News

Second South African Visiting Fellow appointed

Advocate Maria Elizabeth Klinck of the Faculty of Law, University of the Orange Free State, has been appointed as the second South African Visiting Fellow under the scheme established by the IALS with that university and the Development Corporation of the Orange Free State. She will be undertaking research in the field of EU sex equality law during her three-week period at the Institute from 28 June to 16 July.

Fellowships for 1999–2000 academic year announced

Details of fellowships for the 1999–2000 academic year have been confirmed and are detailed below, with information provided on each individual’s length of stay and subject(s) of research:

**Inns of Court Fellowships**

**Mr S I Ahmad**, Supreme Court of India
October–December 1999
International Criminal Court; jurisdiction; *ratione materiae* jurisdiction.

**Professor D Clark**, College of Law, Tulsa, Oklahoma, USA
January–March 2000
Fundamental structural changes now occurring in the practice of law in England associated with Europeanisation and globalisation.

**Professor M Findlay**, University of Sydney, Australia
April–June 2000
Critical examination of the contemporary debate over the synthesis of common law and civil law procedure, with special reference to the trial process.

**Dr W Pue**, University of British Colombia, Vancouver, Canada
July–September 2000
History of the English Bar; development of Canadian legal professionalism; comparative legal professionalism in British diaspora/English speaking union lands; co-edited student reader on legal profession and professional responsibility.

**Visiting Fellowships**

**Ms C Villiers**, University of Glasgow
October 1999–September 2000
Disclosure and information sharing in company law.

**Ms J Corrin-Care**, University of the South Pacific, Vanuatu
October–December 1999
Comparative study of contract law in South Pacific island jurisdictions.

**Mr C Blake**, General Council of the Bar
January–June 2000

**Professor A Rinella**, University of Trieste, Italy
July–September 2000
Political opposition and constitutional law.

**Visiting Fellowship in Law Librarianship**

**Ms C Rollins**, University of Victoria, British Columbia, Canada
October 1999–September 2000
Assessment of Canadian legal materials held in the IALS library, including the collection transferred from the Foreign and Commonwealth Office.

Conference organised on ‘The Company of the 21st Century’

The Centre for Corporate Law and Practice of the Institute of Advanced Legal Studies, in collaboration with *The International and Comparative Corporate Law Journal*, has organised an intensive and high-level conference at Jesus College, Cambridge, on 8 and 9 September 1999, entitled ‘The company of the 21st century: the company’s rights and responsibilities in a changing commercial world’.

The conference will examine the debate, taking place in many countries, on the rights and responsibilities of corporate enterprise in the modern world of global and increasingly electronic commerce. It will then focus upon those areas of the law and practice that are most susceptible to change or are in need of development. Therefore, particular attention will be given to the wider constituency of interests, increasingly recognised as having a determinant role in the life of a company, often referred to as ‘stakeholders’. Attention will also be given to the implications that such an approach has for the control and monitoring of the responsibilities of management across an ever-widening spectrum.

Leading experts in company law and related matters from the judiciary, practice and academic world, from a number of jurisdictions, will present papers and lead discussions. Opportunity will be given to those participating to contribute to the debate both in plenary and workshop sessions.

Those interested in attending this important conference should contact Ms Anita Bishop, Institute of Advanced Legal
Studies, Charles Clore House, 17 Russell Square, London, WC1B 5DR (fax: 0171 580 9613; e-mail: a.bishop@sas.ac.uk). The cost for accommodation for the nights of 7 and 8 September with meals (including a formal dinner in the Hall of Jesus College, Cambridge, on 8 September and two cocktail receptions) is £300 plus VAT.

For those wishing also to participate in the Seventeenth Annual Symposium on Economic Crime, which will take place in Cambridge at Jesus College from 12 to 18 September 1999, accommodation may be arranged in college for the nights of 9, 10 and 11 September at a charge of £45 plus VAT per night (without breakfast).

Cambridge International Symposium on Economic Crime will examine bank secrecy

The Seventeenth Cambridge International Symposium on Economic Crime, entitled ‘Banking on secrets’, is being held from Sunday 12 to Saturday 18 September, and examines the price we all pay for secrecy and confidentiality in the face of international organised and economic crime.

A number of governments have provided advice to the organising and sponsoring institutions, and the programme will address issues such as professional confidentiality, privilege and immunity. Over 200 experts from all over the world will examine these issues not just from the standpoint of law enforcement and regulatory bodies attempting to obtain information, intelligence and evidence, but also from the perspective of those who quite properly handle other peoples’ business and money, and are therefore increasingly on the receiving end of such requests for assistance.

Booking details are available from the symposium at Jesus College, Cambridge CB5 8BL (tel: 01223 339426). The programme can be accessed on the symposium website (http://crimesymposium.jesus.cam.ac.uk).

Library News

A taste of the Caribbean

The current display of materials in the cabinets in the entrance to the Institute are of seventeenth and eighteenth-century Caribbean laws. The laws of the Caribbean are of particular historical interest, not only because one can trace the influence of English law, but also because the islands that constitute the area were subject to a great many changes in government. As Roberts-Wray (1966) notes, these ‘numerous changes in governmental authority [were] brought about by a series of Crown grants (sometimes conflicting), constant wars, treaties and cessions between colonial Powers, and frequent grouping and regrouping of islands for the purposes of administration’.

The Acts of assembly, passed in the Island of Jamaica; from 1681, to 1754, inclusive, was published in London in 1756 for Curtis Brett & Company, ‘printers, booksellers and stationers in Jamaica’. The copy on display was donated to the Institute by the Law Society. As with many Caribbean laws, there are numerous acts dealing with sailors and piracy; for example Act 8 is concerned with ‘the restraining and punishing [of] privateers and pirates’. The Acts of assembly, passed in the Island of Barbadoes; From 1648, to 1718, inclusive, was printed in 1721 by John Baskett, ‘printer to the King’s most excellent Majesty’. The first act in this volume, passed on 7 September 1698, explains the need for all the laws of Barbados to be collected into one volume ‘forasmuch as nothing more conduceth to the wellbeing, support, tranquility and benefit of any place and people, than the preservation of their laws, and the knowledge of them’. Act 7 is an act ‘to prevent frequenting of taverns and alehouses by Seamen’ and states that any seaman found ashore after 8pm shall be apprehended and jailed. This display copy is deposited under trust deed from the Foreign and Commonwealth Office (FCO).

The Acts of assembly, passed in the Charibbee Leewards Islands, from 1690 to 1730, was published in 1734 in London. The volume was printed by John Baskett (as above) by order of the Lord’s Commissioners of Trade and Plantations. The volume has a chronological list of the acts and an excellent subject index. Again, there are several acts referring to sailors; for example, Act 137 is concerned with preventing seamen ‘deserting the ships or vessels to which they belong’. The copy displayed is also held on trust deed from the FCO, as are the Laws of the legislature of the islands of Grenada & the Grenadines 1766–67. This volume was printed by order of the Council by William Wayland in St. Georges Town, Grenada, in 1761. The text is richly decorated with illustrative lines dividing each act. The copy displayed is authenticated through an inscription on the final page by James Gilloch, Deputy Clerk of the Assembly, and John Sommerish, Deputy Clerk of the Council, stating the copy to be a ‘true copy’ which has been ‘carefully examined’. The inscription is dated 16 November 1767.

The Institute houses many more laws from the Caribbean, from the 17th century to the present. Items from this collection are listed in the library’s catalogues.

Paula Williams
Book Acquisitions, IALS Library
IALS Events
W G Hart Legal Workshop 1999

Supported by a grant from STICERD

LEGAL REGULATION OF THE EMPLOYMENT RELATION
Tuesday 6 July – Thursday 8 July 1999

Academic Directors
Professor Hugh Collins London School of Economics and Political Science
Professor Paul Davies London School of Economics and Political Science
Professor Roger Rideout University College, London

PROVISIONAL PROGRAMME
Tuesday 6 July 1999

Objectives, justifications and methods of regulation of employment

10.00 Registration
10.30–13.00
Two methods – enactment and collective bargaining
Professor Lord Wedderburn Emeritus Cassell Professor of Commercial Law, London School of Economics and Political Science

Justifications for regulation
Professor Hugh Collins London School of Economics and Political Science

Discrimination law: individual rights or labour market regulation?
Sandra Fredman Exeter College, University of Oxford

New techniques for social regulation: decentralisation and diversity
Professor Anthony Ogus University of Manchester

Economics and labour law: developing an interdisciplinary dialogue
Dr Simon Deakin and Professor Frank Wilkinson ESRC Centre for Business Research, University of Cambridge

14.00–16.00
Countervailing workers’ power as a regulatory strategy: erosion of the social and institutional underpinnings
Professor Karl Klare Northeastern University, USA

The law versus collective bargaining as a means of securing labour standards: where is the debate now?
Dr Stephen Wood London School of Economics and Political Science

Collective consultation by elected employee representatives – future prospects and present doubts
Lord McCarthy Emeritus Fellow of Nuffield and Templeton Colleges, University of Oxford

Do public services require additional regulation?
Professor Gillian Morris Brunel University

16.15–17.30 PARALLEL WORKSHOPS
Group A: Collective Representation
The indispensability of collective bargaining
Roger Welch University of Portsmouth

Collective bargaining, voluntarism and the law: the case of Britain and the USA
Professor Brian Towers Nottingham Trent University, Emeritus Professor of Industrial Relations, University of Strathclyde

Union made law? Regulating collective bargaining and worker participation in post-apartheid South Africa
Paul Benjamin Cheadle, Thompson and Hayson

Group B: Regulating the Corporation
Labour law and corporate governance: regulation of the abuse of power
Dr Alice Belcher University of Dundee

The corporate code of conduct – the missing link for labour law?
Jillian Murray St Hilda’s College, Oxford University

Social dumping revisited: some lessons from Delaware?
Catherine Barnard Trinity College, University of Cambridge

Section 309, Companies Act 1985: is it time for a reappraisal?
Charlotte Villiers University of Glasgow

Raising the stakes: the theory and rise of stakeholding
Sanjiv Sachdev and Professor Frank Wilkinson ESRC Centre for Business Research, University of Cambridge

Group C: Variety and Effectiveness of Regulatory Techniques
Employment law as a framework for business facilitation
Professor Ferdinand von Prondzynski, University of Hull

The variety and effectiveness of regulatory techniques
Aileen McColgan King’s College London

Deregulation of the labour market: a comparison of four approaches
Dr Ralf Rogowski University of Warwick

Justifying discrimination law in terms of greater rationality of decision making
Professor Richard Townshend-Smith University of Wales, Swansea

18.00 Reception
Wednesday 7 July 1999

Regulatory Competition

9.30–11.00
A race to the top? international investment guidelines and corporate codes of conduct

Professor Bob Hepple QC Clare College, University of Cambridge

Legal regulation of employment and international financial institutions
Professor Shin-ichi Ago Kyushu University, Japan

11.30–12.45 PARALLEL WORKSHOPS

Group A: International Labour Standards

International economic law and labour rights

Dr Christopher McCrudden Lincoln College, University of Oxford

The interaction of forms of regulation in international labour law
Holly Cullen University of Durham

Group B: European Regulation Objectives

Objectives of European regulation

Professor Barry Fitzpatrick University of Ulster

The integrationist rationale for community social policy
Phil Syris University of Bristol

Exporting regulatory frameworks in the union: the case of labour standards
Christine Boch Europa Institute, University of Edinburgh

14.00–15.15 PARALLEL WORKSHOPS (cont)

Group A: European Competition Law

Competition law and labour law: state aid doctrine

Professor Steven Anderman University of Essex

The re-regulation of football and its impact on employment contracts
John O'Leary & Andrew Caiger Anglia Polytechnic University

Transnational regulation of the legal profession
Olusoji O Elias University of Buckingham

Group B: Collective representation

Transnational trade union rights

Professor Brian Bercusson, University of Manchester

Information and consultation procedures and employee involvement in firms
Dominique Lauterburg Liverpool John Moores University

15.30–17.30 PARALLEL WORKSHOPS (cont)

Group C: Flexibility in Europe

The nature of employment status in Europe

Professor Patricia Leighton Manchester Metropolitan University

Flexibility and adaptability in the EU employment strategy
Diamond Ashiagbor European University Institute

The contribution of international and transnational regulation in the search for substantive equality in the workplace: clarity or confusion?
Robin Allen QC

Group D: Acquired Rights And Competitive Tendering

The compatibility of the transfer of undertakings rules with competitive tendering

Professor Christopher Bovis University of Central Lancashire

The Acquired Rights Directive – a case of economic and social rights at work
Dr S T Hardy University of Salford

18.00 Reception sponsored by Morgan Cole, Solicitors

Thursday 8 July 1999

Efficacy of Legal Regulations

9.30–11.00
Implementation of the national minimum wage

Professor D Metcalf London School of Economics and Political Science

Will statutory trade union recognition rights amount to anything in practice?

Professor William Brown Wolfson College, University of Cambridge

Efficacy and personal scope in contract and statute law

Professor Mark Freedland St John’s College, Oxford University

11.30–13.00 PARALLEL WORKSHOPS

Group A: Employment Rights

Three models of unfair dismissal: ‘due process’, ‘efficiency’ and ‘association’

Bob Watt University of Essex

When self-regulation breaks down

Michael Jefferson University of Sheffield

Defining the public interest in legislation: the case of employment protection for whistleblowers

David Lewis and Stephen Homewood University of Middlesex

Group B: Collective Representation

Fair deal at work: a critique

Paul Smith and Gary Morton University of Keele

Action short of dismissal

Paul Todd Cardiff Law School

Implementing the European work councils

Dr Mark Hall University of Warwick

The effectiveness of legislatively-underpinned institutions of workplace representation in Europe: the case of McDonald’s

Dr Tony Royle Nottingham Trent University
14.00 PARALLEL WORKSHOPS (cont)

Group C: Working Conditions
Enforcement of the minimum wage
Paul Skidmore University of Bristol

Health and safety responsibilities under the contract of employment
Brenda Barrett University of Middlesex

Self-regulation and implementation in the working time regulations
Michael Wynn University College Northampton

Group D: Gender Equality
Between labour law(s) and employment policy – regulation of the post-birth period in the UK
Joanne Conaghan University of Kent

A critical assessment of the EC legislation aiming at reconciling work and family life: lessons from the Scandinavian model
Eugenia Caracciolo University of Sussex

IALS Lectures

Friday 2 July, 5.45–6pm
PROFESSOR FREDERICK LAWRENCE
Associate Dean and Professor of Law, Boston University School of Law
Punishing hate: bias crimes under American law

This lecture is based on the speaker’s new book, also entitled ‘Punishing hate: bias crimes under American law’, and is staged jointly by the IALS and Harvard University Press, publishers of Professor Lawrence’s work. For further information, contact Belinda Crothers at the IALS (tel: 0171 637 1731) or Emnet Wuhib at Harvard University Press (tel: 0171 306 0603).

Admission is free and refreshments will be served after the lecture.

The Company Lawyer Lectures – Autumn 1999

The Institute is pleased to announce the following public lectures under the auspices of the IALS Centre for Corporate Law and Practice and acknowledges with gratitude the support of Sweet and Maxwell, publishers of The Company Lawyer.

Wednesday 13 October, 5.45pm
JONATHAN RICKFORD
Project Director, The Company Law Review, Department of Trade and Industry
Burning issues from the company law review

Monday 25 October, 5.45pm
PROFESSOR TONY BOYLE
Chairman, Advisory Committee, IALS Centre for Corporate Law and Practice
The new derivative action: an assessment

Monday 1 November, 5.45pm
PROFESSOR JOHN KAY
Director, Said Business School, University of Oxford; Director, London Economics
Who owns the company?

Monday 8 November, 5.45pm
PROFESSOR JOHN PARKINSON
Professor of Law, University of Bristol
Corporate governance and the company law review

Monday 22 November, 5.45pm
DR ALASTAIR HUDSON
Lecturer in Law, Queen Mary and Westfield College, University of London
Investment companies, money and property

Monday 29 November, 5.45pm
ADRIAN WALTERS
Lecturer in Law, Nottingham Trent University
Directors’ duty of care, skill and diligence

Monday 6 December, 5.45pm
ANDREW HICKS
Senior Lecturer in Law, University of Exeter
Director disqualification as a regulatory device: silly mid-on or long stop?

Thursday 9 December, 5.45pm
RICHARD SYKES, QC
Title to be announced

Wednesday 15 December, 5.45pm
DR SIMON DEAKIN
Lecturer in Law, University of Cambridge; Fellow, Peterhouse College, Cambridge
Economics and company law

All lectures will be held at the Institute of Advanced Legal Studies. Drinks and light refreshments will follow.

Each of these lectures is eligible for one Law Society ‘CPD’ hour and one General Council of the Bar ‘NPP’ hour.

Those wishing to obtain CPD and NPP accreditation must register on the evening of each lecture. Admission free – all are welcome.

Further information is available from Belinda Crothers, IALS tel: 0171 637 1731; fax: 0171 637 5216; e-mail: sals@sas.ac.uk.