

MAGNA CARTA

VOLUME 1 / ISSUE 1 / OCT. 2019

ROYAL HOLLOWAY LAW AND
CRIMINOLOGY GAZETTE



This is a gazette made for the students by the students. We want this to be your platform for academic discourse and keeping up with the department/industry.

We also encourage all non law readers to make submissions, you don't just have to study the subject to write on it!

For any further queries, suggestions or questions please don't hesitate to contact the editorial team at:

lawgazette.rhul@gmail.com

Opportunities for submitting content to the next issue will be announced via email soon. We hope you enjoy reading this one!

EDITORS NOTE



Introducing Magna Carta

Dear reader,

It takes time for an editor to make his mark in a publication but I am hoping as the year goes on by we will both get to know each other very well! It is my absolute honor to introduce to you *Magna Carta*, the Royal Holloway Law and Criminology Gazette.

This gazette is a new departmental initiative which has been under construction over the last 10 months. Named due to the university's cultural and local significance, it is intended to service the needs of many students by acting as a platform to publish a range of content on a quarterly basis for the School of Law and Social Sciences. From academic submissions to industry insight, it will serve as your hub to know everything about the various areas of law, what our students are achieving, important headlines/tips/dates from the legal profession, job opportunities and departmental/society initiatives. We aim to cater to all across law and criminology.

When I formulated this publication, I never thought it would become a reality. But it goes to show that a little passion, initiative and perseverance can go a long way. We all have it within us to materialise our ambitions. I hope that this gazette allows you to see the potential of your peers, be proud of the department for all that it does and maybe even inspire you to achieve more! None of this would have been possible without a few key people. My acknowledgements to Dr. David Yuratich and Dr. Aislinn O'Connell. I am indebted to them for their guidance, patience and enthusiasm in helping shape and realise this project. I would also like to thank Mr. Alexander Gilder who although having just joined the team has already provided us with his wisdom and done so much to ensure that we have all the tools we need for a successful publication! Finally, my amazing editorial team. Without them this wouldn't have been possible; your creativity and work ethic inspire me everyday! As you read on ahead please think about how you can use this information to your advantage. The more you expose yourself to, the better.

A handwritten signature in black ink, appearing to read 'Suhail Mayor'.

SUHAIL MAYOR
Founding Editor-in-Chief

EDITORIAL TEAM

2019 - 2020



NICA ANDRÉN
Deputy Editor - Design



YASMIN ILHAN
Deputy Editor - Content



HREDI CHHABRIA
Editorial Assistant



HARNEET VIRK
Communications and Marketing
Coordinator



ALEXANDER GILDER
Academic Liaison

IN THIS ISSUE

- 01** INDUSTRY UPDATES
- 03** DOES BEING SUSPECTED OF TERRORISM SUSPEND YOUR HUMAN RIGHTS
- 05** TEARS, TURMOIL AND CONTESTED TERRITORY: AN OVERVIEW OF THE ISRAEL - PALESTINE CONFLICT
- 08** THE KASHMIRI CRISIS
- 10** IS THE LAW A PRODUCT OF SOCIETY'S BEHAVIOUR, OR IS OUR BEHAVIOUR A PRODUCT OF THE LAWS IMPOSED ON US?
- 13** LET US CELEBRATE MATERNITY RIGHTS - THEY ARE BETTER THAN YOU THINK
- 15** WHY NO-FAULT DIVORCE IS AN AFFRONT TO CONTRACT LAW
- 18 - 22** SOCIETY PRESIDENT NOTES
- 24** VACATION SCHEME INSIGHT - LANDING LAW
PARALEGAL INSIGHT - LEIGH DAY
- 25** A GUIDE TO YOUR FIRST YEAR
- 26** LAW SOCIETY ACTIVITIES TASTER SESSION - HIGHLIGHTS
- 28** CRIMINOLOGY NETWORKING EVENT - MORE THAN JUST POLICING
- 30 - 31** SCHEME CALENDARS (VACATION & MINI PUPPIAGE)
- 32 - 37** TEACHER INTERVIEWS
- 38 - 40** CAREER/DEPARTMENT ANNOUNCEMENTS



Photo by Royal Holloway Image Library

INDUSTRY UPDATES

Important headlines from the quarter brought to you
by the *Commercial Awareness Society*

The collapse of Thomas Cook

Thomas Cook, a package holiday company, has collapsed after failing to service its debt. Despite turning over £9bn, it has faced an enormous £1.7bn debt and suffered decreasing sales. The outcome of this collapse has meant 22,000 jobs are in danger with 9,000 being in the UK alone. Holiday goers have been severely affected by the collapse as well as hotels. The company are hoping for a government bailout but whether this will happen is yet to be seen.



Photo by Thomas Cook Group

Google and the right to be forgotten

Google has just won an EU case concerning the 'right to be forgotten'. This new law requires search engines to delete information such as criminal convictions upon request of the person affected. CNIL the French data regulator sought to establish whether this could be applied beyond the EU. The outcome of this case was decided in Google's favour, only applying in the EU. This could have been a major obstacle for Google had the ruling gone the other way.



Photo by Wikimedia Commons (2015)

Uber's increased license to operate in London

Uber has been granted a last-minute extension to continue operating in London. This will last for two months. The reason for this licence removal relates to incidents in 2017 where the company failed to protect passengers by carrying out sufficient background checks and report criminal offences committed by drivers. Originally it was granted a 17-month temporary licence to operate, which has now been extended for a further 2 months. It will be interesting to see whether the firm will continue operating in London after that.



Photo by Stock Catalogue, Flickr



Photo by Liverpool School of English, Flickr

Liverpool FC and the Liverpool trademark

Liverpool Football Club filed for registration of the trademark 'Liverpool' which was recently rejected. The Intellectual Property Office rejected the application on the grounds that Liverpool had a geographical significance, being a famous city. It had been hoped by the club that by registering the trademark, the name could have covered all football related goods and apparel, preventing unauthorised sales. This move by the club received an enormous backlash from local businesses and supporters.

INDUSTRY UPDATES

Important headlines from the quarter brought to you
by the *Commercial Awareness Society*

Facebook is entering the world of cryptocurrency

Facebook plans to implement Libra, a cryptocurrency that users of the social networking site will be able to use when making payments through a digital wallet. Unlike other cryptocurrencies, Libra will be tied to bank deposits to prevent any price volatility. Although it has recently been announced that it may not be released until after next year, there is concern about whether it is right for Facebook to hold so much power when it already has access to vast amounts of user data.



Photo by Alpari Org, Flickr



Photo by Donna Burton, Wikimedia Commons

Volkswagen facing yet another scandal

Volkswagen has been in the news already for its diesel emissions. In 2015, Volkswagen had admitted to using software in order to cheat emission testing. The fallout from this has resulted in executives from the company being charged for not warning investors about the impact of the scandal early enough. The US Securities and Exchange Commission is suing Volkswagen for its deliberate misleading.

Oil prices in the aftermath of the Saudi drone attacks

Recently, Saudi Arabian oil fields have been attacked by Drones alleged to be operated by Iran. The fields attacked account for almost 6% of global oil supply worldwide. The result of this action has caused a spike in oil prices. It is estimated that the increase in price is the highest increase in 28 years. With the damage to the fields being so severe, it is likely that oil prices will remain at such a high for a while.



Photo by Lt. Cole Leslie Pratt, Wikimedia Commons



Photo by Jaggerly, Geograph UK

JD Sports and Footasylum merger

Two sports and footwear giants JD Sports and Footasylum are in the process of a giant £90m merger, one that will be scrutinised heavily by the Competition and Markets Authority. The reason behind this is the potential for the companies to hike up prices for their customers. JD Sports currently owns 400 stores with Footasylum bringing 70 more with the merger. The UK sportswear industry is worth approximately £50bn, so it remains to be seen whether customers will be worse off with this recent merger.

Does being suspected of terrorism suspend your human rights?

Laura Chmielewska, 3rd Year - Law LLB

The treatment of suspected terrorists is undoubtedly an issue which can be deemed controversial. Some may disagree with the need for them to have their human rights preserved, when there is evidence of them planning to destroy other people's lives - be it through resulting in them fearing for their safety, causing their injury, or even death - and, therefore, disregarding their entitlement to the right to life. Although, it is highlighted by the United Nations[1] all human beings share their privilege to human rights[2], such as the right to a fair trial, the presumption of innocence, or the right to liberty. The challenge of balancing such rights is one that has to be tackled by not only the courts, but also the police when handling potential suspects. Such entities are, however, provided with guidelines as to how this should be done according to the law, in the forms of legislation.

The Terrorism Act 2000 defines terrorism as "the use or threat to influence the government or to intimidate the public or a section of the public" and such threat to be made for "the purpose of advancing a political, religious or ideological cause." [1] The Act governs police action towards terrorism, as well as giving them rights to stop and search, and even arrest, individuals who they suspect of terrorist activity. Upon creation of the Act, section 44 allowed police officers to stop and search anyone, regardless of them displaying suspicious behavior. As reported by Liberty, such provision led to high levels of racial discrimination, with Black and Asian people being 5-7 times more likely to be stopped than Whites[2]. It is also worth mentioning that out of thousands searched, none were convicted of a terrorism offence[3]. As a result of the judgment from *Gillan and Quinton v UK*[1] in 2010, which ruled for the



Photo 1 by EV, Unsplash/ Photo 2 by Matthew Ansley, Unsplash

claimants and decided that such discriminatory exercise of s. 44 is a breach of the right to a private life[2], this section of the Act was repealed in order to avoid future abuses of power.

However, section 41 of the Act still allows for arrests to be made provided a police officer has a reasonable suspicion (standards for which originate from common law[3]) of the individual undertaking terrorist activity. Additionally, the UK has the longest pre-charge detention period, a maximum of 28 days, out of any common law country[4]. In a reply to a report from the Joint Committee on Human Rights in 2006, the government outlined that they are not willing to extend this period to "as long as it takes", as such permission risks being classified as preventive detention, which would constitute to a breach of the right to personal liberty[5]. While this may seem comforting, 28 days is nonetheless significantly longer than the ordinary period of 24 hours of being held in

Footnotes

[1] UN General Assembly, Universal Declaration of Human Rights, 1948, 217 A (III).

[2] European Convention on Human Rights (ECHR) 1950.

[3] Terrorism Act 2000 s. 1.

[4] Liberty.org <<https://www.libertyhumanrights.org.uk/human-rights/justice-and-fair-trials/stop-and-search/section-44-terrorism-act>> accessed 01.10.2019.

[5] Ibid.

[6] *Gillan and Quinton v UK* [2010] ECHR 28.

[7] ECHR Article 8.

[8] *O'Hara v Chief Constable of Royal Ulster Constabulary* [1997] Crim LR 432.

[9] Justice.org <<https://justice.org.uk>> accessed 01.10.2019.

[10] The Government Reply to the Nineteenth Report from the Joint Committee on Human Rights Session 2006-07 HL Paper 157, HC 394, page 3.

custody when arrested for any other type of crime.

Additionally, Schedule 7 of this act[1] allows police officers to stop, search and hold individuals at ports, airports and international rail stations without the need for any grounds of suspicion of terrorist (or any criminal) activity. A person detained under the power of this Act has no right to a publicly-funded lawyer while held at the port or border. Questioning of such individuals can last for up to 9 hours. Once again, misuse of the Act and discrimination of ethnic minorities by the authorities became apparent, and research from the Liberty website suggests that Asian passengers are 42 times more likely to be stopped than White passengers. Furthermore, the Counter-Terrorism and Security Act 2015 allows a police constable to seize travel documents of the suspects if they are reasonably believed to be a flight-risk[2]. It could be argued that this further violates the suspect's right to personal liberty[3] and private life, as if they are wrongly accused, they were simply prevented from travelling without any solid basis.

The death of Jean Charles da Silva e de Menezes is perhaps one of the most infamous instances of a tragedy resulting from wrongfully suspected terrorist activity. De Menezes was fatally shot at Stockwell underground station in London on 22nd of July 2005; merely two weeks after the London bombings of 7th of July 2005, as he was thought to be a fugitive involved in a failed bombing attempt from the day before his death. It was ultimately ruled by the European Court of Human Rights in 2016 that there had been no violation of the right to life[4] and there was a lack of sufficient evidence to prosecute any specific police officer involved. However, it could be argued, that the police and their superiors at the time, in the seconds leading up to the brutal killing of de Menezes, had recklessly decided to make themselves the judge, jury and executioner in this case, simultaneously stripping him of his right to a fair trial[5]. This case is a prime example of the unruliness with which decisions regarding the life of suspected terrorists are often made. Advocates of strict rules towards suspected terrorists would often

suggest that through involving oneself with suspicious activity, which may put them on the radar for terrorist acts, such individuals give consent to being treated unfairly, as that is the essence of what they would be doing to other human beings if they were to carry out their plans. Due to the amount of terrorist attacks, or the threat of which, in this century, the importance of national security lies at the heart of most government decisions. With keeping the objective of maintaining safety across the UK in mind, decisions which might appear hasty at first could seem more organised. For example, the need for there to be a certain standard of reasonable suspicion when the police officer makes his choice to stop, search and /or arrest a suspect. Due to section 44 of the Terrorism Act 2000 being repealed, it is no longer acceptable for such searches to be carried out with no grounds for them (apart from those done under the power of Schedule 7). Additionally, through following such strict rules with relation to terrorism suspects, the police not only carry out their job in ensuring our safety, but also aim to preserve the human rights of the country at large, including our right to life. Therefore, they could be seemed as simply more concerned with upholding the rights of those who are innocent, than those who are suspected of wrongdoing.

The crime of spreading terrorism and the fear that becomes its by-product, is the definition of cruelty and disregard for human life. At its heart lies anger, discrimination and misunderstanding; its outcome is pain and suffering. To be suspected of such acts when being innocent may be extremely damaging to a person's reputation, as well as a violation of their human rights. The pattern in the above mentioned legislation could be named a 'better-safe-than-sorry' approach, which prioritises safety and often disregards equality. The balance between the two is one very difficult to achieve, as the stakes for both arguments are high. Despite the possibility of the highest price to be paid by members of either side, mistakes are often made and no perfect course of action has emerged. It is hopeless to think that one ever will.

Footnotes

[11] Terrorism Act 2000 Schedule 7.

[12] Counter-Terrorism and Security Act 2015 s. 1.

[13] ECHR Article 5.

[14] Ibid Article 2.

[15] Ibid Article 6.

Tears, turmoil and contested territory: An overview of the Israel-Palestine conflict

Luke Glasspool, 2nd Year - History and PIR

Historical context-

The state of Israel was created in 1948 as a consequence of the war between Palestinians and Israelis. The war, known as Nakba to the Palestinians, rendered 700,000 Arabs as refugees in Israel[1]. Currently, the number has increased to over 7 million. [2] The 1948 war transpired as a repercussion to Anti-Semitic persecution within Europe just a few years prior, which gave rise to the Zionist movement driven by secular nationalism. The war that took place in 1967 left Israel in control of the West Bank and Gaza strip until the Oslo Accords, whereby the two territories now act as the bastion of Palestinian power. The controversy that underpins the conflict is who claims authority to the land in addition to how it is controlled. Prominent areas where claims to the land are made include: history, law, politics and religion. Due to the multifaceted nature of the claim to land by both sides, the conflict is an issue that has plighted scholars who have attempted to solve the issue, as well as predict how future peace negotiations will result. Although according to acclaimed political scientist Noam Chomsky, 'Any attempt to solve a conflict has to touch upon its very core; the core, more often than not, lies in its history[3]'

Legal ramifications-

The West Bank barrier separating Israeli settlements from Palestinian cities is at the heart of the legal debate between both sides. In 2004, a legal judgement on the matter attempted to settle whether or not the 4th Geneva Convention, relating to the protection of civilians during a time of war, was violated.



Photo 1 by Cole Keiser, Unsplash/ Photo 2 by Canva

The International Court of Justice ruled 14-1 that the sections of the Israeli barrier located within occupied Palestinian territories were illegal under international law.

Furthermore, the International Court of Justice stated in its ruling that Israel is under obligation to: stop the construction of the wall, dismantle its structure and repeal all Acts both legislative, and regulatory, relating to the wall[4]. Crucially, the ruling by the International Court of justice is an advisory opinion and as such, is not binding international law. Even the dissenting judge, Thomas Buergenthal, stated in the advisory opinion that 'I agree that...the Israeli settlements in the West Bank and their existence violates Article 49, paragraph 6[5]'. On July 20th, 2004, the UN General Assembly passed a resolution requiring Israel to obey the International Court of Justice's ruling. On October 21, resolution(ES-10/13), though non-binding, was passed again by the UN

Footnotes

[1] Zack Beauchamp 'What is the Nakba?' (Vox, 14 May 2018) <<https://www.vox.com/2018/11/20/18080030/israel-palestine-nakba>> accessed 22 November 2018.

[2] Ibid.

[3] Noam Chomsky and Ilan Pappé, Gaza in Crisis: Reflections on Israel's war against the Palestinians (Frank Barat ed. Haymarket Books 2010) 42.

[4] Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) [2004] ICJ Rep 136.

[5] Thomas Buergenthal 'Declaration of Judge Buergenthal' (9 July 2004) <<https://www.icj-cij.org/files/case-related/131/131-20040709-ADV-01-05-EN.pdf>> accessed 4 January.

General Assembly.

The resolution regarded the barrier to be "in contradiction to international law", and insisted that Israel "stop and reverse" its construction. Israel labelled the resolution a "farce"[6]. Thus, it has been decided that the barrier in the West Bank is illegal under international law. Israel, with the backing of the US, have disputed the authority of the International Court of Justice, stating that its advisory opinions are not binding international law[7]. Consequently, Israel has decided not to follow the International Court of Justice's ruling, meaning that the barrier still stands.

Political ramifications-

The ongoing Israel-Palestine conflict has had an inimical impact on both domestic politics and international relations. Firstly, the conflict has shaped the political culture within Israel and Palestine, consequently, affecting the way in which the two states come together to negotiate. For example, the main party within the Palestinian Liberation Organisation, the national representative of the Palestinian people, is Fatah. The secular nationalist party was traditionally violent against Israel, until 1993, when it made a deal with Israel. As a result of their mutual recognition, peace talks started to reignite between Israel and the Palestinian Liberation Organisation, emphasising the impact of domestic politics on both state's ability to enter negotiations. Antithetically, politics can also prevent a deal from happening as neither the chairman of the Palestinian Liberation Organisation, Mahmoud Abbas, or Israeli Prime Minister, Benjamin Netanyahu, believe that the other is in a position to make a deal. Despite their reluctance to communicate being unproductive, their concerns are genuine. For instance, Abbas is against Netanyahu's rapid expansion of Israeli settlements, which have reached a 7-year high under his leadership and Netanyahu is sceptical of Palestine's ability to uphold a peace deal with Hamas still being prominent in Gaza[8].

Although Netanyahu is the first leader of his party to endorse a two-state solution, there are fears that his promise is fig leaf[9].

Secondly, Israel's standing, and behaviour, on the international stage has been forged by the enduring conflict. Israel is a state under the 1934 Montevideo Convention as it has a: defined territory, permanent population, government and the capacity to enter relations with other states. Whilst, by 2016, 159 of the 193 UN member states recognise Israel as a state[10], a recent BBC poll concluded that Israel was the 4th most unpopular state out of 22, only behind Iran, Pakistan and North Korea[11]. Israeli aggression is one of the salient factors behind its unpopularity, as demonstrated by the 1956 Suez Crisis, and in Lebanon in 1982, where it was the aggressor. It is due to its aggression that most states are sympathetic to the Palestinian cause.

Future negotiations-

The 1993 Oslo Accords created the climate for potential peace negotiations between Israel and Palestine. However, as aforementioned, in order to restart talks, the leader of the Palestinian Liberation Organisation and the Israeli Prime Minister have to change their attitudes towards each other. Furthermore, because of US involvement in mediation during the Oslo Accords, the question of western involvement in negotiations arises. Evidence contending western involvement is the colonial carving of the land by France and Britain in the Sykes-Picot agreement of 1916 that started the conflict. Axiomatically, US support would put Israel in a favourable position when negotiating a peace deal. Scholars have identified 4 points of contention which need to be reconciled for the peace talks to conclude the conflict. These are: Jerusalem, security, refugees and borders.

There are two main projected outcomes from a peace deal between both states: the 'one state solution' and the 'two-state solution.' The first would merge Israel,

Footnotes

[6] UNGA Res ES-10/13 (27 October 2003) UN Doc A/RES/ES-10/13.

[7] Stephen Zunes 'Implications of the U.S. Reaction to the World Court Ruling against Israel's "Separation Barrier" (2004). <<https://www.mepc.org/journal/implications-us-reaction-world-court-ruling-against-israels-separation-barrier>> accessed 12 October 2019.

[8] Zack Beauchamp 'How do the current Israeli and Palestinian governments approach the conflict?' (Vox, 14 May 2018). <<https://www.vox.com/2018/11/20/18080092/israeli-palestinian-conflict-current-governments>> accessed 22 November 2018.

[9] Zack Beauchamp (Vox, 17 September 2019) 'Israel's election, and how Benjamin Netanyahu might lose, explained' <<https://www.vox.com/world/2019/9/17/20869050/israel-election-results-netanyahu-jordan-valley-democracy>> accessed 12 October 2019.

[10] Raphael Ahren 'Israel set to renew diplomatic ties with Nicaragua' (The Times of Israel, 28 March 2017) <<https://www.timesofisrael.com/israel-said-to-renew-diplomatic-ties-with-nicaragua/>> accessed 12 October 2019.

[11] Press release, 'Sharp Drop in World Views of US, UK: Global Poll' (Globescan 4 July 2007) <<https://globescan.com/sharp-drop-in-world-views-of-us-uk-global-poll/>> Accessed 5 January 2019.

the West bank and Gaza into one country, undermining Israel's claim to be a Jewish state as the number of Arabs would be equivalent to the number of Jews.

Whilst the issues of security, refugees and borders would be solved, it is highly unlikely that Palestine would be willing to give up Jerusalem due its religious, and historical, importance. There are two main projected outcomes from a peace deal between both states: the 'one state solution' and the 'two-state solution.' The first would merge Israel, the West bank and Gaza into one country, undermining Israel's claim to be a Jewish state as the number of Arabs would be equivalent to the number of Jews. Whilst the issues of security, refugees and borders would be solved, it is highly unlikely that Palestine would be willing to give up Jerusalem due its religious, and historical, importance. Therefore, Trump's current recognition of Jerusalem as the capital of Israel, undeterred by the UN General Assembly resolution ES-10/L.22 rejecting Jerusalem as the capital of Israel in 2017, further complicates future negotiation[12].

As can be seen from Palestine's rejection of Trump's £40 billion peace plan earlier this year[13]. Thus, a 'one-state solution' would not be viable. A 'two-state solution' would result in the creation of an independent Israel and Palestine. Security is the main issue that is preventing the solution from becoming a reality as it has been hitherto mentioned that there are deep trust issues between Netanyahu and Abbas. Accordingly, neither solution satisfies the demands of both parties currently. As it is unlikely that either state will come to an agreement in the near future, Palestine will persist in its goal of becoming a recognised state, whereas Israel will continue to prevent that from happening by relying on their US influence.

Footnotes

[12] UNGA Res ES-10/L.22 (19 December 2017) UN Doc A/ES-10/L.22.

[13] Bel Trew "Palestinians instantly reject Trump's \$50bn economic peace plan: 'Palestine is not for sale'" (Independent 23 June 2019 <<https://www.independent.co.uk/news/world/middle-east/israel-kushner-palestine-peace-plan-trump-middle-east-a8971071.html>> accessed 2 October 2019.

The Kashmiri Crisis

Shivani Khatri, 3rd Year - Law LLB

1947 is a year that haunts many Indians and Pakistanis till this date. Independence may have been gained from the British but the aftermath of the British Empire still remains. One major effect which prevails is the tension between India and Pakistan. This is clearly shown in the recent event of India revoking Article 370 in Jammu and Kashmir.



At the time of the partition, the three princely states that were not yet part of India or Pakistan were given the choice to become independent or join either country. Whilst Kashmir and Jammu had a Muslim majority, they were ruled by Maharaja Hari Singh, who the public disliked. What follows is the start of the unrest that Kashmir and Jammu face, till this date. Pakistan infiltrated Kashmir with armed tribesmen, creating an immediate threat to Kashmir and Maharaja Singh specifically. Therefore, the Maharaja sought aid from India's President Jawaharlal Nehru and consequently joined India. By 1950, following military invasion and UN intervention, Article 1 of the Indian Constitution defined Jammu and Kashmir as one state of India. This is also accompanied by Article 370 which accords special status to the State.



Photo 1 by Aay Kay, Unsplash/ Photo 2 by Sharon Rorvik, Unsplash

Article 370 is of utmost importance to the people of Jammu and Kashmir. It shows how only one legal article can have such a drastic impact. This article granted Jammu and Kashmir special status in many ways. The main provision is that Indian laws could not pass automatically in Jammu and Kashmir, it had to be approved the selected state government[1]. In essence, they had their own Constitution rather than having to adhere to the normal Indian Constitution. Another issue is that only a permanent resident of Kashmir can buy land.

This placed restrictions on citizens from other Indian states[2]. Therefore, whilst Jammu and Kashmir are a part of India, its land is ruled independently.

This Article may superficially look like it would work well for the people of Jammu and Kashmir but that was far from reality. Although Jammu and Kashmir are a part of India, who accepted them in time of need, they did not fully accept India. For example, when a Kashmiri woman marries someone from another Indian state, her citizenship ends.

Another issue is the restriction placed on Indians from other states from buying land in Kashmir. This exclusive nature of Jammu and Kashmir left a bitter taste in many Indian citizens. Pakistan has not accepted this special state of Jammu and Kashmir either as they have now claimed Azad Kashmir, the northern region of Kashmir[3].

Footnotes

[1] Surbhi Gupta, Shashi Bhushan Ojha 'Article 370 of the Indian Constitution: A study in specific reference to legal dimensions and implications' [2018] IJL Vol4 Issue 3.

[2] *ibid.*

[3] CNN Library. Kashmir Fast Facts [CNN, 22 August 2019].

As apparent, Jammu and Kashmir have been the centre of religious disparity and ownership disagreement. A major reason for this is its geographical location. Due to the constant tension faced, Narendra Modi and Bharitya Janata Party (BJP) made the decision to revoke Article 370. This drastic decision was made on 5th August 2019[4], a day which shook all Indians, Pakistanis and most importantly Kashmiris. One undoubtable reason for shock and confusion is the fact that the Supreme Court of India had ruled, on 4th April 2018[5], that Article 370 is to be a permanent part of the Indian Constitution. This had to be clarified as PM Nehru had intended for it to be temporary, stated in the codified version of Article 370. Therefore, Modi and BJP revoking Article 370 is arguably illegal due to it disobeying a Supreme Court decision. It raises concern as can the Government ever be held accountable if the Supreme Court's decisions can be ignored? One reason why this situation is 'arguable' is because BJP were very vocal in their desire to revoke Article 370. Despite the public knowing this, BJP and "Modi claims landslide victory"[6] which shows public support for the revocation of the Article. Nevertheless, there is a legal issue and this case is going to be reheard by the Supreme Court and therefore contested[7].

Another issue is the humanitarian aspect to the revocation of Article 370. Pakistan's Prime Minister Imran Khan appealed to the United Nations to stop India from controlling Kashmir and Jammu. He raised fear that India's actions in Kashmir could provoke war and that "Kashmiris were being treated like animals"[8]. Whilst this was difficult to hear, the United Nations were not convinced that there was a humanitarian crisis. Khan only gained "three out of 198 countries in his corner." [9] This shows that perhaps the unrest that Kashmir and Jammu currently experience is not a humanitarian crisis but the result

of political unrest. There is no denying that India's approach was inconsiderate to Kashmiris. There was an immediate media blackout and the Indian military quickly infiltrated throughout the State. Whilst communication is not a human right, there were violations leading from India's actions. Due to the militant presence, citizens were not able to enjoy their right to private life[10] and there was no ability for citizens to take part in Government either as India had made the decision for them[11]. Consequently, the right to "receive and impart information and ideas through any media and regardless of frontiers"[12] is denied. This stops Kashmiris from seeking aid in this upsetting and difficult situation. Not to mention, if there is a medical emergency, it renders them hopeless and isolated in such a poor situation[13]. This shows that India has not respected the human rights that all citizens of Kashmir and Jammu should rightfully enjoy.

Through a legal perspective, this situation shows how the revocation of one Article can change the entire foundation of a country. Kashmir no longer has its own Government and jurisdiction but is subject to the Indian Constitution and are Indian nationals. The unrest is hopefully going to end on the 31st October 2019 when the unification will come into full force. Whilst the process that Kashmir and Jammu are currently going through is painful, BJP and Modi intend to promote peace and financial prosperity which Kashmir and Jammu rightfully deserve. One way is through building a railway line linking Kashmir and India to promote tourism into the State and create jobs in "the strife-torn state"[14]. Hopefully this conclusive decision to unify all Indian States will create peace and a stable identity for Kashmir and Jammu, not a constant battle over a territory. Right now, the future is uncertain but there is hope.

Footnotes

[4] NY Times, What is Article 370, and why does it matter in Kashmir? [NY Times, 5 August 2019]

<<https://www.nytimes.com/interactive/2019/world/asia/india-pakistan-crisis.html> > Accessed 2 October 2019.

[5] Dhananjay Mahapatra, Article 370 has aquired permanent status: Supreme Court [Times of india, 4 April 2018]

<<https://timesofindia.indiatimes.com/india/article-370-has-acquired-permanent-status-supreme-court/articleshow/63603527.cms>> accessed 2 October 2019.

[6]Michael Safi, India election results 2019: Modi claims landslide victory [The Guardian, 23 May 2019]

<<https://www.theguardian.com/world/2019/may/23/india-election-results-narendra-modi-bjp-victory>> accessed 2 October 2019.

[7] Prabhash K Dutta, Article 370: Can Modi govt defend Kashmir move in Supreme Court? [India Today, 1 October 2019]

<<https://www.indiatoday.in/news-analysis/story/article-370-questions-before-supreme-court-1605052-2019-10-01>> accessed 2 October 2019.

[8] Seema Sirohi, View: UN done, but India's 'Mission Kashmir' is still full of challenges' [Economic Times, 1 October 2019]

<<https://economictimes.indiatimes.com/news/politics-and-nation/view-un-done-but-indias-mission-kashmir-is-still-full-of-challenges/articleshow/71396399.cms>> accessed 2 October 2019.

[9] ibid.

[10] Article 17 Universal Declaration of Human Rights.

[11] Article 20 Universal Declaration of Human Rights.

[12] Article 19 Universal Declaration of Human Rights.

[13] Jaibeer Ahmad, Will the removal of Article 370 bring peace? [Economic Times, 11 August 2019] <<https://economictimes.indiatimes.com/news/politics-and-nation/will-the-removal-of-article-370-bring-peace/articleshow/70622110.cms?from=mdr>> accessed 2 October 2019.

[14] Rajat Arora, Railway line linking Kashmir with rest of India may become functional by 2020 [Economic Times, 11 May 2017].

<<https://economictimes.indiatimes.com/industry/transportation/railways/railway-line-linking-kashmir-with-rest-of-india-may-become-functional-by-2021/articleshow/58617737.cms?from=mdr> <accessed 2 October 2019>.

Is the law a product of society's behaviour, or is our behaviour a product of the laws imposed on us?

Ali Chaudhry, 3rd Year - Law LLB

Introduction

The nature of law has long been contested. Some argue that it is merely a product of society's behaviour and morals. Others contest that society's behaviour is the product of the laws imposed. This article will explore both dimensions to this debate, beginning by considering the view that our behaviour is a product of the laws imposed on us. It will explore natural law and religion as two proponents of this view. The discussion will then turn to the opposing view that the law is a product of society's behaviour. This will include the legal positivist response and an examination of human rights law. It will be concluded that the law and society's behaviour have a reciprocal relationship which means neither can singlehandedly be the product of the other.

1. Human behaviour as the product of imposed laws

1.1. The natural law response

The natural law response would hold human behaviour as a product of the laws imposed. Natural law theory can be described as providing 'a name for the point of intersection between law and morals.'^[1] Natural law places an emphasis on morality, claiming that human laws are defined by it. In other words, we are guided by human nature to discover what laws are, and to act according to them.

This theory has its roots in Ancient Greek philosophy, particularly in the works of Plato. As Wacks^[2] asserts, Plato's natural law recognises the intrinsic ethical value in objects which are absolute. For example, one of Plato's absolutes is justice which Wacks claims to

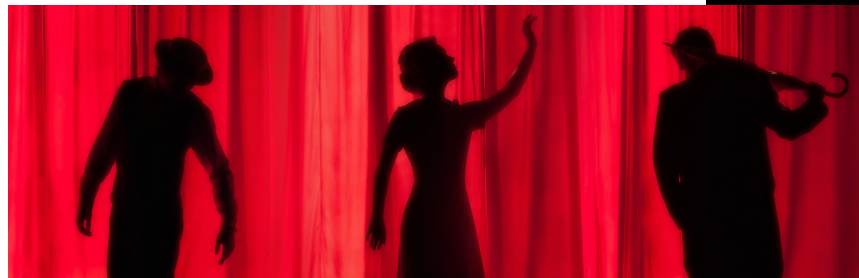


Photo 1 by Boscaro, Unsplash/ Photo 2 by Kyle Head, Unsplash possess an inherent connection to the law - 'only laws that pursue the ideal of justice can be considered right.'^[3]

It is important to recognise that Plato did not explicitly refer to a theory of natural law. In *The Republic*, Plato did say that an ideal community would be a city 'established in accordance with nature'.^[4] As Wild observes however, the Platonic conception of 'nature' appears to contain some elements found in later natural law theories. Plato's response as a likely supporter of natural law may be that human behaviour is the direct product of those laws imposed on us. Aquinas appears to be of a similar view.

Classical natural law theory is attributed to St Thomas Aquinas.^[5] According to him, there are four kinds of law: eternal law, natural law, human law and divine law.^[6]

Footnotes

[1] Matthew H Kramer, *Where Law and Morality Meet* (OUP 2004).

[2] Raymond Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory* (3rd edn, OUP 2012) 11.

[3] *Ibid.*

[4] Plato, *The Republic* (18th edn, New York: Basic Books 1968) 428e9.

[5] (n 2).

[6] St Thomas Aquinas, *Summa Theologica* (Ave Maria Press 2000).

It is human law, Aquinas says, that is only valid insofar as it conforms to the content of natural law. Adding to this, natural law's first precept is the imperative to do good and avoid evil. We can begin to see how Aquinas might also respond to the question posed. Natural law governs a person's behaviour, encouraging them to do good and avoid evil. This sense of doing good is itself derived from a person's rational nature. Therefore, it stands to reason that Aquinas' response would be that the law is a product of society's behaviour.

1.2. Religious response

It could be argued that a religious response would also agree that human behaviour is the product of the laws imposed on us. The religious response shares much in common with that of natural law. Various religions impose laws on their followers. In Christianity for example, this comes in the form of the Ten Commandments. These 'laws' such as not killing and not stealing can be argued to produce what Christianity deems appropriate behaviour.

Another example of this is divine command theory. This theory postulates that for someone to be moral, they must follow the commands of God. If one subscribes to divine command theory, they generally accept that morality and human behaviour are based on the commands of God. If God issues a command, it is the view of this theory that a person's behaviour shall be a product of this. Whether a divine command constitutes law or not has been subject to debate between religious and non-religious believers. In the context of the question posed in this article, a religious believer's response would likely be that behaviour is a product of divine commands imposed by God.

2. The law as a product of society's behaviour

2.1. Legal positivist response

The central claim of legal positivism is that the law is a human construct. In his essay 'Positivism and the Separation of Law and Morals' HLA Hart sets out

the legal positivist view as saying that laws are the commands of human beings and there is no necessary connection between law and morals.[7] According to Austin, there can be no obligation or duty to follow a command without a law issued from the will of the lawgiver.[8] Mautner[9] talks of a likeness between the view of Austin and divine command theory, as both require a command to be issued. Where they seem to depart is that God's will as the lawgiver determines what is right and wrong.[10] In other words, our sense of morality. Hart illustrated the lack of morality in the legal positivist conception of law and Mautner consolidates this view, contrasting Austin with divine command theory. With this in mind, it would seem apparent that this view of separating law and morals means that the law is a product of society's behaviour, being enacted not because such rules exist in nature but because they have been willed due to current societal concerns. Evidence for this point can be seen by looking at the state of human rights law.

2.2. Human Rights Law Perspective

One could argue that the law is a product of society's behaviour with the evidence lying in human rights law. Many human rights instruments have been enacted to reflect society's behaviour, morals and current interests.

For example, the Universal Declaration of Human Rights (UDHR) was adopted at a time where countries were recovering from the effects of World War II. Millions had lost their lives and there was an international consensus in recognising and upholding basic human rights.

The argument could be made that a human rights instrument such as the UDHR is not legally binding and thus not 'law' as understood in the earlier part of this article. However, it has been suggested that the declaration has become binding as a part of customary international law.[11] This is due to it being consistently invoked by countries since its inception. [12] The UDHR has also served as the foundation for the International Covenant on Civil and Political

Footnotes

[7] HLA Hart, 'Legal Positivism and the Separation of Law and Morals' (1958) 71 Harvard Law Review 593, 601.

[8] John Austin, *Province of Jurisprudence Determined* (Cambridge University Press 1995).

[9] Thomas Mautner, 'Divine Will in Modern Natural Law Theory: A Discussion Note' (1983) 1983 Bulletin of the Australian Society of Legal Philosophy 79.

[10] Ibid.

[11] Hurst Hannum, 'The UDHR in National and International Law' (1998) 3 Health and Human Rights 144, 145.

[12] Ibid.

Rights and International Covenant on Economic, Social and Cultural Rights, binding human rights covenants. So, if one conceives of human rights instruments as 'law', there is an argument to be made that the law acts as a product of society's behaviour. The context and reasons for their enactment highlight how society's morals can lead to the creation of new laws. Whether it be a recognition of women's rights or minority rights, the changes in human thought, behaviour and morality often result in new law to meet current day concerns.

3. Concluding remarks

Whether the law is the product of society's behaviour or vice versa, both sides offer compelling arguments. Natural law has long since provided an explanation for where our sense of morality comes from and how human behaviour comes from the laws of nature.

From a religious perspective, one can see how divine commands can influence the way people are and where their sense of morality comes from. On the other hand, legal positivists make a convincing argument for laws being merely a human construct. After all, humans enact law. By looking at the history of human rights law over the last century, there is sufficient evidence to claim that human behaviour produces law and the enacting of law is a response to the current concerns of society. The main point that this article has shown is the reciprocal nature between law and society's behaviour. They are both responsive to each other and it is difficult for one to single handedly produce the other.



Photo by Canva

LET US CELEBRATE MATERNITY RIGHTS - THEY ARE BETTER THAN YOU THINK

Yasmin Ilhan, 3rd Year - Law with Criminology LLB

In 2019, we live in a society which encourages us to be very aware of our own privilege, and thus to spend our time 'calling out' frameworks that do not afford these same privileges to everyone. While we all have a responsibility to expose offensive behaviour in order to promote acceptance, when it comes to gender inequality in the workforce, this need to criticise the system has led us to ignore its successes. The UK has a long way to go until it achieves complete equality; however, as it stands, the law not only provides for a space where women are able to balance work and family life, but also encourages them to progress in their careers while raising children - yet no one is talking about it.

Undeniably, and rightly so, gender equality in the workforce is a key global issue, and many of the UK's efforts to achieve this goal are disappointing. The 'wide and persistent'[1] gender gap in employment has left the UK as one of the lowest ranked EU member states on improvements to gender equality[2]. This brings little hope to women who have an entire career ahead of them as it demonstrates the progress still needed even in such advanced countries. However, while this issue deserves attention, we must also recognise the positive steps towards equality that the UK has made. There are a number of legal entitlements which protect women in the workforce and encourage them to return to work after having children. Therefore, although women are still at a disadvantage, this cannot be attributed to 'anti-women' employment laws - instead, the legislation aims to support women.

It is not submitted that the law is perfect or that the standard we should aim for is merely allowing women to work and raise a family. Rather, it is argued that in a society that highlights the problems in any system, it is also important to draw attention to the successes in order to celebrate progress. As a former Volunteer Legal Adviser at Working Families, a charity that specialises in employment law for families, I have become well-versed in the rights of women and mothers in the workplace. Having never studied it myself, I was surprised to learn of the support offered to working mothers. These protections include the recognition of indirect sex discrimination and the right to return to one's job after maternity leave, which allow mothers to feel more comfortable in a system that is now better built to support both men and women.

Footnotes

[1] Daniel Boffey, 'UK gender inequality as bad as 10 years ago, EU league table shows' (The Guardian, 11 October 2017) <<https://www.theguardian.com/inequality/2017/oct/11/uk-no-further-forward-on-tackling-gender-inequality-eu-league-table-shows>> accessed 19 September 2019.

[2] Ibid.

The most important protection is the appreciation that employment affects women differently to men. Under section 19 of the Equality Act 2010, indirect sex discrimination occurs in some cases where the employer applies the same practices to women as men, since women often have more caring responsibilities. For example, insisting a female employee must work the same full time or inflexible hours as a man may be considered indirect sex discrimination if this puts the female at a particular disadvantage due to her caring obligations[3]. The ability to make a claim on this basis not only has the practically effect of allowing women to hold employers accountable for subtle yet impactful discrimination, but also communicates to women that their family responsibilities are valid and important. This legislation should be commended for promoting a space where working mothers can feel safe, rather than afraid that their motherhood may jeopardise their employment.

Further, the law also encourages women to return to the workforce after having children by affording them the right to return to their old job on the same terms and conditions after maternity leave[4]. Not only does this support one's return to previous employment, but also allows mothers to progress further in their careers. A lack of female representation in senior roles compared with men is partly attributed to their careers being interrupted by family obligations[5]. However, giving women the right to return to their old position means that having children becomes less of a barrier for mothers to advance in their careers. In time, this will hopefully contribute to a greater gender balance in senior positions. On the whole, this support tells women that they can balance work and family, and that they are valued in their employment.

However, the system still needs reform. Despite the aforementioned protections for working mothers, the Equality and Human Rights Commission has found that only 66% felt that their employer willingly supported their needs as a mother[6]. This suggests that employers are failing to utilise the benefits of the existing legislation to create a safe and accepting space, and thus better monitoring of the workplace is required. Additionally, affording women these rights is one thing, but giving them the tools to understand them is another. As highlighted by Sybille Raphael, Head of Legal Advice at Working Families, women 'need more than rights'[7]. They need legal advice to deconstruct the legislation, to understand whether a change to their rota is lawful, to build up confidence to challenge their employer - they need help. It's not enough to create fair laws, but it's a strong place to start.

Ultimately, the current regulations demonstrate how the law is trying to build a system where mothers can balance family and work, and thus a system where women are treated as fairly as men. While this has not yet been achieved, it is important to highlight changes in the right direction in order to recognise what works, in addition to what doesn't, for our society and culture.

Footnotes

[1] 'Flexible working and the law - a guide for employees' (Working Families) <<https://www.workingfamilies.org.uk/articles/flexible-working-and-the-law-a-guide-for-employees/>> accessed 30 September 2019.

[2] 'What happens when I return to work at the end of my maternity leave?' (Working Families) <<https://www.workingfamilies.org.uk/articles/your-rights-at-the-end-of-maternity-leave-returning-to-work-or-choosing-to-resign/>> accessed 30 September 2019.

[3] 'Why aren't more women in power positions?' (Experteer, 9 May 2018) <<https://us.experteer.com/magazine/why-arent-more-women-in-power-positions/>> accessed 30 September 2019.

[4] Equality and Human Rights Commission, *Pregnancy and Maternity-Related Discrimination and Disadvantage: Experiences of Mothers* (2018).

[5] 'Three ideas to make this country a better place, for women, for men, and even for business' (Working Families) <<https://www.workingfamilies.org.uk/workflex-blog/three-ideas-to-make-this-country-a-better-place/>> accessed 30 September 2019.

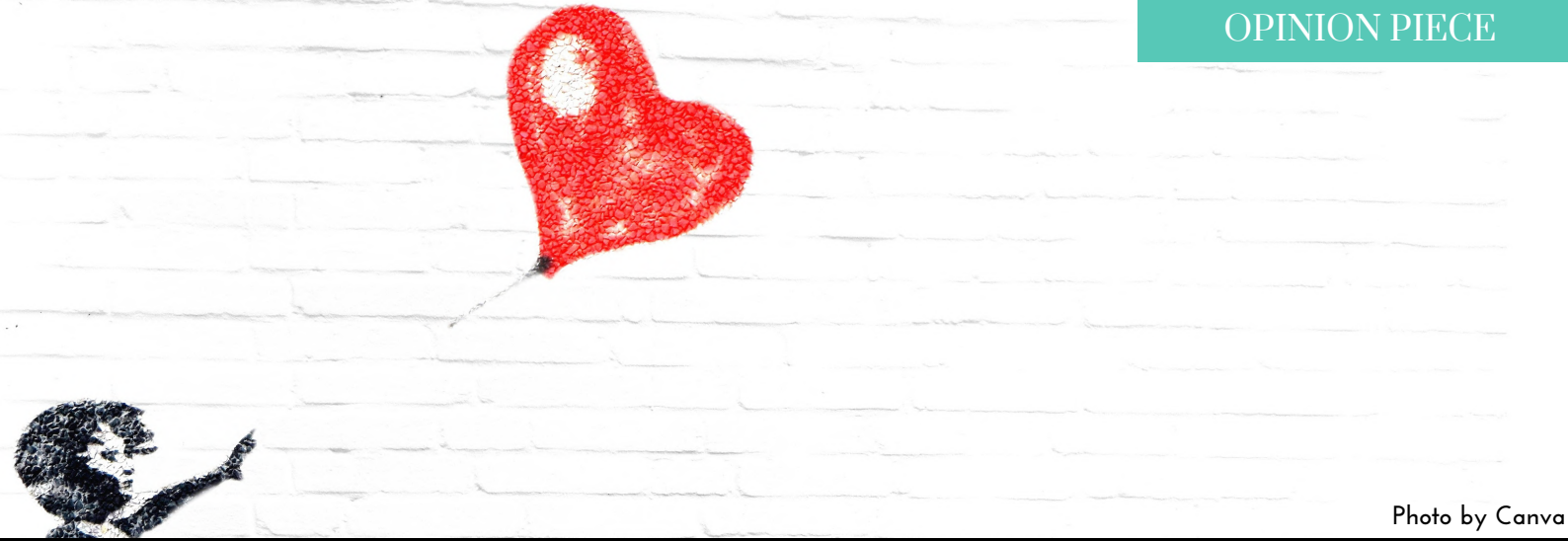


Photo by Canva

WHY NO-FAULT DIVORCE IS AN AFFRONT TO CONTRACT LAW

Amy Gervasio, 3rd Year - Law LLB

Under the Matrimonial Causes Act 1973, current law means one spouse must find fault with the other, or be forced to remain married for at least 2 years, or the arguably more likely 5 years, if one party does not consent to the divorce. A surge in demand for 'no-fault' divorce has occurred in recent years reflected in Lady Hale's declaration that she "wanted to see . . . divorces granted without a person being held at fault".^[1] The Divorce, Dissolution and Separation Bill 2017-2019 hoped to reform almost 50 year old laws in accordance with Lady Hale and others desires for divorce laws, introducing a no-fault divorce system.^[2]

However, allowing a no-fault divorce system would be an affront not only to the contract of marriage, but to the actual aims and obligations within divorce law. There are a plethora of purposes for divorce law, but there are certain fundamental aims which have been widely agreed upon: to support the institution of marriage; to save marriages where possible; to limit harm to both parties; to promote the ongoing relationships which will or must persist post-divorce; to minimise the expense of the process and to restrict any violence or threat to either or both parties. Taking account of this, it seems to make little sense to allow no-fault divorces, when the mere concept undermines the hopes for divorce law anyway.

Marriage is a contract and so in keeping with contract law, should only be able to be ended prematurely when one party acts outside of the contract. Some would argue that we cannot examine marriage as a mere contract as often intense emotions drive people towards and away from marriage, however, the application of this logic would dramatically alter the fundamentals of contract law, creating wild unpredictability. Marriage is not the only contract sometimes driven by emotion and thus should we consider no-fault property contracts? It is also crucial to remember that despite Giddens assertion of confluent love, and society's move towards individualistic choices, people do still get married for other reasons.^[3] Grudem encapsulates the evangelical criticism of the system by suggesting that it 'trivialises the commitment' that is made when marriage begins.^[4] Couples are seemingly already set up to fail with little incentive to secure a successful marriage when they can enter a contract which can be broken without reason.^[5] Couples when marrying often do so with the hope of upholding the contract made 'till death do us part'.

Footnotes

[1] Francis Gibbs, 'Judge calls for divorce overhaul to take blame out of break-ups' *The Times* (London 9 April 2015), 1.

[2] The Divorce, Dissolution, and Separation Bill, HC Bill (2017-2019) [1].

[3] Giddens, *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies* (1st edn, Cambridge Polity Press 1993).

[4] W. Grudem, *Politics According to the Bible* (Zondervan, 2010) 220.

[5] Helen Reece, 'Divorcing Responsibility' 2000 (8) FLS 65.

No-fault divorce would be enforced upon all couples who engage in the institution of marriage, even without their consent – it more so denies couples the chance to accomplish the life-long commitment that marriage is supposed to promise (feel free to reword as you would please).[1]

In opposition, other arguments exist which claim that the idea the couples ‘will not stand a chance’ at having successful marriage is inaccurate as the outcome of a successful marriage is based on willpower and choice to make a marriage work rather than legal structures which trap people into an unhappy but seemingly successful marriage. Despite this, often the structures enable willpower and choice. The legal structure of marriage and the choice to stay in a marriage are not mutually exclusive. Often you use your willpower and place yourself inside structures which ensure your choices are supported. Marriage can be difficult and so couples with a desire to stay committed ensure they surround themselves with structures which encourage and enable them to do so.

When we understand marriage as the binding contract it is, no-fault divorce does not assist the aforementioned aims of divorce law. Marriage as a contract affirms the institution of marriage by validating the contract each party makes, it legally saves marriages by not allowing them to be ended without fault or concentrated consideration and, in an abstract way, minimises expenses purely because less people would be able to get divorced.

In deciding to divorce, it is undeniable that there needs to be extensive consideration and ideally a mutual desire to divorce, with some clear sensitivity and exceptions in cases of domestic abuse, where the respondent’s behaviour would qualify as a fault. The no-fault system would appear to encourage couples to divorce each other with less consideration as nothing needs to be proven. Whilst more liberal writers may argue that forcing one participant to stay in a marriage is a violation of their rights, it seems that forcing someone to divorce is a greater violation. When someone commits to the contract of marriage, they consent to being married permanently. Imposing divorce on an unwilling participant may be against their rights; forcing someone to remain married cannot be a contravention when this is only what they originally contracted.

Considering mutual desire and consideration when getting divorced also supports the aims, discussed previously, of divorce law. In theory, a mutual want to obtain a divorce limits the harm. A divorce is often painful enough even when both parties require it but can be far more complicated and painful than when one opposes. With regards to promoting ongoing relationships, encouraging proper consideration would most likely create healthier relationships post-divorce with regards to both children and previous partners.[2] Where both parties can be as sure as possible, they are more likely to retain a civil relationship where children are still the priority. Gruber highlights how where there is inequality within decisions to divorce, there is an inequality of bargaining power, thus allowing one participant more freedom and quite possibly damaging ongoing relationships in the battle for choice between divorcing participants.[3]

In summary, if we wish to retain the aims for divorce law in modern British society, we cannot allow for no-fault divorce to be introduced. If we value the principles of contract law, we must hold marriage to the same esteem.

Footnotes

[6] Ibid.

[7] The use of ‘proper’ is not to suggest that all no-fault divorces would be nonchalant decisions, but rather there would a shift in the importance of being sure about divorce.

[8] Gruber, ‘Is Making Divorce Easier Bad for Children? The Long-Run Implications of Unilateral Divorce?’ (2004) 22(4) JLE 799.

How to demonstrate your commercial awareness.

Features an assessment centre group activity that will develop your commercial awareness, negotiation skills and understanding of legal technology.

🌐 To register, visit: <https://commercialawarenessholloway.eventbrite.co.uk>

Date: Tuesday 29th October 2019

Time: 6pm

Location: Horton Lecture Theatre 1

Contact: LawOutreach@bpp.com



BPP
UNIVERSITY
LAW SCHOOL

Royal Holloway Law Society President's Note

Charles Brook



Hi Everyone!

My name's Charles, but please call me Charlie, and I'm President of the Law Society for the coming year. I'm in my third year of studying law, and I can't wait to meet as many of you as possible through all the events we've got going on this year!

As a law society, we exist to help improve the university experience of anyone interested in the law, as well as prepare them for their careers after their studies. We do this in a variety of ways. Firstly, we think it's important to help you work out which career is right for you. Not sure whether to become a solicitor or a barrister? Or something else entirely? Then come along to see some of our guest speakers - we welcome professionals in these careers to come and speak to you about their jobs and their lives, to help you work out whether you can see yourself in their shoes. We also have guest speakers from more niche areas - look out for our upcoming talk from a former Hostage Negotiator, as he talks about the skills used and how they transfer to legal careers. We aim to provide something for everyone, to get you set on your path towards your dream legal career.

Once you've got a better idea of which career you'd like to pursue, we are by your side to help you get there. We run a series of "Activities" in conjunction with the Department, namely Mooting, Negotiations, Client Interviewing, and Mock Court. All of these are designed to help you develop the key skills that you would be using on a daily basis in your future legal careers. We welcome everyone, no matter your skill level or experience, and we'll provide the training to empower you to use these skills in the real world. It doesn't stop there; if you find yourself enjoying any of these activities, then get involved in our competitions, for a chance to add to your CV and develop your skills with your peers. And who knows - you could even be selected for one of our national teams!

Of course, we can't forget our socials! We hope to run as many events as possible to help you destress from your studies and meet more people with your same interests. Whether it's a quieter games night, or pre-drinks in the form of a pub crawl, we can't wait to get to know you all in a more relaxed setting - we're not all studyholics! Last year was an incredible year for the society. Our external teams represented the university at both regional and national levels, helping Royal Holloway to stand out.. Our negotiation team finished an amazing second place in the National Student Negotiation Competition, and our Mooters made it right to the final of the OUP National Mooting Competition, defeating Oxford University in the process.

We hope to not only keep this up, but to improve, entering more competitions than ever before and applying everything we've learnt so far to give you the best experience yet! Make sure to keep an eye on all our social media, and on your email if you're a member, as we keep you up to date on all the various events we've got going on throughout the year. We can't wait to meet as many of you as possible at all our events, and we're always here to support you in any way you need. See you all soon!



Social Media:

Facebook: <https://www.facebook.com/RHUL.LawSociety/>

Instagram: @law.rhul

Linkedin: <https://www.linkedin.com/company/rhul-law-society/>

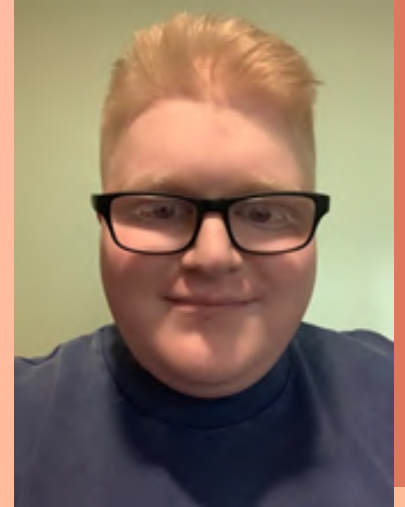
Email: lawsociety@su.rhul.ac.uk

Week	Monday	Tuesday	Wednesday	Thursday	Friday
1	Welcome Week				
2	30/9	1/10	2/10	3/10	4/10
3	7/10	8/10	9/10 Speed Mooting (2 nd /3 rd years) 6-8pm (Arts S021)	10/10 Negotiation 6-8pm (Arts F028)	11/10
4	14/10 Mooting 6-8pm (Bourne LT2)	15/10 Client Interviewing 6-8pm (Arts F001)	16/10	17/10 Speed Moot Competition (2 nd /3 rd years) 6-8pm Moore	18/10
5	21/10 Mooting 6-8pm (Windsor 1-02)	22/10	23/10	24/10 Negotiation 6-8pm (Wettons B)	25/10 Client Interviewing 6-8pm (Arts F001)
6	28/10	29/10	30/10 Mooting 6-8pm (Bourne Annex 290)	31/10 Negotiation 6-8pm (Windsor 1-05)	1/11 Client Interviewing 6-8pm (Arts F001)
7	Reading Week				
8	11/11	12/11 Negotiation Practice sessions	13/11 Negotiation 6-8pm (Windsor 1-02)	14/11 Mooting 6-8pm (Windsor 1-05)	15/11 Client Interviewing 6-8pm (Arts F001)
9	18/11	19/11 Client Interviewing Competition 6-8pm (Moore Building)	20/11 Mooting 6-8pm (Bourne Annex 290)	21/11 Negotiation 6-8pm George Eliot 1-01	22/11
10	25/11	26/11 Negotiation Practice sessions	27/11	28/11	29/11
11	2/12	3/12 Negotiation Competition 6-8pm (Arts Building)	4/12 Mooting 6-8pm (Bourne Annex 290)	5/12	6/12
12	9/12	10/12 Mooting 6-8pm (Windsor 1-04)	11/12	13/12	14/12

- Vice President**
Muhammad Aftab
- VP of Activities**
Oliver Snelgrove
- Mooting Officer**
Yasmin Ilhan
- Negotiations Officer**
Jessica Pen
- Mock Court Officer**
Harry Applegate
- Client Interviewing Officer**
Olivia Smith
- Social Secretary**
Rachel Denny
- Second Year Representative**
George Wright
- Finance Director**
Sophie Malby
- Secretary**
Henn Warwick
- Fundraising Officer**
Do-Kyoung Heo

Commercial Awareness Society President's Note

Ali Chaudhry



I'm Ali - a third year law student, keen musician and the President of the RHUL Commercial Awareness Society for this academic year (2019-2020). My role this year is to organise career-focussed events and activities for those of any discipline interested in a career in law, finance or one where commercial awareness is a must.

Before I talk about what our society has planned for Broadly speaking, commercial awareness is knowing what's going on in the world right now. But it doesn't stop there. It requires an understanding of how businesses work, what makes them successful, why do they behave as they do, amongst other things. If you are interested in commercial law, you will be expected to have a good understanding of your client's business, the industry they operate in, how they interact and perform in comparison to competitors and what leads to a successful business in light of politics, economy and technology. If you want to be successful in interviews, you'll need to demonstrate that you're aware of recent business and technological developments and their impact on the legal industry. Now that you know what it is, you might be wondering how to become commercially aware.

This is where Commercial Awareness Society comes in. The aim is to help students develop an appreciation of commercial awareness and feel confident enough to discuss it at interview. We aim to do this through events and providing interesting content that you can interact with in this Law Gazette. Unlike traditional societies, we don't have weekly meetings or membership fees. This is a brand-new society and our goal is to open this to everyone so that nobody misses out.

Law week will be happening in November and Aspiring Solicitors will be coming in to deliver a talk on commercial awareness. BPP will also be running workshops which will likely cover the topic. We plan to organise commercial awareness coaching sessions in the Spring term so keep an eye out on your university emails and expect to hear more about that once details have been finalised.

You can stay up to date with what we have planned by liking our Facebook page. the upcoming year, I'll just briefly talk about what commercial awareness actually is and why it's so vital to have it. Our committee is small as we are so new, but we hope to grow as the year progresses.

We look forward to meeting you all!

**Treasurer**

Issy Lumsden

Secretary

Lauren Moss

Social Media:**Facebook:**

<https://www.facebook.com/RHULcommercialawareness/>

Email: rhul.cas@gmail.com

Royal Holloway Criminology Society President's Note

I am the president and one of the founders of the newly established 'Criminology society'. Our aim is to make the experience of learning criminology more entertaining and interactive, as well as encourage people to expand knowledge beyond lectures. We want to give the students who are studying criminology a chance to meet students with similar interests in a more social setting, by organising dinners, trips, and academic talks.

By joining our society, we hope to help students give an insight into the world of criminology and provide them with opportunities which will help them in the near future by attending suitable networking events organised by the 'British criminology society'.

This upcoming year, after a very successful turnout on our first meet and greet, we have planned Club nights, movie nights, trip to Magistrate and Crown courts during the first term. Moreover, in second term we have planned exciting trips to the 'Jack the ripper' museum, escape rooms and ending the year with a 'Ball'.

Maera Mohammad Suhail Butt



Social Media:

Facebook: <https://www.facebook.com/rhul.crsoc/>

Instagram: @rhul.criminology

Email: criminology@royalholloway.su

Vice president

Pooja Mahendran

Events organiser

Reece Milton

Treasurer

Sumana Batool Shah

Public Relations officer

Jordan Yuksekse

How to moot.

Prepare for your university's mooting season, BPP's Advocate of the Year competition and our 'How to land a pupillage' workshop.

🌐 To register, visit: <https://mootingroyalholloway.eventbrite.co.uk>

Date: Monday 11th November 2019

Time: 6pm

Location: Bourne Lecture Theatre 2

Contact: LawOutreach@bpp.com



BPP
UNIVERSITY
LAW SCHOOL

Work Experience



Anna McLeod
(2nd Year, Law LLB)
Vacation Scheme

Over the summer I completed a one-month vacation scheme for a Chinese based global law firm called Landing Law. I was based in Shanghai, China and spent a month gaining legal experience in the tax and trust law departments. Entering my second year, I feel more motivated and determined to continue my studies after my time at Landing Law. I found the hands-on experience a crucial part of my career development as it has cemented my decision to become a solicitor and hopefully work within a trust law department. Ironically, despite my enjoyable summer vacation scheme, it wasn't all smooth sailing. Finding a company that would take me on proved a lot more difficult than I anticipated. Having made several applications, I was quite relieved to find a company interested in me!

The application process for this firm consisted of three steps: A computer-based critical thinking test, an interview conducted by the Human Resources department and finally an interview with a Senior Partner who would be my supervisor. While the application process was lengthy and daunting, it allowed me to learn more about the firm, and help them align my interests with their vacation schemes. The critical thinking test was something I tried to prepare for by doing online practice tests. I spent days trying to find out whether there was a certain method to answer questions or a common trend. To my great disappointment, I learned there was not, however, the correct answers were always able to be found using a logical thought process. The tests were never trying to catch you out. While some questions contain perplexing situations, the answers were always fairly logical and could be found by going through a simple process to reach the outcome. Once I had completed the critical thinking test, I was invited to have a video interview with a member of the recruitment team. I was told a little about what to expect from the interview and prepared accordingly. Beyond the given information, I also took the initiative to research the company, its current cases and plans for the future. During the interview, I took the opportunity to discuss my findings which thoroughly impressed the interviewer and helped me get through to the next stage. For my final interview, I knew I was a strong candidate and would not have gotten this far if I was not suitable for the role. I took the time to research my future boss, his interests and his career path. I was surprised to have found he had a blog dedicated to his work on trust law and read through a few articles, which he referred to during our interview! He reacted positively when I was able to discuss these topics with him during our call and at the end of the call offered me a place on the scheme.

This experience has taught me small initiatives to make you stand out amongst a large group of candidates can be the deciding factor of whether you get the position or not. In a competitive commercial industry, I have found knowing the company and the interviewer helps personalise the application process and allows you to show off a little proving you are fitting for the role. I am sure in the coming years I have much to learn and will continue to improve my application techniques, by reflecting on my prior success, I am proud to have achieved such rewarding experience this early on in my career.

Leigh Day

Isabella Lumsden
(3rd Year, Law LLB)
Paralegal

Leigh Day & Co was established in 1987 and specialises in the more complex aspects of personal injury and human rights law. This summer, I was fortunate enough to work at the London Office for a month as a Personal Injury and Industrial Disease Paralegal to Head of the Team and Partner, Daniel Easton. The Personal Injury Team deal with personal injury claims such as cycling incidents, travel claims, brain and spinal cord injuries, road traffic collisions and work-related Asbestos claims. Leigh Day & Co is a highly regarded and internationally renowned law firm specialising in compensation claims for asbestos disease and mesothelioma.

Working as a Paralegal is a great way to kick start your legal career as it not only gives you invaluable legal experience, you also do not require any training or qualifications. I helped assist fee earners with their work in relation to mesothelioma claims. Mesothelioma is a type of cancer which is linked to asbestos exposure. The use of asbestos was completely banned in 1999 which means that the risk of exposure nowadays is much lower, however, individuals who were exposed prior to this or whilst working in older buildings face risk of exposure and developing mesothelioma in later life. Typically, an individual can go 20-40 years before developing this illness or showing any symptoms. Unfortunately, it is rarely possible to cure mesothelioma, which is why compensation for individuals and establishing liability on part of employers is so important. My work was at times, fast paced due to the fact that, around 50% of people with mesothelioma will live at least a year after diagnosis and around 10% will live at least 5 years after diagnosis. If you are interested in learning more about Mesothelioma, it is covered in Tort Law.

I found the experience very rewarding. For me the best part was knowing that the work I was doing contributed to helping reaching settlements for individuals who are/were suffering and ill and their families. Obviously, no amount of money will make up for the suffering that the claimants endure, however, it was satisfying to know that employers were being held accountable for their wrongdoing. I felt as though my peers were confident in my abilities and I was given the independence to do the same type of tasks given to trainees. I felt comfortable working without supervision, although if necessary, I felt able to ask questions. This is important as obviously I am still an undergraduate student and I did not feel the pressure to know everything straightaway.

I would recommend to anyone who is interested in pursuing a legal career to explore as many different areas as possible and be open to trying new things. I did not enjoy learning about tort law (sorry Simon and Jane) and found it quite complicated. However, I was surprised that my viewpoint changed drastically after gaining experience in this area of the law. Even if you feel that you are not interested in a particular area of law, as we all know it can be a fairly dry subject at times, I've learnt that it is good to stay open to all new opportunities as it may surprise you!

A GUIDE TO YOUR FIRST YEAR

In collaboration with the *Royal Holloway Law Society*

Welcome to Royal Holloway - you made the right choice! You have a very exciting year ahead of you, and it's up to you to make the most of it. There are so many activities to get stuck in to within the Law and Criminology Department and the university as a whole, so you won't be short of new things to experience.

After speaking to a multitude of seniors, here are 4 key tips we feel you should know:

1

This isn't a level, and you can't approach your work like you would at a level. While the workload won't seem a lot in your first couple of weeks, the amount of reading you have to do will seem daunting - but don't despair! Organise your time properly and you'll have more than enough of it to properly complete lecture notes and answer seminar questions. Equally, don't overdo yourself; first year is about having fun as well as getting to grips with academics.

2

Make the most out of your lecturers. They're there for a reason - to teach you. Even the smallest misunderstanding can impact your work as a whole, so whenever you're stuck or have a query, contact them either by email or during their office hours. The department have the most helpful, approachable and knowledgeable lecturers who are more than happy to help you with whatever you need.

3

University isn't like school; it's about understanding your individuality and learning about where you want to go. The expectations you set will be the way you spend the rest of your year. No one is going to tell you what to do, when to wake up or how to go about your day. A big aspect is finding something to motivate yourself as the year progresses.

4

First impressions last. The way you see yourself is the way other people will perceive you. The beauty about this course is that it caters to a diverse group of people from a multitude of backgrounds. Have ambition and don't be afraid to stand up for what you believe in, however also understand other people's points of view. The ability to listen more than anything is what separates the successful ones. If you are aiming for a certain standard in regards to a club, a position, a goal etc. it is helpful to know the right people in the relevant area. Getting connected to the people in the year above will really help with that. In university, what you will find is that taking the initiative is more central than waiting for the opportunity to come.

Law Society Activities Taster Session: The Highlights

During freshers week, the Law Society held taster events to showcase the various activities and events that they have running throughout the year. These sessions were broken up into Mock Court, Mooting and Client Negotiations and primarily organised by Oliver Snelgrove (VP of Activities).



Oliver Snelgrove, Yasmin Ilhan and Harry Applegate



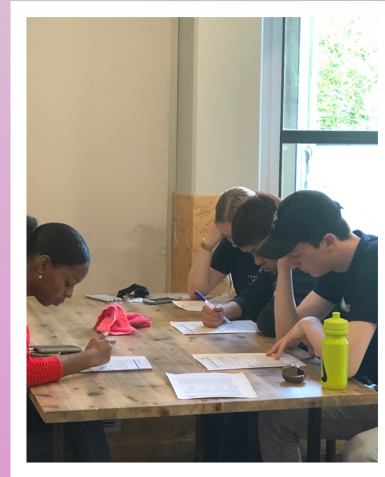
Mock Court

Mock Court officer, Harry Applegate, led the first half of the taster session to give a short presentation on what mock court is. It was followed by a sample scenario that was used previously to give students a jist of what it would be like. At its very core, mock court is much like an imitation trial where students are allocated roles ranging from key witnesses, to barristers and solicitors as well as judges. The idea is that students are able to simulate lower - high court trials and understand how cross examinations are done between sides as well as question evidence before them. It is either sides job to make a convincing argument to a jury. The problem scenario given will usually have scripts and information unique to each party (Prosecution and Defence). It also allows participants to develop key skills such as public speaking and critical analysis.

Mooting

After the mock court part of the taster was over, Yasmin Ilhan, Mooting Officer went on to mooting. Starting off by detailing the training schedule she expanded on the internal and external competitions which she took part in. Mooting is the oral presentation of a legal issue or problem against an opposing counsel and before a judge. It is perhaps the closest experience that a student can have whilst at university to appearing in court. It is not to be confused with mock trial. Here it assumes that the evidence has already been tested and focuses on practising speech and the ability to argue the question of law.





Negotiations

Held on a separate day, this session was conducted by President Charles Brook. Expanding on the key skills and techniques required for such an activity, he noted that this was useful for those interested in working in firms or businesses that represent clients. As a solicitor you will always be asked to negotiate on behalf of the person you are representing. In this activity the onus is on either side (both being playing as solicitors) to best discuss how the needs of their clients can be met. Usually the problem scenario will always provide competing interests and this can become a big point of debate. Candidates are scored on their etiquette, mediation skills and speaking ability.

Missed the sessions but still interested in participating? Not to fear, each activity has regular practice days! A calendar of times can be found in the presidents note section. There will be competitions throughout the year.

You can contact the relevant officers or society via email at lawsociety@su.rhul.ac.uk

Criminology Networking Event - More Than Just Policing

Lucy O'Donnell, 3rd year - Law with Criminology



Many of the audience of this article will be acutely aware of the abundance of networking opportunities that Law students are provided with the option of partaking in at Royal Holloway, alongside the array of law-orientated CV boosters such as mootings or negotiation. These are undeniably fantastic opportunities but can superficially overshadow the equivalent events and opportunities provided to Criminology and Sociology students; or equally Law students who wish to pursue an alternative postgraduate career, like myself!

An example of the aforementioned is the Criminology and Sociology 'Speed Networking Event', hosted in Founders Picture Gallery on the 12th of February 2019, organised by Elaine Carter and Nicholas Hardwick. Students were provided with the opportunity to meet approximately 12 professionals from an array of different disciplines, including the Prison service, the Military and the Police. The professionals were assigned a table each, with the students being assigned different groups and rotating after 5-minute intervals to ensure that everybody had the opportunity to interact with each professional and receive insight into their sector or job title. During each 5-minute allocated slot, students were encouraged to engage with the opportunity and ask any questions, including details of educational background, professional motivations and career highlights - or negatives! After the structured segment of the event, a general networking opportunity was provided, ensuring that students had the opportunity to communicate one-to-one with professionals that they had found particularly engaging, or felt as though they had more questions that the 5-minute simply didn't allow to be answered. Having discussed the event with my peers, this was the part of the event that was most useful and engaging - as students were even encouraged to contact certain professionals regarding employment opportunities; evidencing the importance of networking in seeking employment!

A fundamental factor contributing towards the success of the event was the determination of the students that attended to succeed and engage with the opportunities provided. The feedback I have since received on the event has been extremely positive, with students finding that the event was extremely useful in discovering the different qualities and access routes for different professions, including qualities that employers are particularly keen for in potential employees. All attending students were provided with a portfolio of the attending professionals prior to the speed networking commencing, which provided an opportunity to refine generic questions and really engage with the professionals who most interested them. A final piece of advice is to engage with these opportunities, particularly those who feel inundated with law opportunities and are not necessarily committed to a career in law, test the waters and attend alternative events, there is nothing to lose and everything to gain.

How to get through your interview.

What are employers looking for? Get tips on how to prepare for face-to-face, video and panel interviews.

🌐 To register, visit: <https://interviewskillsroyalholloway.eventbrite.co.uk>

Date: Thursday 5th December

Time: 6pm

Location: Horton Lecture Theatre 1

Contact: LawOutreach@bpp.com



BPP
UNIVERSITY
LAW SCHOOL

VACATION SCHEME



Deadlines

OCTOBER

Jones Day	Winter Scheme	25th October
Premier Solicitors LLP	Winter Scheme	29th October
Burges Salmon LLP	Winter Scheme	31st October
Hogan Lovells	Winter Scheme	31st October

NOVEMBER

Simmons & Simmons LLP	Winter Scheme	1st November
Squire Patton Boggs (UK) LLP	Winter Scheme	1st November
Ashurt LLP	Winter Scheme	3rd November
Clayey Gottlieb Steen & Hamilton LLP	Winter Scheme	3rd November
Sidley Austin LLP	Winter Scheme	4th November
White & Case LLP	Winter Scheme	6th November
Norton Rose Fulbright	Winter Scheme	8th November
Slaughter and May	Winter Scheme	8th November
Stephenson Harwood LLP	Winter Scheme	11th November
Covington & Burling LLP	Winter Scheme	12th November
Bristows LLP	Winter Scheme	17th November
Higgs & Sons	Spring Scheme	29th November

DECEMBER

Baker McKenzie	Winter Scheme	1st December
Clifford Chance	Winter Scheme	12th December
Jones Day	Winter Scheme	13th December
Slaughter and May	Winter Scheme	13th December
Linklaters LLP	Winter Scheme	16th December
Herbert Smith Freehills LLP	Winter Scheme	18th December
Pinsent Masons LLP	Winter Scheme	8th December
Clifford Chance	Winter Scheme	12th December
Bird & Bird	Winter Scheme	16th December
Herbert Smith Freehills LLP	Winter Scheme	18th December
Alen & Overy LLP	Winter Scheme	22nd December
DLA Piper UK LLP	Spring Scheme	31st December

Mini Pupillage

DEADLINES

CHAMBERS	EXPERTISE	DEADLINES
Land Mark Chambers	<ul style="list-style-type: none"> • Environment • Commercial dispute resolution • EU law • International law • ADR 	<p>1st and 2nd years: 30 November 2019</p> <p>3rd years: Opens 1 December 2019, closes 28 February 2020</p>
5 St Andrew's Hill	<ul style="list-style-type: none"> • Crime • Immigration • Public law • Family law 	Offered all year round
Quadrant Chambers	<ul style="list-style-type: none"> • Civil fraud • Banking and financial services • Professional Negligence • Sports law 	31st October 2019
11 Kings Bench Walk	<ul style="list-style-type: none"> • Media and privacy • Tax litigation • Education • Health and community care 	11 November 2019

Why mini pupillage? It provides work experience lasting between three and five days in a set of chambers. This provides a glimpse into what life as a barrister would be like and helps you build key contacts with relevant chambers.

MR. ROB JAGO

HEAD OF DEPARTMENT LAW AND CRIMINOLOGY



What made you choose academia?

I completed my undergraduate studies at the University of Kent and then undertook my postgraduate studies at the University of Cambridge - one was in law and the other was in criminology. Whilst I was undertaking postgraduate study at Cambridge, I became involved in a research project which, at the time, was politically important and was to do with young male offenders in prison and their attitudes and motivations for offending. I worked with Professor David Farrington, who is the country's leading criminological psychologist. As a result of that project I also became involved in a series of other research projects which included the study of risk management of sex offenders in the community with Professor Mike Maguire at the University of Cardiff and with a review of parenting support provision in the youth justice process with Professor Chris Hale at the University of Kent. I knew then that I wanted to research but I also decided that I wanted to teach and I started off by teaching at the University of Kent

What would you say is your favourite aspect of the law?

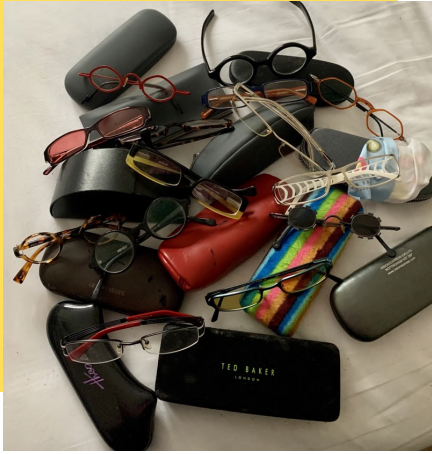
My particular interest, historically was about combatting exclusion. So, I was particularly interested in the way in which the law treated certain groups of people that might be excluded by the law. So, I started off by looking at young people. Then I did some work on how the Home Office managed sex offenders within the community and how that risk was managed. I've also spent some time looking at young people in the context of their psychological development as a result of changing government policy. So, over fifteen years ago there was a big push on controlling anti-social behaviour and I was particularly involved in reviewing legislative responses to that in the sense of being interested in looking at how the law tried to control what young people did and what the impact of that was on their development. I also did some work on the rights of people who were, for example, subject to terrorism legislation and minorities such as

gypsies and travelers.

Would you care to elaborate on what areas of research you specialise in?

At the moment I have just received some funding from the National Council for the State Boards of Nursing in Illinois, US to work very specifically on a project which is looking at the role of artificial intelligence in fitness to practise cases, so these are cases that deal with healthcare professionals and we are focusing on nurses with colleagues from computer science from the College. I am so working with colleagues from the University of Surrey and the University of Toronto, so it has a Canadian and Australian angle to it-not just the UK. But most of my recent work, in the past five or so years has focused on two strands. One of them is on healthcare regulation and how the professions are regulated and the interesting dilemmas of the

A few of the 129 pairs!



What is something about you that your students don't necessarily know about you?

I surprised all my colleagues last year when I told them that I own 127 pairs of glasses, I actually now own 129 pairs of glasses. That's probably my odd claim to fame. As well as having a large collection of shoes. Although I have never counted those!

What tips would you give to someone approaching this course?

My advice now, probably taking advice that I didn't take, is to get as involved as possible with extra-curricular activities. There are a lot of opportunities when people go to university these days and I think it's really important that they think about maximising their time because the reality now is that it's really important that people focus on their studies and they must perform well but that is no longer enough, people need to enhance their CVs as much as they can. They need to take advantage of all the employability opportunities that there are within the College and certainly within the Department and make sure that they can differentiate themselves from other students. The market is very competitive and that's what employers are going to focus on when it comes to recruitment.

fitness to practise process but also I focused on issues around financial accounting and corruption and money laundering and the way in which we deal with proceeds of crime and also how we very specifically respond to incidences of grand corruption and petty corruption.

Would you be interested in students helping you out?

I mean yes, if I was particularly working on a project where we needed student input then I'd be happy for the help. My time at the moment is pretty tied up running this particular project which starts in November (whilst running this Department) but if there's any other stuff that comes up that need research assistance then perhaps I could seek some assistance. One particular area would be in the corruption research because I've let that go slightly in favour of the healthcare and AI stuff, so yes.

DR. DAVID YURATICH

**PROGRAM LEAD FOR
LLB LAW**



What courses do you teach?

I teach public law, European Union law and international human rights law, and in the past, I have taught contract law as well.

What made you choose academia?

I was just really interested in what I was studying, so, the story is that I did a history degree as an undergraduate and like a lot of history graduates I then thought "I want to be a lawyer, I want to be a solicitor". At the time I wanted to do medical negligence so I got placed in a graduate programme, law degree in a year, where you study the foundational subjects and then you do a project and I did some experience with a few law firms here and there and nearly got a training contract. But when I was studying law, I found it really interesting in particular things surrounding the EU and constitution. I was fascinated by the way that the UK's constitution adapts to the challenges of EU law, but also the way the EU changes to reflect the UK's constitutional system. I went on to do a master's degree in EU law which led me on to my PhD.

While I was doing my masters, I started to do a bit of teaching and which continued onwards until I was teaching law at the University of Reading. I went on to become a lecturer at Bournemouth University until I came here in 2015.

What would you say is your favourite aspect of the law?

Its function fascinates me. You have got this very powerful structure called law that affects everything that we do. I find it really interesting how in particular judges make decisions using that law and understanding how it affects peoples lives as well as the structure society lives in. Take the Min and Cherry case that we had a couple weeks ago. The judiciary looked at how the law regulates the UK's constitution. If you look at the way they communicated those ideas to litigants, victims and the general public you find how high stakes it all is. In fact, I've always been interested in dissenting judgements. I believe

that separate opinions from judges can create a certain kind of democratic legitimacy. All these opinions are rooted with a deep historical background. In this judgement, they quote something from 1610 in the case of proclamations and its still somehow relevant! As a former history student I appreciate the way the law can be used to alter the political and constitutional structure of a country.

Would you care to elaborate on what areas of research you specialise in?

I'm a teaching focused lecturer, so I have slightly less research than some of my colleagues. However my areas include dissenting judgments and the relationship between courts and democracy. So generally I look at how courts make decisions and what the problems are, and the occasions of how those decisions democratic operation. In the

Binki (top), Greta (bottom)



context of the European Court of Justice, which I did my PhD on, you've got the sense of the Court trying to empower the European Parliament beyond what the legal structures of the treaties may have permitted the parliament to do based on the society of representative democracy. Another example of that is fundamental rights, what rights do we need for there to be a democratic system and how do courts promote those rights? So that's historically my area. I've also done a lot of research law in popular culture, "Law on Doctor Who?", that was in the context of that same idea, I was using Doctor Who to explain some things about how the HRA works. The HRA is this conflict between on the one side you have parliament which is sovereign but then judiciary saying that there are some things that parliament shouldn't be allowed to do, how do you square that circle where you get parliament to say, "you can declare things incompatible but you can't strike it down", and that creates this big discussion about the scope of our rights and so on.

Would you be interested in students helping you out or ask related questions?

Yes, at the moment my big project is writing a textbook for OUP. It would be a first year undergraduate textbook on constitutional and public law. What would distinguish this from the other textbooks is that it's meant to have a more practical approach - how do these things work out in practice - which is big problem when you study public law sometimes and wonder for example what is the rule of law, how is this relevant. I am also always interested in students who are invested in topics they care about. So if they get a really good mark on their essay, particularly with dissertations because they tend to be more original, I really like working with students to work that up into a thing that could be published or more likely to go on an academic blog post.

What is something about you that your students don't necessarily know about you?

I have created a card game which teaches the basics of legal reasoning with a colleague from the University of Dundee. It's called Ratio! and we are looking for students to help us play-test it! If it is something you would be interested in, do not hesitate to contact me!. I also have two lovely cats called Greta and Binki! Recently I have also been working with the Supreme Court to produce a series of lectures called

Legal Landmarks focused on breaking down key legal cases across history. You should all watch it!

It can be found at: https://www.youtube.com/watch?v=G24GQeRSY8U&list=PLSegY_gUYIeCjbuO1dii9Oc4eCX2sx6D&index=1

What tips would you give to someone approaching this course?

Do the reading but be open and honest about what you don't understand. Law is something where there's a lot to read and a lot to think about and sometimes that is difficult and that's fine. Law is difficult, think about a typical court case: there are two very intelligent, very well payed sides to that court case who disagree. Think about the supreme court cases, those have normally gone through two previous levels right, so typical civil case right has gone to the high court, two people think there's an arguable side and a judge has decided who's right. That judge's opinion has been challenged and overturned by the court of appeal and then the supreme court has been asked to look at it again. And that's with barristers, QC's who are really intelligent, really well respected, very clever people. So if they can't agree on what the answer is and you're an 18 - 21 year old who is not sure what the answer is, that's fine that's the nature of what you're studying.

DR. ANNE BRUNTON

PROGRAMME LEAD FOR CRIMINOLOGY AND SOCIOLOGY



What courses do you teach?

I cover social policy, sociology, criminology, crime in the law and policing. I also teach land law because I have done the LPC.

What made you choose academia?

I don't know to be honest. I think I'm typical for a crim soc student actually, in that I didn't know what I wanted to do when I was doing my undergraduate degree. I picked my undergraduate degree because I was really passionate about the area. So I did my undergraduate degree, you might know actually, here between 1995-98, then it was called sociology and social policy. After I finished I went into work for the voluntary sector, working for a charity and then advocating for disabled people in the community. It was there somebody said to me "you should be a barrister". I thought "Oh, actually, that's quite an interesting idea" so I went off and did the postgraduate diploma in Law and what I found was that being a barrister was probably off the table for me because it was a very class based, very closed organisation at the time, in my

experience. I didn't have any contacts. So the chances of getting into chambers was incredibly difficult. It was suggested that I do instead the solicitor's course, so that's what I did, and actually that was a mistake for me because I really didn't want to be a solicitor. Afterwards I applied for some solicitor roles and I was unsuccessful. Then, I eventually got a job in South London working for a firm who were experts in special educational needs tribunals for young people with learning disabilities because I had a background in working in that area. I did that for a while and then I saw an advert for a PhD at Surrey University, so it was advertised as a job, and it was working with the police and I applied for it and I got it, and I thought maybe I shouldn't do it because I was a bit older and that maybe I should just spend my time getting a proper job. But one of the people who interviewed me was a police officer who had taken time out from being a police officer to train to be a barrister and then realised it wasn't for him and went

back to being a police officer. He said "you should never let debt and education and training in a particular area lock you into a particular career, and that you should focus on what makes you happy". So, I went and did a PhD at Surrey University and then, after that, I was the director of the British Society of Criminology and I did that for about five or six years. At the same time I was teaching at the London School of Economics. Then, I went and worked at another university. Then, I was a carer for my Dad for about five years and then I came back and I worked here. So this is my third year at Royal Holloway.

What would you say is your favourite aspect of the law?

I was the director of the British Society of Criminology, so I know a lot about criminology and the discipline. But underpinning all of that is sociology and social policy. And you really need a good

How cute are these two?!



grounding in those two before you can go and do criminology and even the law aspects you cover in the crim soc degree. And, effectively, doing a sociology and criminology degree, or any social science degree, fundamentally changes the way you think about the world. So I would say doing an undergraduate degree in a social science is like having the scales removed from your eyes, the degree teaches you to have a critical mind, and I would always fundamentally say that is the most important thing that you learn throughout your three years of doing this degree. So, when the government comes up with a particular policy, you ask yourself: "what is underpinning that?" When our government withdraws certain funding or benefits you question why they are doing that and what is underlying it. When they praise something and fail to praise something else, you ask "why?" So, fundamentally, it teaches you to look underneath the cover of everyday life. And great thinkers like C. Wright Mills etc would say that. That's what I would say: fundamentally, it is questioning everything in the world and, at

times, that is deeply uncomfortable and it can make you quite angry. So quite a lot of my first year students who are doing social policy and social problems, who are just starting now, will say at the end of it "it just makes me feel really angry"- and you should be angry about these things because there are injustices in the world, and social sciences really makes you think about and see those injustices.

Would you care to elaborate on what areas of research you specialise in?

I am writing some stuff with some colleagues on Brexit, but that's still in its early stages. There's a research project that I'm involved in, which is looking at children who are excluded from school and really that comes from my special educational needs background; I worked with young people who had learning disabilities for about five/six years and when I was doing my undergraduate degree here I worked part-time for a housing association which took care of young people with learning disabilities.

Would you be interested in students helping you out or ask related questions?

In regard to questions, sure! I think students anyways come and talk to me about sociology, social policy and criminology and they are not backwards about coming forwards in that regard. I'm very lucky to have really great

dissertation students, so I get to learn a lot from them too. In terms of the research project which is here, I am not leading that and it's in its early stages. So, I would say yes it's not for me to say.

What is something about you that your students don't necessarily know about you?

I don't know, I think I'm a pretty open book. I mean, they know I have a dog, so that would usually be my thing. They probably don't know that I'm from the west country, I was born in Plymouth in Devon in the 70s. Most social science students probably know me inside out because within my first year course that I do with Professor Barn on social policy and social problems, most of the time that is talking about underlying issues of property and equality etc, and I use examples from my own life within my lecturing.

LEGAL ADVICE CENTRE

Recruitment Announcement

Royal Holloway, University of London is opening a Legal Advice Centre (LAC). The LAC will be student-led, under the supervision of qualified legal professionals. The aim of the LAC is to provide free legal advice and information to the local community.

The LAC will be open from January 2020.

Applications for the main Legal Advice Clinic have passed, but some initiatives are still ongoing!

The initiatives below will only be available to BSc Criminology and Sociology, BSc Criminology and Psychology, and LLB (LLB includes 'Law With') final year/year 3 students.

Street Law Clinic

Street Law was an initiative that began in the US in the 1970's, which involved law students attending local schools and teaching young people about various legal issues. The aim was to promote legal awareness and knowledge to others. Street Law has been implemented in most Law Schools across the world.

At Royal Holloway, we are introducing our first Street Law Clinic and we will develop various out-reach projects to provide community groups with free legal workshops.

There will be interactive legal workshops delivered under the supervision of qualified legal professionals, or academic members of staff.

Legal Information Leaflet Project:

Student Volunteers can also take part in the LAC's Legal Information Leaflet Project. Students can choose any legal topic when drafting an information leaflet (such as, sports law, data protection, consumer rights, housing matters, or any research-led area of interest etc). Students volunteering for this project will be supervised by practising solicitors or academic members of staff. Students will have a template to work from, so they can simply add in their content. The leaflets will then be printed by Royal Holloway's design team. A quick and easy way to get publishing!

Recruitment

The Legal Advice Centre will be student-led and requires students in their final year, or postgraduates within the Department of Law and Criminology to take part in its Street Law Clinic and Legal Information Leaflet Project.

APPLICATIONS ARE OPEN TILL NOVEMBER 8th!

If you are interested, please contact Nicola Antoniou the program lead (Nicola.Antoniou@rhul.ac.uk) who will duly send an application form.



Law Week 18 - 22 November 2019

Beginner's Guide to a Career in Law

Monday 18 Nov, 1-2pm, Event Space, Davison Building

Solicitor Series Part 1: Find the Firm for You

Mon 18 Nov, 6-7.30pm, Event Space, Davison Building

Written Applications –a practical, interactive workshop

Tues 19 Nov, 1-2pm, Event Space, Davison Building

Routes into Law for non-Law Graduates: the Graduate Diploma in Law (GDL)

Tues 19 Nov, 6-7pm, Event Space, Davison Building

Law Fair and Networking Evening

Thursday 21 Nov, 6-8pm, Picture Gallery, Founders Building

Interviews and Assessment Centres – Aspiring Solicitors Presentation

Fri 22 Nov, 12-1pm, Event Space,
Davison Building

royalholloway.ac.uk/careers
01784 443073
careers@royalholloway.ac.uk

EVALUATE
EXPLORE
ENACT



Passport
Award



Careers & Employability



Careers & Employability Service Autumn Term Events 2019



**Part-time Jobs Fair
Wednesday 2 October**

**Civil Service &
Teaching Days
w/c 7 October**

**Finance Week
w/c 14 October**



**Careers Fair
Wednesday 23 &
Thursday 24 October**

**Government, Politics &
Charities Week
w/c 28 October**



**Environment
Careers
w/c 4
November**



**NHS Day
and
LinkedIn Day
w/c 11
November**

**Law Week w/c 18
November
Law Fair Thursday
21 November**



**Tech Week &
Telecomms
Day
w/c 25
November**

**Performance
Careers
w/c 2
December**



We hope you enjoyed reading this issue!

Dont forget, submissions are open to all within the
School of Law and Social Sciences.

For any further queries, suggestions or questions
please don't hesitate to contact the editorial team at:

lawgazette.rhul@gmail.com

**Opportunities for submitting content to the next
issue will be announced via email soon. We hope
you enjoy reading this one!**

Finis

MAGNA CARTA

VOLUME 1 / ISSUE 1 / OCT. 2019

ROYAL HOLLOWAY LAW AND
CRIMINOLOGY GAZETTE

lawgazette.rhul@gmail.com