



The City Law School
CITY UNIVERSITY LONDON



Re:Law Autumn 2011

Dear Colleague,

Welcome to the fifth issue of The City Law School's legal research e-newsletter, **RE:LAW**.

This Autumn issue gives you all the information you need to know about the latest legal research developments happening across the School. In particular, you can find out about our:

- > Publications
- > Press & Reviews
- > Events, Conferences & Seminars
- > Bids, Projects & News
- > Staff seminars
- > Research Deadlines

This edition also includes our Spotlight article, which this term focuses on the prestigious workshop we hosted earlier this year in collaboration with the Institute of European Media Law (EMR) and the [Council of Europe Audiovisual Observatory](#).

Research Blog

In addition to our RE:LAW e-newsletter, you can find out more information about the research projects and opportunities taking place at the School by reading our Research BLOG. As an open access blog, it also allows you to exchange ideas and information both with staff from across the School and the wider legal and academic community. There have been a number of fascinating posts in recent weeks and the blog itself has been relaunched this month so I heartily recommend taking some time to have a look. Log onto our new-look Research Blog [here](#).

Kind regards

kind regards,

Professor Lorna Woods

Associate Dean for Research
The City Law School
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P.S If you have any research news or ideas that you'd like to tell our readers about in the next issue of RE:LAW, please email [Ben Mitchell](mailto:Ben.Mitchell@city.ac.uk).

RE:SPOTLIGHT

Earlier this year, the [University](http://www.city.ac.uk) hosted an expert workshop on media regulation in conjunction with the Institute of European Media Law (EMR) and the Council of Europe Audiovisual Observatory. Lorna Woods was invited to chair the event - entitled '*Who's Boots Are Made for Walking?*' - which focussed on on-demand services and examined the case for passing regulation, entrusting self-/co-regulation or leaving it to general legislation.

A collaborative workshop, the event hosted a range of regulators and members of appropriate ministries, including [Ofcom](http://www.ofcom.gov.uk) and the [Department for Culture, Media and Sport](http://www.culture.gov.uk), as well as a significant number of industry and academic experts. Participants heard presentations on the European legal framework and an overview of the approach taken in this field by various national lawmakers before assessing the expectations of legislators, regulators and the industry as a whole. The event proved to be a major success and continued to raise the School's profile in this fascinating area.

RE: PUBLICATIONS

Enrico Bonadio:

'File Sharing, Copyright and Freedom of Speech' (2011) - European Intellectual Property Review, 33(10).

Enrico Bonadio and Alberto Alemanno, 'Do You Mind My Smoking? Plain Packaging of Cigarettes under the TRIPS Agreement' (2011) - The John Marshall Review of Intellectual Property Law, 10 L. 999, 450-475.

Penny Cooper:

'Professional Development Training in Law Firms in the Global Recession: Are Short-Term Savings and Long-Term Planning Mutually Exclusive?' - Legal Theory, Practice and Education (ATINER 2011) by in David Frenkel (eds).

David Collins:

'A Case Study of Coverage: Canada's Delay in Listing Sub Central Commitments under the WTO GPA' - The WTO Regime on Government Procurement: Challenge and Reform (Cambridge University Press 2011) 175-196 by Susan Arrowsmith and Robert Anderson (eds).

'Applying the Full Protection and Security Standard of International Investment Law to Digital Assets' (2011) - Journal of World Investment and Trade 225-243.

Claire de Than:

'Provoking a Response' in Alan Reed and Michael Bohlander (eds), Loss of Control and Diminished Responsibility: Domestic, Comparative and International Perspectives (Ashgate

2011).

Claire de Than and Jesse Elvin:

'Skills assumptions in legal education' in David Frenkel (eds), *Legal Theory, Practice and Education* (ATINER 2011) 25-39.

Catherine Elliott:

'Criminal responsibility and children: a new defence required to acknowledge the absence of capacity and choice' (2011) 75 - *Journal of Criminal Law* 289 – 308.

'Killing in fear of serious violence is an act of self-defence and self-preservation, not an act stemming from a loss of control' in Alan Reed and Michael Bohlander (eds), *Loss of Control and Diminished Responsibility: Domestic, Comparative and International Perspectives* (Ashgate 2011).

Daniel Wilsher:

Immigration Detention: Law, History, Politics (Cambridge University Press, October 2011).

Lorna Woods and Ian Walden:

'Broadcasting Privacy' (2011) 3(1) - *Journal of Media Law* 117–141.

Other publications:

Enrico Bonadio:

'The EU Embraces Enhanced Cooperation in Patent Matters: Towards a Unitary Patent Protection System' (2011) - *European Journal of Risk Regulation* 2(3).

'Communication to the Public in *FAPL v QC Leisure and Murphy v Media Protection Services*: the Advocate General's Opinion' (2011) - *Journal of Intellectual Property Law & Practice*, 6(6), pp. 370-371.

'The High Court Rules on "Communication to the Public" and Infringement of Copyright in *Broadcasts (ITV v TV Catch Up)*' (2011) - *Journal of Intellectual Property Law & Practice*, 6(4), pp. 219-221.

'Current Intelligence' (2011) - *European Intellectual Property Review Law and Practice*.

Enrico Bonadio and Marco Bellezza:

'Private Copying Levy in Cross-Border Transactions: CJEU's stance in *Stichting v Opus*' (2011) - *European Intellectual Property Review*, 33(11)

Enrico Bonadio and Marco Bellezza:

'Exceptions to Public Lending Rights and Remuneration to Authors: CJEU's stance in *Veva v Belgium*' (2011) - *Journal of Intellectual Property Law & Practice*.

Enrico Bonadio and Carlo Cantore:

'The ECJ Rules on Private Copying Levy: *Padawan SL v. Sociedad General de Autores y Editores (SGAE)* (C-467/08)' (2011) - *European Intellectual Property Review*, 33(4), pp. 260-263.

Penny Cooper:

'Child witnesses in family proceedings: Should intermediaries be showing us the way?' (April 2011) - *Family Law Vol. 41* 397-403.

'Get Set and Go: The Midlands Circuit Three Month Rule for Expert Witnesses' (May 2011) - *Family Law Vol. 41* 520-521.

'Call yourself an expert?' (May 2011) - *New Law Journal* 707-708.

Can you sell an expert? (May 2011) - New Law Journal 707-708.

'Jones v Kaney: A curse on Family Court Experts?' (June 2011) - Family Law Vol. 41 642-644.

'New Achieving Best Evidence Guidance' (August 2011) - Family Law.

'The Technology and Construction Court (TCC) Guide (Spring 2011) - The EWI Newsletter 28-29.

['What's Happening 2: Registered Intermediary Survey 2010'](#) (June 2011) The City Law School

'Jones v Kaney: Will it prove to be a curse on some expert witnesses?' - The EWI Newsletter 11-14 (Summer 2011).

'Barren Lands?' [Jones v Kaney] (June 2011) - Counsel Magazine 26-28.

Penny Cooper and David Wurtzel:

'The Registered Intermediary Procedural Guidance Manual' (March 2011) - Ministry of Justice.

David Collins:

'Book Review: Foreign Direct Investments from Emerging Markets edited by K Sauvant' (2011) - Manchester Journal of International Economic Law 8:1 101-103.

'Book Review: The Effect of Treaties on Foreign Direct Investment edited by K Sauvant and L Sachs' (2011) - Modern Law Review 74:2 325-327.

Catherine Elliott:

'France' in Kevin Heller and Markus Dubber (eds) - The Handbook of Comparative Criminal Law (Stanford University Press 2011) pp 209-251.

Catherine Elliott and Frances Quinn:
English Legal System (12th Edition, Pearson 2011)

Contract Law (8th Edition, Pearson 2011)

Marta Iljadica:

'Book Review: The Legal, the Spatial and the Pragmatics of World-Making: Nomospheric Investigations by David Delaney' (2001) - King's Law Journal 22:2.

Robert McPeake:

'Evidence Law' in All England Law Reports Annual Review (Butterworths 2011)

Susan Nash:

Legal Update Specialist: Public Law/Human Rights (2011) – New Law Journal pp 873-874.

Legal Update Specialist: Public Law/Human Rights (2011) – New Law Journal pp 1129-1130

Snigdha Nag:

'Poles Apart' - Solicitors Journal (11 October).

Alan Riley:

'Gazprom, Energy Security and the Cee Region: It's more serious than you think' - Energy Security Forum, (2011) 1, p10-11.

RE: PRESS, REVIEWS & BLOGS

David Collins:

Appeared as an expert guest on CNN International News (international legal implications of trial of Hosni Mubarak) - 3 August 2011.

Penny Cooper:

The Independent – [‘Ruling on expert witnesses worries child-abuse lawyers’](#) – 3 April

Jim Diamond:

Quoted in Professor Roy Greenslade’s [blog](#) in The Guardian regarding The News Of The World phone-tapping scandal:

Katherine Reece Thomas:

Appeared as an expert guest on BBC News providing commentary on the legal implications of the Libyan resolution.

Alan Riley:

The Wall Street Journal – ‘Gazprom and the Rule of EU Law’ - 15 March

The Guardian – ‘Will a postgraduate degree boost your career?’ Q&A - 4 June

The New York Times, International Herald Tribune - ‘Russia’s courts of last resort’ – 5 August

Professor Stuart Sime:

Appeared as a legal expert on ITV News (Rebecca Leighton / saline drip nurse case) - 20 September 2011.

Lorna Woods:

[Expert commentary](#) in The Times: Law Central blog (Murphy ruling; broadcast of football matches using a foreign decoder) – 6 October 2011.

RE: EVENTS, CONFERENCES & SEMINARS

Hosted by the School:

Carmen Draghici:

‘Safety and Protection for Journalists: A Responsibility for the World’, The City Law School – 1 June.

Nigel Duncan:

‘Teaching Ethics in the Law Curriculum’, The City Law School – 29 October.

Marta Iljadica:

‘Legal Services Reform – the Impact upon the Bar’ by Stephen Hockman, QC – 5 October

Lorna Woods:

Chaired Inaugural Lecture of the [Institute for the Study of European Law](#) (ISEL). Sir Konrad Schiemann, UK representative Judge at the European Court of Justice, gave the lecture, entitled: “The EU and Human rights. Where are we going?” - March.

Chaired ‘Changing Times and Changing Media Regulation’, Centre for Law, Justice & Journalism Annual Lecture by Baroness Buscombe – 12 October.

Lorna Woods, Dan Wilsher, Nick Hatzis, Marta Iljadica:

A second event hosted by ISEL - ‘Football, Broadcasting and the Internal Market: Is a common audio-visual space in sight?’ with Jeremy Phillips (Olswang, IPKat) - 11 October.

Academic participation:

Emily Allbon:

'Stimulating student learning when visual is king: Learn more at City University' LILAC (Librarians' Information Literacy Annual Conference) British Library (London, April 2011).

'Academic Law Librarians: Wallflowers or Social Butterflies' (with law librarians from LSE and Birkbeck) at BIALL (British and Irish Association of Law Librarians) Conference (Sage Conference Centre, Gateshead, June 2011).

Emily Allbon and Sanmeet Kaur-Dua:

'From black and white to colour; engaging and educating the screen addicts of 2011' at BIALL (British and Irish Association of Law Librarians) Conference (Sage Conference Centre, Gateshead, June 2011).

Enrico Bonadio:

'Plain Packaging of Cigarettes under the TRIPS Agreement' at the 2nd Annual John Marshall Review of Intellectual Property Law Symposium 'Biotechnology and Health-Related Issues in IP Law' (Chicago, April 2011)

Co-presented with Dr Meir Perez Pugatch, 'On patent pools, risks and rewards in the public health arena – should we abandon the traditional way of patenting?' and Co-presented with Prof Alberto Alemanno, "'Nudging Smokers": the Law and Science of Plain Packaging' at the 20th SRA-Europe Meeting (Stuttgart, Germany June 2011)

'TRIPS Agreement, Intellectual Property and International Trade' at Talking Copyright: What's All The Fuss? (London, June 2011)

David Collins:

'Informal Home State Dispute Settlement for Foreign Direct Investment In Africa: Lessons from the New Canadian Office of the Extractive Sector Corporate Social Responsibility Counsellor' Mandela Institute, University of Witswatersrand, Johannesburg, South Africa (May 2011)

Marta Iljadica:

'Graffiti Rules: Parallel Norms of Intellectual Property in Public Space', at Oxford Intellectual Property Discussion Group Seminar (Oxford, June 2011)

'Public Art on Private Walls: Law and the Aesthetic Ordering of Public Space', at Society of Legal Scholars Conference (Cambridge, 5-8 September 2011)

Robert McPeake:

'Assessing advocacy: from a professional or an academic perspective – is there a difference?' 6th Global Legal Skills conference, John Marshall Law School, (Chicago 5-7 May 2011)

'The truth, the whole truth and nothing but the truth: Trying to make sense of 'The Woman in White' without hearing from Count Fosco' 3rd Applied Legal Storytelling conference, The Sturm Law School, University of Denver (Colorado 8-10 July 2011)

Lorna Woods:

'Product Placement and Transparency in the Media' at the Media Ethics Conference at UCL (11th May 2011)

'Safety and Protection for Journalists: A Responsibility for the World' organised by the directors of the Initiative on Impunity and the Rule of Law, a joint project between the Centre for Law, Justice & Journalism (CLJJ) and the Centre for Freedom of the Media (CFOM) at the Department of Journalism Studies, University of Sheffield – 1 June.

RE: BIDS, PROJECTS & OTHER NEWS

David Collins:

Academic Purpose Fund Grant, [Society of Legal Scholars](#) - £1875

Foundation Ontario Bicentennial Travel Award - £750

City University Staff Award For Excellence in Research - £1000

The City Law School Staff Excellence Award (Research) - £500

Margaret Carran:

Margaret, the School's LLB programme director, has obtained an £80,000 grant from

the [Responsible Gambling Fund](#) (RGF) to complete her PhD over four years. Her thesis will be entitled "Children and Online Gambling – Attitudes, Behaviour, Harm Prevention, Education and Regulatory Responses". A socio-legal study, it will involve a substantial amount of empirical research and will be supervised by Julia Hornle and Ian Walden from Queen Mary and Mark Griffith from Nottingham Trent.

Professor Penny Cooper and David Wurtzel:

The 2009 RI report is referenced in the Bar's long-awaited report (published April 2011) on handling vulnerable witnesses. The 2010 survey has now been published and there are seven podcasts of interviews with practicing Registered Intermediaries. These interviews, together with both years of survey reports, can be found [here](#).

Peter Kunzlik:

Peter has been appointed an Honorary Professor at the University of Nottingham. The University is a world centre in one of Peter's main fields of research, the law of government procurement, and this is a prestigious achievement.

RE: STAFF SEMINARS

CLS Staff Research Seminars:

Convenor: Carmen Draghici

(Held in AG05 from 1-3pm on the first Wednesday of every month)

2nd November; 7th December; 1st February; 7th March; 4th April; 2nd May; 6th June

ISEL Seminars:

Convenor: Nicholas Hatzis and Chiara Berneri

(Held in AG05* from 1-3pm on the second Wednesday of every month)

* *except 09.11.11 in A216*

9th November (A216); 14th December; 8th February; 14th March; 11th April; 9th May; 13th June

International Law and Affairs Group (ILAG) Seminars:

Convenor: Mauro Barelli

(Held on Wednesdays from 1-3 in various rooms)

19th October (AG06); 16th (November Northampton Suite C); 15th February (C143); 21st March (AG06); 18th April (AG06); 16th May (AG06)

Research Committee: Wednesday 3.30-5pm

19th October (AG05); 15th February (C143); 16th May (AG05)

RE: RESEARCH DEADLINES

Current research and tender opportunities are updated weekly on the City Law School's [Site](#)

[Research and tender opportunities page.](#)

An email notifying staff of the latest research and tenders opportunities and linking to the research webpage is distributed every Friday. If you are not currently receiving these emails, please contact [Sarah Muzio](#).

The page shows opportunities in closing date order and also lists the funders that have rolling deadlines. Here are some of the opportunities with deadlines in April:

<u>Deadline</u>	<u>Funding body</u>	<u>Title of research opportunity</u>
20/10/11	European Commission Framework Programme 7: Cooperation, EU	FP7-ENV-2012-two-stage
20/10/11	European Centre for the Development of Vocational Training, EU	A short-term sectoral-based anticipatory system for labour market trends and skill needs
24/10/11	Directorate-General for Home Affairs, EU	Action grants on financial and economic crime
24/10/11	Directorate-General for Home Affairs, EU	Action grants on illegal use of internet
24/10/11	Directorate-General for Home Affairs, EU	Action grants on trafficking in human beings
25/10/11	European University Institute, IT	_Max Weber fellowships
31/10/11	Socio-Legal Studies Association, GB	Small Research Grants
01/11/11	National Endowment for Democracy, US	Reagan-Fascell democracy fellows program
04/11/11	The Nuffield Foundation	Project Grants
11/11/11	Directorate-General for Justice, EU	External evaluation of Council Regulation (EC) No 2201/2003 of 27/11/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000
11/11/2011 (forecast)	Leverhulme Trust	Research Abroad Fellowships
11/11/2011 (forecast)	Leverhulme Trust	Research Fellowships
15/11/11	Directorate-General for Employment, Social Affairs and Inclusion, EU	Pilot project on all-inclusive cooperation between public authorities, companies and social enterprises in favour of social inclusion and integration into the labour market
15/11/11	Directorate-General for Internal Market and Services, EU	Study on directors' duties and liabilities
16/11/11	Modern Law Review, GB	Seminars
21/11/11	European Parliament, EU and other sponsors	Parental child abduction in Europe

10/12/11 (forecast)	British Association for American Studies	Research Travel Awards
03/01/12	European Commission Framework Programme 7: Capacities, EU	FP7-REGPOT-2012-2013-1

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