Modern Law Review Funded Seminar organised by Northumbria Law School and Nottingham Law School

Revisiting "Pressing Problems in the Law: What is the Law School for?" 20 Years On

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This seminar was held on 17th June, at Northumbria Law School, Newcastle upon Tyne. It was well-attended with over 60 delegates, representing over 30 Institutions from the UK, Australia and Canada. The seminar also stimulated substantial engagement and coverage on online platforms. The seminar hashtag #20yrson was used 320 times on the day of the seminar, with a potential reach of up to 73,102 unique users on Twitter. Professor Paul Maharg, from Osgoode Hall Law School, Canada also live blogged the seminar at paulmaharg.com on the day, which has been viewed over 600 times.

Welcome Address and Opening Thoughts

The seminar was opened with a welcome from organisers Victoria Roper and Dr Rachel Dunn from Northumbria University's Legal Education and Professional Skills Research Group (LEAPS). Twenty years ago, Professor Peter Birks edited a collection of essays on the purpose of Legal Education, entitled "Pressing Problems in the Law: What is the Law School for?" (the "Edited Collection").[1] As Law Schools were starting to confront the perfect storm of change, the organisers thought that it was an ideal time to revisit this scholarly work with a view to reengaging, and updating, the debate. This

[1] Peter Birks (ed), *Pressing Problems in the Law, Volume 2: What are Law Schools For?*, (OUP, 1996: 2003 reprint).

work on the funding application was contributed to by Graham Ferris and Pamela Henderson from the Centre for Legal Education (CLE) at Nottingham Law School.

The Edited Collection was published in 1996 following a review of Legal Education,[2] and those unfamiliar with the work may be surprised to learn that it examines many issues that we are increasingly grappling with today: the impact of globalisation;[3] technological disruption;[4] and the tension inherent in Law Schools as they seek to balance the competing interest of teaching, research and administration.[5] Developments have been fast paced, and even Professor Twining stated in his 2018 Upjohn Lecture that he had "underestimated the acceleration of the pace of change in education, legal services, information technology, globalisation and so on".[6] The Law School is becoming a different entity. Collier identifies how the Law School has become a corporation, highlighting that we are becoming more entrepreneurial, undergoing restructuring and are now measured in our research and teaching performance.[7] Thornton asserts that the "massification" and the corporatisation of Legal Education has, "helped shift the orientation and purpose of Universities generally from intellectual inquiry to instrumentalism and vocationalism".[8] Further, Law Schools are no longer, "isolated from other parts of the University. Virtually every department in the social sciences and the humanities has been raided or visited by those in Law Schools".[9] We have also seen

[2] Lord Chancellor's Advisory Committee on Legal Education and Conduct, *First Report on Legal Education and Training*, (1996).
[3] See for example the discussion in Eugene Clark and Martin Tsamenyi, 'Legal Education in the Twenty-First Century: A Time of Challenge' in Peter Birks (ed), *Pressing Problems in the Law, Volume 2: What are Law Schools For?*, (OUP, 1996: 2003 reprint).
[4] *Ibid.*
[5] Peter Birks, *Pressing Problems in the Law, Volume 2: What are Law Schools For?*, (OUP, 1996: 2003 reprint) vi.
[6] William Twining, 'Rethinking legal education' (2018) 52(3) The Law Teacher 241, 250.
[7] Richard Collier, 'The Liberal Law School, the Restructured University and the Paradox of Socio-Legal Studies' (2005) 68(3) Modern Law Review 475.
[8] Margaret Thornton, 'The Demise of Diversity in Legal Education: Globalisation and the New Knowledge Economy' (2001) 8(1) International Journal of the Legal Profession 37, 43.
[9] Anthony Bradney, *Conversations, Choices and Chances: The Liberal Law School in the Twenty-First Century*, (Bloomsbury Publishing, 2003) 10.

a rise of movements, such as socio-legal studies, empirical studies, legal history, and other unique legal research areas, a diversity which Professor Birks was keen to encourage.[10]

When working on the Edited Collection though, Professor Birks could not have foreseen radical changes specifically in the UK/England and Wales in the form of Brexit and the proposed Solicitors Qualifying Examination (SQE), the full impact of which are still unknown. In 1996 Professor Birks was keen to stress the importance of comparative research within Europe given the UK's status a member state,[11] yet today legal researchers are dismayed at the possibility of losing valuable EU research funding when the UK leaves the EU. It is also somewhat ironic that in 1996 Birks was highlighting the inflexibility created by stringent commands of the regulating bodies as to what a Law Degree should include ,[12] whilst twenty years on we are struggling to adjust to a future where solicitors in England and Wales will not be required to have any formal Legal Education at all.[13] As Law Schools face an existential crossroads, the organisers wanted to establish a new forum for legal academics to revisit what Law Schools exist for, because, as was stated in the Edited Collection, "like it or not *all* law academics are involved and affected by such issues".[14]

Professor Elaine Hall from Northumbria University, starting the presentations for the day, gave delegates a light-hearted reminder, through the use of a cat metaphor, that academics present at the seminar were from a diverse range of Law Schools. She prompted delegates to think about Law

[10] Peter Birks, Pressing Problems in the Law, Volume 2: What are Law Schools For?, (OUP, 1996: 2003 reprint) viii.
[11] *Ibid.*
[12] *Ibid* xvii.
[13] Under the SRA's proposals solicitors will be required to have a degree (but not necessarily a law degree) and to have passed the Solicitors Qualifying Examination (SQE) but the mode of preparing for the SQE is not prescribed – Solicitors Regulation Authority, Draft Authorisation of Individuals Regulations Post Consultation, Regulation 2.1. Available at https://www.sra.org.uk/sra/consultations/new-regulations.page (accessed 21 October 2018).
[14] Eugene Clark and Martin Tsamenyi, 'Legal Education in the Twenty-First Century: A Time of Challenge' in Peter Birks (ed), *Pressing Problems in the Law, Volume 2: What are Law Schools For?*, (OUP, 1996: 2003 reprint) 44.

Schools as cats: there are different types of cats, but they are all from the Felidae family. Similarly, all Law Schools are different, and do not necessarily provide the same thing to the same group of people. Ultimately though, they are part of the same family.

Professor Hall's PhD student, Samantha Rasiah, presented some statistics from the 'Pressing Problems in the Law School' student survey that was designed to incorporate the student voice within the seminar. This was an online survey that was circulated among second to fourth year undergraduate Law Degree students at Northumbria Law School and Nottingham Law School. First year students were excluded from this research as it was believed that they might not have experienced enough of the Law School yet to answer some of the questions on the online survey (i.e. questions on experiential/clinical modules). The online survey consisted of 25 questions that were a mixture of multi-answer, single-answer, rating options and free-text answers regarding module content, delivery, assessments and preparation for life after Law School. There was an emerging pattern in the student survey pointing to the benefit of clinical legal education and Experiential Learning in the Law School, and the lack of benefit of traditional Law School methods i.e. closed-book exams and lectures. Only 5% of respondents selected the option 'If I could remodel Law School, I wouldn't change a thing' regarding course delivery and assessment. Seventy percent of respondents stated that teaching methods on experiential and clinical education modules were most holistically beneficial. The survey questions leading up to this section implied that 'holistically' beneficial meant having impact on a participant's legal education, development of 'soft skills' (such as confidence and communication), and preparation for work within and outside of the legal sector. Further, 57% of respondents believe that experiential and clinical education modules prepared them for work within and outside of the legal sector. Although it was a small group of participants, the data suggests that those students surveyed see the importance and benefits of clinical legal education and experiential learning in the Law School.

Morning Keynote Address – 'What are Law Schools for in a Neoliberal Milieu?' - Professor Margaret Thornton, Australian National University, Australia

Professor Thornton began by noting that the question of what Law Schools are for is a provocation that started in the 1950s, and that Birks' Edited Collection was no more than a hint on what was to

happen in the next millennium. She noted that the role of academics has been changing over time and that academics are now pressured to do more than they were once expected to do – more research, more teaching, more publications, more presentations at conferences, etc. The changing nature of Higher Education has made Law Schools become a site of capital accumulation for Universities. Professor Thornton noted that the low cost of 'chalk and talk' pedagogies, which are a popular method in Law School, have enabled Universities to use their Law Schools as 'cash cows' to generate income to maintain costly facilities of other departments e.g. laboratories.

Neoliberalism resists the idea of Legal Education as a public good. Professor Thornton noted that in this era of neoliberalism, there has been increased regulation in Higher Education in terms of auditing, accounting, management and that the ever-increasing cost of Legal Education has ironically shifted from the state to the student. Law students who are just full-time students are now a rarity, as most Law students now have part-time jobs or placements and have less time to spend studying. She introduced the idea of human capital and Foucault's idea of one's self as a form of capital – an idea which is seen to be beneficial to the University capital. What began with the intention of increasing the potential of the workforce by increasing the number of young people in Higher Education some 30 years ago, has now turned into a means for Universities to capitalise on students as consumers. Students see themselves as sources of income to Universities and perceive academics to be part of management structures, which is problematic as the consumer influence of students gives them power over lecturers via satisfaction rates, such as the National Student Survey (NSS), which are used as forms of promotion for the school and institution. The way in which Law Degrees are advertised currently is akin to that of a tourist brochure: proximity of Law School from beaches, leisure facilities on campus, assurance of glamorous and high earning career upon completion of degree, etc. The currency of the LLB has also been designed to be appealing to the international market, and the lack of regulation of international student fees means these are a lucrative source of income to Universities.

The consumerist aspect of neoliberalism has significantly affected the quality of Legal Education over the past few decades. Universities being pressured to generate more income have caused educators to be pressured to do more work, changing the quality of education which students receive. On the other hand, students are now considered as consumers and this has given them a stronger power over institutions. Neoliberalism strongly advocates all these features. However, neoliberalism has also democratised entry to Law Schools, and diversified entry to the legal profession to some extent. Professor Thornton's Keynote voiced much of what academics in Law Schools are currently thinking and feeling, and the question and answer session that followed generated much discussion and debate.

Parallel Paper Session 1

Following the morning Keynote, there were two parallel paper sessions, with three papers presented in each session. Each presentation was 20 minutes, followed by 10 minutes for questions and answers.

One session was chaired by Jonny Hall from Northumbria University. In this session, the papers were:

- 'What can Law Schools offer other disciplines?' by Professor Geoffrey Samuel, Kent Law School – the 'Law School' which he referred to here was the black-letter Law School which Jones refers to in the Edited Collection.[15] Professor Samuels opined that those involved in legal disputes are often also those who are involved in political disputes, such as politicians, policy makers and activists, and it is therefore necessary that foundational legal principles are also taught in other courses.

[15] Gareth Jones, 'Traditional' Legal Scholarship: A Personal View' in Peter Birks (ed), Pressing Problems in the Law, Volume 2: What are Law Schools For?, (OUP, 1996: 2003 reprint)

- ‘Beyond the Jurisdiction: Law Schools and Global Education’ by Dr Chloe Wallace, University of Leeds – Dr Wallace shared her global, liberal, vision of Law Schools as providers of liberal education. She argued that teaching law jurisdictionally contradicts with our world views, and that cultural sensitivities should be built into the law curriculum. She criticised the branding of English Law as ‘the law’. She proposed that incorporating laws of other jurisdictions into the curriculum is the way forward in order to understand our own legal systems as culturally determined.
- ‘Birks’ Tower? Legal Science as the *sine qua non* of the Law School’ by Dr Luke Mason, Birmingham City University – Dr Mason made a compelling point that it is not exactly clear what Law School is for when different schools do different things. He questioned whether University Law School is really necessary for all things it claims to be for, when legal science may be better suited to do these things, e.g. Legal Education, legal knowledge, legal research. He explored three approaches to writing on the Law School: the Euclidian model, the Eclectic model and the Radical model.

The main theme explored in this parallel paper session was expanding the purpose, delivery and reach of the law curriculum. All three presenters explored this theme in their papers, and it was thought-provoking to consider what the law curriculum can offer and take from other disciplines.

The other parallel paper session was chaired by Vinny Kennedy from Northumbria University. In this session, the papers were:

- ‘In the post-SQE landscape, what will be the role of the clinic’ by Lucy Blackburn, University of Central Lancashire – Mrs Blackburn noted that the majority of traditional clinic work will not be tested by SQE e.g. welfare benefits, family, and other personal plight work. She raised a concern that SQE will ‘push out’ non SQE clinic options as students may seek to

align their experience to SQE related areas, and questioned what the role of clinic will be in the future.

- 'A Practitioner's thoughts on early client contact: are students and staff ready?' by Callum Thomson, Northumbria University – Mr Thomson joined Northumbria University as a clinic supervisor in 2018 and had supervised M Law Exempting degree students in both years 3 and 4 of the degree over the course of the academic year. He had noted a significant difference in maturity between the two groups and this was substantiated by the experience of other supervisors in the clinic. This had made him consider whether clinic is best placed towards the end of a degree programme, or whether it can be successfully incorporated into earlier years. He questioned why only one year appeared to make such a difference in terms of maturity: what happens over the summer break?; is it the spur of impending graduation?; it is because friends have started to get jobs?; or is it physiological? He noted that there was a dearth of literature, and that this was therefore an area ripe for further research.
- 'Impacting Justice: the contribution of Clinical Legal Education and Law School clinics to pro bono and access to justice in England and Wales' by Clare Johnson, LawWorks – Mrs Johnson noted that the access to justice landscape in England and Wales has seen a significant shift in recent years, including state retrenchment from the comprehensive judicare approach to legal aid. The growth and development of Law School based pro bono legal advice clinics, driven by a proactive Clinical Legal Education agenda, has become a notable feature of the modern Law School in England and Wales. The paper explored the limitations of Law School clinics as well as the challenges and opportunities created by forthcoming regulatory change.

The main theme explored in this parallel paper session was the role of Law School clinics within Universities and the wider legal system, present and future. There were strong synergies between the papers, particularly those of Mrs Blackburn and Mrs Johnson. The SQE and related regulatory changes

cast uncertainty over the future popularity of personal plight work in clinic, whilst simultaneously potentially creating new opportunities. Under the SRA's proposals, work undertaken in a University Law school clinic will be able to count towards solicitor qualifying work experience in the future.

Invited Speaker Presentation – 'The lies we tell ourselves: problematizing the (s)hallow foundations of the core of Legal Education' by Professor Steven Vaughan, University College London

Professor Vaughan began by stating the importance of asking hard and probing questions about Legal Education from time to time. The data around Legal Education is very vague and ambiguous, making it difficult to actually know what works and what does not. He challenged us to use the data we have more effectively. He then gave a historical overview of the evolution of Legal Education and the Qualifying Law Degree (QLD), and asked delegates to think about how much they actually knew about their students.

Professor Vaughan's current research focuses on a number of empirical projects: how we teach the 'core' subjects in law, what we say about a Law Degree's purpose and value, and qualitative interviews with academics. It involves analysis of how Law Schools interpret the Joint Statement in the delivery of their qualifying Law Degrees. He discussed the 'core' of the Law Degree,[16] the foundations of legal knowledge, which were imposed by the Joint Statement of the Law Society and the Bar Council in 1999.[17] From his data collection, Professor Vaughan found only 12 of the 86 Law Schools currently make a QLD optional for their students. Everybody teaches in blocks and modules. He also critiqued the lack of creativity and originality of Law Schools in designing and delivering these core subjects, and

[16] The Foundations of Legal Knowledge – Public Law, including Constitutional Law, Administrative Law and Human Rights; Law of the European Union; Criminal Law; Obligations including Contract, Restitution and Tort; Property Law; and Equity and the Law of Trusts.
[17] Joint statement on the academic stage of training, https://www.sra.org.uk/students/academic-stage-joint-statement-bsb-law-society.page

opined that this inadequacy has made the Law Degree curriculum 'crowded' with too much content. Professor Vaughan is in favour of students being given the option to leave the core modules out of their curriculum if they do not intend to go into practice as, he pointed out, increasingly fewer are entering the profession. He mentioned that there has been an increase in the number of solicitors who do not study law as their first degree in recent years. On this note, he invited delegates to contemplate the purpose of the making the 'core' compulsory, and whether it is time for Law Schools to get more creative in designing the Law curriculum.

Parallel Paper Session 2

In the afternoon there were two parallel sessions, with two papers presented in each room. Each presentation was 20 minutes, followed by 10 minutes for questions and answers.

One session was chaired by Jonny Hall from Northumbria University. In this session, the papers were:

- 'The Law Degree and the democratic citizen' by Graham Ferris, Nottingham-Trent University – Mr Ferris began by talking about what Law Schools are and what they are becoming. By looking at mass education, he compared the number of graduates from 20 years ago up to now. He asked many thought-provoking questions in his session, such as: *Are we a profession training school?; as we are not, then what are we doing?; what do we want to impart on students so that they come out being useful democratic citizens?; and what values and character should a Law School aim to inculcate?* He expressed that the idea that the Law Degree is one that only prepares students for practice in the legal industry is erroneous and that the missions of a Law School need to change. He argued that mass education should aspire to elite higher education, and that it should aim to shape students' minds and character.
- 'Who are Law Schools for?' by Dr Jessica Guth and Dr Doug Morrison, Leeds Law School – The speakers noted that all the chapter authors in the Edited Collection were male and very few

women were referenced therein. She too asked some uncomfortable questions, such as: *Are we still misleading our students about the purpose/value of Law School?; if we ask what is a Law School for, we should also ask who is a Law School for?; and what have we done since the publication of the Edited Collection?* As the speakers started to unpack these questions, it became quite apparent that nothing much has changed since the Edited Collection. The speakers drew attention to the fact that academics working in Law Schools still mostly come from a background of privilege, and that elitist white, male voices still dominate.

The unifying theme in this session was the lack of diversity within Law Schools, and the need for change. The first paper explored this from the perspective of curriculum purpose and content. The next paper explored this from the perspective of academics and students.

The other parallel paper session was chaired by Vinny Kennedy from Northumbria University. In this session, the presentations were:

- 'SQEixt: where do we go from here? The careful roar from the North' by Dr Caroline Gibby, Sunderland University – Dr Gibby explored what is good and bad about SQE, highlighting the confusion around SQE 1 and the difference in approach to training the Bar Standards Board have adopted. She argued that we should not allow ourselves to be defined by SQE and we should give students the opportunity to be more curious, critical and open to knowledge.
- 'What are Law Schools for? For a further 20 years of Ignoring the Voice of Law Teachers' by Dr Maribel Canto-Lopez, Leicester Law School – Dr Canto-Lopez made us question what law teachers are for. Whilst many may feel that the Teaching Excellence Framework (TEF) is about consumerism in Legal Education, this was not the original intention, and its main objective was originally to increase standards of teaching in Higher Education. She highlighted that a report by the University and College Union in 2019 found that the TEF is unpopular with staff, and that there were doubts as to whether it will be an effective instrument to measure excellence in teaching. She made recommendations for how to address this, including more

teaching time for TEF, staff satisfaction as a competitive advantage for higher education and more engagement for staff.

Afternoon Keynote – 'Complicitous and Contenstatory: The Hermeneutics of Legal Education' by Professor Paul Maharg, York University, Canada.[18]

Professor Maharg shared that he had aspired to become a solicitor when he enrolled in Law School at Glasgow. Whilst at Law School, he discovered the practice of law was not as interesting as it had been made it out to be, and so he became a legal educator instead. Holding up his own copy of the Edited Collection, he explained that he remembered buying it in shortly after its publication, and, five years out from his Law Degree at Glasgow University, he had found it baffling: frustrating reading, variable in quality, and challenging little that he thought needed radical change in the way that Law Schools constructed Legal Education.

Professor Maharg's paper addressed the idea of constructing purpose from lived reality. One way of understanding the question is to see it as asking, *how do we interpret Law Schools?* This is a question of hermeneutics, and goes beyond texts: the question involves practices, relationships and understandings that are bound by culture, history and epistemology. He explained that hermeneutics are fundamental ways in which we perceive the world, think and understand. He asked: '*How do we read our own education? How do we understand our Legal Education experience sometime down the road?'*. He compared the technical model of learning with the 'professional' model of learning and the 'phenomenological' model of learning. He noted that, more often than not, educators claim to foster/teach/equip students in ways that they actually do not, and that this type of teaching disempowers student voices. Professor Maharg suggested that it is not as black and white, as

[18] See 'Pressing problems MLR seminar, final thoughts' blog post dated 9th July 2019 at paul.maharg.com for a summary of the paper in Professor Maharg's own words together with a copy of his slides.

supporting neoliberalist tendencies in Legal Education OR educating ethically and transformationally. We can do both, although more often the former. He emphasised the importance of creating new forms of transformational learning and discussed three attempts to create new forms of transformational learning. Firstly, through transactional learning. By this he meant active learning through performance in authentic transactions involving reflection in and on learning, deep collaborative learning, with relevant professional assessment that includes ethical standards. An example of this is SIMulated Professional Learning Environment (SIMPLE) which enables students to engage in online simulations of professional practice.[19] Secondly he mentioned extended CHAT framework (Engestrom).[20] Lastly, he discussed diegetic learning. Diegesis is a narrative or plot in literature. It is also the story of an immersive world of a game or sim. Additionally, Professor Maharg discussed the use of standardised or simulated clients.

Turning next to the implications for future Law School educational practices, he drew attention to the fact that the context of Legal Education has changed significantly since 1996 when the Edited Collection was published. Notwithstanding, not much has changed in terms of organisations (silos of knowledge etc.), products (handbooks, closely guarded downloads etc.), aggregated content (modules, lockstep and linear process etc.), and assessment (snapshot assessment of taught substantive content). He went on to discuss ways of changing the hermeneutic focus.

Invited Speaker Panel Discussion

This panel discussion was jointly chaired by Victoria Roper and Dr Rachel Dunn. Delegates were invited to put questions to the panel consisting of Professor Margaret Thornton, Professor Steven Vaughan and Professor Paul Maharg.

[19] See http://simplecommunity.org/wp-content/uploads/2010/11/SIMPLE-FINAL-report.pdf (accessed 22 September 2019).
[20] See relevant slide and diagram at http://paulmaharg.com/slides/ (accessed 22 September 2019).

What does the future of the legal profession look like considering the growing use of technologies in practice?

Professor Maharg was quite confident that there will not be robot lawyers in the foreseeable future. He believes that there be growing use of assisted technologies in practice, but not technologies that replace the profession. He advocates for the convergence of use of technologies in Law School to make law students more prepared for the use of it in practice. Looking to the future, he imagines the use of virtual/robot personal assistants to assist students in Law School. Professor Thornton was slightly more sceptical in her stance, saying that artificial intelligence is already affecting recent graduates by taking over some of the work they would be doing in practice. Professor Vaughan also expressed that he was sceptical on the use of artificial intelligence in practice.

What do we need to do in the next 20 years to avoid having this same conversation again in 20 years' time?

Professor Vaughan opined that we have to keep having these uncomfortable conversations. He noted that there has already been a change in the sense that the people engaging in these conversations is now more diverse than it once was. Professor Thornton mentioned that Law Schools have been tinkering with the idea of change, but have not gone beyond *the modus operandi* in the past 20 years. She expressed that Law Schools must become a lot more adventurous to avoid having these same conversations in time to come. Professor Maharg added that educators have to stand up against the managers (TEF, REF, NSS, etc.) that are driving the academic profession into extinction. In the absence of all those constraints, he noted that academics have a lot more freedom to teach in their teaching. He used the example of Scotland where there are no fees for students, which changes the purpose of education entirely.

What are your thoughts on the requirement to have a PhD to become an academic?

All three speakers were in consensus that this requirement, which is becoming increasingly popular in Universities, is ridiculous. Professor Vaughan was quite opposed to how Universities 'sell' the idea of academia to postgraduates in the same way they 'sell' the idea of a shiny law career to undergraduates. Professor Thornton used nursing as another example of a profession which did not previously require a degree, but now does. Professor Maharg expressed his belief that full-time PhDs instil the wrong set of habits in those intending to have a future career in academia. Life in academia is nothing akin to life during a full-time PhD, and that Universities are deceiving students into believing that a PhD is any kind of preparation for academia.

Concluding thoughts

Graham Ferris concluded the day with an apt summary of the seminar's main themes. He opined that Law Schools are similar in terms of commoditisation. At the same time, what and for whom they are doing things is quite different. The pretence involved in marketing the Law Degree (e.g. with the ubiquitous wig and gavel) is problematic, and there should be transparency as to what each Law School does. He wanted us to be transparent about what our individual Law Schools are really good. Mr Ferris acknowledged that many of the papers had ended on a bleak note. Yet it is from dissatisfaction and a desire to change that growth occurs. He noted that we need to identify constraints and to determine which are pliable as opposed to which are 'iron curtains'. Ending on a positive note, he suggested agency is key and we as educators can do much more than we think.

Organiser Thanks

The organisers would like to thank the Modern Law Review for funding this thought-provoking seminar. We would also like to thank all of our speakers, and delegates, for travelling to Northumbria Law School to present their stimulating and provocative ideas.

Victoria Roper and Rachel Dunn are also particularly thankful for the support they received from Graham Ferris and Pamela Henderson Nottingham Law School and Professor Elaine Hall at

Northumbria Law School. They also extend their thanks to Jonny Hall, Vinny Kennedy and Tamsin Nelson who chaired sessions or otherwise contributed to the seminar in some way. Finally, they would like to extend a special thanks to their wonderful research assistant, Samantha Rasiah, whose assistance was absolutely vital to the success of the seminar and who was a pleasure to work with.