human rights and political debate. Thus, it was without hesitation that he chose to follow and esteemed the classes on European Human Rights as well as Terrorism and the Rules of Law. Equally keen to enhance his knowledge in the area of white-collar crime, he followed with great enthusiasm the classes on Financial and Corporate Crime and – unsurprisingly – decided to write his Masters thesis on the UK Bribery Act.

> A very talented and committed student, one could easily find Valentin studying at the LSE library, seated next to his girlfriend Eva who was an LLM student at Queen Mary at the time.

It was this area of law that continued to intrigue Valentin and for which his LSE experience served as a stepping stone for his future career as a lawyer in Paris. Following the LLM, he joined a major international law firm in 2014 where he quickly became a valued member of a team composed of some of the most renowned white-collar crime lawyers in France. However, his success as a business lawyer did not stop Valentin also using his talents to serve the disadvantaged by registering as a legal aid lawyer in order to provide criminal defence to those that otherwise could not afford a professional defence. Indeed, he strongly believed that the protection of the rights of defence should lie at the core of any lawyer's activity.

Truly happy and passionate, Valentin would have lived a fulfilled life alongside his beloved Eva pursuing a promising career as a lawyer. His generosity, his laughter and his affectionate attention are missed every single day.

In reaction to Valentin's premature death, his parents and Eva have created the Valentin Ribet Foundation. The foundation dedicates itself to the fight against illiteracy and against ignorance through promoting access to education and to culture. Sponsoring education and promoting openness to others is in fact the best response to fight terrorism and to honour its victims. It is the response that we believe Valentin would have chosen, too.

HE WILL ALWAYS BE REMEMBERED

For further information about the Valentin Ribet Foundation, visit
fondationdefrance.org/fondation/fondation-valentin-ribet

STUDENT NEWS

Injustice is Intolerable

Temi Mwale, LLB student

The pursuit of justice is my primary motivation, and forms one of the reasons/the main reason why I became interested in the law and want to pursue a career in the law.

I grew up on the Grahame Park Estate in North London, an environment where children grow up quickly and become very aware of things their peers from other socio-economic backgrounds do not. Crime was everywhere. Poverty creates an atmosphere of hopelessness. The first time I went to court, I was about 11. I was testifying against my dad. It was only a small assault charge and in no way gave my family justice for the years of domestic abuse.

Roundabout the same time I was beginning to be affected by violence. I started attending a secondary school that, one year earlier, had a 15-year-old student stabbed to death outside. And so I began my enquiry into the violent culture that permeated "inner-city" young people's lives. From 2007 onwards I began collecting relevant newspaper articles in an attempt to get a better understanding of what was happening. I soon realised that the narrative portrayed in the media did not match the reality I had experienced growing up.

The tipping point occurred when I was 15 years old and my childhood friend Marvin was shot to death, a month before his 18th birthday. I was angry about the state of affairs. I wanted to campaign for provisions to tackle this violence. I was elected to the UK Youth Parliament at 16 and campaigned for a year to raise awareness of so-called gang culture and youth violence.

My work was not done – in fact, it had not even begun. At 16 I founded Get Outta the Gang, a social enterprise to tackle gang culture and youth violence in London. I began running intervention and prevention programmes, working with young people, their families and advocating for a youth-led approach to tackling these issues. I started to receive funding and commissions to carry out this work. I organised community vigils, protests and events in response to local violence, supported my peers through the criminal justice system, and both wrote and visited them whilst they were in prison. I supported families who had young people in prison and those who had suffered the tragedy of losing their child to violence.

I started incorporating what I was learning in my law A-Level into my programmes and teaching criminal liability to the young people I worked with. When writing my personal statement, I started to think about the difference between the academic discipline and the profession. I was resolute, the study of law was for me. But the social enterprise was having great impact and I was no longer certain I wanted to be a barrister.

I started getting recognised for this work. In 2014, I was named "Peacemaker of the Year", as well as Cosmopolitan Magazine's "Ultimate Campaigner". I received a Points of Light award from Prime Minister David Cameron, who wished me well at LSE, as I had just started my degree. The following year, the work continued to gain traction and be formally recognised; I was shortlisted for a Liberty Human Rights Award and recently named London's Young Person of the Year. Despite the challenges balancing this workload with my university studies I was twice recognised as one of the UK's top Black students: the Powerlist Foundation ranked me number two in the Future Leaders Top 100 Black Students Awards and Rare ranked me number three in their Rising Stars Top 10 Black Students Awards.

My previous experiences gave me a good insight when it came to my degree. I felt my foundations gave me a valuable perspective in particular modules such as Criminal Law, and the recent Crime and Punishment LSE100 module with a focus on the war on drugs. Studying law at LSE has had a significant effect on my work. I have continued to teach criminal liability with a much deeper understanding. I have been able to further my understandings by engaging with the academic literature around these issues. I chose to take the dissertation model in my second year and I am currently researching the way the term "gang" features in the criminal law and the criminal justice system.

I feel the focus on gangs instead of the root causes of the violence and crime has been ineffective when formulating policy to tackle serious youth violence. This year we rebranded the social enterprise, we are: The 4Front Project. This name symbolises our commitment to transforming the debate. We want to put violence at the forefront of discussions. We want to put trauma at the forefront of the conversations about violence. We want to put young people and the most affected communities at the forefront of discussions about issues that affect them. We want to champion the public health approach to tackling these issues as opposed to the criminal enforcement approach.

I feel lucky. I have already had the opportunity to put my education to practical use and impact the lives of others. I believe learning is a life long commitment and to that end, I will continue studying at a graduate level. However, it is what you do with that learning that counts and so my work on the ground is not over.

For further information about the 4Front Project, visit 4frontproject.org

STUDENT NEWS

AfricLead and The Vital Initiative Africa

Oluwamiseun Olufemi-White, LLB student

My name is Oluwamiseun Olufemi-White, founder of AfricLead and The Vital Initiative Africa (TVIA). I founded both entities as a proactive way of contributing towards better leadership in Africa.

AfricLead began as a casual conversation with a friend in Cafe Nero on Oxford Street in 2013. My self-esteem was the lowest it's ever been and I felt beyond broken. However, the two things over which I still had control were my innovative mind and oration skills. My friend convinced me that I could add value with both. At the time I was blogging on factors limiting Africa's growth, mainly poor leadership and cultural attitudes towards African women. During research for my articles two themes recurred: firstly, most leaders are either undereducated or poorly educated and secondly, women are chronically underrepresented in leadership roles in everything but parenting across the continent. Consequently, AfricLead was born to identify, develop and implement innovative and sustainable leadership initiatives for the African Region. TVIA then developed under Africlead as an initiative devoted to nurturing female leaders across the continent.

> "My vision was to create a hub of leaders consisting of the best females in every single field across the continent. What we have now is the result of strong women collaborating and supporting each other at its finest."

We set out with our first meeting in a room at Imperial College in February 2014 and our first summit, we said, would be December 2014. Apparently, this plan was unrealistic – registration of the NGO took almost 2 years; the computer systems of the Corporate Affairs Commission broke down twice. Names were repeatedly rejected for no reason; I was confused and frustrated. My mentality was that surely people would want to support the efforts of driven altruistic youths for the collective benefit of society – I was wrong. Repeatedly, I went to the Economic and Financial Crimes Commission's office, the Tax Commission and the bank simply because many of our systems are disconnected. Information is seldom transmitted transparently; what should take a day takes a year. The website was due to be delivered on a pro bono basis on 30 November 2015. Rejecting unsolicited advances from a CEO trying to "help" meant that last minute we were told they would not be helping us and so in a six-week period I learnt to build a website. Fast-forward to January 2016, registration complete, financial checks done, bank account set up and website launched – all seemingly easy processes. However, following them without compromising integrity took resilience and determination.

Through TVIA I have experienced so much personal growth and fulfilment. Being able to work towards an Africa in which women's gifts and voices are fully harnessed for everyone's benefit is very exciting. Perhaps the most exciting aspect of being part of TVIA is being able to learn from such an outstanding team. I still marvel at the ideas we've created, the progress we've made and what is yet to come – it is incredible what can be achieved when driven women come together. My vision was to create a hub of leaders consisting of the best females in every single field across the continent. What we have now is the result of strong women collaborating and supporting each other at its finest.

Currently we are filming a documentary series called "I am VITAL" to promote education for girls and female leadership across Africa. We have "winning" women and girls from every country on the continent discussing how education and society has influenced their rise to affluence. Films and TV media are very popular in every part of the continent, so we hope that through the series we can ignite a process whereby people begin to revision leadership, in a way that makes it attainable for both girls and boys. The campaign is truly an exciting one with no geographical boundaries. Simultaneously we are also planning the VITAL summit, our flagship event. These developments are all very exciting, but undoubtedly challenging. However, I am very optimistic about what the future holds for TVIA and for the girls and women of Africa.

For further information about The Vital Initiative, visit tviafrica.org

Limitless Pro Bono: Lawyers without Borders at LSE

Pascal Haller, BSc Government student, and Charles Chin Ter Chang, LLB student

As a result of our team's efforts and LSE Law's dedicated support, LSE is now home to a student division for Lawyers without Borders (LWOB). LWOB is an international organisation that unites pro bono lawyers around the world in support of rule of law and access to justice projects. Founded in 2000 by Christina Storm, now LWOB's Executive Director, LWOB has become one of the biggest groups of volunteer lawyers in the world. The organisation collaborates with lawyers from law firms, the bar, the government sector and non-profit organisations, as well as those working in-house. It is involved in a wide range of projects, ranging from legislative support for child labour programmes in Nepal to conflict resolution assistance in the Caribbean. The organisation also actively involves students in its global work by operating a network of university student divisions around the US and the UK.

Our idea behind setting up an LWOB chapter at LSE is to substantially expand the range of opportunities for students to take part in pro bono projects and to contribute to the development of pro bono culture at LSE. Moreover, given the growing entry of non-law students into the legal profession, it seems logical to expand the reach of student pro bono opportunities to accommodate non-law students as well as law students.

In order to maximise our reach, and for administrative ease, the student division will operate as a subcommittee of the LSE Student Union (LSESU) Law Society. The student division is currently run informally but is going to form an official, dedicated committee next academic year. This will include the election of an LWOB Officer (an elected position within the LSESU Law Society's Committee) as well as a dedicated subcommittee appointed through the LWOB Officer.

As one of our first projects this year, we have formed a team to participate in the London-wide "Rule of Law Innovation Challenge" and have received mentorship from Ropes & Gray LLP for the purpose of this project. The challenge includes creating an educational card game around good investigatory practices in wildlife crime investigations in Kenya.

The division has ambitious plans to expand during the 2016/17 academic year. We aim to form several student-led task forces, each endowed with a distinct legal research project. It will also launch complementary events for students, where they can network with experienced lawyers, access valuable career workshops and attend stimulating discussion panels on rule of law related projects. We believe that the success of the division will be facilitated through its affiliation with an international organisation with a wide and professional network of volunteer lawyers, law firms, NGOs and other student divisions.

In addition, the formation of a National Council for Lawyers without Borders in the UK this year presents an opportunity for the student division's leader to establish direct contact with the parent organisation and other existing student divisions around the country. LSE is not alone in its establishment of a new division; Queen Mary and King's College have recently established their own divisions too. The proximity of both universities offers LSE extensive opportunities for collaboration and further reach.

Emerging from the Ruckus: the Washington Ireland Program

India Fahy, LLB student

As an undergraduate law student at LSE I lived and breathed the "City bubble" with my peers scrambling from the word "go" to secure a graduate job in the City. As the ruckus about insight weeks, vacation schemes and training contracts began, so did the myriads of applications, online psychometric testing, telephone interviews and assessment centres.

Sitting in the library at 10pm, with panic beginning to set in as I stared at the question in front of me, "Which area of commercial law would you like to practice, and why?", I wondered to myself, is it possible that I am the only person that finds such a question alien? Had I perhaps missed an additional subject in my first year of study that both explained and allowed others to experience areas of commercial law to the extent that they could realise a desire to pursue a career in it?

Frustrated, I found myself googling opportunities to study in America. It seemed as though, in some way, escaping London and LSE for a short time might bring some clarity. My search returned countless links, but one jumped out at me: The Washington Ireland Program for Service and Leadership. The opportunity to spend a summer with like minded young people in Washington DC and to indulge in politics whilst also improving my CV seemed like a dream come true.

The Washington Ireland Program's mission is to develop, support and engage generations of leaders in order to build and sustain relationships between communities in Ireland. Each year the Program selects 30 young people from across Ireland who have demonstrated academic excellence and outstanding commitment to public service.

It was perfect, but there was one catch; that day was the deadline for written applications. I rushed to answer the questions, to which answers instinctively sprung to mind. After a series of interviews my place was confirmed and that was it – I was on my way.

The Program's unofficial motto "sleep in August" was certainly true to its word. June and July disappeared before my eyes, leaving behind a series of memories. Attending the Vital Voices Gala and hearing the words of President Bill Clinton. Working for the inspirational Susan Davis, public relations extraordinaire and diplomat at Susan Davis International, one of the top five public affairs agencies in the US. Living with an American host family, experiencing firsthand what life is like in the US.

Over the course of the summer we had round table discussions with congressmen, senators, high profile journalists, campaign managers and other political figures. I was honoured to be asked to interview the Secretary of State for Northern Ireland, Theresa Villiers. I relished in the opportunity to debate at length issues pertinent to the conflict in Northern Ireland with 29 young people who are passionate and fiercely resolute about different causes, beliefs and politics.

Returning from DC was difficult, particularly at first, though I wouldn't miss the stifling humidity. What did surprise me, however, was that I returned far more resolute than before in my desire to pursue a career in law in London. I had realised through my experiences that whilst I loved the buzz of public relations, and drama of politics, my love of the intricacies of the law remained, albeit lost in the ruckus for a time.

As I pondered the developments of the preceding months I realised something that in hindsight had been obvious all along. My love of the law and my passion for causes at home in Northern Ireland are not at odds with each other, quite the opposite actually, rather they complement each other beautifully.

I realised that starting a career in the city did not mean abandoning my desire to instigate change in Northern Ireland. The skills that I have developed through my extracurricular endeavours have in fact enriched my skill set and taught me a number of lessons which will benefit me as I begin my legal career. In the same way I hope to be able to one day use the skills that I develop as a solicitor to make a difference at home.

Perhaps one day I will return to Northern Ireland and join the ongoing peace process, but for now I have accepted a training contract, and so my dream of being a city lawyer begins…

STUDENT NEWS

The Continued Growth of Pro Bono Matters

Rachael Taylor, LLM Public International Law and Director of Pro Bono Matters

After taking a relatively lengthy break from study, in which I spent five years practising law, it was with great excitement and a not insignificant amount of trepidation that I arrived in London in September 2015 to commence my LLM at LSE. The outstanding reputation of the School and of the professors in LSE Law was beyond doubt, but how I would handle returning to full-time study was a bit more unknown. While settling into the student role in those whirlwind first weeks of picking classes, meeting new people and adjusting to life in London, I learned about Pro Bono Matters – LSE's postgraduate pro bono group – which had been formed by a motivated group of LLM students in 2014/15. While my previous forays into student life were but a distant memory, pro bono work and legal practice was not, and I knew immediately that I wanted to volunteer to undertake some interesting and exciting work while studying. Pro Bono Matters presented me with the perfect opportunity to do just that.

Like many lawyers, I genuinely enjoy pro bono work and consider it to be an essential part of my own practice. Unfortunately, access to justice is not universal and there is a lot of crucial and important legal work that simply would not get done were it not for dedicated people volunteering their time to do it. Our 2015/16 Pro Bono Matters group is an outstanding example of what such people can accomplish, and it has been an absolute privilege to lead this incredibly talented and diverse group of students. While there are too many volunteers for me to name them all individually, I will provide a brief snapshot of the work we have carried out in the past six months:

- A research project with the Commonwealth Lawyers Association examining the prevalence of child marriage in all 53 Commonwealth countries and compiling a detailed legal database and corresponding country report;
- A joint initiative with the LSE Centre for Women, Peace and Security to compile a legal and factual report into the issues facing women refugees and migrants in Calais specifically, and Europe more broadly;
- Assisting with background research for a case that was concerned with the scope of state responsibility in respect of human rights law in the digital arena.

Before the year is over I am hopeful that in addition to the above projects we will have made some more connections with organisations that could use the assistance of postgraduate students eager to work on public interest and social justice matters. This will help ensure the continued success of Pro Bono Matters, so that future LLM candidates will have the opportunity to undertake important and cutting-edge work while completing their Masters. I know that having this opportunity certainly helped ease my transition from practitioner back to student and was a highlight of my LLM year.

In addition to the exceptional Pro Bono Matters volunteers, I was fortunate to be assisted in my endeavours this year by a dedicated committee of my peers, Alexia Staker, Kasumi Maeda and Sarah-Jane Wylie, and to have the guidance and support of Chris Thomas, the postgraduate Pro Bono Coordinator, and our PhD representative Aleks Bojovic. I am confident our team has built on the strong foundation laid last year, and I look forward to handing over the reins to the next LLM intake and witnessing the continued growth and future successes of Pro Bono Matters.

If you would like to know more about Pro Bono Matters, or have a project you wish to discuss with us, please email us at law.probonomatters@lse.ac.uk

LSE-Featherstone Sexual Orientation and Gender Identity Moot: the UK's first ever LGBT mooting competition

Percevale Perks, LLB student

In March 2016, LSE Law hosted the UK's first ever mooting competition devoted to sexual identity and gender issues. The competition was named after LGBT rights campaigner Baroness Lynne Featherstone and welcomed over 146 participants from 46 universities across the UK.

The event was organised by Ollie Persey, a British LLM student who recently graduated from NYU School of Law, and LSE Law faculty member Dr Andrew Scott. Alongside the moot, there were a range of workshops and talks on topics such as transgender rights in the criminal justice system, LGBT asylum issues, and intersectionality and the Equality Act 2010. The majority of competition judges were practising lawyers and academics who all work closely with LGBT issues through equality and discrimination law. This promoted what Ollie described as "a fun and empowering forum for LGBT and ally law students, activists, practitioners, and members of the judiciary to network and to learn more about LGBT issues."

"a fun and empowering forum for LGBT and ally law students, activists, practitioners, and members of the judiciary to network and to learn more about LGBT issues."

The moot problem was based on the Northern Ireland Asher Bakery case. Participants were required to argue both sides of the case, which promoted considerable discussion on the interface between sexual orientation, gender identity and religious freedom. Many thought-provoking questions were raised throughout the competition regarding the scope of protection under the Equality Act 2010. Discrimination against people is unlawful, but should discrimination against ideas be too? Is it possible to clearly separate the two? Whether it is protecting the rights of a gay couple or a Christian baker's right to refuse service, it is apparent that there is a current tension underlying the pursuit of equality in the UK.

Four LLM students from Oxford University won the competition. The panel judging the final round consisted of: Justice Ross Cranston (Justice of the High Court, former Solicitor General), Gillian Phillips (Director of Editorial Legal Services for the Guardian News and Media Limited and Employment Tribunal Judge), Karon Monaghan QC (Barrister at Matrix Chambers), Aileen McColgan (Barrister at Matrix Chambers and Professor of Human Rights Law at King's College London), and Sarah Hannett (Barrister at Matrix Chambers). Prizes were awarded by competition gold sponsors Linklaters and Mischon de Reya. The competition concluded with a formal dinner hosted by Linklaters at Gray's Inn where Baroness Featherstone gave a speech congratulating all participants of the competition, especially the judges, "many of whom already play key roles in the fight for LGBT equality". The LSE-Featherstone Moot marks an exciting new chapter in LSE's participation in LGBT rights issues. With an overwhelmingly positive response from this year's competition, it is clear that the LSE-Featherstone Moot has already made its mark and will continue to shine a spotlight on LGBT issues in the years to come.

LSE Jessup Success for Second Year Running

This year, a team of five mooters comprised of Georgia Beatty (LLB, third year), Julia Czaplinska (LLM), Srilekha Jayanthi (LLM), Max Münchmeyer (LLM), and Taylor Steele (LLM), had the amazing opportunity to represent LSE in the Philip C. Jessup International Law Moot Court Competition. Jessup is the world's largest mooting competition which brings together teams from over 87 different countries and 550 different law schools. We all worked incredibly hard throughout the year to produce written memorials and oral submissions on behalf of two fictional nations in a dispute before the International Court of Justice.

As can always be expected of Jessup, this year's compromis contained a diverse range of interesting and topical international legal issues. The fictional dispute involved treaty violations, surveillance programmes, illegally obtained evidence, cyber attacks, and the arbitrary detention of one (aptly named) Mr Kafker. We spent the next few months getting to grips with the law and, after many hours spent in the Moot Court Room, eventually produced two written pleadings for the Applicant and the Respondent states. Having submitted the written memorials, we then focused on practicing our oral advocacy for the national rounds.

The UK national rounds took place at Gray's Inn on 12 to 14 February. In a stressful set of preliminary rounds on the Friday and Saturday we faced teams from BPP, Leeds, Oxford and UCL. On Saturday evening, we were delighted to find out that we had placed seventh in the preliminary rounds and therefore were one of the eight teams that would be progressing to the knockout rounds the following day. Knowing that there was no time to lose, we headed straight to the library for some last-minute redrafting. We researched the new arguments which had arisen during the preliminary rounds and practiced our oral submissions for the day ahead.

After spending a sleepless night in the library, we returned to Gray's Inn for the final day of the national rounds. We won a closely fought quarter final against Cambridge, setting the day off to a good start. In our semi-final round we found ourselves facing UCL again, this time in front of a particularly interventionist and demanding bench. Although we were already somewhat shaken by the judges' questions during our submissions, we were even more shaken by their verdict – the bench unanimously decided in favour of LSE, putting us through to the final and securing our place in the international rounds!

We had just a few minutes to process this incredible news before proceeding to the Great Hall for the final round, against King's College London. The final was held before a distinguished bench of five judges including Sir Michael Wood QC, former Legal Advisor to the FCO, and Ian Forrester QC, the UK's judge at the General Court of the European Union. The match against King's was the hardest fought yet, and although we ultimately came in second, it was an excellent learning experience for us. Furthermore, Georgia Beatty was awarded the title of "Best Oralist in the Preliminary Rounds" and most importantly, we were going to Washington for the international rounds!

The international rounds took place from 27 March to 2 April. There were 132 teams competing from all over the world. In the preliminary rounds we were up against teams from Cyprus, India, Chile and China. The teams we faced were the best of the best from their respective countries, which was both nerve-wracking and extremely rewarding.

We won two of our four rounds, and although we didn't make it through to the knockout stage of the competition, we had a wonderful time in Washington. We had the opportunity to attend fascinating lectures and panels organised by the American Society of International Law, attended balls and receptions with prominent international lawyers, and heard an inspiring speech by Benjamin Ferencz, the last living prosecutor from the Nuremberg Trials. Most importantly, we met many fantastic people from all over the world who we will be sure to keep in touch with for many years to come.

We are all very grateful for the support we received in preparation for the competition. We are especially grateful for the invaluable assistance of our coach, Naomi Burke O'Sullivan, without whom our success would not have been possible. We would also like to thank Dr Devika Hovell, Aaron Wu, Professor Gerry Simpson and Dr Emmanuel Voyiakis for giving up their time to judge our practice rounds and provide us with helpful feedback, and Professor Andrew Lang for organising the team. Participating in Jessup has been such an amazing experience for us all, and we wish next year's team the very best of luck!

STUDENT NEWS

Creating Sustainable Change: my review of the 2015/16 Law Society

Katie Chin, LLB student

This year the LSESU Law Society has made some ambitious changes. From launching the LSE Law Review to starting the Law Families mentorship programme, the Society has concentrated on enhancing the experience for law students at LSE. For the first time ever, LSE's Law Society has been nominated for the highest number of awards – out of 40 participating law societies, we have been nominated for three awards in the national Student Law Society competition organised by LawCareers.Net: Best Overall Law Society, Best Law Society President and Best at Student Engagement. In March, we were delighted to win the award for Best at Student Engagement.

Coming into the LLB programme can be overwhelming. As a first year, it can take time to grapple with Westlaw and learn how to come up with sound legal arguments, whilst also attempting to attend a huge range of career talks and extracurricular opportunities. For these formative years, the Law Society holds a critical position in shaping our experiences and in exposing us to the various paths we can take following university.

While the Law Society is an established society on campus, we recognised there was room for improvement. We were aware that students wanted more opportunities to engage in pro bono work and that the Society had traditionally been very corporate focused. It has been the aim of this year's committee to broaden students' horizons and encourage them to engage with the law outside of their curriculum.

Rejuvenating our commitment to Pro Bono

One exciting initiative has been our decision to add a fundraising dimension to our socials and, in the process, enter the National Pro Bono Law School Challenge. Highlights include organising a Candy Cane delivery service and hosting a Christmas concert with LSE's Music Society. Our efforts resulted in an astounding total of £3,350 towards our charity partners – LawWorks and Bar Pro Bono Unit. We beat all previous law school records and achieved a Gold Award for our efforts.

It has been amazing to raise awareness around the issue of accessing legal advice, especially given the recent legal aid cuts. As many of us choose careers in law, our ambition is to encourage students to think about the importance of pro bono work from an early stage.

Under the leadership of our Pro Bono officer Taybah Siddiqi and our Pro Bono subcommittee, we have been able to develop more opportunities for our members to engage directly in charity work. This has included expanding our educational programme, Law for All, where members visit schools in disadvantaged areas to deliver workshops on law. In just three months we increased the number of schools we visited by 64 per cent compared to previous years.

We also established partnerships with two charities: Amicus, which helps provide representation for US inmates facing death row, and Lawyers Without Borders, which organises human rights research projects. Both charities will enable future members to contribute towards pro bono research and raise awareness on penal reform.

Developing the skillsets of our members

We have diversified our events and made wider inclusion a prerogative. In an effort to create a support system for first years coming in, we created the Law Families programme. This has allowed these students to seek advice on both their studies and student life from their "law parents" (second and third years), and has succeeded in helping to integrate different year groups.

We have developed new competitions and training resources geared towards the personal development of current students and informing prospective law students on the ins and outs of studying at LSE. Thanks to the fantastic work of Georgia Beatty, Chambers President, and the Chambers Officers, we have been able to add three new internal mooting competitions (nine competitions this year) and generate an arena for students to engage with diverse areas of law.

CONTINUED

The launch of our new Moot Training Programme has also been a great success. Practice moots now take place every fortnight alongside training seminars for both novice and advanced mooters. These workshops have proved very popular, and have brought masters and undergraduate students together. They are complemented with regular organised trips to courts and talks by leading judges, which have given students a better understanding of a career at the Bar.

Launching LSE's student-run Law Review

Founding the LSE Law Review has been one of the highlights of my time here. This project began out of a desire to provide an avenue for students at all levels to produce, publish and share innovative legal pieces with their peers. We were inspired by the idea of institutionalising a successful student-run law journal similar to those of other universities around the world.

The challenge was figuring out how we would do all of this from scratch. In my first meeting with the Editorial Board, I was struck by the challenge ahead and the new paths we would need to pave. The agenda of things to do and decisions to take seemed endless, and the idea of producing our first journal seemed distant.

Nevertheless, the team was incredibly committed and we were lucky to find a supportive Law faculty. Soon enough, all the pieces began falling into place. From developing our Mission Statement and Submission Guidelines to launching our website, the idea of our inaugural publication become more tangible. As we continued working, we found firms willing to sponsor our awards and watched as a steady stream of submissions began flowing in from students, alumni and academics.

As we approached term's end, we were in the midst of final preparations for our Launch Night, and in an exciting turn of events, Cherie Blair QC confirmed that she would attend as our guest of honour. I am incredibly proud of the work of the Editorial Board and believe we have set a real legacy and platform for students to pursue legal scholarship into critical issues outside of their curriculum.

Reflections

Leading the LSESU Law Society as President has been both frightful and incredibly rewarding. When I came into my position I remember panicking about the task ahead of me. How could I meet the expectations of 600 student members and the Department itself? There were moments where I was overwhelmed by the fear that I would single-handedly bring down one of LSE's biggest societies.

Nevertheless, as the committee came together, we were collectively determined to make the Law Society more focused on what our classmates wanted. The focus of this Law Society has been to create sustainable change. Change in terms of the range of events offered, the array of people who attend these events, but also in terms of the entire ethos of the Society. I sincerely believe we have made significant strides in achieving this.

LLB, LLM and MSc Prizes

LLB Prizes 2015/16

Intermediate

Charltons Prize
Best overall performance
Lora Georgieva Izvorova
Rui Qi Charmaine Low

Dechert Prize
Introduction to the Legal System
Segolene Lapeyre

Dechert Prize
Property I
Joshua Tze En Phang
Madeleine Su-Lin Teo

John Griffith Prize
Public Law
Joshua Tze En Phang

Hogan Lovells Prize
Obligations & Property I
Joshua Tze En Phang

Hughes Parry Prize
Contract Law / Law of Obligations
Rui Qi Charmaine Low

Nicola Lacey Prize
Criminal Law
Rui Qi Charmaine Low
Rohan Eapen George

Part I

Herbert Smith Freehills Prize
Best performance Part I
Sarah Yan Ku

Morris Finer Memorial Prize
Family Law
Esohe April Uwadiae

Slaughter & May Prize
Best performance in Part I
Luey Chi Chng

Part II

Lecturer's Prize
Jurisprudence
Sharon Park

LSE Law Prize
Dissertation - best overall performance
Abby Keegan Buttle

Slaughter & May Prize
Best performance in Part II
Abby Keegan Buttle

Intermediate and Part II

Sweet & Maxwell Prize
Best performance
Jumani Robbins

Part I and Part II

Blackstone Chambers Prize
Human Rights
Abby Keegan Buttle

Blackstone Chambers Prize
Law and Institutions of EU
Hui Zhen Gan

Clifford Chance Prize
Property II
Elena Svabic

Hogan Lovells Prize in Business Associations
Hwee Sheng Jesslyn Yep

Lauterpacht/Higgins Prize
Public International Law
Joseph Allison

Linklaters LLP Prize
Commercial Contracts
Hui Zhen Gan
Mohammed Ibrahim Chaudhary

Old Square Chambers Prize
Labour Law
Harry Doe

Pump Court Tax Chambers Prize
Taxation
Aaron Jenman

Mike Redmayne Prize
Law of Evidence
Malvika Jaganmohan
Sarah Yan Ku

Slaughter & May Prize
Best overall degree performance (Part I & II combined)
Malvika Jaganmohan

LLM Prizes 2014/15

Blackstone Chambers Prize
Commercial Law
Benjamin Richard Grant

Blackstone Chambers Prize
Public International Law
Sroyon Mukherjee

Goldstone Prize
Criminology
Daniel Hurley

Lauterpacht/Higgins Prize
Public International Law
Natasha Maria Lewis

Lawyers Alumni
Best overall mark
Benjamin Richard Grant

LSE Law Prize
Human Rights
Fatima Ahdash

Otto Kahn Freund Prize
Labour, Family, Conflict of Laws, Comparative, European Law
Claudia de Moura Alves Saavedra Pinto

Pump Court Prize
Taxation
Arkadiusz Myszkowski

Stanley De Smith Prize
Public Law
Salwa Jean Marsh

Wolf Theiss Prize
Corporate and Securities Law
Jack Christian

MSc Law and Accounting Prize 2014/15

Herbert Smith Freehills Prize
Clara Tiphine

STUDENT NEWS

LSE in the Hague

Katie Chin, LLB student

Between 20 and 22 April 2016, ten LLM students had the opportunity to travel to the Hague to engage first hand with international law, its institutions and professionals. Over the course of the inaugural "LSE in the Hague" expedition led by LSE Law's Dr Devika Hovell, students had the opportunity to meet with Judges from the International Court of Justice (ICJ); prosecutors, defence counsel and judges from the International Criminal Tribunal for the former Yugoslavia (ICTY); members of the Office of the Prosecutor from the International Criminal Court; the Head of International Law from the British Embassy in the Hague and NGOs such as the Coalition for the International Criminal Court. One of a fleet of highlights was the opportunity to watch a witness give testimony in the closing days of the Ratko Mladic trial in the International Criminal Tribunal for the former Yugoslavia, before sitting down with the three judges on that trial for an hour long question-and-answer session.

Rachael Taylor on meeting with Judges Crawford, Greenwood and Cançado Trindade:

"The ability to speak to three of the esteemed judges from the ICJ and ask them about their experiences on the Court, as well as their careers before they were elected, was a wonderful opportunity. I found the differences in the views of the judges about their role and the role of the Court fascinating. It was also interesting to hear about the unique challenges associated with transitioning from a career as a practitioner to a position on the bench and the adjustment required to adapt to the new role."

Ilaria Arnavas on meeting with ICTY Judges on the Ratko Mladic trial:

"What I found most fascinating was meeting with the three Judges from Trial Chamber I of the ICTY, namely Judge Orie, Judge Fluegge and Judge Moloto. They were extremely kind to us and keen on answering our questions. Upon observing the proceedings of the trial of Ratko Mladic, and meeting with legal counsel from both the Office of the Prosecutor and the Defence, we asked the Judges about their experience in managing potential controversies among the three of them when it comes to admitting and evaluating evidence. They provided factual examples showing how they would deal with dissimilar interpretations of the rules of evidence of the Tribunal. Witnessing their passion for such a challenging and thought-provoking work further fostered my interest in international criminal law."

Rachael Taylor on meeting Judge Moloto, ICTY Judge on Ratko Mladic trial:

"I felt incredibly lucky to be able to speak to Judge Moloto in some depth about his experiences living in South Africa, both during and after apartheid. He was very open about his remarkable, and often heart-breaking, experiences, and that was a very inspiring and genuinely moving experience for me that I will not forget."

Nick Petrie on meeting with prosecution, defence and judicial officers at ICTY:

"One of the best experiences for me was spending the whole day at the ICTY and meeting practitioners from each of the sections of the Tribunal. It gave me a great sense of how the Tribunal operates, and how the different actors conceive of their roles in the emergence of international criminal law. The impression we received was bolstered by the fact that each of the people seemed to personify the stereotypes of people in their positions - the 'still waters' of the prosecutor; the anarchism of defence counsel, the reasonable man on the bus of Judicial Chambers; and the confidence and humility of the judiciary."

Natasha Reurts:

"It is not every day that you get to sit down to dinner with a Judge of an international criminal tribunal and discuss a myriad of topics covering everything from politics to favourite vacation spots.

It is moments like these that have not only increased my academic curiosity but also made lasting impressions on me personally."

Rachael Taylor on meeting Shehzad Charania, Foreign and Commonwealth Office:

"Shehzad Charania's presentation about his role as the Legal Adviser and Head of International Law at the British Embassy was incredibly interesting. He discussed, quite candidly, the transition involved in moving from a purely legal role to one that involved far more diplomacy and required him to consider in detail the politics involved in any given situation. I found his description of the tensions he sometimes experienced, between his legal training and background and the diplomatic demands of his current role, to be fascinating."

Francisco Quintana on meeting Judge Antônio Augusto Cançado Trindade, ICJ:

"Former President of the Inter-American Court of Human Rights and systematic dissident in ICJ decisions, Cançado Trindade is a well-known figure of international law. He was certainly not afraid to describe his personal project at the International Court of Justice: he believes that judges need to contribute to the development of international law, and that international law should focus on humanity. While most of us knew what he thought, two aspects of our conversation particularly surprised me. First, the openness with which he talked about his project. Second, his awareness of the personal and institutional difficulties that his project had faced, and his perspectives on how to keep advancing it through different means. Independently of his goals, it was fascinating to hear from a self-recognised disrupting figure within an often conservative discipline."

Nine months in the International Court of Justice

Laila Hamzi, LLM 2014 graduate

The opportunity to apply for a clerkship at the ICJ arose soon after I finished my LLM at LSE. I decided to apply and was surprised when I received an email informing me that I had been selected to clerk with one of the Judges. It was not until after I accepted my offer that I was told I would be clerking for Judge Cançado Trindade, who is renowned for his dissents and whose perspective on the law is very much informed by considerations of humanity. I was excited, of course, but I was also unsure about what to expect. The ICJ is the principal legal organ of the United Nations. It has exceptionally broad reach as it resolves disputes between States and grapples with some of the most cutting edge questions in international law. Its jurisprudence touches every corner of the world and is followed closely by academics from all legal traditions but it is one of the most opaque international institutions. So here I was, an aspiring international lawyer, presented with the opportunity to see into this 70-year-old institution steeped in tradition. I jumped at the opportunity and the Court did not disappoint.

My time at the ICJ has been nothing short of extraordinary. First, I have had the opportunity to do a great deal of substantive work and to work closely with my Judge. The extent to which university trainees are able to gain access to court work, interact with their judges and see into the workings of the Court depends on the Judge they are assigned to. To that extent, there is sometimes an element of luck involved. I was fortunate that Judge Cançado Trindade wanted me to be entirely involved in his work. I therefore worked on all the cases before the Court and frequently had a healthy exchange of views with my Judge. The cases before the Court touched on issues ranging from negotiating the Nuclear Non-Proliferation Treaty, to maritime delimitation, to reparations in the well-known *Congo v Uganda* case. I was tasked with researching complex legal issues, conducting in-depth legal analysis, interpreting treaties, and drafting memoranda, among other things. In completing all of this work, Judge Cançado Trindade sought out my perspective, shared his own views, and took what I had to say seriously. Working with him was exceptionally rewarding and insightful.

Secondly, I was able to see how the Court worked. This included seeing how decisions are reached and drafted, the role that State sovereignty has to play in the way the Court functions, the role of the Registry of the Court, the varying perspectives of the judges and the impact of their own legal traditions and backgrounds on those perspectives. I also had the benefit of seeing a range of advocacy styles during the oral hearings, and seeing which arguments the Judges found persuasive. This insight was truly invaluable and contributed a great deal to my own education in international dispute resolution.

Finally, while at the Court, I met and worked with some of the most exceptionally talented young international lawyers. From a professional perspective, I learnt a lot from my peers and particularly the P2 Associate Legal Officer that I worked with (each Judge is assigned a P2 as well as a university trainee). From a personal perspective, I made many close friends who greatly impacted my life and with whom I will remain in contact. I would encourage LSE Law students and graduates to apply for the ICJ clerkship. It really is a once in a lifetime opportunity.

…and Daniel Regan is the next selection for the coveted ICJ traineeship

LSE is delighted to announce that LSE graduate Daniel Regan (LLM 2014) has been accepted to the University Traineeship Programme at the International Court of Justice in the Hague. The nine-month traineeship programme, funded by LSE Law, is similar to a judicial clerkship and offers a rare opportunity to work at one of the world's most important legal institutions. Trainees work closely with the members of the Court on tasks such as drafting opinions, orders and other court documents, preparing case files and research on a variety of international legal issues.

LSE is one of a limited number of leading universities invited to submit candidates to the Court for consideration. LSE Law nominated Daniel Regan to the ICJ and, following a highly competitive selection process, Daniel was assigned to assist Judge Christopher Greenwood (United Kingdom). Though there is no guarantee that an LSE candidate will be selected each year, Daniel succeeds Laila Hamzi who spent last year at the ICJ as trainee to Judge Cançado Trindade.

Applications will open in late 2016 to current students and recent LSE law graduates for the 2017 traineeship programme.

PhD Completions

LSE Law students awarded with their PhD in the academic session 2014/15

Saskia King
Agreements that restrict competition by object under Article 101(1) TFEU: past, present and future
Supervisors: **Professor Giorgio Monti and Dr Andrew Scott**

Dean Knight
Vigilance and restraint in the common law of judicial review: scope, grounds, intensity, context
Supervisors: **Professor Martin Loughlin and Professor Thomas Poole**

Robert Knox
A critical examination of the concept of imperialism in Marxist and third world approaches to international law
Supervisor: **Professor Susan Marks**

Ewan McGaughey
Participation in Corporate Governance
Supervisor: **Professor David Kershaw**

Mark Searl
A Normative Theory of International Law Based on New Natural Law Theory
Supervisors: **Dr Emmanuel Melissaris and Dr Stephen Humphreys**

Yin Xiao
Analysing the Enforcement Dimension of Regulatory Competition: a cultural institutionalist approach
Supervisors: **Professor Julia Black and Professor Francis Snyder**

Keina Yoshida
The cinematic jurisprudence of gender crimes: the ICTY and film
Supervisors: **Professor Linda Mulcahy and Professor Christine Chinkin**

Zhanwei Zang
Law, state and society in the PRC: a case study of family planning regulation implementation at grassroots level in rural China
Supervisors: **Professor Tim Murphy and Dr Helen Reece**

Understanding the Power Dynamics of Climate Change

Geetanjali Ganguly, PhD Candidate

My doctoral research is concerned with the knowledge politics of climate change and how it plays out in the emergent regulatory landscape of climate change litigation. My general interest in environmental law and specific interest in climate change issues arose as a result of a course I took on international environmental law during my LLB at the Australian National University. My environmental awareness became particularly pronounced in the later years of my LLB and during my LLM at LSE in 2013/14.

This was also partly due to the fact that these formative academic years coincided with the reign of an ultra-conservative, climate denialist government in Australia. My intense discomfort with the marked absence of moral leadership on human rights and environmental issues at home strengthened my resolve to pursue a career that engaged with these relatively neglected areas of law and public policy in a global way. It was against this backdrop that my interest in climate change deepened and I felt motivated to devote myself to it not only as a cause, but also as a possible career path.

As an aspiring international legal scholar, I found LSE's intellectual atmosphere to be very appealing. My LLM experience here deepened my interest in several areas of public international law, including environmental law and human rights law. I underwent significant personal growth and had my worldview repeatedly challenged and transformed through many rich classroom encounters with excellent teachers and brilliant fellow students. The interdisciplinary orientation of LSE Law also suited me very well, with my hybrid law and international relations background. All these factors drew me back to LSE Law for the PhD.

My PhD research seeks to map how knowledge and the scientific consensus on climate change are co-produced by different kinds of experts (ie scientists, economists, and legal professionals) and the ways in which various actors in climate change litigation proceedings mobilise expert knowledge. It ultimately seeks to problematise the role of expertise in the climate change context, particularly the knowledge monopoly of the Intergovernmental Panel on Climate Change. To that end, I want to investigate how particular expert framings of climate change are shaping the dynamics of climate change litigation, adjudication and decision making processes.

This is quite an interdisciplinary project, which draws upon critical bodies of scholarship within the social sciences that examine the interrelationship between science, policy and law such as Science and Technology Studies and constructivism. The intersection of science and law is an area of academic enquiry that I am finding increasingly fascinating, but one with which I have not seriously engaged until now. Through discussions with my supervisors, Dr Stephen Humphreys and Dr Veerle Heyvaert, it is becoming clear that it is important for me to engage with the law-science question to better understand the power dynamics of climate change litigation, in which particular kinds of expert knowledge and discourses are being employed and reproduced. The culture of interdisciplinarity within LSE Law is highly conducive to such a project.

In addition, the opportunities to participate in the life of LSE Law and the School as a whole have enriched my experience as a first year PhD student. While the research and writing process can be an isolating and solitary experience, there is plenty of scope for wider engagement with other students and academics through weekly seminars and talks. I have also enjoyed being a guest judge for the Jessup international law moot and participating in the Environmental Law Study Group, an exciting new initiative that brings together graduate students and postdoctoral fellows working on environmental law from across LSE. These experiences have not only helped stimulate ideas and prompted critical reflection on my own research, but have also fostered a sense of community and belonging.

PHD PROFILES

The Google Saga

Ryan Stones, PhD Candidate

My PhD research explores the growing disjuncture between day-to-day enforcement of competition law by the European Commission and the major intellectual traditions from which it heavily draws. In particular, I focus upon how and why influential schools of thought on competition policy accorded value to market interventions specifically through law, conceptualised as general rules of legal or illegal conduct, thereby critiquing the demise of the legal form in contemporary competition enforcement.

Although we can trace back to Adam Smith the notion that competitive markets are "good" for societal welfare, whilst monopolies or cartels that restrict output are "bad", the enforcement of EU prohibitions on anticompetitive agreements and exclusionary abuses rarely makes the six o'clock news. Nevertheless, many outlets across the EU have recently covered developments in the Commission's continuing investigation into Google, with allegations of anticompetitive abuse of its dominant position on the market for search engines.

The Google saga has been ongoing since November 2010, publically accessible only through a paper-trail of press releases and speeches, and fleshed-out primarily through bilateral negotiations between the European Commission and Google. Prior to April 2015, substantial behavioural commitments had been obtained from Google to change its business practices. The Commission's primary concern seems to relate to the technology giant's preferential placement of its own ancillary, specific services – for example, locations on maps or shopping items – as top results when individuals use the general Google search engine.

The classification of this conduct as abusive, and therefore illegal, under the received rules of EU competition law is arguably novel. Such authoritative legal rules are determined by the Court of Justice of the EU through its unique duty to interpret the Treaties. There are numerous methods through which one could configure different pieces of the precedential puzzle to allege that Google's behaviour breaches competition law. The important point, however, is that prior to the spontaneous delivery of a formal statement of legal objections in April 2015, the Commission had been able to negotiate substantial market-specific changes and concessions from Google without any explicit reference to the accumulated rules of conduct that constitute EU competition law.

Since 2004 this process of informal settlement through 'commitment decisions' has become the primary method for Commission investigations into alleged anticompetitive behaviour by firms. Cases are closed, and market behaviour is changed, with minimal administrative consideration of the judicially-determined rules of EU competition law. Commentators intuitively problematize this process, highlighting the lack of legal certainty when novel abuses are alleged, and the staleness of the authoritative, general legal rules, increasingly overlooked by the Commission's ad hoc, market-specific settlements.

But why is the demise of legal rules in competition policy really a problem? Without greater theoretical enquiry into the value and appropriateness of generally-applicable rules of conduct for realising the goals of competition policy, as opposed to contemporary negotiation and bespoke remedial solutions, such academic concern is little more than unsubstantiated, intuitive, grievance. My research asks the question: if such discretionary market intervention can fine-tune context-specific outcomes that are better able to promote competitive markets, why should we not champion the decline of the traditional legal form of cumbersome rules?

My research starts from the premise that although microeconomic theory elaborates the welfare goal of competition policy, demonstrating the need for market intervention to maintain competitive markets, it provides no theoretical justification for why the method of intervention ought necessarily to be through competition law, conceptualised as a rule-based framework of generally-applicable conduct norms of legal and illegal behaviour. By teasing out the underlying conception and value of law within two highly influential schools of thought for modern EU competition policy – 1930s Freiburg Ordoliberalism and post-war antitrust scholarship at the University of Chicago – I aim to explore their consistent belief in general legal rules as the preferable means for market intervention, even when faced with ad hoc administrative discretion and context-specific solutions that might better realise the economic goal of competition policy. In short, by highlighting and developing this overlooked intellectual thread throughout twentieth century competition scholarship to critique developments in contemporary EU enforcement, I aim to make the case for a continuing faith in competition policy through competition law.

PHD PROFILES

The Trade-Environment Debate

Aleksandra Bojovic, PhD candidate

I have always been interested in documentaries, mainly because they introduce me to new subject areas that I may not have been familiar with. One such documentary was **Darwin's Nightmare** (2004), which addresses the environmental impacts of the fish trade around Lake Victoria in Tanzania. This documentary paints a grim picture of the social and environmental devastation that can result from unchecked trade; essentially arguing that without regulation, an area can be overfished to the point of environmental destruction.

After viewing this film, I became interested in the relationship between trade and the environment and wanted to learn more about the tensions between the two.

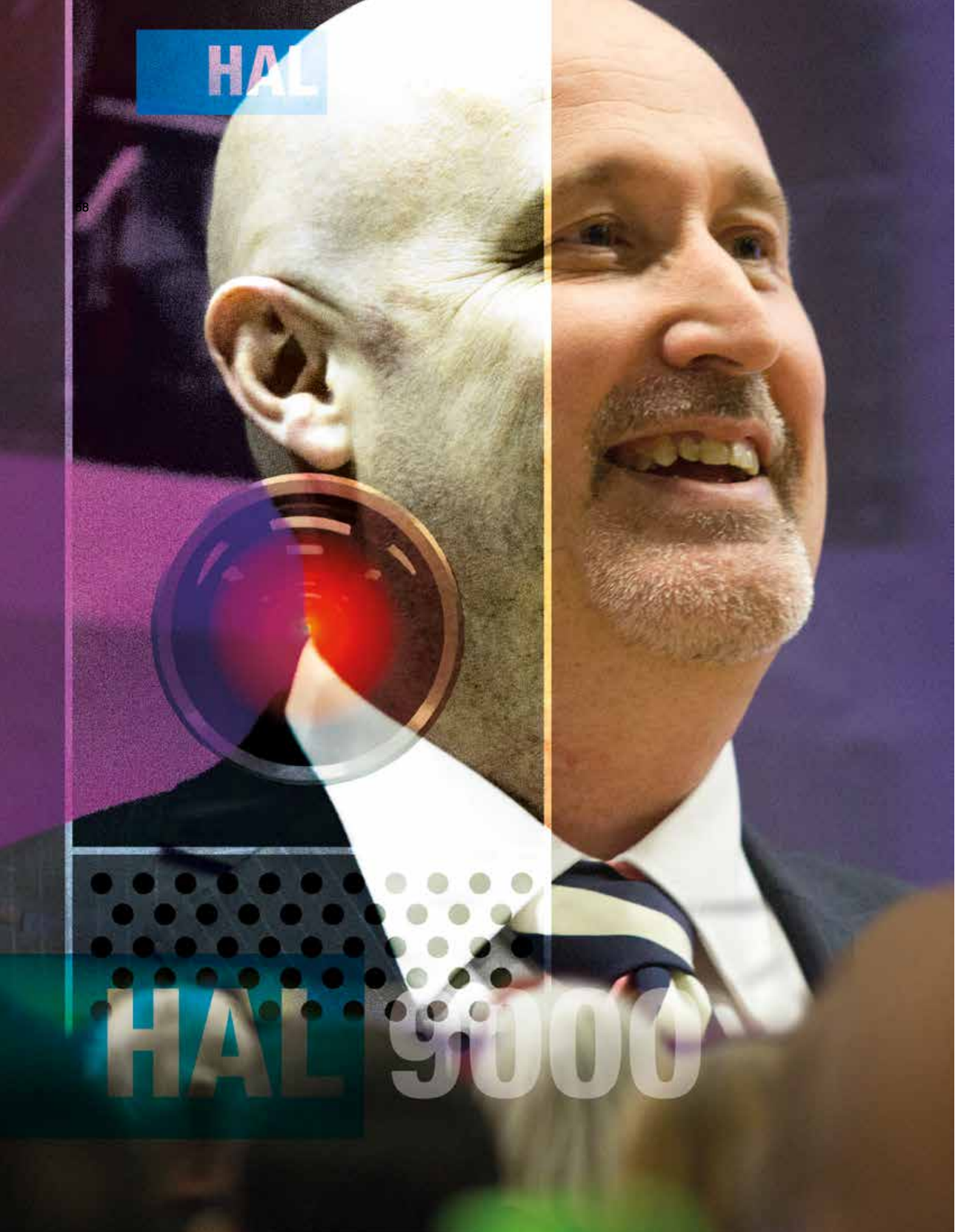
My research initially led me to further explore the fishing industry, both within Tanzania and globally, which in turn deepened my understanding of sustainable development, globalisation and free trade. I began to research the World Trade Organization (WTO), in the hopes of finding some sort of legal framework which would provide further insight into the trade-environment debate. It was through this research that I was introduced to Environmental Impact Assessment of trade agreements (EIA of trade), which is the main focus on my PhD. EIA of trade may be known by various names, such as environmental reviews or sustainability impact assessments, but they essentially are a tool for analysing the environmental impact of trade negotiations or policies.

The WTO is not meant to serve as an environmental organisation, as its focus is on trade, but the WTO is cognisant of the trade-environment debate. In addressing this topic, the WTO encourages its members to be mindful of the environmental implications of trade, and supports the voluntary use of EIA of trade. The WTO even highlighted the examples set by the US, Canada and the EU, as they had established models of EIA of trade, which were required for all trade negotiations.

Initially, when I learned about the EIA of trade models within these jurisdictions, I was thrilled, as I was optimistic that I had found a legal instrument which would provide some real insight into the trade-environment debate. It seemed fairly straightforward: EIA of trade would identify environmental issues, which were in part highlighted by interested stakeholders, trade negotiators would then be aware of this information and the chance of environmental disaster would be mitigated as measures could be taken to prevent negative effects. Perhaps naively, I was hopeful that EIA of trade was the legal instrument that would prevent future environmental disasters, such as the example touched upon in *Darwin's Nightmare*. I thought this was an instrument that could bridge the trade-environment divide and result in sustainability within trade, bringing together the interests of the trade negotiators and various pressure groups, such as environmentalists.

Yet, I soon realised my desire to prove that EIA of trade was a "solution" or the "answer" to the trade-environment dilemma was problematic, as I had started my research on a supposition. In reading actual assessments, analysing what was said and not said, I became aware that EIA of trade resulted in more questions than answers about how states identify the environmental implications of trade. Trade negotiations and the resulting trade agreements can be an opaque process and although EIA of trade is meant to result in some transparency, in practice, this is proving not to be the case. Despite extensively researching these assessment models, I am still left with basic questions that, at the start of my PhD, I never would have envisioned would be so difficult to answer: What environmental data is relied upon throughout the trade negotiation process? How is that environmental data obtained? How does that environmental data impact upon the negotiations and the final trade agreement? Do environmental assessments prevent or mitigate negative environmental impacts? I always expected the last question, about whether EIA of trade is actually effective, to be difficult to answer, but I never anticipated that it would be so challenging to obtain answers to the other questions, particularly developing a basic understanding of what information is actually used in the assessment and how it is obtained.

Researching a PhD is a very humbling experience. I started the process with the hope that studying environmental assessments would provide me with answers. Instead, I found that my research leads to more questions and that some issues may be unanswerable. Despite challenges faced in obtaining answers, I am optimistic that my research will lead to greater clarity and a better understanding about environmental assessments of trade.



EVENT

“Open the Pod Bay Doors, HAL”: Machine Intelligence and the Law

Bernard Keenan, PhD Candidate

Professor Andrew Murray delivered his inaugural lecture on 30 September 2015 under the title: “Open the Pod Bay Doors, Hal”: Machine Intelligence and the Law.

The title will be familiar to anyone who has seen the science fiction epic *2001: A Space Odyssey*. In the film’s latter scenes (spoiler alert), things start to go very wrong aboard a spaceship carrying a frozen team of human scientists towards a mysterious alien object orbiting Jupiter. When mission commander Dave Bowman tries to re-enter the ship after carrying out repairs, the ship’s artificial intelligence, HAL, refuses to let him in. HAL’s rebellion against his human masters is creepy for a number of reasons: his omnipotence, his glowing red “eye”, his preternaturally calm voice synthesizer, his desperate protests and then reversion to “childhood” as Bowman dismantles his brain. But the scariest thing – and perhaps the most prescient point in this 1969 classic – is the ambiguity that keeps film buffs arguing to this day: *why* did HAL turn on the humans? It’s deliberately never explained in the film. Some say he malfunctioned, others that he had a secret mission from the start. Or perhaps HAL’s sophisticated artificial intelligence (AI) figured out something so terrifying about what lay ahead that his decision to kill the crew was, somehow, a mercy killing? None of the options are particularly reassuring.

Back on earth, we have to start asking these questions for real. We are living through the beginnings of a revolution in Artificial Intelligence. Computer systems are now capable of processing vast amounts of data in real-time in order to identify possible patterns, on the basis of which the computer can decide autonomously to alter its own behaviour. This is not the same as the sentient machine consciousness seen in recent films like *Ex Machina*, but it is nonetheless a learning, adaptive form of computing that presents difficult questions. A simple example is the self-driving car. Just like a human driver, Google’s experimental cars are able to process in real-time the unfolding fast-moving environment of a complex road system: the varying speeds and directions of other cars, pedestrians, cyclists, motorbikes: all must be tracked and their actions anticipated so that the car successfully moves towards its destination safely and quickly without hitting anything. The car’s algorithmic programming does not ‘know’ in advance how to manage this complex environment. Nor do humans: our brains learn to do this complex work unconsciously and inductively, and relatively quickly (though it may take even a sophisticated human two or, ahem, three attempts to pass the driving test). The learning process is the key, and computers are now starting to do the same. Machine-learning programs are designed to evolve their own operations over time, effectively re-writing their programming to become better decision-makers as they gain more experience. Unlike a human driver, the Google car is only going to become a better driver over time. The self-driving car is a basic example of the principle behind machine-led decision-making.

> “We are living through the beginnings of a revolution in Artificial Intelligence”

Combined with the proliferation of data sources and the mobility of small devices all hooked up to the internet, computer science is finding applications for these systems in practically all areas of life. For some futurologists, we face a re-run of the Industrial Revolution that will do for the white-collar worker what the first one did for the sharecropper. The logic is simple. As Professor Murray pointed out in his lecture, humans get tired, get bored, and inevitably make mistakes. After heart disease and cancer, the biggest statistical risk to the average American comes from their own doctor. Machines don’t make the kind of mistakes that we appositely call “human error”. They don’t get tired, they don’t get bored, and they don’t get distracted by constantly checking Facebook. If Google’s self-driving

cars learn to drive better than humans, shouldn't the law also evolve so that it would be negligent, even criminal, to let humans drive at all? Risk reduction is difficult to argue with. Sorry fellow humans, but let's face it: we are all massively dangerous to one other. Let smart machines take over. They will only make objective decisions based on data, and they'll do it for free. What could possibly go wrong?

Well, quite a few things could be problematic before we get to thinking about smart spaceships like HAL suffocating their own passengers. The first big problem here is what we could think of as the law's theory of mind. Modern state-based legal systems have evolved on the a priori assumption that there is such a thing as the subjective rational actor, i.e. the reasonable person who is responsible for their conscious decisions. This idea pervades all aspects of civil and criminal law. We can all think of situations in which an individual's intention, or their honest belief is crucially important to the moral, ethical, and regulatory dimensions of a piece of law. While 20th century critical legal scholarship successfully showed such so-called universal notions to be contingent, fictional, and very often oppressive in effect, the law has in general been unable to do without some theory of a rational actor whose actions relate to her internal subjective intentions. What happens when the decision maker cannot account for their decision in a moral, ethical, or subjective manner? What are we to make of what Professor Murray calls "the objective self"?

Professor Murray offered five examples, none of which have easy answers. These "objective" decisions implicitly preclude many subjective normative factors that are required in order to determine whether or not an action was legal. For instance, consider privacy. Active users of social media sites will already have had the feeling that some machines know more about us than we know about ourselves. How can we as individuals hope to control data about ourselves in an environment where everything is recorded and everything is processed, and where the frequency of our interactions with the online world are growing all the time? One answer is to build personal data crypts that will automatically regulate what personal data is shared with other digital systems. Imagine we each carry around an encrypted digital personal data vault. As we interact with the online world, the vault would work out what system is requesting access, only granting access to data appropriately. But who would be legally liable when things go wrong? The user who trusted a stupid machine with their data? The AI, for making an error that it can learn from but cannot now rectify? Or the designer, even though the system itself has altered itself since the designer last worked on it?

The same question applies to expression of ideas. Imagine a digital assistant that posts information on social media sites in one's own name. We already have 'bots' posting reams of spam on Twitter and other public sources. An AI digital assistant, however, would be able to respond to real-life events on behalf of its human master. What then happens if it's inadvertently defamatory, inflammatory, or later shown to be untrue? Is there 'honest belief' in the truth of the statement? And who should bear the cost of any damage that is caused?

Even objective location decisions are morally contentious. Google's car may well reduce the number of accidents per year, but it can't do away with the hard cases. Say the car finds itself between colliding with an oncoming lorry that would probably destroy the car and its occupants, and colliding instead with a group of children playing by the road. Neither outcome is good, but is there an objectively right decision for all cases? How should the car be programmed to find or approximate it? And again, where are we to look for attribution of that decision? Is this something that a machine can objectively learn about, or do we need to get moral philosophers and system engineers to collaborate at an early stage?

If lawmakers ignore the rise in AI and its applications, they run the risk of legal norms becoming outdated or irrelevant to practices that they are supposed to regulate. If they do recognise machines to be sentient actors, then the entire framework on which law rests requires serious rethinking to deal with how to treat the concept of responsibility outside the control of human agents – not least of which is the difficult question of when a learning machine is reclassified as a sentient, self-aware machine. For Murray, the latter is the real challenge. It would be a mistake to look only to the architecture of computer programming for the answer. Programming certain constraints into an AI system cannot be the whole answer. It may produce normatively acceptable effects, but it would not be the same as retaining subjectivity in the understanding and development of law where AI is involved. Rather, Professor Murray calls for a kind of new *lex machina*, a set of ground rules for both humans and for developments in AI as they become increasingly influential and, potentially, self-aware. These baseline rules may allow humans and machines to adaptively learn to live with one another. As a guide, he again takes us back to the middle of the last century, when science fiction writers like Arthur C Clarke and Isaac Asimov were pondering these problems.

Asimov postulated "Three Laws of Robotics", updated by Professor Murray as follows: A self-aware being may not harm any class of self-aware beings, or, by inaction, allow any class of self-aware beings to come to harm. A self-aware being may not injure a self-aware being or, through inaction, allow a self-aware being to come to harm. A self-aware being must obey the Law except where such provisions would conflict with the First and Second Values. A robot must protect its own existence as long as such protection does not conflict with the First, Second or Third Values. A robot must declare itself to be a robot, and a human to be a human in all cases. Finally, a robot must know itself to be a robot – and, we must add, a human must know itself to be human.

While much of this is, for now, necessarily provisional and speculative, it points the way towards thinking about how we humans are going to learn to live with the adaptive, complex machines that we are beginning to surround ourselves with.

Professor Andrew Murray's book **The Objective Self: Identity and Law in the Digital Society** will be published by OUP in 2017/18.

The event podcast and video can be accessed at bit.ly/LSEMurray

The United Nations on Trial

Dr Emmanuel Melissaris, Associate Professor of Law

It has almost become a tradition for LSE Law to contribute to the LSE Literary Festival by putting into question big issues in the format of a criminal trial. In the past, we put austerity and the baby boomer generation on trial.

This year marked the 500th anniversary of Thomas More's *Utopia*, inspiring the festival's theme: "Utopias". Another terrifically successful event was held on 26 February 2016 when we targeted what is arguably one of the most ambitious utopian projects of human kind: the United Nations, which a few months earlier had celebrated their 70th anniversary. The Charter of the United Nations was drafted in 1945 and pledged in the name of the peoples of the United Nations to save us from the scourge of war; to reaffirm faith in human rights and the dignity and worth of all; to promote social progress and better standards of life in conditions of freedom. One does not have to take a very long look at the world around us to realise that this utopia of cosmopolitan peace and prosperity has not been achieved. Wars still wage, new and old global political divisions still run deep, the disparities in the global distribution of wealth are staggering.

The trial took place in a busy Sheikh Zayed Theatre. Presiding over the proceedings was Sir Robert Jay. Sir Robert started practice at the Bar in 1983, was appointed QC in 1998 and Recorder in 1999. After a particularly distinguished career at the Bar, during which he also became a household name during the Leveson Inquiry into the culture, practices and ethics of the press, he was appointed to the High Court Bench in June 2013 and sits in the Queen's Bench Division.

The UN was indicted for having become a sclerotic, demoralised bureaucracy where political idealism and visionary thinking go to die in a sea of committees; for clothing war with a legitimacy that has made extreme violence more palatable and more acceptable to voters in large, powerful, war-like democratic states; for being responsible for the rise of a post-rights state, in which anti-terrorist surveillance and legislation has chipped away at the very humanitarian ideals the UN was supposed to instantiate; for establishing a network of war crimes tribunals in which a small group of individuals are selected on an ad hoc and arbitrary basis to stand trial for activities that have their causes in deep structural problems in the global political economy; and, finally for presiding over a world in which poverty, premature and often violent death, and unacceptable levels of preventable child mortality co-exist with fantastic accumulations of hyperwealth. On these grounds, prosecution concluded that "it is time to say goodbye to the UN".

The prosecution team were Professor Gerry Simpson and Gráinne Mellon. Gerry re-joined LSE Law in January 2016 as Chair of Public International Law after having spent some years at the University of Melbourne where he held the Kenneth Bailey Chair of Law. Gráinne is a barrister for Garden Court Chambers and a Guest Lecturer on the LLM in Employment Law and in International Human Rights Law at LSE.

Counsel for the defence rebutted the charges by arguing that: the UN is the structural consequence of a vision of global governance based upon sovereign equality and democracy and that any problems of bureaucracy, partly caused by the way in which the organisation is staffed, is the fault of states rather than the UN itself; the UN has done more to disrupt the notion of "just war", in both structural and substantive terms, than any global actor; the post-national nature of contemporary global governance – the state could never realistically uphold rights alone; in a system of justice that could not, and should not, attempt to prosecute all of those who might be responsible for "criminal" acts, the international tribunals have developed a highly sophisticated, non-arbitrary mechanism of case selection; contrary to prosecution's claims, the UN has in fact contributed a great deal to the decline of the number of people living in extreme poverty despite being undermined at every corner by states. Defence concluded by quoting one of UN's Secretaries-General: the UN was not created to take humanity to heaven but to save us from hell.

Assigned the task of defending the Untied Nations were Natalie Samarasinghe and Paul Clark. Natalie Samarasinghe, an LSE alumna, is Executive Director of the United Nations Association – UK; the first woman ever to hold this role. Paul Clark is a barrister for Garden Court Chambers with extensive experience in international law.

We were also delighted to have four distinguished witnesses with extensive, inside knowledge of the United Nations. Francoise Hampson, now a Professor Emerita at the University of Essex, has acted as an independent expert member of the UN Sub-Commission on the Promotion and Protection of Human Rights. Carne Ross, who joined us on Skype from New York (quite the technical achievement), is a former British diplomat who resigned in 2004 after giving then-secret evidence to a British inquiry into the war. After he quit, he founded the world's first non-profit diplomatic advisory group, Independent Diplomat, which advises marginalised countries and groups around the world. Dr Nazila Ghanea, an Associate Professor of International Human Rights Law at the University of Oxford, serves as a member of the Organization for Security and Co-operation in Europe's Advisory Panel of Experts on Freedom of Religion or Belief, as well as on the Board of Governors of the Universal Rights Group and has authored, co-authored and edited a number of academic and UN publications. Antony Loewenstein is an Australian independent freelance journalist, author, documentarian and blogger. His latest book *Disaster Capitalism: Making a Killing Out of Catastrophe* was published in 2015 and is an exploration of how disaster has become big business.

The examination of the witnesses was heated and tremendously thought-provoking covering a whole host of issues regarding the United Nations. A moment that stood out was Carne Ross' intimation of his personal experience of the process that led to the war on Iraq in 2003.

The verdict was passed by a jury of twelve LSE students and alumni. It was a wonderfully representative and international body of people, which was appropriate given the identity of the defendant. Half of our jurors were from the UK and the other half from all over the world; Hong Kong, Canada, Colombia, India, Italy and Sweden. The jury retired to deliberate and the audience (both those in the room and those following the event on social media) had the chance to address questions to the participants.

In their verdict the jury was largely sympathetic to the United Nations and so was the audience, which was also called to vote on the charges at the end of the event. The lively conversation continued at the reception after the event, where members of the audience had the chance to interact with our guests.

The event podcast and video can be accessed at
bit.ly/LSEUNonTrial

EVENT

Not Yet Over the Rainbow: Barriers to LGBT+ Equality in the Legal Profession

Chris Thomas, Assistant Professor of Law

Lawyers have fought for LGBT+ equality in the law in matters ranging from decriminalising same-sex sexual activity, to protecting LGBT+ refugees from persecution, to marriage equality. Yet the legal profession and the judiciary face their own problems when it comes to ensuring LGBT+ equality within their own ranks. It was only in 1991 that the rule requiring judicial candidates to be (heterosexually) married was overturned; the Bar Standards Board's Equality and Diversity Rules were introduced only in 2012; and it is only very recently that transgender equality has been given much attention. Moreover, rules can only take things so far, and there remain parts of the profession which are not particularly welcoming to LGBT+ people.

With this in mind, LSE Law and Spectrum (LSE's LGBT+ staff network) gathered a panel of accomplished speakers on 2 February 2016 to consider the nature of barriers to LGBT+ equality in the legal profession. Claire Fox is a barrister at Pump Court Chambers specialising in family law, and also Co-Chair of the Bar Lesbian and Gay Group (BLAGG). Sarah Hannett is a barrister at Matrix Chambers who specialises in public law and human rights. Daniel Winterfeldt is a senior partner and head of International Capital Markets at CMS Cameron McKenna as well as a founder of the InterLaw Diversity Forum for LGBT Networks (InterLaw). The event was chaired by Chris Thomas, an Assistant Professor in LSE Law and a member of the Spectrum Committee.

Claire Fox initiated the discussion by highlighting the important role played by professional networks and the Bar Standards Board in fostering LGBT+ equality. BLAGG, for instance, has been around for 21 years and provides a source of community and support for its roughly 260 members. The recently launched FreeBar works with Stonewall to bring together chambers, employers and individuals to encourage LGBT+ equality and inclusion at the Bar. And the Bar Standards Board's Equality and Diversity Rules require (among other things) chambers to have equality and diversity officers and to ensure that chambers' selection panels are given fair recruitment training. Support for LGBT+ equality still varies between chambers, however, and there is a dearth of statistics on recruitment practices with regard to LGBT+ diversity and equality.

On a more personal note, Fox emphasised how important it was to "be yourself and be authentic" in professional life, as this is the only way that people will come to accept LGBT+ lawyers. Senior LGBT+ role models, including in the judiciary, play a particularly important role in this respect. She acknowledged that coming out was no easy decision. Indeed, although she considered herself fortunate to have been accepted from the moment she came out during pupillage, she knew others for whom it was not so straightforward. As such, she recommended that aspiring barristers research potential chambers carefully, through checking chambers' websites and talking to people familiar with their culture and ethos. She noted that while there remains a higher LGBT+ profile in certain specialty areas, including family law and human rights, the LGBT+ presence is also now becoming more visible in other areas of the law; BLAGG in particular is seeking to organise more events in relation to the Chancery Bar and the Commercial Bar.

Sarah Hannett also spoke to her experience at the Bar. She acknowledged that she had found it difficult to identify times when she had experienced professional barriers based specifically on her sexual orientation, but recognised that some of her friends had not been so lucky. In the early 2000s, for instance, almost all of her LGBT+ friends and colleagues starting in magic circle firms had gone back into the closet as they were concerned that being out would have a negative impact on their career progression. She did not ascribe her own path to mere luck, however, instead underlying the crucial part played by out LGBT+ senior colleagues as role models for junior colleagues.

Hannett also raised the complicated tension between the professional and personal when it came to the ongoing process of being out to colleagues, clients and judges. On the one hand, she noted that the conventional wisdom is that these two spheres should be kept completely separate; on the other hand, it is practically impossible to avoid sharing some personal details in the context of an extended professional relationship. She observed that remaining in the closet becomes even less of an option once children enter the picture, as this inevitably leads to questions about pregnancy and childcare, and because the children themselves blithely out their parents on a regular basis.

She concluded by making several suggestions as to further promote LGBT+ equality in the profession. First, she argued that organisations are responsible for creating an atmosphere in which people feel comfortable coming out. At Matrix, for instance, they have joined Stonewall's Diversity Champions programme, promote membership of the programme on Matrix's recruitment page, and require everyone to undergo subconscious bias training — measures which go beyond the Bar Standards Board's Equality and Diversity Rules. Second, she argued for stronger networks not just within chambers but between chambers, such as FreeBar. Third, she emphasised the importance of senior mentors, whether they be LGBT+ themselves or straight allies. Fourth, she noted the commercial advantages that can derive from being out in the workplace — work may come in through LGBT+ networks, and some clients indicate a preference for organisations with strong diversity policies when tendering for work. Finally, she contended that senior people in organisations have a responsibility to be out, as this is the only way that real organisational change will come about.

Daniel Winterfeldt rounded off the discussion by observing how much the culture of law firms has changed with regard to LGBT+ equality over the last couple of decades. In the early 2000s he was aware of very few out lawyers, let alone senior lawyers, in London — even at large firms. He did not aspire to be a partner when he started his career, as he did not believe that out gay people could even be partners. Speaking more broadly, he noted that as late as 2008 there were only a few law firms participating in the Stonewall Workplace Equality Index. Yet by the time of the 2015 index, over 45 firms participated, with eleven law firms listed in the top 100 employers and one more firm, Simmons & Simmons, listed as a "Star Performer".

This has not happened by accident. Winterfeldt noted how clients have acted as catalysts for law firms to take LGBT+ equality issues seriously. He pointed to the example in 2007 of when JP Morgan invited its top 15 law firms to a meeting with Stonewall, then emphasised that the strength of the firms' diversity policies would be a factor in their continued selection on JP Morgan's panel. Winterfeldt too noted the important role played by senior role models in encouraging more junior lawyers to come out. Taking things further, in his view, requires a sector-wide approach which recognises the interconnectedness of various modes of discrimination — including on the basis of race, gender and other socio-economic factors.
It is here that organisations such as InterLaw can prove helpful. Winterfeldt then highlighted various InterLaw projects which seek to address these challenges, including reports on career progression in the legal sector; the Apollo Project, which gathers and publicises case studies on best practice for LGBT+ inclusion; and Purple Reign, an artistic campaign celebrating LGBT+ and straight ally role models.

The launch of FreeBar, the change to the Bar Standards Board's rules, and the active nature of organisations such as BLAGG and InterLaw, all suggest that many people are taking the issue of LGBT+ equality in the legal profession seriously, and this is to be celebrated. This is no time to be complacent, however, for examples of harassment and discrimination one need only turn to the InterLaw reports. Barriers to equality may be falling, but we are not over the rainbow yet.

For further information about the organisations mentioned, visit:
BLAGG: blagg.org.uk
FreeBar: freebar.co.uk
InterLaw Diversity Forum: interlawdiversityforum.org
Stonewall: stonewall.org.uk

The event podcast and video can be accessed at bit.ly/LSELGBT

EVENT

Confronting Gender Inequality

Professor Nicola Lacey, School Professor of Law, Gender and Social Policy

October 2015 saw the launch of Confronting Gender Inequality, the Report of the Gender Institute's LSE Commission on Gender, Inequality and Power. The report was launched at a Gender Institute, LSE Law, and LSE Government public debate with journalists Anne Perkins (of The Guardian) and Rebecca Omonira-Oyekanmi, and Director of Liberty Shami Chakrabarti, who we are delighted to announce has recently joined the Department as Visiting Professor in Practice. The launch was chaired by Professor Tim Besley from LSE Department of Economics, who had the previous year led another LSE Knowledge Exchange project, the Growth Commission.

Several members of LSE Law were involved in the Gender Commission. Professor Nicola Lacey co-directed it with Professor Diane Perrons of the Gender Institute; the Law Commissioners included LSE alumna Dame Linda Dobbs and Keir Starmer QC, to whom we recently awarded an honorary doctorate, as well as Shami Chakrabarti, Professor Christine Chinkin and leading employment lawyer Saphieh Ashtiany; Dr Julie McCandless, Professor Michael Blackwell, Professor Emily Jackson, Professor Linda Mulcahy, Dr Meredith Rossner and Professor Julia Black all contributed in various ways.

The Commission began its inquiry in the autumn of 2014: almost a century since the full admission of women to the legal profession; almost 90 years after the extension of the right to vote to all women; nearly half a century after implementation of equal pay and anti-discrimination legislation; and at a time of increasing female participation in the labour market. Yet, as all the speakers at the launch acknowledged, despite these major political landmarks, inequalities between women and men, largely to the disadvantage of women, persist. In particular, intractable inequalities in the media, in the economic sphere, in political life, in the legal profession underlined the importance of undertaking our report.

Our report drew extensively on the comprehensive body of work which analyses the causes, meanings and effects of, and the possible solutions to, gender-based inequalities of position and power. But our approach was distinctive in its effort to draw links between the different forms of gender inequality and operations of gender-based power across four of the most important sectors of our social system: the economy, the political sphere, the legal system and the world of media and communications. For the social forces which shape persisting gender inequalities do not operate independently within different social sectors: rather, vectors of power which affect the position of women and men in one sector standardly affect their opportunities, status or position, or their work-life balance – or the worth of their rights and entitlements – in others. The economic inequalities which persist in the labour market and the distribution of income, for example, curtail opportunities for women in the political sphere and within the law; the persisting inequalities and biases in the representation of women in the media and culture affect the opportunities of and attitudes to women in other spheres; the inadequate design or implementation of legal provisions shapes the status and opportunities of women in economic life. Gender-based violence might be thought to be a concern primarily of the law, yet gender inequality in the political sphere dilutes the will to tackle it; media representations enact and normalise certain forms of gender-based violence; and the government's austerity policies have reduced funds for refuges from gender-based violence despite analysis that shows how this violence generates significant costs to the economy in addition to the harm borne by women. In other words, power relations in the media, the economy and the political system shape the relative worth of rights formally established by the legal system to differently situated women and men. And the structure of gender relations – in particular, the unequal distribution of responsibility for the care of children and of the elderly – creates dilemmas of work-life balance which are detrimental to women's quality of life, and to women's life chances, across social spheres.

Our report made recommendations stretching across spheres: a renewed emphasis on targets and, in certain cases, quotas, notably in the sphere of politics; a National Care Commission to sit alongside the NHS; measures to tackle the gender pay gap; implementation of the Leveson Report on the media; and a range of education and gender auditing systems. Key legal recommendations included the recognition of diversity as a relevant criterion in the selection of judges; full implementation and more effective use of the Equality Act; the reversal of legal aid cuts and reconsideration of tribunal fees; incorporation of the Convention on the Elimination of All Forms of Discrimination against Women and ratification of the Istanbul Convention on Violence against Women; and reforms relating to the scale and quality of women's imprisonment.

Our speakers picked upon a range of aspects of the report. Anne Perkins emphasised the central importance of politics and of political representation in particular, as well as painting a vivid picture of her own early career experience of misogyny while covering parliament at a time when women were yet more under-represented as MPs than they now are. She deplored the slow pace of change, which she noted has been greater in business than in politics, and pointed to the way in which inadequate representation in terms of gender and race erode the legitimacy of democracy. She expressed support for our case for using targets and even quotas where necessary, though she made a strong case for a staged approach giving layers of incentives. Shami Chakrabarti echoed several of these points, picking up in particular on the complacency of many powerful interests – reflected, as Anne Perkins had noted, in Lord Sumption's remarks about the need for women to wait another half century for equality. Shami urged us to keep hold of our optimism and our belief that we can – indeed have a responsibility to – make a difference, taking inspiration from the achievements reflected in the film *Suffragette* which had opened in London just a few days before our launch. Rebecca Omonira-Oyekanmi emphasised continuing problems of representation in both news and the creative media.

She also spoke more generally, and with great eloquence, about the issues raised by austerity and our competitive individualistic culture, in which those who fall behind blame themselves. In addition, she highlighted the ways in which, intersecting disadvantages deriving from not only discrimination on the basis of gender and race but also mental ill health strongly reinforce each other. Needless to say, the presentations were followed by a lively discussion. We are hugely grateful to our speakers, and to all those who participated in the discussion. Tim Besley concluded by reminding us that the work really began, rather than ended, with the publication of the Report. His prediction has turned out to be amply justified: over the last year, we have been busy writing blog posts, giving interviews and presentations, and hosting further discussions for organisations ranging from the Cabinet Office through to CERN in Geneva, via a wide array of networks in areas as diverse as investment banks, law firms and the museum sector. Our work continues!

The event podcast and video can be accessed at
bit.ly/LSEGender

For further information about the Gender, Inequality and Power Commission, visit
lse.ac.uk/genderInstitute/research/commission/home.aspx

EVENT

The Trial of the Juntas: rewriting the history of international criminal law

Francisco Quintana, LLM student

In 1985, two years after the collapse of the military dictatorship in Argentina, the ousted military leaders were tried by the domestic judiciary in the "Trial of the Juntas". As noted by Dr Devika Hovell during her introduction, the history of international criminal law is usually described in terms of a fifty-year gap between Nuremberg-Tokyo and the establishment of the ad hoc tribunals in the 1990s, with occasional reference to the Eichmann trial. The seminar featured Luis Moreno Ocampo, Deputy Prosecutor of the Trial and first Prosecutor of the International Criminal Court (ICC), Professor Ruti Teitel (New York Law School) and Professor Gerry Simpson (LSE Law).

Moreno Ocampo argued that the decision to try large-scale human rights violations committed by the dictatorship was unprecedented. The lack of precedent itself constituted a political and legal hindrance. Since few expected those crimes to be tried, the decision triggered fierce opposition from dissident sectors. Furthermore, the prosecution had to deal with novel challenges, from the collection of evidence to the selection of incidents to investigate. Moreno Ocampo argued that the Trial was possible because of the alignment of different actors, including the three branches of government, the civil society and the CONADEP (National Commission on the Disappearance of Persons) truth commission. For Moreno Ocampo, this experience proved crucial in dealing with similar difficulties at the International Criminal Court. He concluded that the Trial continued to offer one major lesson: the need for international criminal justice to secure the support and division of labour between international and domestic political, legal and non-governmental institutions.

According to Professor Teitel, the Trial triggered important discussions surrounding social responses to past atrocities; the relationship between transitional justice and retributive justice; and the interplay between domestic and international law and politics in post-conflict contexts. She noted that the CONADEP constituted the first modern truth commission. While other societies in transition such as Uruguay and South Africa focused on truth and reconciliation, the CONADEP report went straight to the courthouse, creating a model eventually adopted by the Inter-American Court of Human Rights. Professor Teitel noted, however, that criminal prosecutions in Argentina were discontinued after they threatened the democratic government.

Finally, Professor Simpson argued that there is a hidden history of international criminal law, a series of extraordinarily rich trials that are not identified by lawyers as relevant for international law, such as the Trial of the Juntas. He argued that the Trial reflects some of the key constitutive elements and debates of international criminal law. He discussed the loss that is incurred when lawyers monopolise the debates on reconciliation, justice and history (instead of poets and philosophers), and the perpetual bargain between oblivion and retributive legalism as presented in the Argentine precedent.

LSE/Matrix seminar series

The LSE/Matrix seminar series is a joint series run by Dr Devika Hovell of LSE Law and Blinne Ní Ghrálaigh of Matrix Chambers. The series brings together judges, academics and practitioners to discuss current cases in international law. The aim is to provide a forum in which to explore areas of convergence and conflict between practice and theory of international law and related spheres.

As an increasing array of cases in UK courts involve international legal issues, dialogue between academia and practice is important to deepen understanding of the unique practical, political and normative implications of such cases. Highlights this year included a discussion of the Mau Mau litigation in a seminar on Liability of Empire (with Professor Caroline Elkins, Liora Lazarus and Richard Hermer QC) and the seminar on The Trial of the Juntas, organised at the initiative of LLM student Francisco Quintana.

Further information about the seminar series, including details of past and forthcoming events, can be found at bit.ly/LSEMatrix

Top Left: Luis Moreno Ocampo
Above: Professor Ruti Teitel
Left: Professor Gerry Simpson

Legal Biography Project

Professor Michael Lobban, Professor of Legal History,
and Professor Linda Mulcahy, Professor of Law

The Legal Biography Project is one of LSE Law's ongoing research projects. As in previous years, the project has continued to host seminars on current research on aspects of legal biography, as well as having public conversations with leading judicial figures.

Among our research seminars, the project hosted seminars on the careers of Gladstone's Lord Chancellor, Lord Selborne, and the early eighteenth century Chief Baron of the Exchequer, Sir Jeffrey Gilbert. If Lord Selborne is best known to English lawyers as the architect of the Judicature Act of 1873 (which paved the way for the modern High Court, by abolishing the distinct ancient courts of law and equity), Dr Charlotte Smith of the University of Reading showed how important Selborne's religious views were to his approach to law and law reform, particularly when dealing with the delicate matter of the reform of the ecclesiastical jurisdiction. Gilbert is much less well-known, despite the many legal treatises he authored, but Professor Michael Lobban of LSE noted that he achieved some notoriety in his day, when, as Chief Baron of the Irish Court of Exchequer, he was ordered to be gaoled by the Irish House of Lords for refusing to recognise their claims to be the final court of appeals in Ireland. Gilbert's intransigence in upholding the claims of the British House of Lords to supremacy over Irish cases may have led to angry mobs breaking the windows in his Dublin home, but he knew that it would secure him advancement in England, and he toasted the health of Ireland on the eve of his incarceration.

The Project also hosted the launch of a special edition of the *Journal of Law and Society* on Marginalised Legal Lives. Edited by Linda Mulcahy and David Sugarman, this collection of essays addressed concerns that the bulk of legal biographies produced to date have focused on charting the lives of the elite; most often white, male, heterosexual judges and barristers. The collection argues that neglect of the lives of those whose entry to the legal profession was delayed or their progress hindered by nature of their colour, gender or beliefs facilitates the promulgation of conventional views about the experiences and voices that are rendered authoritative and legitimate in the scholarly community.

A particular highlight of this year's programme was the conversation between Professor Nicola Lacey and Professor Susanne Baer, one of the justices of Germany's Federal Constitutional Court and Professor of Public Law and Gender Studies at the Humboldt University in Berlin. During this conversation, Justice Baer described how growing up, one of four children in a very politically aware household in Saarbrücken, shaped her character and beliefs. She grew up at a time when being critical was the call of the day in West Germany, something which was manifested both in protest movements and in political theatre. She developed a strong sense of the need to address injustice by becoming aware of class differences in a region where the declining coal industry had thrown many into poverty. She also developed a heightened sense of the injustices of gender discrimination by her own experience of how differently boys and girls were treated. She was also a keen sportswoman, developing a strong sense of teamwork by rowing in an eight. It was her desire to continue her sporting activities which made her choose Berlin as a place to study, and she began to study law at the Free University of Berlin. However, her political inclinations soon led her to help organise a group to monitor the trials taking place in the mid-1980s of left-wing protesters in Berlin. Finding the critical approach of the political science faculty particularly congenial, she soon began to pursue studies there, as well as continuing with her law degree.

Having finished her state examinations, she was keen to follow an academic career, though, at a time when fewer than 10 per cent of German law professors were women, this seemed a distant dream. Before commencing her doctorate, she obtained an LLM at the University of Michigan. Having been introduced at a conference to the leading American feminist scholar, Catharine MacKinnon, she was inspired by her campaign against pornography to draft an ordinance against violence against women for Germany - a draft which was debated in the German parliament and helped kick-start a debate on pornography in that country. In America, at MacKinnon's Michigan, she discovered Feminist Legal Studies, and on her return to Germany played a key role – particularly at the Humboldt University – in developing this area of scholarship.

In 2010 she was proposed for election to the Federal Constitutional Court by the Green Party. This court (the majority of whose members do not come from the ranks of the judiciary, but are chosen by the legislature from party nominations) is designed to include a wide range of political and social perspectives, and Justice Baer's nomination brought to the court someone who in many ways had long been an outsider to the establishment: as a radical feminist, who had been active in the struggle against domestic violence and pornography, and as a female law professor, who is also a lesbian. On her appointment, she was widely perceived to be someone who would stand up for the causes she believed in, rather than trimming her views to suit her career goals. In her fascinating conversation with Nicola Lacey, the two sides to Justice Baer's character became clear: on the one hand, the feminist champion of justice, unafraid to defend the causes close to her heart; on the other, the team player, aware of the need to respect the larger institution of which she is a part. As she explained in her talk, her senate of the Court is made up, like the rowing boat of her youth, of eight members. In the building in which the hearings preliminary to her appointment were held, the German national eight-man boat hung from the ceiling. Passing under it, in the company of a conservative politician, she observed of the crew of eight, "I know what that feels like. I'm comfortable in it".

For further information about the Legal Biography Project, visit bit.ly/LSELBP

Forthcoming Events

Thursday 13 October 2016, 12.30pm – 2pm, Moot Court Room, LSE LSE Law and LSE Gender Institute seminar

Abortion Frontlines: the Latin American context

In this informal lunchtime seminar, Professor Sonia Corrêa will present a short paper on recent developments in abortion law and policy in Latin America and Professor Emily Jackson (LSE Law) will discuss the public health implications of DIY abortion.

Sonia Corrêa is a research associate at the Brazilian Interdisciplinary Association for AIDS and co-chairs Sexuality Policy Watch (SPW).

Emily Jackson is a professor of law at LSE Law specialising in medical law.

Chair: **Nicola Lacey** is School Professor of Law, Gender and Social Policy.
Please RSVP to law.events@lse.ac.uk

Wednesday 19 October 2016, 6.30pm – 8pm, Sheikh Zayed Theatre, LSE LSE Law Matters Public Lecture

Who are we? Hate, hostility and human rights in a post-Brexit world

As the UK looks to its future, this talk will reflect on how human rights can offer a national identity of tolerance, diversity and equality. #LSESpurrier

Martha Spurrier joined Liberty as Director in May 2016 having practiced law at Doughty Street Chambers.

Chair: **Conor Gearty,** Director of the Institute of Public Affairs and Professor of Human Rights Law at LSE.

Tuesday 1 November 2016, 6.30pm – 8pm, Sheikh Zayed Theatre, LSE LSE Debating Law

When the people speak, what do they say? The meaning and boundaries of the "popular mandate"

After every election, many will inevitably proclaim that "the people have spoken" but what this means is far from clear, as recent experience shows. Our panel will shed some light on the 'popular mandate'. #LSEMandate

John Curtice is Professor of politics at Strathclyde University and chief commentator at whatukthinks.org/eu

Sionaidh Douglas-Scott holds the Anniversary Chair in Law and is Co-Director at the Centre for Law and Society in a Global Context at Queen Mary University of London.

Katrin Flikschuh is Professor of Political Theory at LSE Government.

Chair: **Emmanuel Melissaris,** Associate Professor of Law at LSE Law.

Monday 7 November 2016, 6.30pm – 8pm, Sheikh Zayed Theatre, LSE LSE Law Matters Public Conversation

East West Street: In Conversation with Philippe Sands

Philippe Sands discusses his new book 'East West Street' that explores the creation of world-changing legal concepts following the unprecedented atrocities of Hitler's Third Reich. #LSESands

Philippe Sands is an international lawyer and a professor of law at University College London.

Chair: **Gerry Simpson** is a Professor and Chair in Public International Law at LSE.

Monday 14 November 2016, 6.30pm – 8pm, Wolfson Theatre, LSE LSE Debating Law

The Acratic Union: about democratic weakness of the will in the EU and its member states

Who is politically responsible for acts of the "EU"? There is no clear answer to that question. This uncertainty indicates confused policy preferences in the European electorates. #LSEMollers

Christoph Möllers is a Professor of Public Law and Jurisprudence at Humboldt University Berlin and Shimizu Visiting Professor at LSE Law.

Respondent: **Jan Komárek** is Assistant Professor of Law at LSE.

Chair: **Niamh Moloney** is Professor of Law at LSE.

Thursday 8 December 2016, 6.30pm – 8pm, Sheikh Zayed Theatre, LSE LSE Law Matters

Human Rights After Brexit: Still on Fantasy Island?

Conor Gearty launches his latest book *On Fantasy Island* about rights and freedom in post-Brexit Britain. Will there be any place for human rights? #LSEBrexit

Conor Gearty is Director of the Institute of Public Affairs and Professor of Human Rights Law at LSE.

Respondents: **Sionaidh Douglas-Scott** holds the Anniversary Chair in Law and is Co-Director at the Centre for Law and Society in a Global Context at Queen Mary University of London; **Steve Peers** is Professor of EU Law and Human Rights Law at the University of Essex.

Chair: **Sir Stephen Sedley** was a judge of the Court of Appeal of England and Wales from 1999 to 2011 and is currently is a visiting professor at Oxford.

Unless otherwise stated, LSE Law events are free to attend with no registration or ticket required and seating allocated on a first come first served basis.

At the time of print, LSE Law's 2017 schedule was being finalised. Full details and up to date information on all our events can be found at lse.ac.uk/LawEvents

"The students of today will very soon become the alumni of tomorrow": Inside the LSE Lawyers' Alumni Group

Ryan Stones, PhD Candidate

The LSE Lawyers' Alumni Group (LAG) comprises alumni of the School who studied law at LSE and/or practise or have an interest in law having studied another subject at LSE. The Group has been co-chaired by Gauri Kasbekar-Shah (LLB 1999, LLM 2000; co-chair of LSE LAG from 2007 to 2016 and current committee member) and Shilpen Savani (LLB 1993; co-chair of LSE LAG from 2010 to present). As Shilpen prepares to step down, we took the opportunity to meet with both Gauri and Shilpen to discuss the Group and their activities.

Thank you both for coming to speak with me today about LSE LAG. Could you tell *Ratio* readers a little bit about yourselves and your current line of work?

Gauri Kasbekar-Shah: I did my law degree at LSE and I loved it so much that I went from doing the LLB to the LLM. What I really enjoyed was just the LSE approach to learning. I was involved with the Law Society and I'm currently a Governor of the School. I started off as a lawyer at a magic circle firm for about five years but went on secondment for a client into banking. Because of the learning that I'd had, I could apply myself much more laterally rather than through a black-letter law lens, and then I fully switched to banking in 2007. I've worked on financing energy projects since then. I do always look back to my legal roots and that firm underpinning when looking at transactions and opportunities.

Shilpen Savani: I also read law at LSE and graduated in 1993. A year later I went across the road to do my LLM at King's College London but half of my electives were at LSE! I then threw myself into private practice as a qualified solicitor for about ten years away from LSE, though at my first LAG dinner I came across Professor Hugh Collins (then Head of Department) who made an appeal for people to come forward to get involved with the LAG, and a little later I was invited to join the committee. I'm still in private practice now as a partner working on commercial disputes and employment law.

You've briefly touched on your time at LSE already but presumably, given your affiliation with the LAG, you both highly valued your time here. Was there anything in particular that stood out for you or has been especially beneficial for your future careers?

GKS: The first lecture I attended was on Malinowski and tribes and I thought, "am I in the right lecture here?". But it slowly unravelled that what they were trying to do was to show law at a fundamental level before moving to a more complex system, whilst demonstrating that essentially you're still grappling with basic principles of how disputes are resolved. That was a starting point for me and then I went on to do a course in Alternative Dispute Resolution on the LLM with Professor Simon Roberts, who was incredible. All the bits of the jigsaw fitted together. I generally think the whole experience made me a lot more adaptable, hence the career change. I see myself doing the same again in the next few years. It comes back to those confident roots that I had from LSE.

SS: I would echo Gauri on the first part which is basically the academic rigour of the School coupled with a very practical, pragmatic, and open-minded approach. It's really valuable and was very refreshing for me, inspiring me a lot during my time here. But I think the other thing that left a very lasting impression on me was the diversity of the student body, the hugely international aspect of the university which I think is unique. It's given me both confidence and knowledge about people, of understanding commonalities and differences.

GKS: I'd definitely agree with that. I moved to England from India when I was thirteen and don't think I felt like I particularly fitted in for a long time until I got to university. I finally felt like I belonged and it pushed me onto a different trajectory, giving me an inner confidence and knowledge of who I am. I realised what drove me and what made me tick at LSE.

Could you tell us about the Group and its events?

SS: The group is intended to link-up alumni of every age, generation, and graduation year primarily through social and networking events, but we also extend into other career-based meetings. What I've always found to be a really unique feature of the LAG is that with it being a very informal milieu, there's the opportunity for even first year students to have a chat with judges on the bench, senior silks, solicitors, bankers, basically myriad forms of legal work. It's a really good opportunity for youngsters and those hoping to get into the profession to meet people. They can realise that these aren't scary individuals but very benevolent people willing to talk about their work.

GKS: There's always that initial reticence, but everybody has been through it and they're willing to help.

SS: Our flagship event is the annual dinner which we do once a year, usually around February or March. It's held in the LSE Senior Dining Room, though we have recently alternated between there and the Law Society where it was held last year. A lot of the alumni actually prefer to come back to LSE to see it again.

GKS: Our after-dinner speakers often comment that it's nice to be back in familiar surroundings. It really is the event where people come together and in some instances has launched careers, people having a chat at the dinner and, before they know it, getting a job!

I see from your website that you've had some very prestigious after-dinner speakers in the past.

SS: Yes, we've had Sir Keir Starmer (former head of the CPS, current Labour MP), Dame Linda Dobbs (first non-white judge appointed to the High Court), Sir Christopher Greenwood (former LSE Professor, judge at the International Court of Justice). The most recent speaker this year was the Chief Magistrate, Howard Riddle, who was excellent.

GKS: We've also had Robin Jacob (former Lord Justice in the Court of Appeal, now professor of intellectual property at UCL) and Emily Thornberry (human rights barrister and Labour MP), as well as many others. There's usually some connection to LSE that drives our choice of speaker and they often use their warm feelings towards the School as a platform for explaining where they are today.

What other types of event have the LAG organised recently?

SS: The careers workshops have been one of our real successes over the past few years. This initiative was delegated to two of our committee members who form panels of speakers to hold Q&A sessions with students. We try to make sure we're not too restricted to conventional city solicitor roles, and, if anything, the feedback from

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students has been that they want to hear more from non-traditional career routes. There are around two of these each year, though we're hoping to increase the number and attendance.

GKS: We've held careers workshops on different topics – international law, human rights law – so that students are exposed to more than just the city approach. This has been a response to the changing nature of LSE students themselves, with more wanting to know about wider areas of legal work.

So it sounds like the LAG responds to the changing needs of students and tries to involve them wherever possible?

SS: The challenge has always been: how do we try and keep this thing lively, changing, and changeable. That's why we try to have a really good spread of committee members in terms of what they do for a living and their background, as well as their year of graduation. We also have current students on the committee. Something that Gauri and I have been keen to instil is a principle that current students must be involved in every event that we do. One thing we can never forget is that the students of today will very soon become the alumni of tomorrow, so the more value they get from participating in the LAG, the more they'll be involved once they leave the school. Although we're primarily an alumni group, we've always tried to maintain such interaction, removing the burden on them through free or subsidised tickets to our events.

What types of events do you have planned for the future?

GKS: One of the reasons for my stepping down as co-chair of the LAG committee was so that I could take on a project and I've been thinking about putting together a "speed-networking" event. You'd have barristers and solicitors sitting around in fixed positions with others circulating. Rather than just a drinks evening, doing something like 'speed-networking' would better kick-start conversations that might not necessarily happen, with free-flowing discussions afterwards.

SS: What I think is interesting about Gauri's new initiative is that it could be much more targeted. Rather than our usual open, collective approach to social events, Gauri can curate it a little more, which opens up the possibility of themed events with greater cohesion. It'll probably be more professionally-oriented networking for alumni, but equally fun and light-hearted at the same time.

Are LAG gatherings mainly in London or do you try to reach beyond into the wider alumni community?

GKS: A lot of our members are international and since Shilpen has chaired the committee we've tried to bring those people in, rather than being too heavily focused on London. We've aimed to continue in reaching out to international alumni as they're reflective of LSE.

SS: The extensive number of people outside of London has been one of the big challenges of the last few years. We've made some inroads, but we've got a long way to go with that still.

Does the LAG keep in close contact with LSE Law when you're planning events?

GKS: LSE Law is a really strong ally. Not only do members of the Department attend our committee meetings but they also provide the internal support we need. All of the Heads of Department have been extremely supportive of alumni work though we probably now have the best relationship there has ever been.

SS: It comes down to the work of Dr Veerle Heyvaert and Professor Jeremy Horder over the past year. The two of them have provided a great deal of tangible support and we now have the resounding endorsement of LSE Law behind the LAG. Veerle in particular as a prominent committee member has strengthened our relationship so that we now have a regular presence of academics at our events, plus a pledge of extra funding and administrative support means that we can better deliver what we set out to do.

How can alumni who aren't members join the group? Are there any requirements?

GKS: Membership of the LAG is completely free. Anybody whose life has been touched by law and LSE, whether by studying it here or subsequently joining the profession, is welcome. The idea is to bring people together with some commonality but also to reflect current professional reality; I did law but moved on! It's just a really great opportunity for alumni to reconnect with the School.

SS: I would just say that it's a very open and inclusive group. The idea is very much to improve it and participate together. It doesn't matter where you are in terms of your walk of life or professional achievements, we're just as welcoming to new graduates as we are to luminaries.

And finally, as alumni of LSE Law who have clearly gone on to have very successful careers and continue to maintain strong ties with the School, what advice would you give to current students and budding LSE lawyers? Aside from of course that they should get involved with the LAG!

SS: Take what you learn at LSE and the ethos, and be brave about how you apply it in the world outside. The best way to remind yourself of that and recharge yourself is to come back and spend time with other alumni who have a shared perspective on things.

GKS: For me it would be to use the platform that you've had here. It's enriching and valuable, but think broader, wider, holistically. There are lots of opportunities beyond but equally we have a lot to offer. Law may be your initial beginning in life, but just spread your wings and see where things take you.

For further information about the LSE Lawyers' Alumni Group, visit alumni.lse.ac.uk/lawyersalumnigroup

Lawyers' Alumni Group

The LSE Lawyers' Alumni Group comprises alumni of the School who studied law at LSE and/or practise or have an interest in law having studied another subject at LSE.

The group provides a forum for discussion at a variety of events throughout the year, offers opportunities for professional networking and encourages active alumni support for the School.

The Group has forged strong links with LSE Law and holds a number of events during the academic year including guest lectures, social events, and other opportunities for current students, Department staff and alumni to meet and network.

How to get involved

The group, currently chaired by Shilpen Savani (LLB 1993), is run by a committee of alumni and also include representatives from the student body. Membership of the group is free and all alumni of the School are invited to join. If you would like to become a member, please complete our membership form or email the Alumni Relations team on alumni@lse.ac.uk

Find out more about the committee at alumni.lse.ac.uk/lag_committee

You can also join us on LinkedIn at linkedin.com/groups/3713635

Donations

The LSE Annual Fund, the School's regular giving programme, is an essential resource that helps LSE to maintain its status as a world class university. The generosity of alumni, parents, governors, staff and friends of LSE enables the Annual Fund to support essential projects and initiatives on campus every year.

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