

Liberty Building News

The School of Law Newsletter

March 2012

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Shami Chakrabarti speaks about Liberty in the Liberty Building

On 13 February 2012, the School of Law welcomed Shami Chakrabarti, Director of Liberty. A full Moot Court Room heard a lecture on 'Liberty in Action'. The talk formed one part of a series of events in the Liberty Building to celebrate its opening. Other events have included a conference on the idea of liberty with papers delivered among others by notable alumni (such as the DPP Keir Starmer who formally opened the building) and presentation by the Master of the Rolls (Lord Neuberger). A well-known public figure, Shami Chakrabarti has been Director of Liberty (previously The National Council for Civil Liberties) since September 2003. She has been heavily involved in its engagement with the 'War on Terror' and with the defence and promotion of human rights values in Parliament, the Courts and wider society, arguing for recognition of the importance of the post-WW2 human rights framework as an essential component of democratic society. The lecture focused on the key role of universal human rights in a democratic state and the need for effective public debate around the nature of the rights. A question and answer session followed in which staff, students and guests addressed the difficult and complex questions of making sense of the idea of universal human rights in specific contexts, and the particular challenges faced by the state in protecting its citizens against the threat of terrorist attack -- whilst respecting the human rights of all those within its jurisdiction. Professor Steven Wheatley, Head of School, commented on how much he had enjoyed the lecture, stating: "It was a real pleasure to see staff and students engaging directly with Ms Chakrabarti on this issue of national importance. It was a very good talk, which provoked a very stimulating debate."

The Hon. Mr Justice Singh meets School of Law students and staff

Rabinder Singh is one of the UK's most influential human rights and public law barristers and has recently become the first Sikh High Court Judge. It was, therefore, a great honour to welcome him to the Liberty Building earlier this year for an informal Q&A session. After a brief introduction of his exceptional career, Mr Justice Singh briefly and modestly discussed some of the many high profile cases which he has been involved in.

Having graduated from law at Cambridge University, Mr Justice Singh travelled to California to study for his LLM, and on returning to the UK he worked as a lecturer at Nottingham Univer-

sity with our very own Roger Halson. He is one of the founders of Matrix chambers, and in 2002 was one of the youngest people to be awarded 'silk'.



Rabinder Singh's career has been varied and exciting with cases ranging from representing the Campaign for Nuclear Disarmament with regard to the legality of the war in Iraq to fighting for prisoners' voting rights in

Strasbourg. Yet, he is very humble in his achievements putting them down to hard work and determination. His success, he claims, is not due to having read volumes of legal theory but to his command of the English language and his interest and understanding of his clients' lives and motivations.

Everyone who attended the session left with a feeling of optimism and respect for this hard working and talented judge. He was an engaging and modest speaker with a strong focus on the future of the legal profession, emphasising the need for students to aim high and achieve their goals.

By Emma Bates

Centre for Criminal Justice Studies annual lecture

On the 31 January, the School of Law was honoured to have Lawrence Sherman, Wolfson Professor of Criminology at the University of Cambridge, and Sir Norman Bettison, Chief Constable of West Yorkshire Police, discuss the relative merits of contemporary policing policy.

On a personal level, I was impressed by the weight given by both speakers to the principles and practice of restorative justice. Professor Sherman is a well known criminologist, a critic of policing practices on both sides of the Atlantic and an established proponent of evidence-based policy, which is something that our Centre for Criminal Justice



Studies also strongly advocates. It was therefore captivating to listen to his array of evidence-based

policy suggestions. Calling on work by Norbert Elias, Daniel Kahneman and many others, Professor Sherman spoke about the replacement of emotion with rationality in governmental decision making, making justice more civilised and the significance of incentive structures. His thoughts regarding a transition to sentencing based on harm quantification and reduction are worthy of mention.

It was also very interesting to hear the speakers identify some potential problems with the Police Reform and Social Responsibility Act, a topic in which Sir Norman Bettison is extremely knowledgeable. It is always encouraging to see academics work directly with practitioners in their efforts to identify and resolve the most pressing concerns of our criminal justice process, and I am very glad to have attended this event.

By Ian Marder

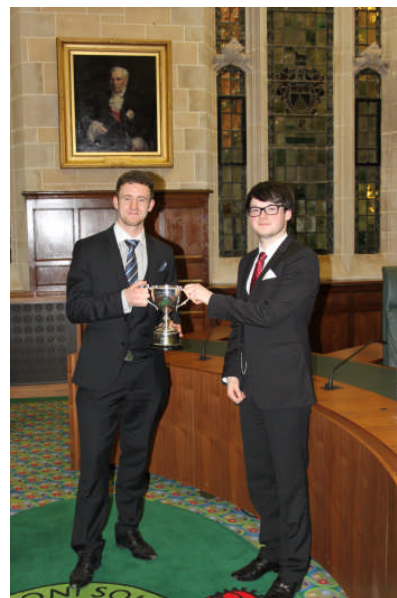
Leeds law students moot in the Supreme Court



The final of the Leeds LawSoc's Senior Mooting Competition was heard for the first time in history this year in the highest appellate court in the land, the Supreme Court of Justice. Lord Kerr, one of the only twelve Justices of the Supreme Court, heard the final in Court 2 on Wednesday 8 February 2012. The four mooters - George Wills, Stuart Bell, Ashley Fairbrother and Michael Yap (left to right) - are all students in the School of Law and had battled their way through four rounds to reach the final. A moot is a legal argument in which difficult points of law are applied to a particular set of hypothetical facts by mooters who try to convince the judge that their understanding and application

of the law is correct. Time is strictly limited and formal legal language is used. Eloquence, persuasiveness and concision are required and, of course, a thorough and detailed knowledge of the case law which grounds and develops the law in that area. An ability to stand up to rigorous and detailed questioning is also essential: thinking on one's feet being the skill that advocates need most urgently to acquire.

The hypothetical problem before Lord Kerr concerned Sybil, a woman whose husband, Basil, had died in an explosion at the fireworks factory where he worked. Lord Kerr listened carefully to the arguments on law and policy advanced on both sides, and he was impressed by the standard of advocacy displayed by all four mooters saying: "All show startling promise as advocates in the future... and exhibit tremendous aptitude...". He adjudged Ashley Fairbrother to be the best mooter and the Mooting Cup was presented to Ashley in the Supreme Court. A coach load of fellow law students had travelled to London and been present in Court. All retired to a local pub on Parliament Square for a very fine buffet to congratulate the winner and mull over the day's proceedings. The day was very skilfully organised by the LawSoc's Mooting Secretary Jake Rylatt and has been a highlight of a very successful mooting year in which Leeds law students have done exceptionally well in a number of national mooting competitions. In February, a team of Leeds students was mooting in the Jessup International Law Mooting Competition in London, the Essex Court National Mooting Competition in Cheltenham, the semi-final of the Incorporated Council of Law Reporters National Mooting Competition at Gray's Inn in London and a Lincoln's Inn inter-varsity moot against Sheffield University at Lincoln's Inn in London.



By Judith Dahlgreen



External mooting competitions

History has been made in mooting this year in more ways than one. We have had some great performances from a large number of talented students and we are through to the finals of the Incorporated Council of Law Reporting/WLR National Mooting Competition in London in March. Particular credit must go to Jake Rylatt, the Mooting Secretary, for all his dedication and organisational skills and for involving the BPTC students in judging the internal competition which has provided some extra entertainment for all.

Jane Gordois and Marika Kinsey have repeatedly demonstrated steely calm and incisive legal analysis and were victorious again in the semi finals of the ICLR on Tuesday 28 February 2012 at Gray's Inn before Lord Justice McFarlane and Margaret Bowron Q.C. It was particularly enjoyable to take with us 11 spectators who have now certainly got a head start on secret and half secret trusts not to mention top tips on court appearances from a Court of Appeal judge.

Nathaniel Garner and Chris Ferguson won the Lincoln's Inn moot against Sheffield on Monday 27 February 2012 and very much enjoyed the fine dining in Lincoln's Inn hall. Joshua Blake won the first year mooting competition with panache and style. Stuart Bell and Jake Rylatt encountered a yawning cultural chasm in their Essex Court moot in Cheltenham and debated judicial independence at length on the long train journey back up north. Iain Hutchinson and Joseph Bairstow had a trip to Keele in the BPP/OUP Competition but were beaten on the day by superior organisational skill, and Michael Yap and Ashley Fairbrother kindly went into battle in the inaugural FTB Mooting Competition.

All in all we have had strength and depth and all are to be commended for good humour, courage and truly incisive legal analysis.

By Judith Dahlgreen

Focus on research and teaching: Centre for Business Law and Practice

By Professor Andy Campbell

Within the School I teach three modules which are directly related to my main research interests. These are *Banking and Financial Services Law* (with Judith Dahlgreen) at undergraduate level and *International Banking Law: The Regulatory Framework* and *Islamic Banking and Finance Law* on the LLM programmes.

I had been researching the subject of banking and financial law for many years and had already written widely on the subject of banking crises and bank failures when the recent, and continuing, financial crisis suddenly appeared and has since adversely affected so many parts of the world. Up until 2007 most of my involvement, both from an academic and practical perspective, had been overseas as the banking and financial landscape in the United Kingdom had been relatively stable for many years. However, banking crises elsewhere have been very common and have occurred in many countries during the last quarter-century. My academic work includes writing books and articles

and speaking at conferences all over the world. At a practical level, I regularly act as Consulting Counsel to the Legal Department of the International Monetary Fund providing legal expertise to governments, mainly in developing and transitioning economies. This involvement with banking legal reforms in many countries has enabled me to gain many insights and a level of international expertise which would otherwise not have been available to me.

I am fortunate that all my teaching is connected with my research, and it is a great pleasure to be able to use this expertise in my lectures and seminars. I believe that being taught by someone who has been researching the subject over a long period of time is very beneficial for students at all levels including postgraduate research students. It also has great benefits for me. I think that a School of Law such as we have at Leeds provides a strong research culture where students are taught by experts in their field. This, in my opinion, leads to a much more enjoyable and fruitful learning experience for students, and that is what it is all about!

Students help the community through Legal Advice Clinic

The award winning Legal Advice Clinic involves student volunteers on a variety of degree programmes (including BA Criminal Justice and Criminology; LLB Law and two-year LLM Law) joining forces with local solicitors to provide free, written legal advice in Leeds and surrounding areas. Pro-bono is all about students and the legal community working together to enhance public well-being and this is something the Clinic has been doing in abundance since it was set up in 2009 by the Director Lydia Bleasdale-Hill. The Clinic has proven to be a resounding success from day one, going from strength to strength in terms of client contact and number of students involved, and it has become a pro-bono institution here at the School of Law.

Not only does the Clinic enable the University to build relationships with people of Leeds but it also allows students to gain a real life insight into practising the law and working within a professional office-based environment; something which can be notoriously difficult for students to come by. Since the Clinic began, students have been advising clients on matters such as housing, debt, employment, consumer disputes and family issues; a unique opportunity for all those budding legal professionals here at Leeds. Even those opting for a non-legal career find that working for the Clinic perfects a plethora of transferable skills for any profession such as client service, effective communication, organisation and team work.



Students alternate between two roles throughout the academic year - one is an administrative role as office manager on a rota basis and the other involves interviewing clients and giving advice. Clients receive their advice in writing within a fortnight of their interview here in the Liberty Building, although students have in urgent matters given advice in a much shorter time frame, which highlights the importance of prioritisation and meeting deadlines.

The Clinic is contacted, on average, by around one hundred interested clients each year although, because the Clinic only covers certain areas of the law, some clients have to be referred to other bodies. As a student who was an adviser at the Clinic 2010-2011 and is currently acting as a Clinic Manager, I now fully appreciate how the law operates in practice and have a good base for understanding the work of a solicitor. Not only has this increased my ability to demonstrate the skills employers are looking for but it has allowed me to make a difference to real people's lives. Other volunteers have commented on the expansion of their legal knowledge through covering matters such as insolvency which do not form part of the core LLB Law programme and their excitement to see how the Clinic will expand and develop in the future.

The application process to become involved with the Clinic in 2012-13 is now open, and all eligible students (i.e. those with at least one academic year of their degree remaining) have been emailed about the opportunity. More information and the application form are available on the VLE.

By Rachael O'Connor

Investigating possible miscarriages of justice

The University of Leeds Innocence Project has gone from strength to strength so far this year. We have recently had an influx of new cases from applicants in prisons across the country, with a fascinating variety of offences. Students on the Project have been particularly vocal about the benefits of putting their legal knowledge into practice, applying what they learn in lectures to real cases and regularly discussing legal issues with criminal solicitors. When applying for work placements, pupillages or training contracts, it has become clear how employers are impressed with this practical experience, the teamwork and increased academic understanding that comes with working on the Project.

But the advantages do not end there – our student researchers are preparing an application to the Criminal Cases Review Commission (CCRC), to submit soon, on behalf of an applicant who we strongly suspect has been wrongfully convicted. The voluntary hours that students have committed to week after week

may have life-changing consequences for this currently imprisoned applicant. Even when investigations into cases have led groups to conclude that an applicant is factually guilty, students' ability to explain the legal complexities of convictions to such applicants - in terms that help them understand their offence - provides a valuable service to inmates and their families, many of whom have written letters of thanks in that respect.



Having been awarded the Leeds for Life grant after a series of applications and interviews, the student managers of the Project have been able to negotiate and organise a forthcoming trip for students to the notoriously secre-

tive CCRC. Commissioners have agreed to offer an educational workshop, explaining how the Commission works and how miscarriages of justice are tackled post-conviction. We are very excited about the opportunity, considering how rare it is to have access to the CCRC, as well as firsthand insight into cases that have been investigated by commissioners and referred to the Court of Appeal.

If you are interested in miscarriages of justice or the work of the Innocence Project, or wish to share ideas and articles about wrongful conviction, join our Facebook page - 'University of Leeds Innocence Project' - which we regularly update with current cases of wrongful conviction, links to media debates and articles on miscarriages of justice. Not only does it keep us informed of recent developments (always good for interviews), but it has also come in handy as a supplement to academic reading – and is far more interesting!

By Naomi-Ellen Speechley

Success for Leeds negotiating teams

With over one hundred students entering this year's negotiating competition, the competitors faced a tough feat to reach the final. The competition saw returning negotiators who wanted to develop their negotiating skills further, and first-time competitors who have also improved significantly as the competition progressed. My fellow judges and I enjoyed seeing the wide range of negotiating styles brought to this year's competition. Four students made it all the way to the final:

Alice Hyde and Eimear Ahern and Christopher Ferguson and Edward Barnes.



The two pairs battled it out in a heated final held in the Liberty Building, watched by their fellow students. The final was judged by representatives from DLA Piper. After a gruelling 60-minute negotiation, Guy Lamb (Head of the Employment, Pensions and Benefits team in Yorkshire) and two trainee solicitors Ruth Kennedy and Claire Pincombe made their decision. Christopher and Edward were declared winners of the Negotiating Competition 2011-12. I would like to extend our gratitude to DLA Piper for sponsoring the Law Society's Negotiating Competition again this year as we very much appreciate their continued support.



Following the final, I accompanied the finalists and runners up (Andrew Statham and Laurie Cave) to York to take part in the regional heats of the external Negotiating Competition sponsored by CEDR. Our three teams were placed first (Edward and Christopher), third (Laurie and Andrew) and fifth (Alice and Eimear) out of sixteen teams, showing how negotiating at Leeds has gone from strength to strength in recent years. The top three teams from each regional heat go on to compete in the national competition in Manchester on 31 March so we wish Edward, Christopher, Laurie and Andrew the best of luck in the next stage of the competition!

By Anna Bewley

Crim Soc: what have we been up to?

CrimSoc organised three trips to Armley Prison in November and December 2011, each of which was attended by twenty criminal justice students from various years. The visits involved a guided tour of the prison by two senior prison officers, and they were very eye opening to all the students who attended. We hope to continue the link with Armley Prison to enable more students to participate in this invaluable opportunity to see what prison is really like, something which cannot be taught in lectures. Ten third year students also visited the Wetherby Young Offenders Institution on Monday 5 March, which is a major achievement for CrimSoc as this is the first time we have been able to do so.

We arranged a successful talk by Raymond Lunn whose life story was extremely interesting and it showed how difficult life as an ex offender is. There was an excellent turnout from all years and we received very good feedback from students who commented on how beneficial it was to hear from someone who had been through the system and could give a perspective on it. I would like to thank Linda Asquith for her help with organising the event.

In the field of sports, our 5-a-side football team won the league in the first semester and qualified for the play-off tournament. It was therefore no surprise that the CrimSoc vs. School of Law staff football match resulted in a 6-3 win of the younger team.

By Richard Shepherd



School of Law welcomes students from Shanghai

The School of Law is proud to have formed a close academic association with the East China School of Political Science and Law in Shanghai (ECUPL). ECUPL is one of the oldest established and best respected law schools in Shanghai which has now been developed into a comprehensive university, but with a focus on law and related subjects. The most recent national ranking for ECUPL is 6th, according to the 2009 Chinese Ministry of Education Law Schools Academic Assessment Exercise. It has more than 1,400 faculty members and over 20,000 students in total.



Currently 25 students from ECUPL are studying in Leeds for postgraduate degrees in business law. At the risk of embarrassing them, these students are 'high fliers' who have been allowed to complete an expedited undergraduate degree at ECUPL in three, rather than the usual, four years. It has been a great pleasure to welcome these students as part of the first cohort of LLM students to begin their academic studies in the Liberty Building, the School of Law's £12M state of the art home. ECUPL itself occupies two very impressive sites in Shanghai: one in Changning district and the other one in Songjiang district. Changning campus was originally an American college with many charming old buildings and gardens in the centre of old Shanghai and it is famous for its western architecture style. The new campus was built on a grand scale in the past 10 years with an architectural style similar to Leeds own Parkinson Building. The new campus is surrounded by a new residential suburb which includes an 'English pub', red telephone box and an enclave called 'Leeds gardens'. Yes really. Nowadays the old campus is used mainly for postgraduate, and the new campus for undergraduate teaching.



Pearl library in Songjiang campus

ECUPL enjoys high reputation at home and abroad. Recent visitors to ECUPL (in no particular order) have included: the Prime Minister of Canada, former Deputy Prime Minister of the UK, the Lord Chancellor of the UK, Premier and Minister of Employment of the Netherlands, Professor Michael Arthur the Vice Chancellor of the University of Leeds and myself. In fact I have now visited Shanghai and ECUPL four times and on each occasion received a very warm welcome from the University. Shanghai is a fascinating place with some remarkable and well preserved colonial architecture along the elegant 'Bund' and is of a size that makes the mind boggle. The population of greater Shanghai is almost 35 million which is 15 million more than the total population of Australia. If I have whetted the appetite of any current students in the School of Law to visit Shanghai, you should look out for the Leeds Shanghai Summer School which will take place for the second time in September 2012. A small party of Leeds students will visit ECUPL and learn about Chinese law and culture over two weeks and visit local lawyers and courts. Participants in the first Summer School returned from China 'buzzing' about the experience and also curiously much better dressed.



Sun Yat-sen speech hall in the Chingning campus

By Roger Halson