Introduction
The Society for Advanced Legal Studies was established in 1997 as a learned Society for the facilitation of research and high-level scholarship in the law. It has sought to encourage greater collaboration across the board in the legal profession, fostering increased interaction amongst academics, practitioners, members of the judiciary, others involved in the administration of justice both in Great Britain and overseas, as well as those not necessarily in the legal profession but whose work provides them with an interest in the law. The Society is both a company limited by guarantee and a registered charity. Membership of the Society is open to all those in possession of a postgraduate law degree or related discipline and/or who have the right to practice in Great Britain or elsewhere. Members of the profession with distinguished careers are elected to fellowship, while those with particularly notable careers in the law may be elected to an honorary fellowship. The Society counts amongst its members most of the senior judiciary in the United Kingdom, the Law Officers, many of the US Supreme Court Justices, notable international personae such as Nelson Mandela and Tony Blair, and many highly distinguished academics and practitioners from around the world.

Future plans
The Society needs to develop its range of activities, increase its membership, and attract extra income. The need for finance is pressing, and is being addressed. Arrangements are currently being made to run conferences in 2003-04 on a number of topics including anti-money laundering, the regulation of banking, financial services and the fields of intellectual property and information technology. Income will be generated from these, and work is also in hand to expand the Society’s range of publications (for example, a report will be produced later this year containing papers given at a successful arbitration seminar staged by SALS and Mayer Brown Rowe & Maw).

Members of existing Working Groups are being asked to submit new ideas for further projects leading to publication, and an initiative is being mounted to attract fresh personnel and projects. This has begun to bear fruit: for example, assistance has come from an enthusiastic SALS supporter, Mr Timothy Spangler of Berwin Leighton Paisner, a leading financial services practitioner who is dual qualified in the US and UK. Mr Spangler is keen to help produce a Working Group publication on the regulation of collective investment schemes, recently the subject of proposed reform by the Financial Services Authority. Mr Spangler will be giving a SALS lecture on 2 October 2003: efforts are being made in the meantime to re-energise the Financial Services Working Group, and to investigate opportunities for the sponsorship of a publication. The Society is also grateful for the suggestion put forward by Judge Diana Faber for a report reviewing what is being done to assist lending to disadvantaged members of society, and putting forward suggestions for reform where appropriate. This will be acted upon in the second half of this year.

A seminar and short lecture series are being planned in conjunction with the Journal of International Banking Regulation and its new editor, Dr Dalvinder Singh of Oxford Brookes University, a research fellow at the IALS. The university has expressed an interest in offering financial support for a joint seminar, and arrangements are being made to hold one of the lectures at Oxford Brookes. This raises the subject once again of “SALS on the road”, and the staging of co-sponsored events outside London. Some progress has been made here. A very well attended lecture was staged by Watson Burton, solicitors, in conjunction with SALS in Newcastle this year, which was attended by The Secretary. This month SALS and the Cambridge office of Taylor Wessing, solicitors, held a seminar at Jesus College, Cambridge on licensing agreements which was attended by local professionals (and, pleasingly, some SALS members who travelled up from London). Other opportunities will be developed and followed up as they arise.

Plans to develop the SALS web site are moving forward, and meetings are taking place between members of the IT staff at Charles Clore House and their counterparts at Senate House. The objective is to introduce a secure password section of the website accessible to members only and containing information (including articles, papers Working Party documents etc) of use to a wide spectrum of the SALS membership. Particular attention will be paid to the needs of postgraduate students and trainee solicitors/barristers. Further details will be released as the project develops.
Increasing membership has proved to be a difficult task in recent times. Practitioners outside London have traditionally not responded very well to SALS promotions, and the Society needs to offer student and trainee members more to attract them. However, some visiting overseas lawyers to the Institute have shown interest.

**Governance**

The Society is governed, in accordance with the Company’s Articles of Association, by an Executive Committee and benefits from the guidance of an Advisory Council. Article 36 determines the Membership of the Society’s Executive Committee. Professor Barry A.K. Rider, as Director of the Institute of Advanced Legal Studies is the Chairman of the Committee (36c).

Professor Avrom Sherr, the Woolf Professor of Legal Education at the IALS, was appointed by the Society’s Advisory Council and also, by resolution, serves as the Committee’s Deputy Chairman. Professor Sir David Williams, Emeritus Vice Chancellor of the University of Cambridge, was appointed under the same article and both his and Professor Sherr’s terms were renewed on the occasion of the AGM on June 12th, 2002 (36b).

By nomination of The Institute of Advanced Legal Studies’ Advisory Council, sitting under the chairmanship of The Rt Hon The Lord Hope of Craighead, Mr David Phillips, the Administrative Secretary of the IALS, also serves as a member of the Executive Committee (36d).

Mr Michael Ashe QC, Head of Chambers at 9 Stone Buildings, Mr Christopher Hale, of Travers Smith Braithwaite and Professor Harry Rajak, of the University of Sussex, are elected by the members in general meeting. Professor Rajak’s term expired, and was subsequently renewed, on 12th June 2002. Michael Ashe QC’s term expired on June 12th, 2002 (36a). He has decided not to seek another term, and the Executive Committee would like to record its thanks and appreciation for his efforts on the Society’s behalf.

As per the Articles of Association, the Executive Committee has the possibility of co-opting further members, for a period of one year at a time (39). On the occasion of its meeting on June 12th 2002, the Executive Committee co-opted as additional members, for one year, Judge Diana Faber, The Rt. Hon. Lord Justice Mance, Ms Clare Montgomery QC of Matrix Chambers and Mr Philip Wood, of Allen & Overy.

(Two new members have since joined the Executive Council: Mr David Gladwell, Director of Crown Immunity Review at the Lord Chancellor’s Department, and Mr Martyn Gowar, of Lawrence Graham.)

Mr Christopher Hale has served as Honorary Treasurer to the Society since its foundation and, in 1999, the Committee appointed Mr Adrian Walters, of Nottingham Trent University, as the Company’s Honorary Legal Secretary. Ms Tracy Paradise, who was appointed in February 2000 as The Secretary of the Society, has since been replaced by Mr Julian Harris; Ms Sue Rogers, formerly Assistant to the Secretary, now serves as Administrative Secretary. Mr Julian Harris, in his role as Senior Information Officer at The Institute of Advanced Legal Studies, continues to serve as Editor of *Amicus Curiae*.


As mentioned, the Society benefits from the guidance of an Advisory Council, chaired by The Rt. Hon. The Lord Scott of Foscote, Lord of Appeal in Ordinary, with Mr Richard Southwell QC, Serle Court, serving as Deputy Chairman (72). The Advisory Council consists of fifteen members elected by the members in general meeting and a further fifteen appointed by the Executive Committee. All elected members whose term expired on June 12th 2002, were re-elected for a further three years. The appointment by the Executive Committee of a further 15 members was approved by the AGM on June 12th, 2002, also for a term of three years (69). A full list of the Advisory Council members can be obtained from the Society.

**Publications**

SALS has produced a number of reports, details of which are given below:

**The Ethics of Conditional Fee Arrangements**, January 2001

Produced by the SALS Legal Studies, Ethics and Lawyer Fee Arrangements Working Group
Working Groups

One of the primary objects of the Society is to foster collaboration between scholars, practitioners and members of the Judiciary in conducting legal research of a high level. The Society has attempted to do this by convening a number of Expert Working Groups. The Society’s work in many topical areas of the law has been welcomed by the Government and law reform agencies in the United Kingdom and elsewhere.

The Expert Working Groups consist of academics, practitioners, members of the judiciary, public officials and others with an interest in the relevant area. The Institute of Advanced Legal Studies provides whatever support it can for the work of these committees. Members of its staff and its own research students assist and work closely with the groups. A short summary of the work of the various groups is given below.

The Interdiction of Terrorist Property
Chairman: Ross Cranston QC MP, 3 Verulam Buildings
Convenor: Tarrant Green, The Institute of Advanced Legal Studies

An Expert Working Group, sitting under the Chairmanship of the former Solicitor General, Ross Cranston QC MP, was established in November 2001, in response to the terrorist attacks of September 11th. Five subgroups were constituted, with a view towards reviewing terrorist-related legislation and monitoring new legislation; assessing the impact on banks and financial institutions (compliance issues); exploring the Human Rights aspects; examining the implications of investigations and enforcement, particularly in terms of international co-operation; and lastly to consider the effects of this legislation on other aspects of the law. The subgroups were chaired respectively by: Sir Ivan Lawrence QC, Richard Jones QC, Geoffrey Bindman; Detective Superintendent Nicholas O'Brien and Her Honour Judge Diana Faber. The group is made up of numerous experts, including practitioners, law enforcement officials, bankers, accountants and judges. The group began work on a major report, ‘The Funding of Terror: the Legal Implications of the Financial War on Terror’, which was scheduled for publication in July 2002.

Planning and Environmental Law
Chairman: The Rt. Hon Lord Justice Keene
Convenor: Mr Richard Harwood, Barrister

This Working Group, which was the first to be established by the Society, continues to meet regularly. It has published a number of reports, and has run conferences and lectures based around its work, including the seminar based on the Simplification of Planning Legislation report. This was organised in coordination with the Royal Town Planning Institute, and chaired by Lord Justice Keene. It took place in May 2001 and proved to be a great success. In addition to its published material, the Working Group has submitted a response to the Consultation Paper on possible changes to the Use Classes Order and Temporary Uses Provisions (April 2002). A publication is planned on New Town and Village Greens.
End of Life and Medico-Legal issues
Chairman: Mr Peter Harris, the former Official Solicitor
Convenor: Anne-Marie Hutchinson, Dawson Cornwell

The Working Group, which consists of many who participated in the Working Group on the Cross Border Movement of Children, is considering research in two main areas. The first Sub-Group is examining the legal issues pertaining to the making of personal welfare choices for incapacitated adults and the impact of The Human Rights Act. The other is examining the role of partners, relatives and others who have a significant involvement in decisions relating to medical treatment in respect of mentally incapacitated persons.

Family Law
Chairman: Mr Peter Harris, the former Official Solicitor
Convenors: Mr Graham Ritchie

The Working Group published its report on the legal issues that may arise in the protection of children moving between different jurisdictions in November 1999, and covered a wide range of issues including: international child abduction, international adoption, EC law, Shari’a Law, immigration and the movement of children for abusive purposes. The Working Group organised a conference on the recommendations contained in the report in November 2000. Members of the Working Group participated in the organisation and presentation of a conference on the legal protection of children, funded by the Nuffield Foundation in Bloemfontein, South Africa in July 2000, and both the Chairman and the Convenor have continued the work of the group by participating in other related conferences in Southern Africa and elsewhere. These include a workshop in the Free State in October 2001 on international convention issues relating to corporal punishment in schools; a lecture, also in October 2001, to undergraduates from the University of Interamericana, Puerto Rico, on childrens’ rights; and a study for the European Commission on the disqualification of unsuitable adults from working with children.

Legal Ethics and Lawyer Fee Arrangements
Chairman: Mr Richard Southwell QC, Serle Court
Convenor: Mr Richard Moorhead, Institute of Advanced Legal Studies

The Working Group examined the ethical implications for the legal professions of conditional fee arrangements and legal aid block contracting of legal work. The Report’s aim was specifically not to dispute the use of CFA’s nor the government’s policy on access to justice, but rather to assess the ethical questions raised by CFA’s and make suggestions as to how to face up to the problems engendered. The report of the working group was published in January 2001 and a conference was organised to review its findings, where stimulating and often controversial views were aired and argued. The Northern Ireland Legal Aid Advisory Committee referred to the SALS Ethics Report in glowing terms as part of their case for rejecting CFA’s in their advice to the Lord Chancellor concerning reform of the Northern Ireland Legal Aid System.

Anti-Corruption
Chairman: The Rt Hon The Lord Steel of Aikwood and The Rt Hon The Lord Scott of Foscote
Convenors: Mr Toby Graham, Taylor Joynton Garrett and Mr Mark Tantam, Deloitte & Touche

The Working Group examined the legal issues that may arise when a financial intermediary in the United Kingdom receives or advises of the handling of the proceeds of corrupt acts committed overseas. The Working Group’s report was published in February 2000 and a conference was organised in February 2000 to review the Working Group’s recommendations. The Society has organised a number of seminars and workshops on the topic including, with the assistance of Taylor Joynton Garrett, a programme for senior diplomats. The Society is particularly grateful for the support and interest of The Rt Hon Clare Short MP, Secretary of State for International Development in its work in this area.

The Working Group’s activities has contributed to informed debate within and outside the UK, on the issue of whether legal mechanisms outside the traditional criminal justice system can be more effectively employed against corruption. The Working Group has also prepared a subsidiary report on the Financial Service Authority’s draft
rules on money laundering and participated in a study undertaken by the Department for International Development on the control of corruption, and will conduct a review of the report on the occasion of the 20th Cambridge International Symposium on Economic Crime in September 2002.

**Company Law Reform**

Chairman: The Rt Hon Lord Hope of Craighead
Convenors: Dr Mads Andenas, British Institute of International and Comparative Law and Mr Christopher Hale, Travers Smith Brathwaite

The Working Group has been convened as a “standing committee” supported by the Institute’s Centre for Corporate and Partnership Law. The Society has collaborated with the Law Commission in organising workshops on the reform of directors’ duties, partnership law and derivative actions. A conference on The Limited Partnership Act 1907 was held at the University of London’s Senate House, with the summary being provided by The Rt Hon Lord Justice Carnwath, of the Court of Appeal and former Chairman of the Law Commission.

Work has begun on producing a report assessing the programme of law reform conducted by the DTI’s Company Law Review. The report will concentrate on aspects of the Review that continue to present problems, focusing on directors’ duties and including the duties and responsibilities of directors within a group; the distinction between executive and non-executive directors; and the distinction between de jure, de facto and “shadow” directors. A seminar will be organised on this in due course.

**Taxation**

Chairmen: Mr David Goldberg QC and Mr Brian Cleave QC
Convenor: Mrs Natalie Lee and Dr John Booth

The Expert Working Group on Taxation comprises members include legal and accountancy practitioners, academics, and former members of the Inland Revenue now working for major accountancy firms or engaged in other forms of consultancy activity. In broad terms the central task of the group is to establish what the Revenue is authorised to do by statute, what it is actually doing, and how it is doing it. Among the issues identified were the need to consider the impact of the Keith Committee recommendations (the Committee on Enforcement Powers of the Revenue Departments, which published its report in March 1983), and the implications of the Human Rights Act.

The Working Group has made slow progress, but one of its members, Dr John Booth, will be giving a lecture on the powers and accountability of the Inland Revenue in a forthcoming SALS programme.

**Human Rights and Alternative Dispute Resolution**

The Working Group convened to consider the impact, if any, of human rights law on arbitration and alternative dispute resolution, and has resolved to organise a series of workshops rather than prepare a report. The Society will also be holding a workshop on international arbitration as part of the 2002-03 Calendar of Events.

**Financial Regulation**

Chairman: Mr George Staple QC, of Clifford Chance and former Director of The Serious Fraud Office
Convenors: Dr Chizu Nakajima, Director of the Centre for Financial Regulation, City University Business School and Mr Keith Loney, of the Institute of Advanced Legal Studies

The Working Group’s report on parallel proceedings was published in December 1999 and the Society has on several occasions organised meetings to discuss its recommendations. The Working Group has collaborated with the Fraud Advisory Panel and submitted evidence to several governmental bodies in the UK and overseas. The Working Group is now looking into the legal and other issues that arise in civil enforcement proceedings.

**New Groups**

The Executive Committee is keen to establish and support Expert Working Groups in other areas of the law and is always open to suggestions and proposals. The Committee recognises, however, that participating in, let alone
organising, such initiatives is time consuming and therefore is extremely grateful to those who have been so prepared to give their time so freely.

**Published Reports**

SALS has produced a number of reports, details of which are given below:

**The Ethics of Conditional Fee Arrangements**, January 2001
Produced by the *SALS Legal Studies, Ethics and Lawyer Fee Arrangements Working Group*

**Banking on Corruption: the Legal Responsibilities of Those Who Handle the Proceeds of Corruption**, February 2000
Produced by the *SALS Legal Studies Anti-Corruption Working Group*

**Parallel Proceedings**, December 1999
Produced by the *SALS Financial Regulation Working Group*

**The Cross Border Movement of Children**, November 1999
Produced by the *SALS Family Law Working Group*

Produced by the *SALS Planning and Environmental Law Reform Working Group*

**Nature Conservation and Habitat Protection – SSSI**, March 1999
Produced by the *SALS Planning and Environmental Law Reform Working Group*

**Amicus Curiae**

*Amicus Curiae* has coped successfully since its change in frequency at the beginning of 2001 and continued to promote the activities of the Society, the Institute, including the Sir William Dale Centre, the International and Professional Training and Research Unit, the various research activities within the Institute (including those of Professor Sherr’s team) and the library.

The journal has published learned articles on a wide range of subjects by many distinguished authors. To name but a few, *Amicus Curiae* published the Fourth Annual SALS lecture by Cherie Booth entitled “Proportionality and the Human Rights Act: a year in reflection” in the November/December 2001 issue. Sir Ivan Lawrence QC, who has served as leading defence counsel at a war crimes trial at Hague, contributed an article entitled “Is Milosevic getting a fair trial at The Hague” in the March/April 2002 issue. In the same edition Amicus Curiae was also pleased to publish “The court’s role in life or death decisions” by the Official Solicitor, Laurence Oates, based on his lecture to the Society. Many scholars from overseas visit Charles Clore House, and there is general willingness to publish in Amicus Curiae. For example, Professor Deborah Denno from Fordham University School of Law, New York, contributed an article entitled “How psychological research on consciousness can enlighten the criminal law” in the January/February 2002 issue.

**Conferences, Lectures and Seminars**

A variety of activities took place over the year in collaboration with other institutions, and others were planned ahead. The Society was a principal organising institution of the Nineteenth International Symposium for Economic Crime held at Jesus College, University of Cambridge, in September 2001, which looked at the Hiding of Wealth.

The Society has a history of collaboration with the Law Commission, and a seminar and discussion session was held entitled “Towards a Land Compensation Code: disregarding the scheme”. This was chaired by The Hon Mr Justice Carnwath, CVO, Chairman of the Law Commission with contributions from George Bartlett, President of the Lands Tribunal, and Tony Chase FRICS from Gerald Eve & Co, Surveyors. Previous topics include “The Illegality Defence in Tort”.

A list of other events held during the relevant period 2001-02 is given below:
8 May 2001: “Planning simplification”, SALS Planning and Environmental Law Reform Working Group seminar, held at The Royal Town Planning Institute, chaired by the Rt Hon Lord Justice Keene.
17 May 2001: “Privacy and celebrity”, Michael Tugendhat QC.
18 October 2001: “Women’s rights as human rights: has equality of opportunity delivered equality of outcome?”; Joint IBA Women’s Interest Group and SALS Lecture, Laura Cox QC.
22 November 2001: “A retrospective – 38 years in the law”, Joint IBA Women’s Interest Group and SALS Lecture, The Hon Mrs Justice Steel DBE.
18 January 2002: “Natural justice and adjudication”, Robert Gaitskell QC, Keating Chambers; held at the Godsworth Park Hotel, Newcastle upon Tyne, in association with Watson Burton, solicitors.
31 January 2002: “Managing a large law firm”, Joint IBA Women’s Interest Group and SALS Lecture, Lesley McDonagh, Managing Partner, Lovells.
28 February 2002: “The recognition and enforcement in England and Wales of foreign family judgments”, Joint IBA Women’s Interest Group and SALS Lecture, Margaret Bennett, Margaret Bennett Solicitors.
11 April 2002: “Civil litigation”, Michael Briggs QC.
9 May 2002: “Archaeology, anthropology and human rights”, Professor Margaret Cox, School of Conservation Sciences, University of Bournemouth.
30 May 2002: “Human rights and arbitration: how unruly is the public policy horse”, Karyl Nairn, Simoons & Simmons.

The Executive Committee is keen to see the development of programmes outside London, and work is progressing on this. One success story has been the seminar held in collaboration with Newcastle firm Watson Burton, which now takes place in January on an annual basis.

The Sixth Annual Dinner of the Society was scheduled to take place took place at the Middle Temple on 6 November 2002, to be addressed by The Rt Hon The Lord Woolf, Lord Chief Justice of England & Wales.

The Fifth Annual Lecture of the Society was entitled “Lions or Squeaking Mice” and was delivered on June 12th 2002 at Charles Clore House by Lord Justice Keene, who spoke on judges and judicial review at the start of the 21st century.

Membership

Membership levels have stayed at a similar level to the previous year, with the total number slightly down. Renewal rates have held up quite well, and the total of honorary fellows remained constant. SALS appears to attract more interest from overseas lawyers than UK practitioners from outside London, although there are exceptions to this: the SALS northern group in Newcastle has put on well-attended seminars organised by Watson Burton, solicitors.

There has been some fall off in the student membership, which can be attributed to a lack of perceived benefits for them – for example, most SALS events are free to everyone, and postgraduate students have already have access to the Institute library. The Executive Committee is keen to develop arrangements, where appropriate, which enable members of other bodies and associations to join SALS. There is also a need to develop the benefits to members offered by the Society.
The Society made a deficit of £19246 during the year ended 31 May 2002, resulting in a debit balance of £3631 being carried forward at 1 June 2002. This is compared to a positive outturn of £13228 in the previous year, although it should be noted that this was achieved only as a result of a one-off donation of £15000 being received from W J B Chiltern plc. It is fair to say therefore that the Society's finances remain in a precarious position. However, the Institute, given the significance of the Society in furthering its own objectives of fostering and promoting advanced legal research, has been willing to stand by the Society in the past, and will continue to do so in the short term. However, the Institute is extremely keen to see the Society establish its ongoing financial viability as soon as possible, so that further financial subsidies will no longer be necessary. Given that expenditure has been successfully contained, and is being further reduced for next year, this can only be achieved by a significant strengthening of the Society's income stream, particularly in support from the legal profession for the Society's charitable activities. It is a matter of regret to the Executive Committee that such support has been so disappointing to date. However, it is hoped that this will change in future, through the support of members working for major law firms and in the Bar, who would be willing to encourage active collaboration with the Society's objectives among their colleagues.

At the request of the Society's auditors, Knox Cropper, and the Finance Division of the University, through which its accounts are administered, it has been agreed to change the Society's accounting year from 1 June - 31 May to 1 August - 31 July, thereby bringing it in line with the University. This change should significantly reduce the amount of work for both Institute and University accounts staff, and facilitate the day to day monitoring of the Society's financial position.