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Volume 22 Issue 4

Published Monthly

April/May 2017

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Cover: Stanford University, one of the world's truly beautiful campuses.

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Pictures this month include a selection from John Eaton's recent trip around some US law libraries (see p 2). He and Steven Ross will be in Ottawa this month for the annual CALL conference. They look forward to seeing our Canadian customers there.

We are pleased to announce the publication of *Saggerson on Travel Law and Litigation*. This is a major work and we are very proud to be the publisher.

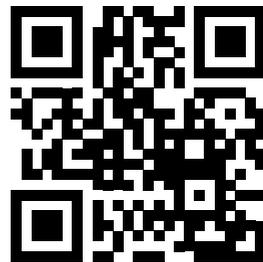
We are also keen to support the The Advocates Gateway's forthcoming conference on Access to Justice for Vulnerable People. This will be held at the Law Society on the 2nd and 3rd of June (see p 19 for advert)

Lastly, we were very pleased to welcome Beverley Speirs from the Cayman Islands when she called at the shop to say hello (see p 3 for photo).

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## JOHN EATON'S TOUR OF US LAW LIBRARIES

John recently did some travelling in the US on behalf of Wildy & Sons and Wildy, Simmonds & Hill Publishing. Here are some of his photos from the trip.



The reading room at the Law Library at New York University

The iconic Hoover Tower on the campus of Stanford University. It houses the Hoover Institution Library & Archives. The institution is a research and think tank related to War, Revolution, and Peace.

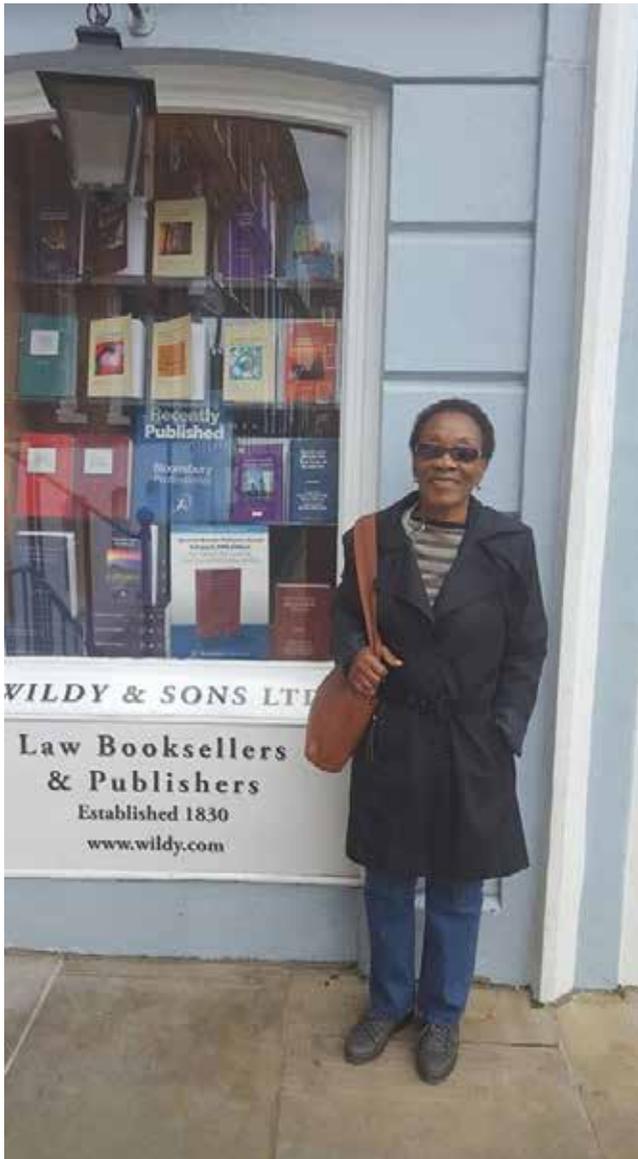


Taken from the back of the California Street cable car in San Francisco



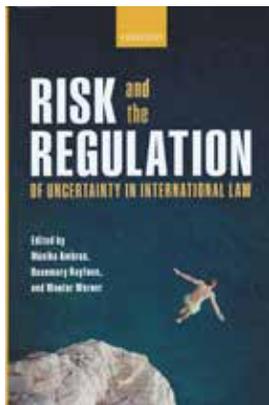
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Beverley Speirs, from Cayman Islands Law School, Grand Court Library, AG Library & DPP Library, makes time for a visit to our shop

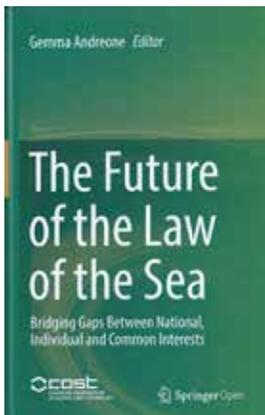


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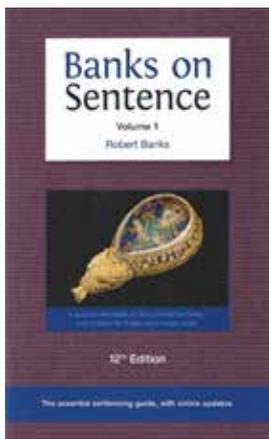
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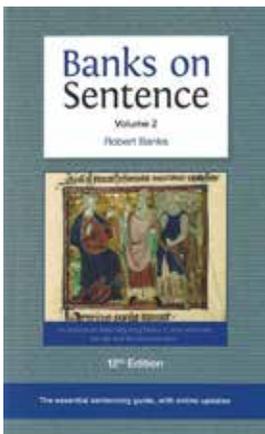
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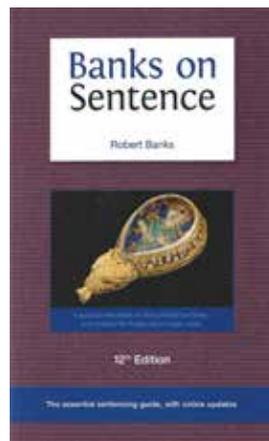
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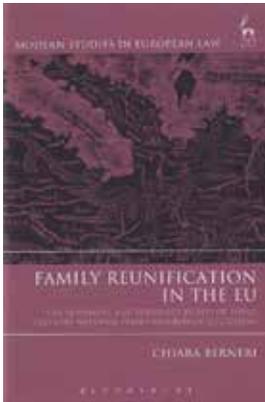
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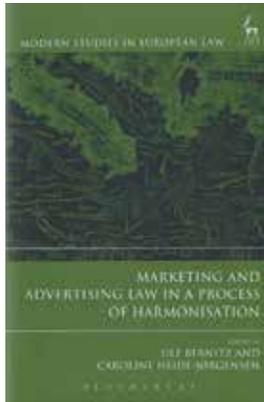
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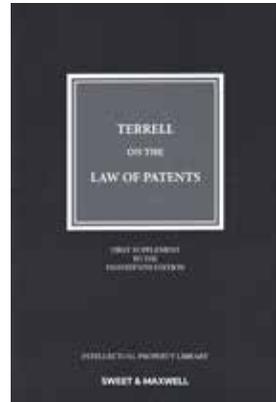
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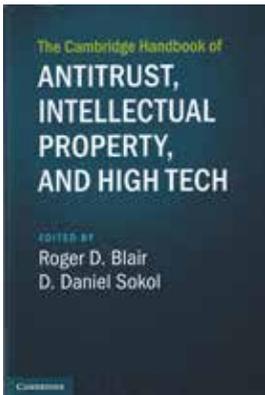
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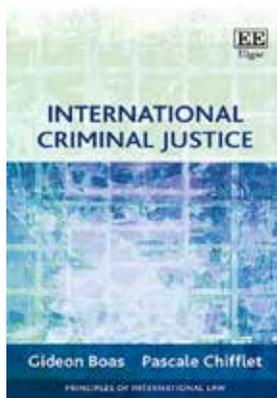
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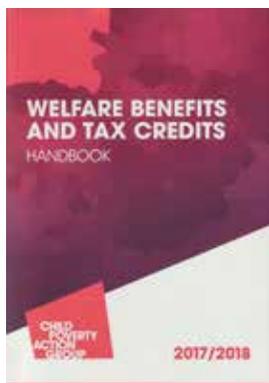
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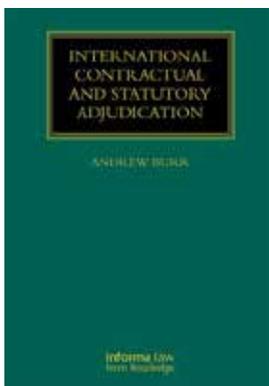
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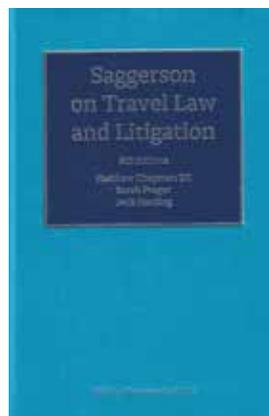
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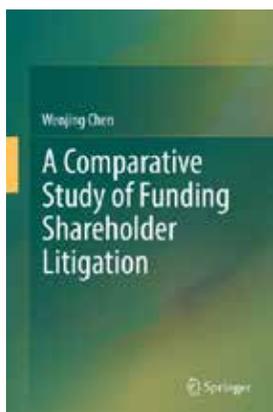
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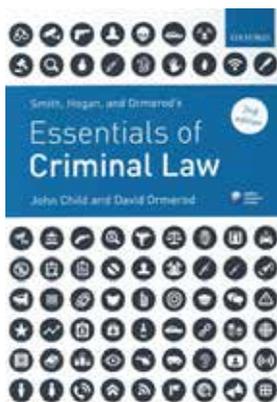
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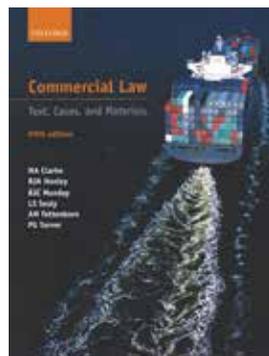
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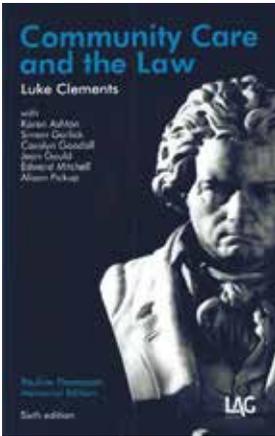
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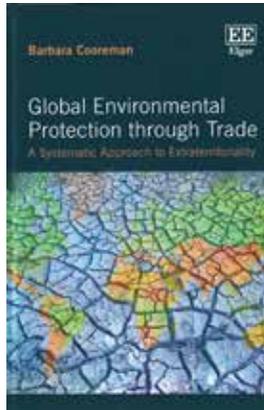
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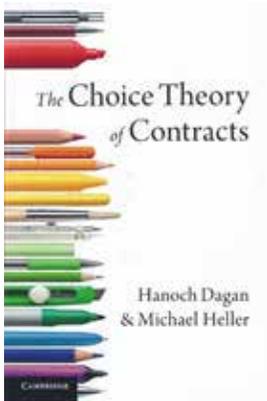
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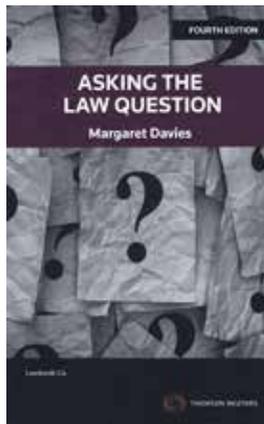
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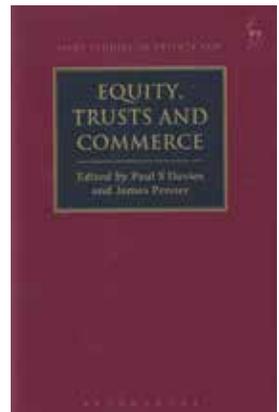
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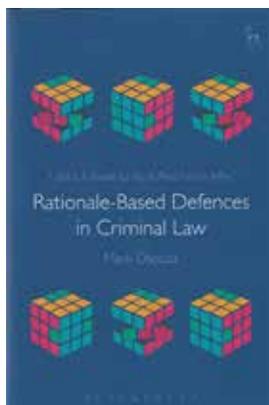
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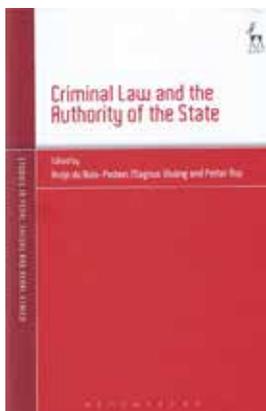
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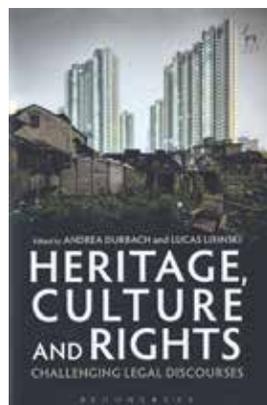
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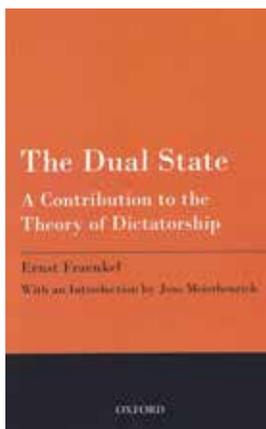
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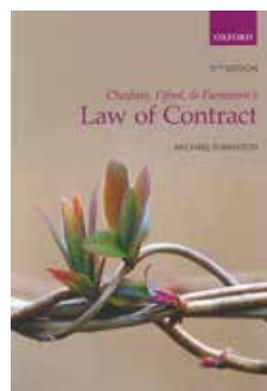
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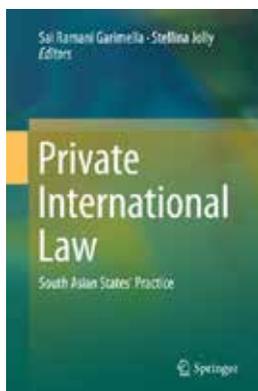
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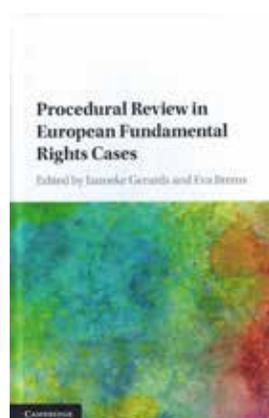
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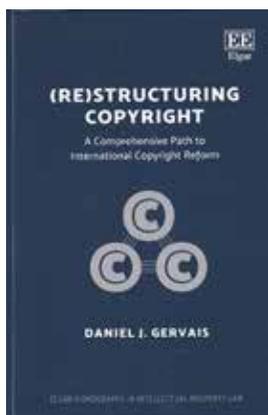
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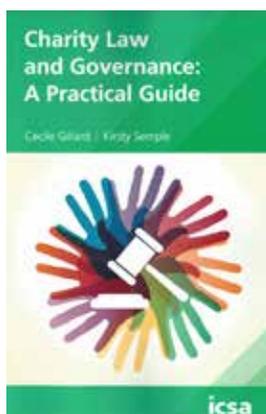
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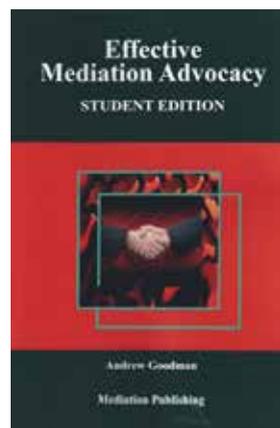
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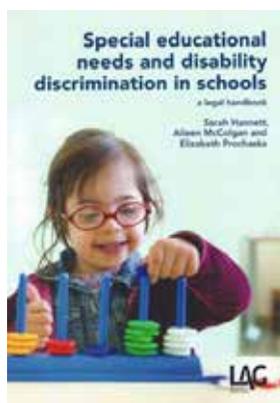
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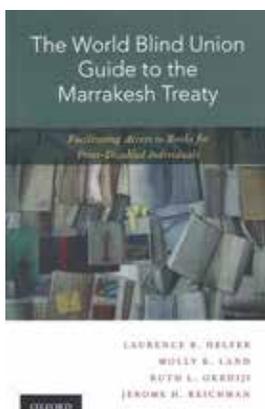
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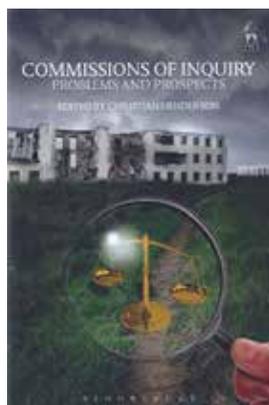
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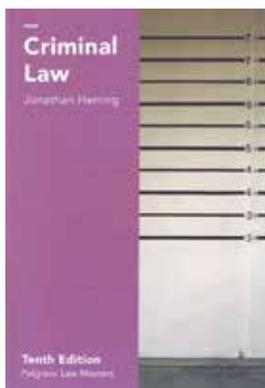
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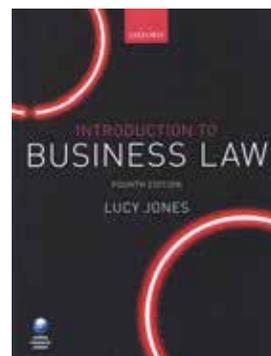
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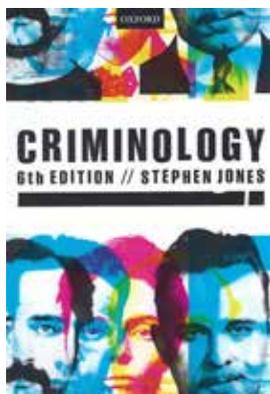
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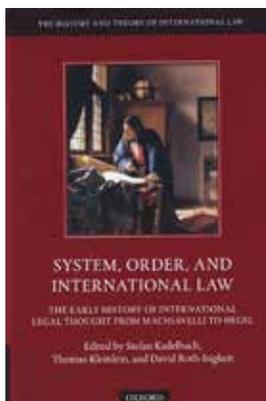
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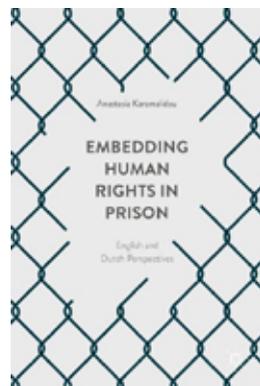
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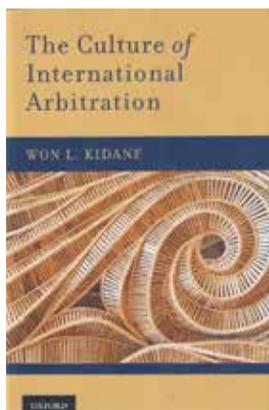
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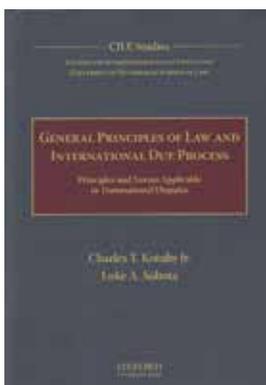
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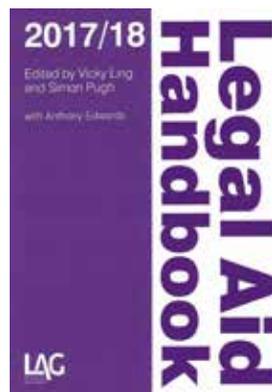
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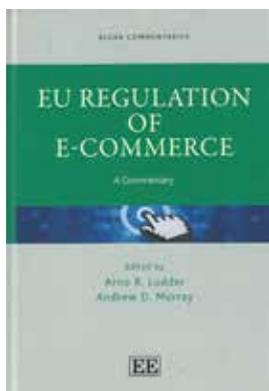
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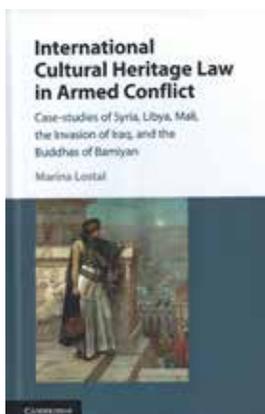
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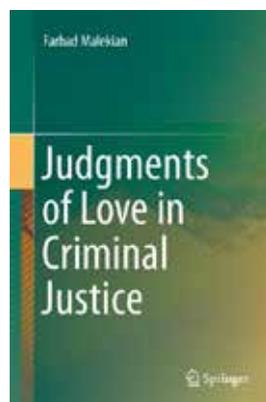
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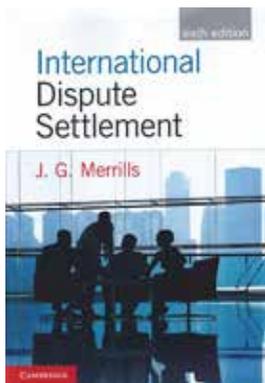
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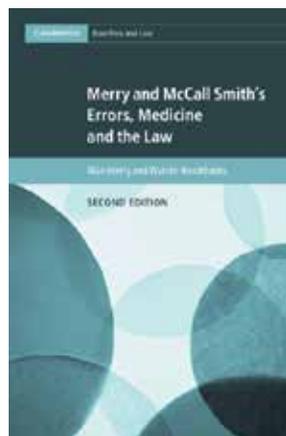
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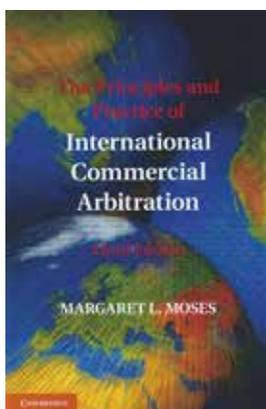
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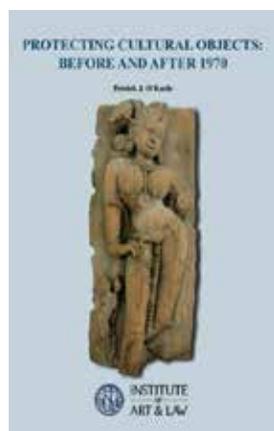
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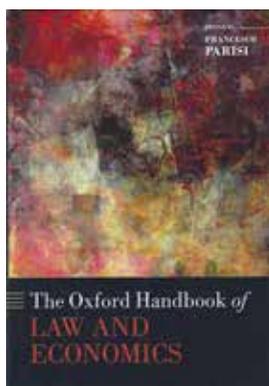
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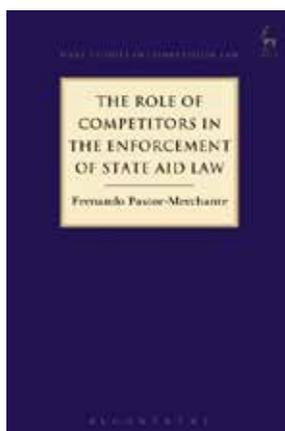
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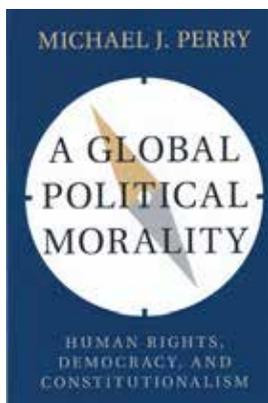
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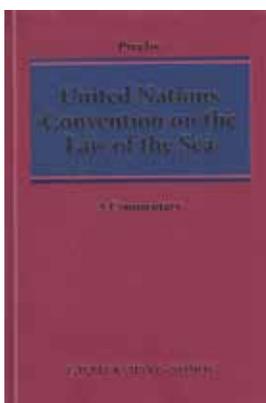
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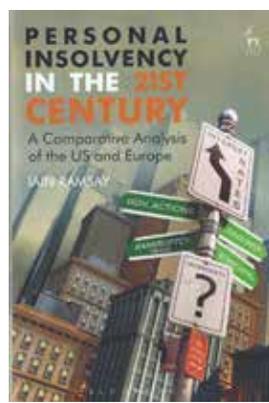
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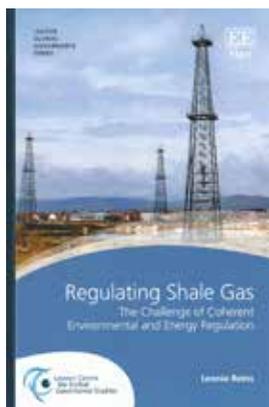
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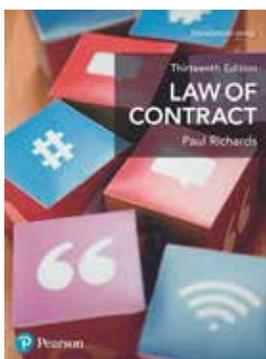
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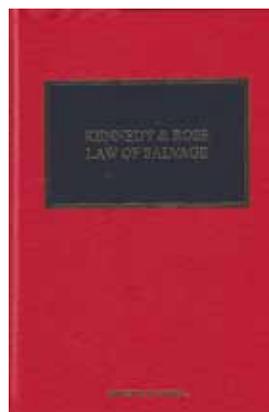
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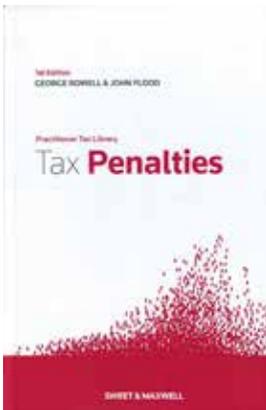
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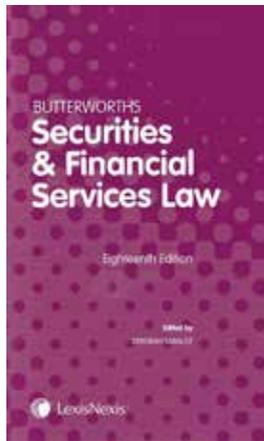
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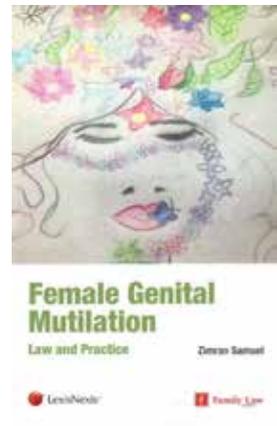
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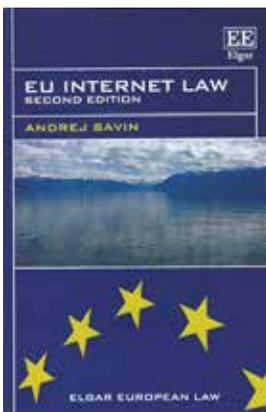
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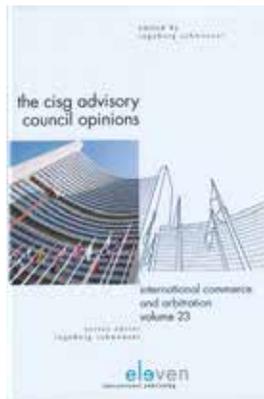
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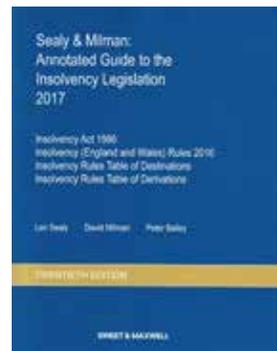
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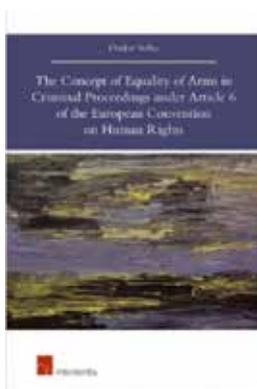
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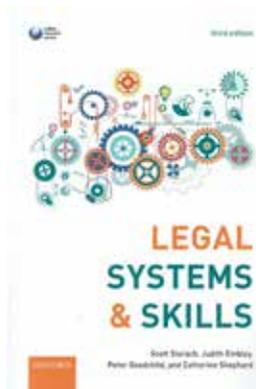
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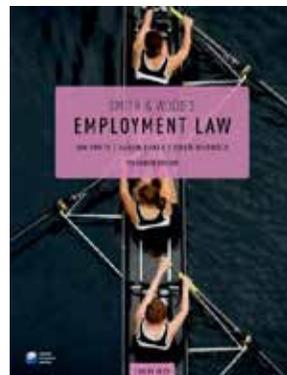
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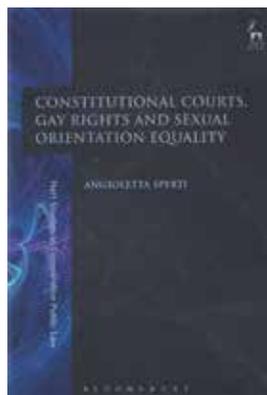
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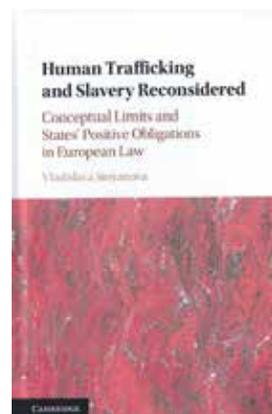
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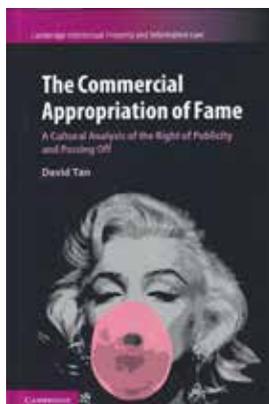
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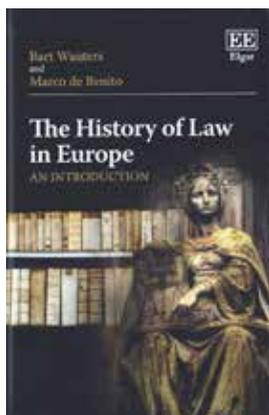
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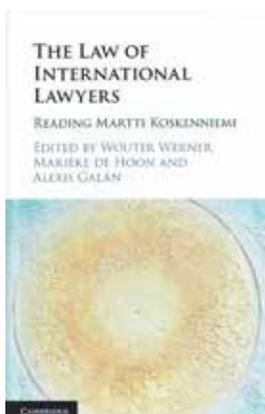
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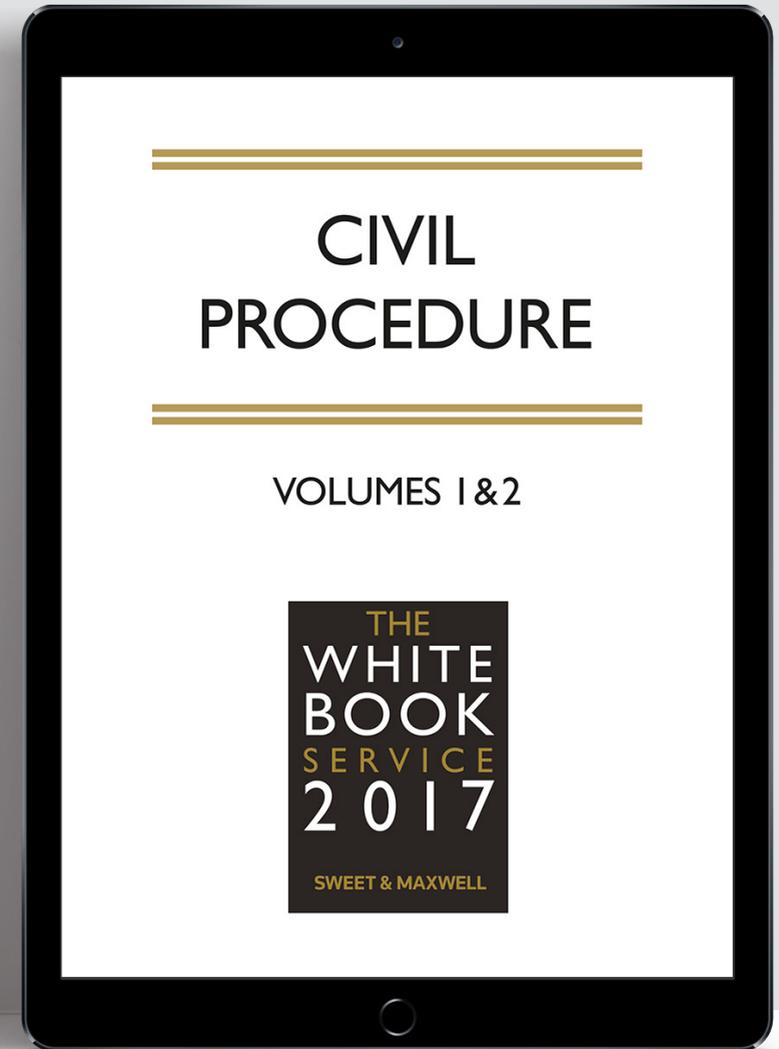
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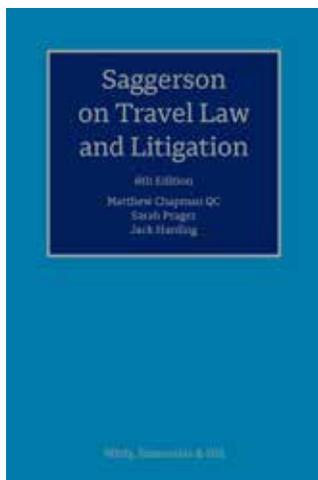
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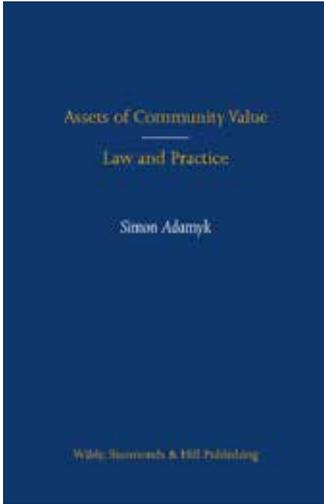
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Written by leading practitioners at the London travel law set, 1 Chancery Lane, the sixth edition of Saggerson on Travel Law and Litigation comprehensively revises and updates the previous edition. It continues to provide detailed commentary on all topics of relevance to the travel lawyer and also considers the following new developments:

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Matthew Chapman, Sarah Prager and Jack Harding are Barristers at 1 Chancery Lane, London where they handle the full range of travel-related litigation. They serve on the Committee of the Travel & Tourism Lawyers' Association. They have been involved in many of the most high profile travel law cases of the past decade.



## ASSETS OF COMMUNITY VALUE *Law and Practice*

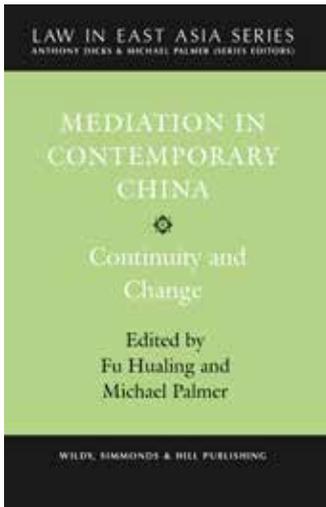
Simon Adamyk

Price: £75.00  
ISBN: 9780854902071  
Extent: 486pp  
Binding: hardback

This book provides guidance on the interpretation and application of the provisions relating to assets of community value under the Localism Act 2011. It aims to provide both legal and practical guidance, drawing together in one place the relevant principles from the Act, the accompanying Regulations, other primary and secondary legislation, Government guidance, the case law and elsewhere. It will provide assistance to a number of different groups: to those who wish to nominate a building or other land for listing as an asset of community value, to landowners who may wish to resist the listing of their property, to local authorities who have to determine the nomination and resolve any disputes (and maybe defend their decision on review and on appeal), and to the professionals who advise them.

The assets of community value provisions of the Localism Act 2011 are being extensively used and the impact of the provisions is not to be underestimated. Thousands of assets have been listed since the legislation came into force, and the provisions can have a significant impact on the landowner's rights in relation to his land, both while the land is still in his ownership and also if he wishes to dispose of the land. The impact of the provisions has increased significantly since they were first introduced, as a result of changes to planning legislation in 2015.

Simon Adamyk is a practising barrister at New Square Chambers, Lincoln's Inn. He read law at Downing College, Cambridge, and was awarded the highest mark in the University in each of the three years of his law degree and also a starred first in his first year. He also holds a Master's degree in law from Harvard Law School. He specialises in chancery/commercial law.



## MEDIATION IN CONTEMPORARY CHINA

### *Continuity and Change*

edited by  
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Price: £65.00  
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This collection of essays is the result of a collaborative project between Professors Fu Hualing and Michael Palmer, along with scholars in both Hong Kong and mainland China, on the nature and place of mediation in the justice system of the People's Republic of China. The project explores key aspects of the continuing central importance of mediation as a dispute resolution process, the various efforts at the refurbishment of mediation that have been made over the past decade or so, and the reforms that would best enhance the practice, theory and teaching of mediation.

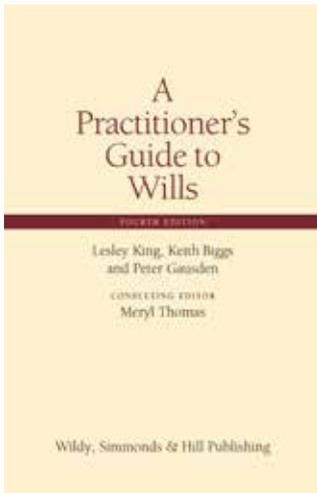
Mediation is used In China today for handling disputes in a variety of institutional contexts: 'people's mediation', which is primarily a form of local community dispute resolution, judicial mediation carried out by judges in and around the court, administrative mediation as conducted by officials and often focused on specific areas of governmental responsibility (as, for example, is the case with environment disputes), mediation in arbitral proceedings, and private mediation carried out without specific institutional support. Over the past fifteen years or so, in response to the rapid economic and social changes taking place in mainland China (including, inter alia, a declining importance of the local community) there have been attempts to institutionalize mediation, to resource it better, and to give it more legitimacy and legal force. In handling cases that come before the courts, judicial mediation continues to be seen as a particularly useful process, offering flexibility and effectiveness in dispute resolution (and even in handling serious criminal cases).

But at the same time, the widespread reliance on mediation can also mean that dispute negotiations do not take place in the 'shadow of the court' but, rather, in the 'shadow of mediation'. Under the current Xi Jinping government, the Chinese Communist Party's concern with political stability and social harmony has intensified. Even more so now than in the past, China's judges, people's mediators, arbitrators and others have to consider the social and political impact of their dispute resolution work, and to see mediation as a part of a larger scheme of dispute containment.

# A PRACTITIONER'S GUIDE TO WILLS

Fourth Edition

Lesley King, Keith Biggs and Peter Gausden



Price: £69.00  
[ISBN:](#) 9780854902040  
Extent: 534pp + CD  
Binding: hardback

The fourth edition of this popular title provides a practical and comprehensive reference for all those concerned in drafting and interpreting wills, and in giving effect to their provisions. The commentary is supported throughout by an extensive range of specimen clauses and model wills are provided in a separate appendix. All precedent material is included on the accompanying CD-Rom, enabling practitioners to adapt precedents for their own use.

Fully updated, *A Practitioner's Guide to Wills* now covers the Estates of Deceased Persons (Forfeiture Rule and Law of Succession Act) 2011, Marriage (Same Sex Couples) Act 2013, Trusts (Capital and Income) Act 2013 and the Inheritance and Trustees Powers Act 2014, the latter making major changes to the intestacy rules, family provision legislation and trustees' statutory powers of maintenance and advancement. It examines the impact of these legislative changes as well developments in taxation affecting wills, notably the new relevant property trust regime and its impact on pilot settlements, the new residence nil rate band, the reduced rate of IHT for gifts to charity and the new rules on trusts for disabled beneficiaries. The impact of the new residence nil rate band on planning and drafting is considered, together with the role that nil rate band gifts and discretionary trusts might still have to play in financial planning. The chapter on construction of wills has been rewritten following the Supreme Court's decision in *Marley v Rawlings* and subsequent cases including *Reading v Reading* are considered. The chapter on testamentary capacity has been revised in the light of developments since the Mental Capacity Act 2005 including *Simon v Byford* which considered the extent to which dementia affects testamentary capacity. Other recent cases discussed include the Court of Appeal decisions in *Ilott v Mitson* and its implications for testators who wish to exclude close family members from benefit.

Lesley King is a solicitor, and a principal lecturer at the College of Law. Keith Biggs is now a Probate Consultant but was formerly the District Probate Registrar at Winchester. Peter Gausden was formerly a principal lecturer at the College of Law. He is now a consultant solicitor at Rowlinsons.

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## IN THIS ISSUE

Blog by 'Wildy' p. 1  
THIS MONTH'S MAJOR TITLES pp. 4-17  
Important Forthcoming Publications p. 18  
April Subscriptions & Supplements pp. 23-27  
Wildy Trips 2017 p. 27  
Wildy, Simmonds & Hill Publications pp. 29-40

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