



The City Law School
CITY UNIVERSITY LONDON

in law

Autumn 2010

Firm Focus:

Macfarlanes

Rwanda

The Common Law
and The City Law
School

CityPeople:

Charlotte Bailye,
Mauro Barelli,
Dr. Carmen Draghici

CityView:
The Lisbon Treaty Roundtable



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Letter from the Dean



The balance of the work that we do – combining both academic and professional learning – makes us uniquely well-positioned to weather the storm.

Welcome to the fourth edition of **In Law**, one of our main means of communicating with students, alumni and our many friends in the City and the wider legal profession about what is happening here at The City Law School.

These are difficult times for higher education in the UK. However, I am pleased to report that despite the problems we are still very positive about the prospects for the future here at City.

First, we have a mixed diet of programmes and the balance of the work that we do – combining both academic and vocational learning – makes us uniquely well-positioned to weather the storm. Equally important is that our well-established reputation and the relevance of our work to legal systems across the world means we are always attractive to a truly global audience.

One of our current priorities, therefore, is to enhance the international aspect of our resources. European Union law is a key specialism here at City and we have recently recruited two new members of staff, Mauro Barelli and Carmen Draghici, who boast excellent credentials in this area. This is also reflected in our recruitment of a growing number of students at post graduate level with international horizons. What's more, we are offering an opportunity for continuing professional development for lawyers to gain qualifications and credentials in what is one of the most important areas of legal practice.

High Standards

Although there is renewed debate today about the value of higher education, we have no doubts that our new entrants are laying down a very firm foundation for their future careers. By the time they emerge from academic and professional training, the world will look a very different place. By then, whether or not they pursue law as a career will have benefited from courses based on both academic rigour and practical relevance, which will make them even more attractive to employers.

As it happens, this year is important in terms of professional formation because it marks the introduction of both the new LPC3 (Legal Practice Course) and the BPTC (Bar Professional Training Course). The City Law School is accredited to provide both. This means that along with our very well-established Graduate Diploma in Law (for non-law graduates wishing to commence professional training) we continue to deliver the complete suite of professional courses for students who want to pursue professional education focused on the needs of the individual rather than the 'mass market' corporate approach.

Technology

Moreover, in line with our new programmes we are also making rapid progress on the introduction of sophisticated 'Moodle-based' technology to support course delivery (see 'Are You In The Moodle To Learn?' on Page 26). This will

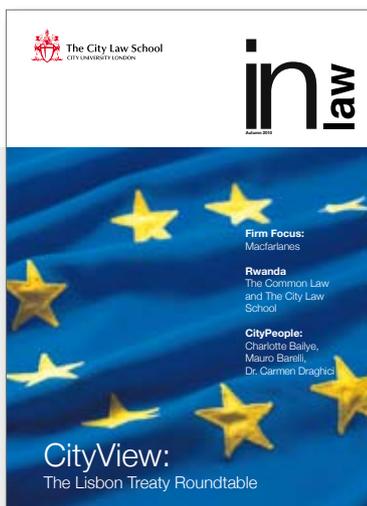
provide a very important infrastructure of resources as well as the latest methods for lecturers and students to communicate and to maintain detailed records of progress. It will also be of great assistance to our growing number of remote students across Europe and those who are studying part-time with us.

Finally, it's always nice to get external recognition of our achievements. I am glad to say that our professional programmes are consistently top-rated but recently we have also received another form of public recognition in the shape of funding from The City Solicitors Education Trust for a new teaching post in Equity Law. There was competitive bidding for this and the fact that we were successful is a mark of the high esteem with which we are regarded in the City.

So while we are living in turbulent times and must ensure short-term stability we are also focused on long-term development. The future continues to be promising.

**Professor Susan Nash,
Dean, The City Law School**

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Editorial Coverage

There is a distinctly international feel to this edition of **IN LAW**.

The City of London and its law firms have strong international affiliations so it is entirely appropriate that The City Law School too should be very internationally-focused. It has a high number of non-UK students, especially at postgraduate level, an increasing number of non-UK lecturers, and plans are now in hand, for example, to swell the number of students based in the eastern Mediterranean and linked to the outpost in Piraeus, near Athens in Greece.

So, in that spirit, we have a number of key articles with an international perspective.

Our major round-table debate concerns the implications of the Lisbon treaty. Lisbon has been much maligned but also much misunderstood so our three round-table participants – Susan Nash, Nick Hatzis and Sanmeet Kaur – spent an interesting afternoon kicking around its real meaning. Denounced by some as being the beginning of the end of the sovereign nation state and dismissed by others merely as an administrative tidy-up, Lisbon's significant but subtle influence on all our lives may only become evident over time.

What is indisputable, however, is that awareness of European law – which has traditionally been a specialist area – is going to have to become much more widespread amongst lawyers as they advise their clients on an increasing range of issues. What's more, lawyers on the front line will certainly have to ask themselves 'what is the EU dimension to this matter?' as a matter of routine good practice.

A Fresh Start ?

Another area of the world where legal reformation is taking place is Rwanda. In the aftermath of the terrible civil strife and massacres that dominated the country during the 1990s, Rwanda is now strenuously engaged in reconstruction. We have a powerful account of one aspect of that work thanks to the pro bono activity of faculty member Katherine Reece Thomas who spent time in the African country earlier this year running seminars for commercial judges. As Katherine herself points out, this is the kind of project that law schools like us ought to be engaged in.

Rather closer to home, we have an article on one of our City neighbours, Macfarlanes. At first glance, this law firm might appear decidedly non-international as a result of its absence of overseas offices. In reality, of course, it has an extensive network of excellent law firms around the world which ensure that it can complete work internationally to a very high standard, not least because of modern communication systems. It's a clear indication, in fact, that you can be internationally-minded and active even if you are based firmly in the UK.

Remote Study?

Remote working and study is also the theme of our article about Moodle, The City Law School's new educational technology system. Moodle is extraordinarily versatile but will be especially useful to a new generation of students who are based at home and keen to combine work with study. With its capacity to give access to learning materials and also provide the vehicle for submitting work for assessment, Moodle gives a clear indication of the way study is evolving.

The City Law School's new approach to LLMs – which are so popular with our international students – is another sign of change. The School's LLMs have always carried great weight but now they are being given even greater clarity in their focus. The chances are the number of applicants will grow even further and, fortunately, The City Law School has the capacity to absorb these students. Despite the problems in the wider world of higher education, prospects here remain very bright.

I hope you enjoy the magazine.

Edward Fennell

Contributing Editor

GET INVOLVED

If you have a suggestion for what you would like to see in the next issue of **In Law**, or if you would like to write something for us please email inlaw@city.ac.uk or call us on +44 (0)20 7040 4206.

CityView:

The In Law Round Table

The Lisbon Treaty – What does it signify?

Now that the Lisbon Treaty has been finally ratified by all the EU members' States, IN LAW brought together three of The City Law School's experts on international law – Susan Nash, Nick Hatzis and Sanmeet Kaur – to discuss what it all meant. Was Lisbon merely an administrative tidying-up exercise? Or would it mark a fundamental change in the way the EU operated?

Edward Fennell (EF): We are obviously dealing with a big topic and one that has been the subject of a lot of political debate and, perhaps, misrepresentation for political reasons. So let's look at it calmly from the legal angle. What would you say are the most important changes arising from Lisbon?

Nick Hatzis (NH): The first point to note is that following the implementation of the Lisbon Treaty there is no longer the 'pillar structure'. This means that, for example, the barriers have gone away so that criminal issues will become part of European Community law. Whereas in the past they were regarded as governed primarily by domestic law with only a very limited influence of Community law, the presumption now is that they fall under the jurisdiction of EC law. So this

will certainly affect people interested in areas such as white collar crime or rules of evidence. The influence of European law will become very obvious over the next five years.

Susan Nash (SN): Yes, so you can see that a significant number of lawyers will be affected by this development alone. Bear in mind, of course, that this is a five-year programme so it won't happen overnight. Nonetheless, solicitors and barristers alike will need to know about its impact. In the recent past the only contact many criminal lawyers would have had with EC law would have been through the European Arrest warrant but the numbers involved would have been very small. But in this respect the impact of Lisbon will be enormous. And remember, our other EU counterparts will

already be well informed about this.

Change for British Lawyers

EF: Why is that? Why should continental lawyers be more familiar with it than British lawyers?

NH: Well, because lawyers elsewhere in Europe tend to have 'monist' systems, they have thought of EC law as being part of their domestic legal system for quite a long time. The way they approach the law there is no distinction. They simply think that this is part of our domestic legal system. But because of the dual system in the UK, British lawyers have regarded EC law as something distinctively different.

EF: So where are the other big effects going to be felt?



“The barriers have gone away so that criminal issues will become part of European Community law. Whereas in the past they were regarded as governed primarily by domestic law with only a very limited influence of Community law, the presumption now is that they fall under the jurisdiction of EC law”



NH: Well, I guess after Lisbon it will become easier to bring a case to challenge a measure taken by the EU in the General Court of the European Court of Justice. Whereas before it was possible to challenge EU law only if you had a direct individual concern - and the court has interpreted this in a very narrow way. But that is no longer a prerequisite for claiming standing.

Sanmeet Kaur: This arises under article 263 (ex-230) of the Treaty on the Functioning of the European Union, which applies when it is against a regulatory act – although we don't fully understand yet what is meant by a regulatory act; it will have to be determined by the Court of Justice. Individuals now only need to demonstrate that they are directly affected by the regulatory act. Nonetheless, it will be important for lawyers to be able to identify the European law angle to their case. And what's important is that this will affect the 'general practitioner' lawyers. They will need to be in a position to be able to alert their client to the possibility of a Community law dimension - even if they then need to refer it to a specialist.

EF: So will there be significant education and training implications arising out of Lisbon?

SN: If you look back to the introduction of the European Convention on Human Rights, that certainly led to a major awareness-raising exercise and the need for a lot of training. There may well be the same need again with regard to Lisbon.

After all, there are many practising lawyers who have never formally studied European Union law. Now in the case of the Human Rights Act 1998 they could simply refer those cases on to specialists. But what we are saying about the Lisbon Treaty is that all lawyers need to be aware of its implications and its relevance to their clients. In fact, it could even be professionally negligent for them not to be aware of it.

EF: Give me some examples of the kinds of cases which might arise from this.

SN: We really don't know yet. It will depend on what the Stockholm Programme comes up with. [*The Stockholm Programme will define the framework for EU police and customs cooperation, rescue services, criminal and civil law cooperation, asylum, migration and visa policy for the period 2010–2014.*] One of the problems is that the European Commission has had an agenda which is a lot faster than some member states would like. In the future, there will be more EU involvement in what traditionally have been regarded as domestic matters.

NH: At the moment, it's in the realm of academic discussion but soon we will have some proper cases and some judgements from the European Court of Justice so we will understand what it actually means in practice.

Real Significance

EF: But from what you are saying the conclusion has to be that the Lisbon

Treaty WILL make a significant difference – it's not simply the tidying up exercise that some politicians have presented it as being?

SN: Oh yes! Of course it will make a difference. For example, I think under Stockholm we'll see a lot more agreement between police authorities for cross-border co-operation.

NH: And that's going to raise a lot of human rights issues that previously would have been dealt with on a domestic basis but may now go up to the European level...

SN: I agree – and it therefore raises an important point about the hierarchy of our courts system. Where does the European Court of Justice actually fit now?

NH: Well, the ECJ has always had some jurisdiction over domestic matters but Lisbon makes it easier to ask the ECJ to give a judgement because there is a presumption that it has jurisdiction. But I don't think it actually changes the quality of the relationship between the courts.

EF: In the light of this, is there a chance of a shift of European work across to Brussels?

NH: Of course, there are lots of very good lawyers in Brussels who are already very busy – it is a long-established and significant centre. Plus there are also many English law firms with excellent practices in Brussels. So I'm not sure that this will make much of a difference.

SN: But will the firms be looking for trainees who have a greater knowledge of European law?

SK: Not European law in general - but I do think firms will be interested in recruiting people with knowledge of specific areas of European law – such as crime or human rights - as part of a drive towards greater specialisation. For example, one of the areas likely to be of increasing importance because of the recession is state aid. The EU now has a number of social objectives including sustainable development, growth, price stability and creating a highly competitive social market economy. If state aid provisions are interpreted more widely than previously this may allow some states to push forward a more protectionist regime in order to give aid to the 'national champions' they want to protect. I don't know exactly what the outcome will be but this is something we need to keep our eyes on and will certainly be of interest to law firms. But certainly, because the rules have changed, we might see governments trying to use the state aid rules more liberally. And because of the terminology used about the social market it may be that our policies are turning a corner here.

The Future

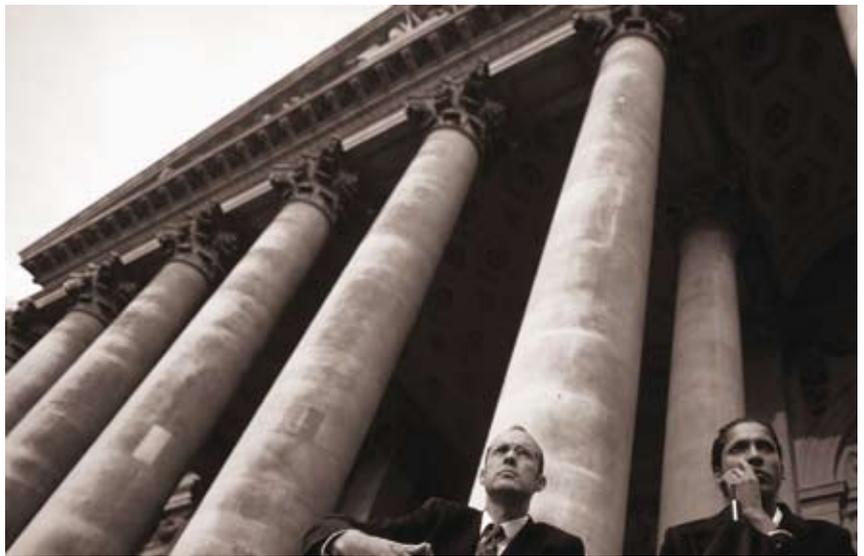
EF: So, looking ahead, in what way do you think things will be fundamentally different in five or six years time because of Lisbon?

NH: In reality, I don't think it will make a tremendous difference at the level of everyday life although clearly it will affect decision-making on a European basis.

SK: But also, at the Citizen's level, there are some interesting developments including giving the provisions of the Charter of Fundamental Rights a binding legal force. Plus there is the new Citizen's Initiative right, which means that a petition backed by one million signatures from a significant number of Member States across the EU can be sent to the Commission inviting it to take a legislative initiative.

EF: So who will take advantage of that do you think?

SK: I imagine that charities and non-government organisations will get involved and organise mass campaigns, presumably through the internet. This could be a really useful tool for citizens



“Increasingly EU countries are realising how very dependant they are on non-EU states for energy, water and so on. This notion of solidarity is very important”

- although exactly how it will be used and for what purpose is not clear at this stage and the Commission has only just finished consulting on the details of how this initiative will operate.

NH: It certainly creates space for creative lawyering!

SN: And common law lawyers tend to be better at that.

NH: Of course – and that explains the huge success that lawyers trained in England have in European law because they are applying the common law method - which is very rigorous - to European law.

SK: And one final area where Lisbon is likely to be very important is environmental law (with the implications for climate change) and energy law because there is now solidarity in the sphere of energy. This will be very significant because some member states - Poland and Lithuania, for example - are very dependent on non-EU members for their energy supply. So it will be very interesting to see how the implications of that work out. And from a legal education point of view that could be important because students who know about energy law are likely to be very

attractive to law firms.

SN: Yes, increasingly EU countries are realising how very dependant they are on non-EU states for energy, water and so on. This notion of solidarity is very important in this context. Fortress Europe is an interesting idea – but then one realises that one actually needs co-operation with these others states.

SK: It puts the spotlight not only on the importance but also the difficulties of the EU's relations with other big power blocks like China and Russia.

SN: And that sounds like an issue we might address in the next edition of **IN LAW!**

GET INVOLVED

Do you have an opinion about the issues discussed here? Would you like to comment or respond to this piece?

Please email us at **inlaw@city.ac.uk** or call us on **+44 (0)20 7040 8396** and we may include your views in our next issue!



THE LEGAL SERVICES ACT: HOW BIG A DEAL?

THE LEGAL SERVICES ACT IS NOW STARTING TO HAVE AN IMPACT ON THE LEGAL LANDSCAPE. BUT JUST HOW IMPORTANT WILL IT BE IN CHANGING THE WAY LAWYERS WORK AND HOW THEY NEED TO BE EDUCATED? IN LAW SPOKE TO PROFESSOR ADRIAN KEANE, DIRECTOR OF PROFESSIONAL PROGRAMMES AT CITY LAW SCHOOL, TO FIND OUT.

Put bluntly, no-one really knows for sure just how important the changes ushered in by the Legal Services Act (LSA), currently coming into effect, are going to be. Listen to what the profession's crystal ball-gazers have to say and they all tell a different story.

Designed to break up monopolies and create more competition, the Act remains little more than a matter of indifference to most of the big City law firms. Yet according to Jeremy Black, a partner at accountancy giant Deloitte specialising in the legal sector, "nobody

will be untouched by these changes.”

At last count, there were more than twenty significant law firms planning to raise outside funding under the new rules from external investors. Meanwhile, the Act is also giving nightmares to the one-man-bands on the High Street who fear the new legislation will sweep away forever the local law firm in favour of new professional service ‘supermarkets’. No wonder the Act has been accused of – and equally acclaimed for – promoting the notion of ‘Tesco law’.

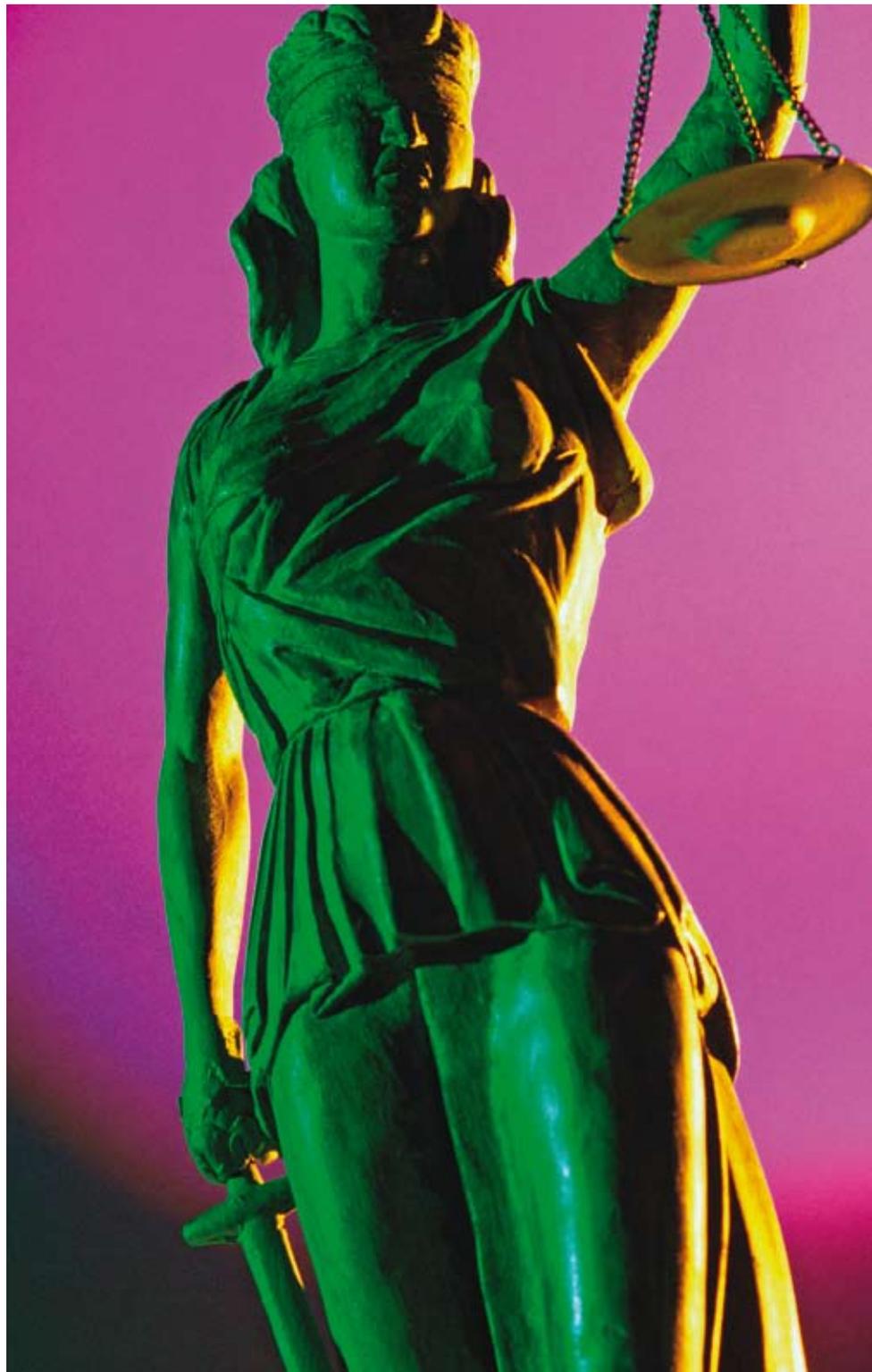
The in-house expert on the Legal Services Act at The City Law School is Professor Adrian Keane. His view is that there is a strong agenda at both government and regulatory level to shake things up through the creation of ‘alternative business structures’.

“The view from the Solicitors Regulatory Authority (SRA) seems to be that if it is new and different and encourages competition then it’s going to be in the public interest unless the contrary is shown,” says Professor Keane. “So that gives a pretty clear steer on what the SRA’s modus operandi will be as the front-line regulator.”

SLOW START?

So far, it must be said, movement has been fairly slow. Legal Disciplinary Partnerships (LDPs) which permit employees – such as Heads of Marketing – to become partners and have a share of the equity have not yet taken off in big numbers, suggests Professor Keane, because of the state of the economy. “With profits down in many law firms it’s hardly the time for a senior employee to want to take the risk of partnership,” he says. “However, assuming we are well out of recession in two or three years time, then I think it could well gain momentum.”

In the long term, Professor Keane sees considerable potential in the ‘one-stop shop’ scenario in which legal advice is provided as just one strand in a spectrum of professional services. “I think that Multi-Disciplinary Partnerships (MDPs) could be the ‘Big Bang’ story for late 2011,” he says. “After all, it makes perfect sense for clients who are involved, for example, in buying a house to want to use the same professional advisers for all their legal, accountancy and chartered surveying needs.” He adds: “Moreover, it would be a very attractive prospect if it was delivered by a big name with a reliable reputation – especially if you got ‘Loyalty points’ as well!”



The vexed question of external investors taking a stake in law firms is one of the most tantalising of issues. While it was roundly dismissed until very recently, the impact of the recession – coupled with the difficulty of getting liquidity from banks – is now showing that it could have some merit. “If I were very wealthy I would certainly be looking at the possibility of making an investment in an ambitious law firm with an established reputation and sound long-term strategic plans,” says Professor Keane.

EDUCATION AND TRAINING

So what are the implications of the Legal Services Act for students?

First of all, Professor Keane points out, they need to be very aware of the Act and its wider implications.

“The Legal Services Act will certainly create opportunities in the future for lawyers of which they should be aware,” he explains. “That said, I am a bit

“BECAUSE LAW FIRMS CAN TAKE INTO THE PARTNERSHIP PEOPLE WITH BUSINESS MANAGEMENT SKILLS THEY WILL ACTUALLY BE IN A BETTER POSITION TO FOCUS EXCLUSIVELY ON THE APPLICATION OF THEIR LEGAL SKILLS AND LEAVE MANAGEMENT TO THE EXPERTS. IN FACT, I KNOW SEVERAL MANAGING PARTNERS WHO ARE LOOKING FORWARD TO THAT VERY OPPORTUNITY!”

management skills they will actually be in a better position to focus exclusively on the application of their legal skills and leave management to the experts. In fact, I know several managing partners who are looking forward to that very opportunity!

Nonetheless, there will almost certainly be changes to the status of lawyers arising out of the Act. For example, says Professor Keane, there is sure to be a shift from the self-employed Bar to the employed Bar. “Consequently, I think lawyers will need an increased understanding of the range of regulatory requirements under which they work,” he says. “For example, they will have to master the new ethical rules - including conflict of interest - and the new rules on professional privilege.

So does this mark an erosion of the difference between barristers and solicitors and reinvigorate the debate about whether there should be a common form of vocational training?

“Already the truth is that a lot of the training is the same,” says Professor Keane, “and, frankly, why should it not be? But the ironic thing is that the LSA has actually tended to reinforce the compartmentalisation of the profession. There will be a number of different regulators, each of whom will be regulating a different type of pre-existing lawyer – a barrister, a licensed conveyancer, a legal executive, a solicitor and so on. One would have thought that along with the liberalisation of the regulation there would have been a liberalisation of the education and training system as well. But that simply hasn’t happened - not yet, at any rate.”

Instead, he says, the distinctiveness of the different arms of the profession has been reinforced. “I’ve not heard any loud clamouring for a common vocational training, which is odd. Neither of the two major professional bodies is thinking at the moment in terms of a fused profession or a common professional training.”

With regard to the rules of professional conduct, the LSA will add to the syllabus

very considerably. For example, if in the future a barrister were to join a LDP, which then, in turn, became an MDP, he or she would need to have a grasp of all the relevant professional conduct rules. “They would need to understand the difference between an LDP, a barrister-only firm and so on. Plus all the things that go with that – compliance, insurance, conflicts of interest and privilege. It makes up a long list.”

THE MULTI-TALENTED BARRISTER – IN DEMAND EVERYWHERE

“Our Bar Professional Training Course students are realistic about the difficulties of making a career at the self-employed Bar,” says Professor Keane. “But the reality is they have no difficulty at all in finding careers outside the Bar – in fact, they have a staggeringly high employability rate.

“The reason for that is that the BPTC is predominantly a ‘skills-based’ programme. For example, we produce people who are very good at understanding how to conduct a conference, how to write an opinion and how to draft well – all in addition to the traditional skills demanded of an advocate. However, none of those skills are exclusive to advocacy. Lots of people out in the world of business also need those attributes so it’s no surprise that qualified barristers are in constant demand in many walks of life as well as in the legal profession itself.”

sceptical of some of the claims being made in educational terms. For example, it is sometimes suggested that because of the Act all young lawyers – and this includes barristers – need to have studied business management issues because they could find themselves, a few years down the line, as partners running a business with the added complication of potential external investors. However, the argument can also be reversed. In other words, because law firms can take into the partnership people with business

CourseFocus:

LLMs gain bigger exposure.

It's onwards and upwards for The City Law School's LLMs as they become more explicit about their specialisms.

The LLM programmes at The City Law School enjoy a long-established and international reputation for their depth and for the level of student-focus. "We were cared for at City" is the common observation of many alumni.

"Our goal is to offer a richer and more diverse experience than you would normally get on an LLM," says Nicholas Hatzis, who teaches on the programme.

City's LLMs draw in students from across the whole of the European Union (and some aspiring member countries as well) because the primary context of study is EU law. Nicholas says: "There is a strong European element running across most of the courses so the issues discussed are relevant to students wherever they have come from in the region."

'WRAPAROUND' APPROACH

As Nicholas explains, The City Law School has capitalised on its close links with the legal and business community in the City of London to afford students, most of whom are non-UK, a unique 'wraparound' opportunity to gain insight into the way a global commercial centre operates. "For example," he says, "we have a regular series of lectures given by practitioners in the City - people like regulators, bankers, economists, in-house counsel and partners from the blue-chip law firms - which gives our LLM students a deep insight into how the City world works. And this is not an 'add-on' to the LLM; it is a core part of what we do."

Equally important is the opportunity for students to take up paid internships in firms such as Sidley Austin, K&L Gates, O'Melveny & Myers and Crowell & Moring. "This represents a great chance for the students and one we don't think is available anywhere else,"

says Nicholas. "These internships have been set up exclusively for our City LLM students and this reflects, I think, the esteem in which the programme is held."

NAME CHANGE

It is no wonder then that demand for places has been steadily growing. In Autumn 2009, an extra seventy places were offered and this trend has continued in 2010. Students can also commence the programme either in September or in January.

One of the many attractions within the LLM is the wide range of specialisms available. Although the LLM has been formally titled as being in International Commercial Law this is really an umbrella term for a diverse group of programmes that extend from areas like competition and banking through to intellectual property and data protection [please see box for details]. In order to make this clearer for applicants in the future, a major re-branding exercise has been undertaken during 2010 in a bid to highlight the principal areas to be studied and the distinctive features of every individual programme. The media law programme, for example, is held in conjunction with City University London's Centre for Law, Justice and Journalism and attracts students working in the media who require a sophisticated understanding of the associated legal issues. In other words, you don't have to be a lawyer - or even want to be a lawyer - to find these courses vocationally useful.

OUTREACH

Because of the demand for the programme, The City Law School has now decided it should also be made available through its outreach post in Piraeus, near Athens in Greece. The specialist programme in maritime law

has already been in operation for some time but from this autumn the full range of subjects will be available. "Our Piraeus centre has proved to be very popular," explains Dean of the School, Susan Nash, "and, given the level of demand we expect from the eastern Mediterranean, it seems a good move to offer it across the board."

Students in Piraeus enjoy the benefit of all the infrastructure provided by The City Law School (see the article 'Are you in the Moodle to learn?') as well as intensive 'burst mode' study when staff from London come to the Greek faculty to give lectures. It really is the ideal way to put the 'international' into our LLM provision.

Key members of the LLM faculty

Professor ALAN RILEY is Director of the LLM programme. He is a Solicitor of the Supreme Court of England and Wales (1991) and an International Member, American Bar Association (2001). His work has been cited by many of the leading publications in his field including Bellamy & Child, The European Community Law of Competition and Craig & De Burca, EU Law as well as by FIDE, the leading pan-European academic and professional association of European lawyers.

NICHOLAS HATZIS is a Senior Lecturer at The City Law School. He read law at Oxford, Columbia and Athens universities. From 2007 to 2009, he was référendaire at the European Court of Justice in Luxembourg. On the LLM programme, Nick teaches courses on European Litigation and European Business Regulation.

LLMs are now available in:

- EU Commercial Law
- Banking and Finance
- International Commercial Law
- International Competition Law
- International Energy Litigation
- Maritime Law (UK)
- Maritime Law (Greece)

CityExpert:

The City Law School unveils groundbreaking new skills and learning website for students.



The City Law School has completed a major redesign of its 'Learnmore' website, the skills wiki element of the School's own innovative law portal for students, Lawbore.

The idea behind our new-look site is to engage students by using fun visual learning resources. To that end, Learnmore focuses on six core areas – mooting, research, writing, exams, careers and a 'newbies' section for beginners - to support students across the full range of our professional and academic programmes.

During the course of this extensive redesign, our students were asked to get involved in helping to produce written content and case studies, as

well as participating in roundtable discussions recorded specifically for inclusion on the new site.

This collaborative approach was intended to outline to our students the breadth of support available to them at The City Law School and to demonstrate how they can benefit from online resources delivered in a wide variety of ways.

In the 'mooting' section, students can gain access to a range of resources

that draw on the School's strong track record in this vital area. These include talking slideshows, guidance pieces, video guides and bespoke presentations, which include handy zooming facilities.

In the research section, students can use video slideshows and search specific articles on legal research, which help to explain how to conduct research, what resources to use and how to keep up-to-date.

Learnmore is the brainchild of Emily Allbon, Law Librarian at The City Law School, and Barrister and Lecturer Sanmeet Kaur.

Emily explains: "Our emphasis was very much on bringing key legal skills to life via visual means. We are confident this new website will improve the overall student experience across the board at The City Law School."

In addition, in recognition of their work both Emily and Sanmeet have been invited to speak at the Annual Learning in Law Conference of the UK Centre for Legal Education (UKCLE) - part of the Higher Education Academy (HEA) - in January 2011.

The duo will give a presentation at the conference as part of a segment entitled: 'Tuning in not zoning out: engaging students with legal skills online'.

The new site can be accessed at <http://learnmore.lawbore.net>

GET INVOLVED

If you have a suggestion for Learnmore or if you would like to contribute please email Emily.Allbon.1@city.ac.uk or call Emily Allbon on +44 (0)20 7040 4020.

"Our emphasis was very much on bringing key legal skills to life via visual means. We are confident this new website will improve the overall student experience across the board at The City Law School."

Trio of legal experts join forces to pen key new book for profession

Three expert legal practitioners from The City Law School have combined to publish what is poised to become an essential text for aspiring barristers in the future.

Associate Dean Susan Blake, Senior Lecturer Julie Browne and Stuart Sime, Course Director for the Bar Professional Training Course (BPTC), all of whom are barristers, have teamed up to publish "A Practical Approach to Alternative Dispute Resolution (ADR)".

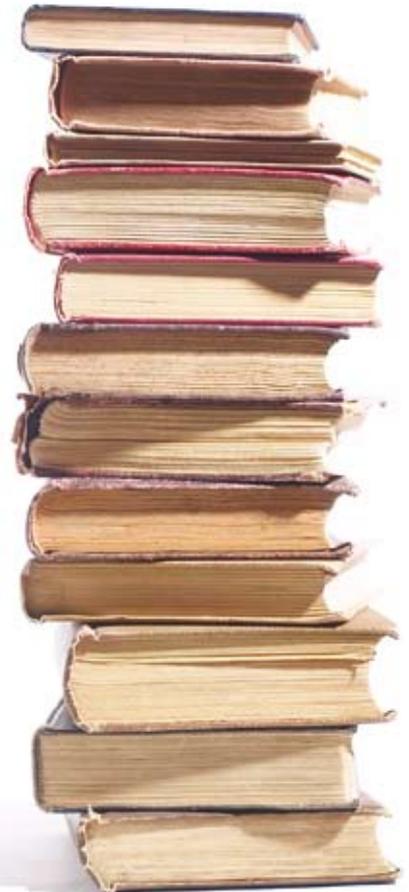
The book, published by Oxford University Press, covers the specialist field of ADR, including arbitration, negotiation and mediation, which is a key element of the new-look BPTC that replaces the old Bar Vocational Course (BVC) at the School from this year. Stuart Sime and his teaching team have also been heavily involved in redesigning classes for the new course.

The new title is the latest entry in the acclaimed 'A Practical Approach To...' series, which has previously included other books by both Susan and Stuart. It is already fast becoming an essential text for BPTC students not just at The City Law School but across the UK. Stuart Sime, BPTC Course Director,

said: "The legal world has moved on considerably in recent years and practitioners need to know the breadth of up-to-date ADR techniques available to them."

He added: "Lawyers today have to be able to advise clients about the advantages, the disadvantages and the basic processes of ADR because in the future they will be involved with these things on a more regular basis in a professional capacity."

The book's publication this autumn further underlines the depth of expert knowledge we have at our disposal at The City Law School with more than 25 teaching staff on our professional courses already established as published authors.



In Law: CityBriefs

THE CITY LAW SCHOOL HOSTS INAUGURAL INTERNATIONAL CONFERENCE

> The City Law School has staged its first-ever international conference on 'Practising Law', bringing together lawyers and academics from as far afield as South Africa, the US, Israel and Australia.

The three-day July conference this summer began with dinner in London's historic Inner Temple and featured a presentation on The Legal Services Act by Sir Geoffrey Nice QC, of Temple Garden Chambers, who previously spent seven years prosecuting for the UN in The Hague. During his time there, Sir Geoffrey was heavily involved in the prosecution of former Yugoslav president Slobodan Milosevic, the notorious war criminal who died in his cell in 2000 awaiting trial for crimes against humanity.

In addition, the event – which was also attended by Bar Council Chief Executive David Hobart – saw presentations and debates on the latest issues affecting the legal sector, including class actions, the art of advocacy, professional education and child witness cross-examination practices.

THE CITY LAW SCHOOL SCOOPS COVETED AWARD FOR WORK WITH UK DOMESTIC VIOLENCE CHARITY

> The City Law School has won top prize in the prestigious Higher Education Student Volunteers Awards (HESVA) for its groundbreaking course in partnership with The National Centre for Domestic Violence (NCDV).

The course is the brainchild of lecturer Veronica Lachkovic, who collected the national award earlier this summer at The Higher Education Academy's Annual Conference.

The partnership enables students from across all undergraduate, postgraduate and professional courses at The City Law School to train as McKenzie Friends, or non-legally qualified advisers, with the NCDV, a UK charity providing free assistance to victims of domestic abuse.

As part of the scheme, student volunteers help claimants secure emergency injunctive relief against perpetrators of domestic violence and will sometimes attend court with the victim.

PRESS OFFICE

For media enquiries or to arrange an interview with one of our leading legal academics, please contact Ben Mitchell, Senior Press & Communications Officer at The City Law School, on +44 (0)20 7040 4206 or at Ben.Mitchell.1@city.ac.uk.

THE CITY LAW SCHOOL SECURES NEW ENERGY LITIGATION INTERNSHIP FOR STUDENTS AT K&L GATES LLP

> The new scheme will see one LLM student on The City Law School's Energy Litigation course stream spend three months from May to July based in the US firm's Paris office each academic year from 2010/11.

All students taking the LLM International Commercial Law programme and the Public International Law-Commercial Law Aspects or Energy Law course in their first term will be eligible to enter the competition for the new internship prize.

K&L Gates will provide a scholarship and the successful student will also benefit from an automatic two-month extension for completion of the LLM dissertation.

Professor Susan Nash, Dean of The City Law School, said: "We are delighted that K&L Gates has agreed to provide this internship. This opportunity will provide the winning LLM student with a flying start to a legal career in international energy litigation."



MACFARLANES

MAKERS OF FINE LAWYERS

We have a single objective: to create lawyers of extraordinary quality.

We carefully select and nurture individuals with character, commitment and curiosity. We then give them the opportunities and the support they need to become exceptional lawyers, capable of advising the world's leading businesses and business leaders.

www.macfarlanes.com



FIRM FOCUS: NOT A 'BIG MAC'.

MACFARLANES IS NOT A FIRM THAT HITS THE HEADLINES DAILY IN THE LEGAL PRESS. BUT IT IS ONE OF THE MOST TALKED ABOUT BY CITY INSIDERS WHO RECOGNISE THAT QUALITY COUNTS FOR MORE THAN QUANTITY.

The legal scene in the City of London is blessed in its richness and variety. Even though there is much talk in the trade press about 'Magic Circles' and 'Silver Circles', there is still space for individual firms to be just that - distinct, independent and with a clear sense of their identity.

One of the most notable of these is Macfarlanes. Tucked away in a series of buildings between Chancery Lane and Fetter Lane, Macfarlanes is at the heart of legal London. Having recently moved into smart, super-cool offices in Cursitor Street - all smart dark greys and whites

with striking black-and-white photography adorning the walls - the firm gives off an aura of calm, assured confidence and smacks of one that does not have to shout too loudly to get its point across.

But if you have a stereotype of what a successful, internationally-minded firm in the City looks like, then be prepared to see that Macfarlanes is something quite different. The fact that it does high-quality work, often with a cross-border dimension, and is keen to recruit internationally-minded lawyers may sound a familiar pattern. But when you add that the firm has no overseas offices and still has a very healthy private client practice you realise that you are dealing with a very unusual outfit.

IT'S PERSONAL

Typically, Macfarlanes recruits about thirty trainees each year and, thusfar, this approach has remained unaffected by the recession. Moreover, the firm recruits in

order to retain. The clear goal is to keep everyone who completes the traineeship and, aside from people departing for personal preference or because of a change in their circumstances, departures are few. At a time when even some of the largest firms are only retaining 70% or so of their trainees this is a powerful statement.

"The success of the firm and our reputation is very much bound up with our extreme emphasis on quality," says John Hornby, the partner who is head of graduate recruitment. "Although it is difficult - maybe impossible - to describe it, Macfarlanes has a very strong culture. This is partly because we have not changed as much as other firms. We have not merged and we have not taken on a raft of non-UK offices with people we do not know."

Instead, as Hornby emphasises, one of the firm's strengths as a medium-sized practice (in comparison with the

City giants) is that everyone knows each other very well. "Here, you don't only know the people in your team but you know well people throughout the firm. This breeds a tremendous esprit de corps and loyalty. Lawyers at Macfarlanes don't focus narrowly on what's good for their group but they work for the good of the firm as a whole."

Personal characteristics are therefore very much what the firm is looking for when it recruits trainees, as well as the usual bundle of skills and talents. As John Hornby explains: "One of the questions going through my mind when interviewing is how I would feel about having this individual working alongside me in my office on a daily basis."

That said, the Macfarlanes selection system takes account of the dangers of relying exclusively on the individual judgement of one particular interviewer. As John Hornby emphasises, what they are really looking for at the trainee

recruitment stage is 'raw talent'. Indeed it is put well by the headline on the front cover of their recruitment literature, 'Macfarlanes - Makers of fine lawyers'.

All this means they are not looking for the 'finished article' and, as a result, have no preference over recruiting law versus non-law graduates. "It's roughly half and half but we have no quotas. We recruit people as individuals, not because of the subject of their degree or the school or university they have been to," says John Hornby. "We want talented individuals who will grow and develop into Macfarlanes lawyers. And that is why the recruitment process now incorporates a number of ingredients in order to test the individual in the round and to bring out people's strengths, not highlight their weaknesses."

THE SELECTION PROCESS

The preliminary stage to a Macfarlanes application for a vacation course

programme is an open day. This enables the applicant to get a feel for the firm and, in turn, gives them the opportunity to gauge you as an individual. However, about half of the people who are offered training contracts simply apply to attend an assessment day.

Once the application form has been received, those candidates who John Hornby and his colleagues think are possible recruits are invited to attend an assessment day at the firm to take part in a mix of exercises.

Interviews come in two forms. What is called the 'CV interview' is a fairly straightforward 'getting to know you' discussion about the individual, what he or she has done and their broader interests. In contrast to many City firms, Macfarlanes does not expect a high level of commercial awareness from its successful applicants. Again, it comes back to the issue of 'raw material'. John Hornby makes the point that it is unrealistic to expect a second-year undergraduate to have an in-depth grasp of commercial reality. "Although Macfarlanes lawyers are highly commercial in their outlook – it is one of the things on which we pride ourselves – this is something they will develop once they have joined the firm. At this stage, it is the potential we are looking for."

More testing, perhaps, is the second interview, which consists of an 'in-tray' exercise. Here, the applicant is presented with a number of pieces of information about various situations and is given time to digest what they mean. The next stage sees various questions put to the applicant in the course of a discussion about these situations in order to test their ability to analyse, to think logically and to problem solve. "No specialist knowledge is required by these exercises but they do test how people think" says Hornby.

TEAM WORK

The other major chunk of the assessment consists of a team exercise in which the candidates are put together in groups of four and presented with information as a preliminary basis for making a simulated pitch to a client. Time is allocated for the group to work together to plan and shape what they will say and how they will present it. All of this is observed so as to give the firm an idea of individuals' abilities to work as a team and their level of creativity and proactivity. When the pitch itself is made, the applicants will be assessed on both communication skills and their ability to think on their feet.





Later in the morning come opportunities for the candidates to talk with existing trainees and have lunch with partners. "By the time they depart in the afternoon everyone believes, I think, that they have had the chance to show off their talents and what they have to offer," says John Hornby.

Decisions are made quickly by the firm as to whether or not the applicants have met the high standards it sets. And, when offers are made, there is a gratifyingly high acceptance rate of 75% (which John Hornby believes is one of the highest in the City).

From then on the successful applicants are part of a new family. They will be encouraged to visit the firm and take part in its social life during their period at law school and they quickly begin to absorb that indefinable culture. The process of 'making fine lawyers' has begun.



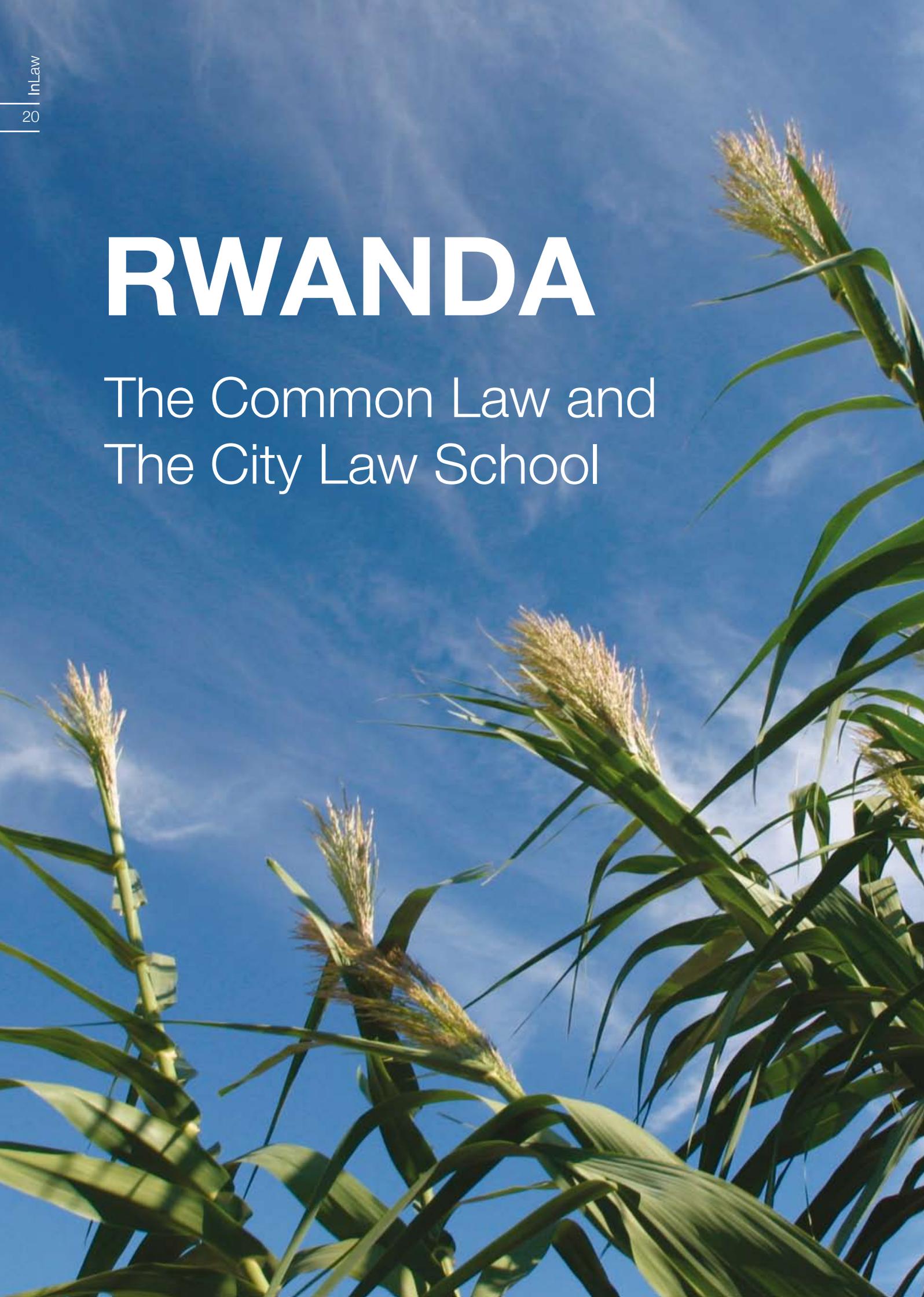
MACFARLANES' HEAD OF GRADUATE RECRUITMENT, JOHN HORNBY

John Hornby has been with Macfarlanes since he joined as a trainee in the 1970s. It is his judgement which has shaped the way the firm has developed in recent years based on the quality of the 'raw material' he has brought in and whose development he has overseen as trainees.

As John points out though, recruitment is only his second job. He is still primarily a partner in the firm's real estate practice, specialising in work with private clients. "Despite the recession, there are still plenty of very wealthy individuals who can afford very expensive properties. I am glad to say that this is still keeping us very busy."

RWANDA

The Common Law and
The City Law School



As Rwanda moves to recover and move on from the horrors of the genocide years, the establishment of effective commercial law – and courts to enforce it – is an important objective. The City Law School has been playing its part.

The tragedy of the Rwandan civil war and the accompanying genocide cast a long shadow over eastern Africa during the 1990's. Its shocking cruelty could be blamed on traditional tribal hostility or the warped legacy of the colonial experience. What it certainly highlighted was that Rwanda was a country where any sense of the rule of law was profoundly broken.

So now, as the country struggles to recover and progress, the importance of re-establishing respect for the law and having a functioning and fair legal system is a critical goal. Driving forward the economic strategy is the Rwandan International Climate Development Programme (RICDP). The country itself is fortunate in being well-endowed agriculturally and with a population level that does not overstrain its capacity to produce food. Moreover, there is the possibility for exploiting oil and gas in its lakes.

But, as part of the post-civil war recovery, the country is also trying to step out in a new direction. Its historic links to Europe had primarily been through Belgium (the colonial power) and France. Those links had given the country its civil law system. But, as a sign of a fresh start, Rwanda is now looking towards the English-speaking world and to East Africa in particular. The country has joined the Commonwealth – only the second non ex-British colony to have done so – and a new generation of judges educated in the common law is

pushing Rwanda in the right direction. It is a country on the hunt for a new model for development.

How Can The City Law School Help?

The City Law School has made a big contribution to the development process in Rwanda as part of its commitment to pro bono work with an international dimension. This culminated at the beginning of this year in helping to deliver training in common law and commercial law to 17 of Rwanda's top commercial judges.

The story starts back in February 2008 when Katherine Reece Thomas (Reader in Law and with a responsibility for leading on pro bono activity) accompanied Judge David Mackie QC from the London Mercantile Court – also, like Katherine, a former Allen & Overy lawyer – on a fact-finding mission to Rwanda. Their aim was to explore the ground and investigate what kind of assistance the English pro bono community might be able to provide to the commercial justice sector as the country – which had been in meltdown since the civil war – strived to rebuild its economy.

Fruitful discussions with Rwandan officials included consideration of what The City Law School, in particular, could contribute. "By coincidence, around that time City University London awarded an honorary Doctorate to Mrs Justice Linda Dobbs who is deeply committed to pro bono work in Africa," explained Katherine Reece Thomas. "So in bringing these two themes together it was suggested the University might fund a visit to The City Law School by the Vice President of the Supreme Court in Rwanda, Judge Sam Rugege. The aim was that through such a visit Judge Rugege



might start to establish relations with the judiciary and other partners in the UK as part of the ongoing reform process."

Judge Rugege is a key member of the new generation of 'post-genocide' senior figures within the Rwandan legal establishment. Educated in top universities in both the UK and the USA, he brings a new level of international awareness to his role and is keen to act as an intermediary with the English-speaking legal world.

In the course of his visit to London in October 2009, organised by The City Law School and with the help of Judge Mackie, Judge Rugege had the chance to meet senior members of the judiciary, including the Lord Chief Justice. He was also able to meet Cherie Blair. The high point of his visit was a public lecture he gave at City University London as part of a series by eminent jurists on the role of the common law in the 21st Century.

"The speech was very well received and helped to cement relations," says Katherine Reece Thomas, "especially in the light of the move by Rwanda to introduce the common law system alongside the civil code as part of the process of legal reform."

Leading the Way

After such a positive trip, the big question was what should happen next?

It was clear that if Rwanda's business community was to thrive and the country to attract fresh foreign investment it needed an updated and modernised system of commercial law and a court system to apply it. Moreover, with the gradual return of stability – and the country is a model for the benefit of international development aid – there is the prospect it can position itself as a regional centre for arbitration once the skill base is established. The Rwandans were already busy drafting and implementing legislation based on common law principles and it seemed that the next step would surely be to develop a programme of training for commercial judges.

Having identified where common law practitioners and academics might be of assistance, it seemed obvious the next requirement was to put in place a training programme for the Rwandan lawyers and judges in the new legal regime.

At this point, Katherine Reece Thomas found herself volunteering to undertake something which, in more normal circumstances, would have been unthinkable. She committed herself to teaching in French language the principal elements of English contract, company and insolvency law to some of Rwanda's top commercial judges who were only familiar with the code system.

This formidable undertaking was not quite as crazy as it might initially sound. Katherine is Canadian and completed her first degree in Montreal, Quebec, is fluent in French and has also previously lived in France. Moreover, the nature of Rwanda's huge cultural transition process means that everything is of a hybrid nature. Even the very laws that are now being enacted are in three different languages - French (the colonial language), English (the global language) and Kinyarwanda (the indigenous language, which is a member of the Bantu family). In these circumstances, everyone has to be flexible.

Enthusiasm

"It was challenging but it worked," says Katherine. Fortunately, she was not alone. Judge Mackie was in Rwanda for a fortnight to advise the Commercial Court under the auspices of the Rwandan International Climate Development Programme judiciary and his assistance with Katherine's



presentations was key. Katherine spent four days in seminar mode with all discussions in French (although using English Power Point from her courses back at The City Law School!), addressing issues of English company, contract and insolvency law.

"I was delighted by the level of the judges' participation," says Katherine. "Half of them were very senior while the others were based in tribunals around the country so it would have been very foreign to them. But their level of engagement was terrific. They were ferociously keen to learn and I took enormous pleasure in teaching them."

And that perhaps is the key feature about pro bono activity. As Katherine puts it: "The level of reward for the person doing the work is enormous."

Moreover, I would hope this project is what this University is about. The City Law School has had the gumption to

pick it up and, with the Dean's support, has run with it."

Meanwhile, Rwanda's process of legal reform is gathering pace. The new Institute of Legal Practice and Development is now operational and will train the next generation of young lawyers. City law firms like Allen & Overy are lending their significant support. And when the history of the post-genocide Rwandan legal system comes to be written, The City Law School will have a distinguished position within it.

FIND OUT MORE

For more information about The City Law School, please visit www.city.ac.uk/law, email law@city.ac.uk or call +44 (0)20 7040 3309.

CityPeople: Charlotte Bailye

BVC graduate Charlotte lands once-in-a-lifetime internship in Pakistan.

An aspiring barrister from The City Law School made 2010 a summer to remember after winning a coveted Human Rights Lawyers Association (HRLA) bursary to intern for the Human Rights Commission of Pakistan.

Charlotte Bailye – who earlier this year completed the Bar Professional Training Course (BPTC), formerly the BVC at City – beat more than 100 other candidates to land the prestigious scholarship after writing a 4,000-word report on Forced Marriage and Honour Killings in Pakistan. Her full report is set to be published later this year by the HRLA.

The HRLA internship gave Charlotte the opportunity to spend August in Lahore working closely with both the Human Rights Commission of Pakistan and with the highly-respected Justice Majida Razvi, the country's first female High Court Judge.

In addition, Charlotte – who will begin her pupillage at London's Coram Chambers in October 2011 – also gained a Continuing Education Scholarship from Lincoln's Inn in recognition of her efforts.

Charlotte developed her passion for human rights law during her BPTC training at The City Law School, which included a legal module in

domestic violence and the opportunity to work alongside professionals from trailblazing UK charity The National Centre for Domestic Violence (NCDV). City is one of the only UK legal education providers to offer a specialist course in this area and also offers its students hands-on training in the sought-after area of human rights law.

Charlotte has also worked with the Iranian and Kurdish Women's Rights Organisation in London, a registered UK charity providing support and legal advice to victims of domestic and 'honour'-based violence and forced marriage.

During her time there, she had the chance to assist with the charity's high-profile campaign for Bita Ghaedi, an Iranian civil rights activist who fled to the UK in 2005 to escape a forced



marriage. Ghaedi feared for her life after being told she would be deported but won a last-minute reprieve earlier this year and was finally released from detention to worldwide approval.



Professor Susan Nash, Dean of The City Law School, said: **“We are delighted by Charlotte’s achievements in securing a prestigious internship with the HRLA. This kind of success serves to further underline both the calibre of our students and graduates and the breadth and quality of training they enjoy under our first-rate teaching staff.”**

CityPeople: Mauro Barelli and Carmen Draghici

Profile

As part of an ongoing commitment to extend its international research capacity, The City Law School is delighted to have recruited two young legal academics with strong roots in continental Europe.

International law is of increasing interest to The City Law School and the faculty has recently been enhanced with the recruitment of two outstanding new lecturers, Mauro Barelli and Carmen Draghici.

Both have extensive experience in Europe and in the UK and they are now making their mark on the conference and journal scene. In different ways, they are finding that The City Law School offers the ideal environment to build their careers.

"I'm very happy to be at City and be part of the vibrant London legal research community," says Carmen who speaks English, French, Spanish and Italian as well as her native Romanian. "There's a great opportunity here for a collaborative approach and it offers the two features I think are vital for effective research – the freedom to select your own fields of interest for study and good interaction with colleagues. I also very much appreciate the facilities for improving my research skills through the seminar programme for research staff."

Political-Legal Interface

Having previously been at East London University as a Leverhulme Visiting Post-Doctoral Research Fellow, Carmen is currently working on two papers of clear topical interest. The first relates to the human cost of the Iraq war and the US's international responsibility while the other is concerned with the development of 'self-contained regimes' as an obstacle

to global governance. This focuses in particular on how EU law, due to its self-contained nature, relates to the role of the United Nations - for example, when the UN is attempting to impose sanctions.

"While it is difficult to assert that the rule of law has lost its significance in the current political environment which is dominated by security concern," she says, "there is a question over whether, in reality, this is nothing more than a façade. Maybe the decision-makers are ready to compromise human rights in the pursuit of security goals?"

For Mauro, meanwhile, one of the attractions of The City Law School is the way it provides both academic and vocational courses. He says: "The idea that at one institution you had all these different kinds of course was extremely interesting. Add in that there is also a

"The idea that at one institution you had all these different kinds of course was extremely interesting. Add in that there is also a strong international research orientation here and City was perfect for me."
Mauro Barelli

strong international research orientation here and City was perfect for me."

Mauro's own research interest has always been on the interface between politics and law. This has developed so that his special focus now is on indigenous peoples and their access to human rights. The PhD thesis he is currently completing focuses on the accommodation of indigenous people's rights in international law and seeks to analyse the relationship between international law and global justice.

Teaching

Both Carmen and Mauro emphasise the importance of combining teaching with research. In Carmen's case, she is teaching family and child law on the LLB programme as well as EU law on the Graduate Diploma in Law (GDL). "My PhD thesis addressed family rights under the European Convention on Human Rights, which is, of course, relevant to family law right across Europe," she says. "This gave me a good starting point of knowledge – but I had to expand this in order to accommodate the particular situation in the UK."

In comparing her experiences and insights into university systems around Europe, Carmen says perhaps the most striking feature is a much greater emphasis in the UK on practical and concrete legal situations rather than the more abstract and theoretical approach taken in the Mediterranean countries.

This is borne out by Mauro who had

the opportunity when based at Cardiff University to act as counsel for Bosnia and Herzegovina in a case before the International Court of Justice. This concerned the application of the Convention for the Prevention and Punishment of the Crime of Genocide and gave him the chance to work in the Netherlands for some months, adding considerable depth to his practical understanding of the application of the law.

In fact, at one stage, Mauro says, he had been thinking of joining an international organisation but wanted to test out his academic vocation first. "Once I had decided to study abroad the UK was my first choice of destination," he explains. "And now I have been working in British universities I am convinced this is the right way for my career to go."

Contrasting the difference in learning styles between the UK and his native Italy, Mauro highlights that in the UK there is a strong emphasis on the use of tutorials. "I very much enjoy this," he says. "The fact that you never know what questions the students might ask makes the experience all the more challenging and interesting."

Of course, asking probing questions in sensitive, politico-legal areas is what Carmen and Mauro are very used to doing. It will be fascinating to see what answers they come up with during their time at The City Law School.

**MAURO
BARELLI**



CV IN DIGEST

Education

University of Milan –
LLB (Specialisation: Public
Comparative Law)

University of Bristol –
LLM (Public International Law)

University of Cardiff – (currently
completing his PhD thesis)

Work Experience

Associate Tutor in Public
International Law, Cardiff University

Counsel for Bosnia and
Herzegovina in the case concerning
the application of the Convention of
the Crime of Genocide before the
International Court of Justice.

Legal Assistant, Eni Gas & Power,
ENI (Milano, Italy)

Now Lecturer in Constitutional
& Administrative Law and Public
International Law

Selected publications, reports and conferences

'The Role of Soft Law in the
International Legal System:
the case of the United Nations
Declaration on the Rights of
Indigenous Peoples' (2009) 58
International & Comparative Law
Quarterly, 957-983

Promoting Litigation in Human
Rights Protection: A review of
selected international and European
instruments and jurisprudence (with
C. Pentassuglia, G. Guliyeva, and
S. Errico) for Minority Rights Group
International

'The value of the UN Declaration on
the Rights of Indigenous peoples
and the effectiveness of the
Indigenous Rights regime, SLSA
Annual Conference, Leicester April
2009

**DR. CARMEN
DRAGHICI**



CV IN DIGEST

Education

University of Bucharest –
M.Sc in International Relations,
Faculty of Political and
Administrative Sciences

University of Rome, La Sapienza –
PhD 'The International Protection of
Family Rights within the European
Context'

Leverhulme Visiting Post-Doctoral
Research Fellow, Centre on Human
Rights in Conflict, School of Law,
University of East London

Work Experience

University of Rome, La Sapienza
Tutorship in International Law

TELMA University, Rome –
Tutorship in European Union Law

Open University of Catalonia –
Lectureship in International law

Now Lecturer in Family Law and
European Law with research in
International Law and Human
Rights

Selected publications, reports and conferences

'Suspected terrorists' rights
between the fragmentation and
merger of legal orders: reflections in
the margin of the Kadi ECJ Appeal
Judgement' Washington University
Global Studies Law Review 2009

'International organisations
and anti-terrorist sanctions: No
accountability for human rights
violations?' (Critical Studies on
Terrorism August 2009)

Are you in the Moodle to learn?

The City Law School is introducing a new 'strategic learning environment' to ensure that its students have the best possible access to resources.

The way that students in higher education learn is being radically transformed. For most lawyers aged thirty and older, the 'learning environment' was a library, a pile of books and some notepads. Now, however, the learning environment is increasingly 'virtual' with both the learning materials and the individuals' notes and essays all together on the computer. So you can work at home, in your hall of residence – or even, funnily enough, in the library!

At City University London, the name of the game now in terms of learning environments is 'Moodle' – as in 'Moodle's Open Source Course Management System' (CMS), which enables teachers to 'create online dynamic websites and learning units for their students'.

"Moodle is part of City University London's Strategic Learning Environment initiative, which supports online teaching and learning for both staff and students," explains Sophie Paluch, who is in charge of The City Law School's Moodle service. "In essence, it will provide each course with its own area or website where students can collaborate, share and expand their knowledge through a wealth of legal resources and content."

Within The City Law School, Moodle trials began at the end of last year and it will be phased in gradually for a full switch-over in 2011. What's more, the benefits are significant. Seminars and discussion groups can be convened; a number of the relevant legal texts and books can be made available; lecture slides can be accessed; and quizzes can be delivered to test students' prior knowledge of a subject. Assignments can then be given as well as assessments submitted and marked. Tailored feedback can also be provided by members of staff, making it a truly all-embracing learning system.

Play to Strengths

Given the power of Moodle, however, could it threaten the role of teachers and the high-quality face-to-face learning that has traditionally been a distinctive feature of the City experience?

"We are not changing what students learn or compromising the traditions of



The City Law School but we are giving our students more avenues to expand their knowledge base," says Sophie, who also points out that Moodle can be adapted to the specific needs of individual departments. As a result, it can be used strictly to add value to the learning experience without substituting the traditional strengths of the academic or vocational programmes.

Moreover, Moodle can be deployed to meet the demands that students now make to be able to study at times which fit in with their wider everyday lives.

"Increasingly, we have older students with family responsibilities or students on part-time courses or those who are combining it with part-time on even full-time jobs," she explains. "So the ability to learn and work when it suits them will be a major benefit to many people."

Training Programme

Sophie herself has had extensive previous experience in managing education technology both at Birmingham University College and, more recently, at the College of Law.

"I really enjoy working in the educational field and looking at how technology can be used to extend and increase knowledge," she says. "I particularly like working in the legal sector and enjoy the challenge of blending traditional vocational study with modern educational technology, such as Moodle."

In order to maximise the benefits of Moodle for staff and students alike,

Sophie is now organising a progressive training programme so lecturers can fully grasp the subtleties of the system and explore how best it can be used for their particular subject matter. Younger students, of course, may already be familiar with the approach through their own experience in school or further education.

The end of the book?

So what fate awaits the traditional book-based law library? Sophie thinks the ability to learn and access resources and information whenever and wherever they like is now expected as the norm by most students. So while the scale and density of law books means they will be "the last to go" in the academic field, it is inevitable that, over a period of time, physical books will cease to be used.

"The point will come when all new law texts will predominantly be available in a digital online format," she says. "To understand why, you just have to think of the benefits for students in having the text they require made available through a few clicks of the mouse or in the palm of their hand through a mobile phone. Educational technologies not only offer this but also give our students access to the resources they need so they can hit the ground running throughout their legal educational and career."

So Moodle represents not just a new way of learning but also a new way of working professionally. The book may be on its last legs but educational technology is flying into the future.



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