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Issue 11

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Cover: Season's Greetings from everyone at Wildys.

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Pictures this month include the launch party for our *Single Family Court: A Practitioner's Handbook*, the Wildy-sponsored KCL Bar Society Novice Moot and a visit by several professors from the new Mount Kenya University. Finally there is a picture of John Pethick's charity firewalk.

Sadly, Jeremy Hutchinson died at 102. He was a tremendous advocate with a long and distinguished career involving many celebrated cases. His biography *Case Histories* by Thomas Grant has been a bestseller over the past couple of years.

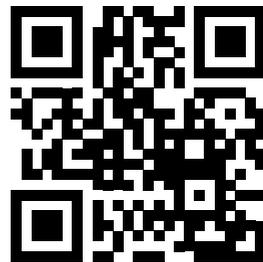
New titles from Wildy, Simmonds & Hill due this month include *Judicial Independence in Africa* and vol 5(1) of *Ukrainian Legal Doctrine*.

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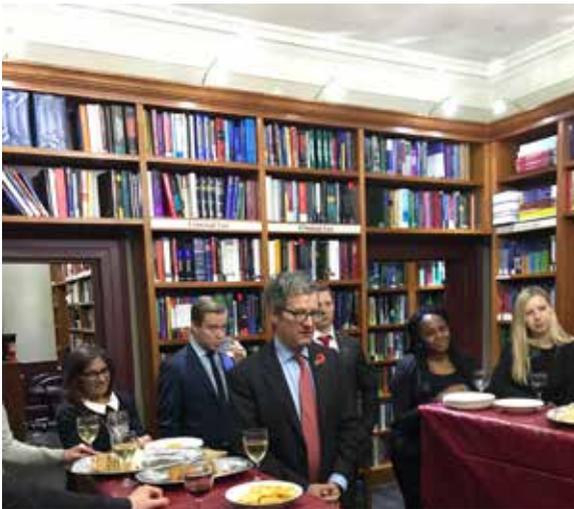
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Book Launch of *The Single Family Court*



The authors Gillian Geddes (above and below) and Richard Budworth (below left)



KCL Bar Society Novice Moot
2017 Finalists and Judges



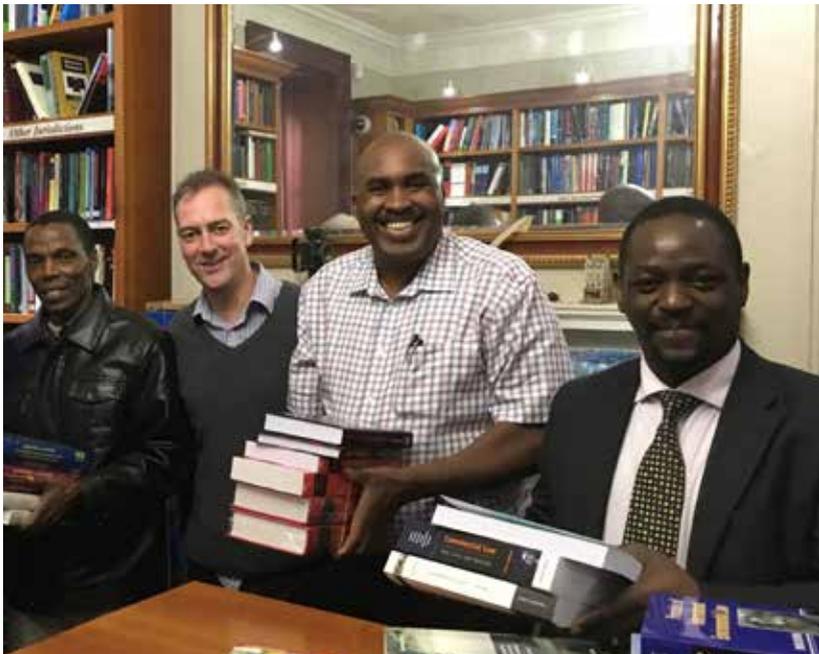
Syed Hussain, HHJ Andrew Lees, Shavonne Teo, Chris Howard (Director of Professional Skills KCL), Leo Hotham, and Yan Shin Ong.
The winner was Shavonne Teo





above: John Pethick doing a firewalk for various charities, including disaster relief in the Caribbean after the recent hurricanes

below: Matthew Regnard (Wildy's subscriptions dept), with Prof Simon Nyutu Gicharu Founder & Chairman Board of Governors Mount Kenya University.



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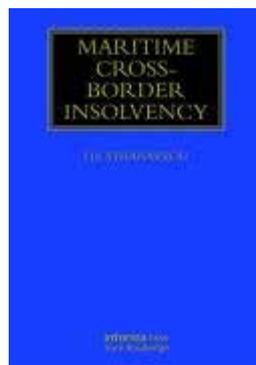
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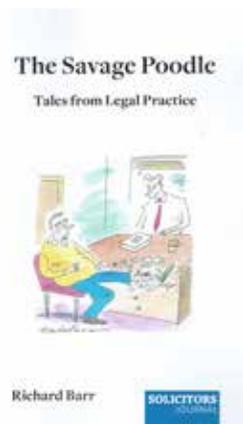
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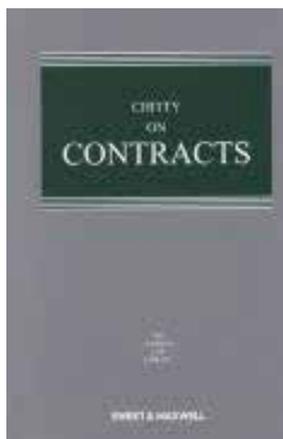
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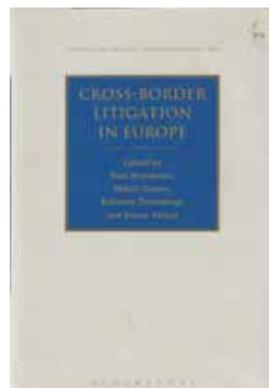
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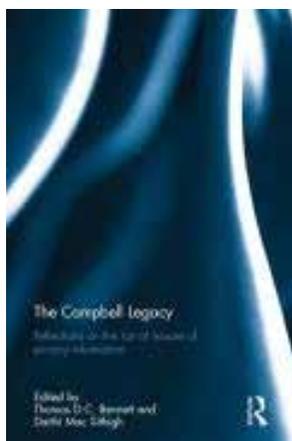
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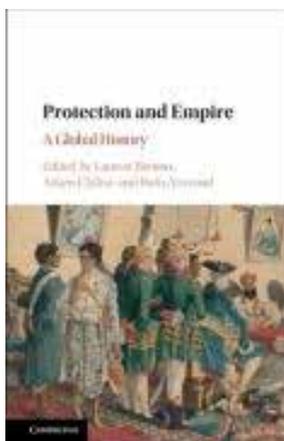
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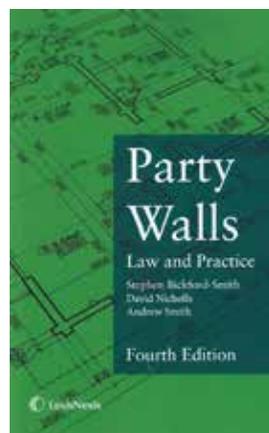
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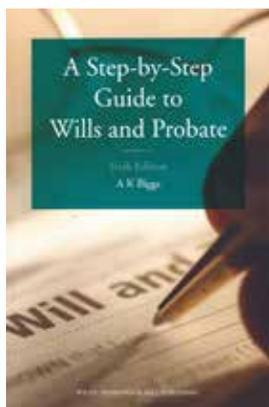
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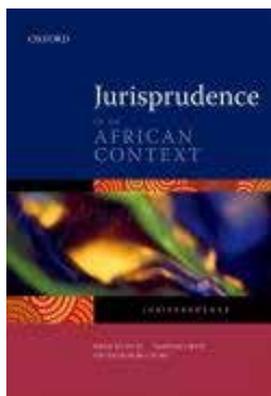
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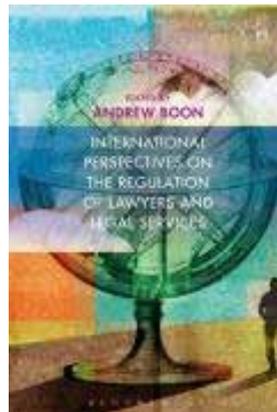
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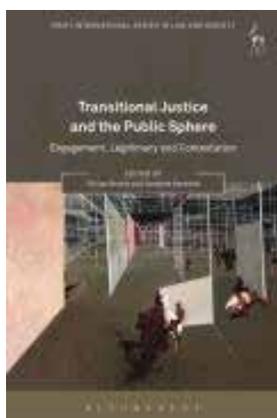
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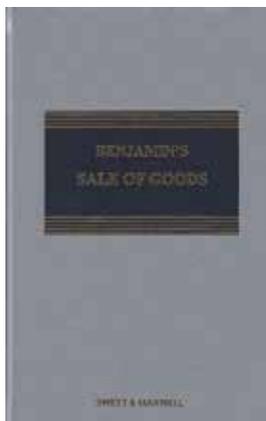
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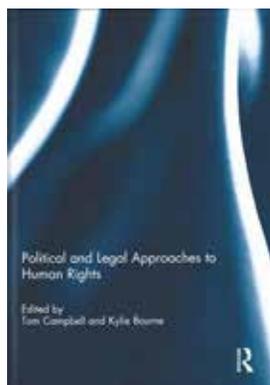
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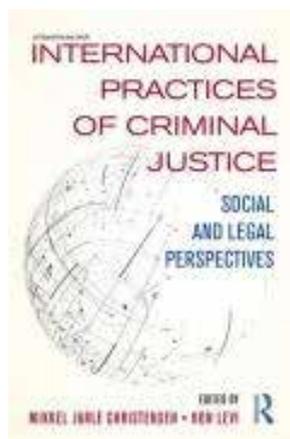
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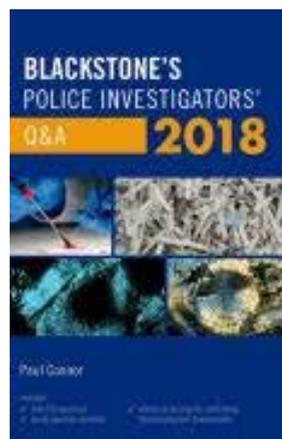
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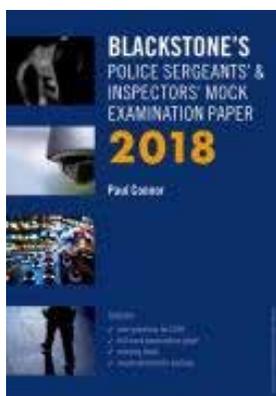
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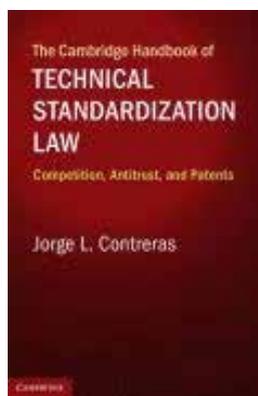
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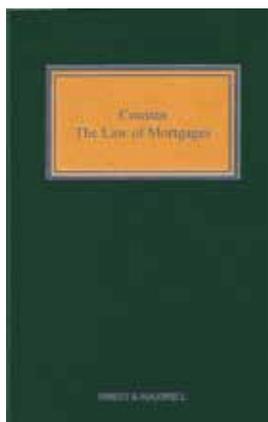
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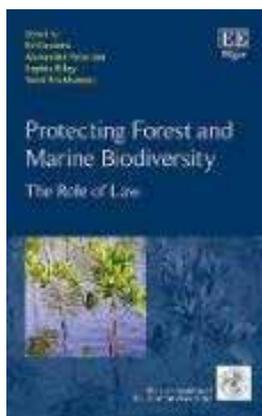
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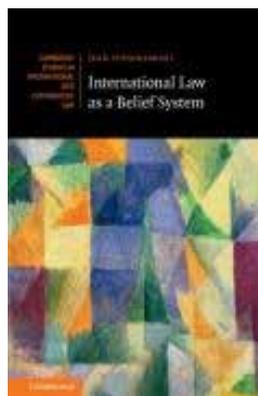
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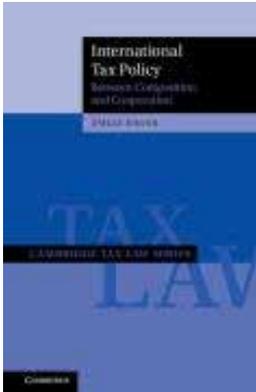
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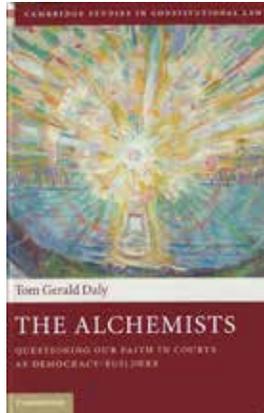
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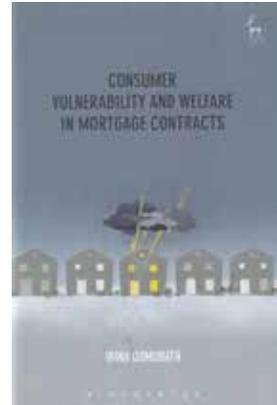
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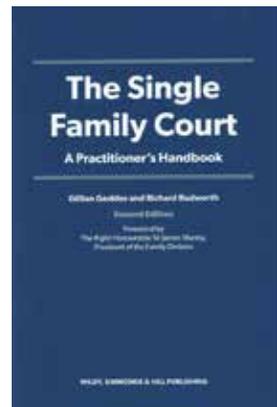
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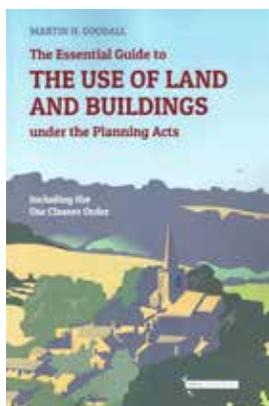
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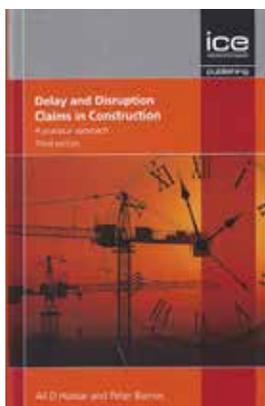
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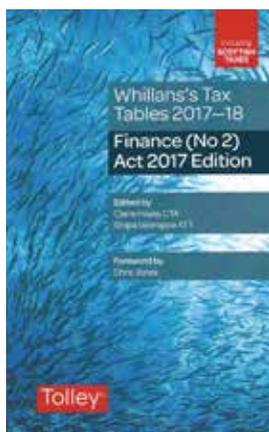
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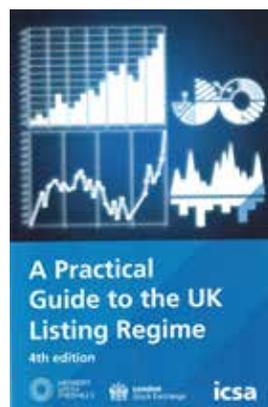
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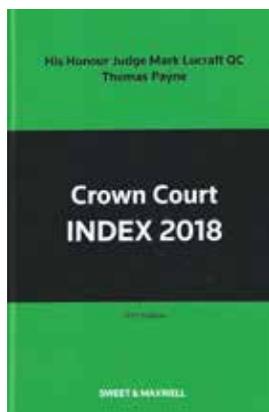
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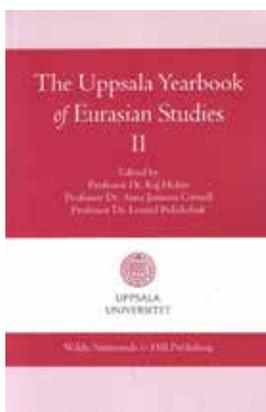
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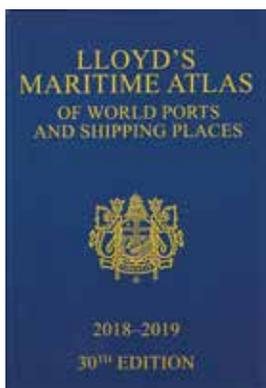
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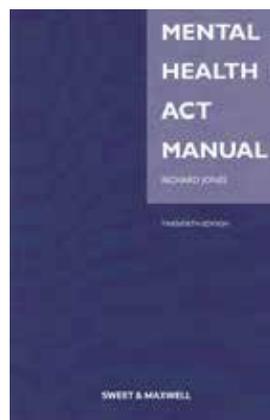
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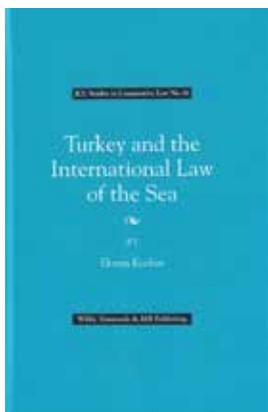
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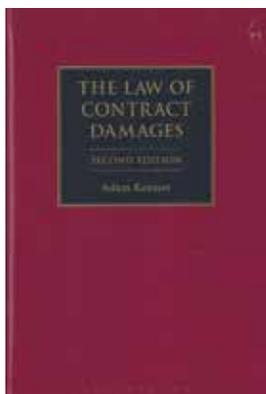
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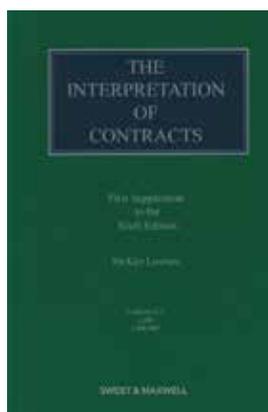
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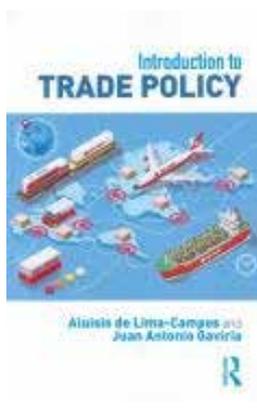
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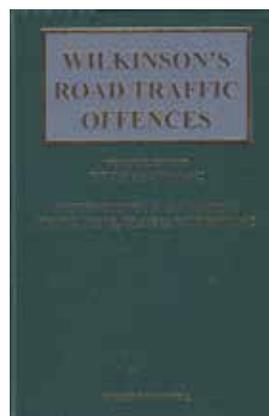
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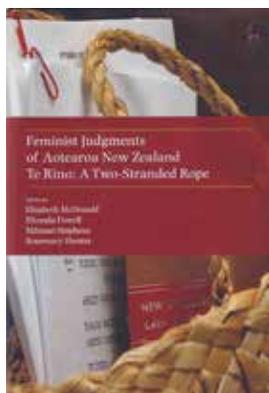
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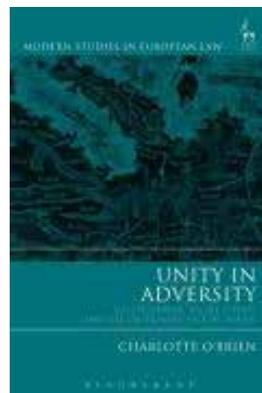
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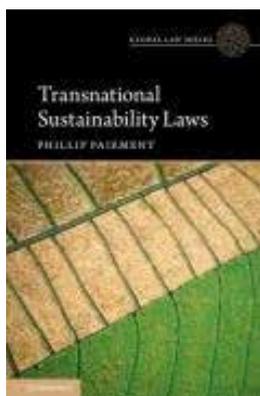
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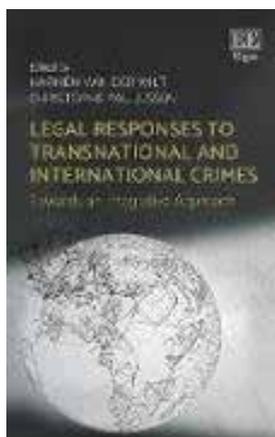
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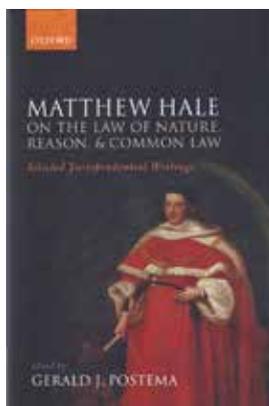
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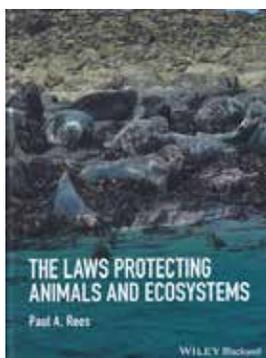
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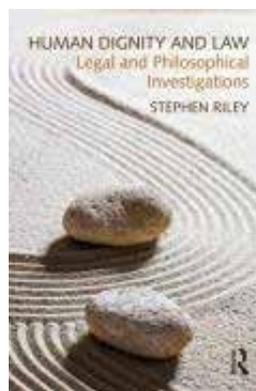
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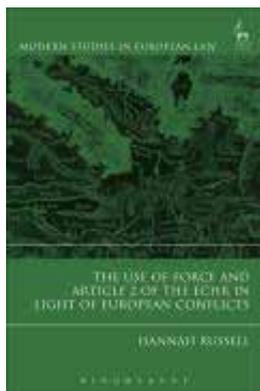
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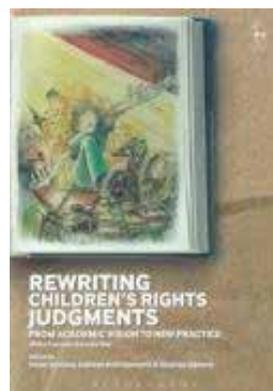
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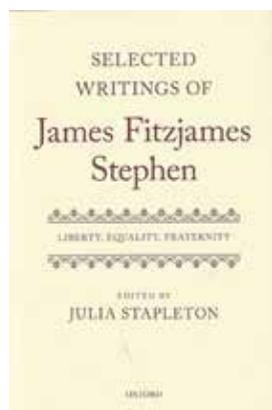
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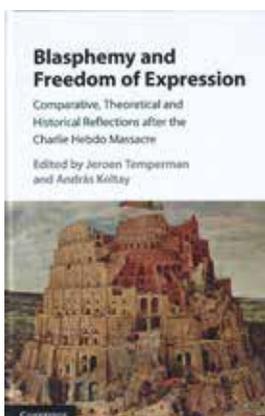
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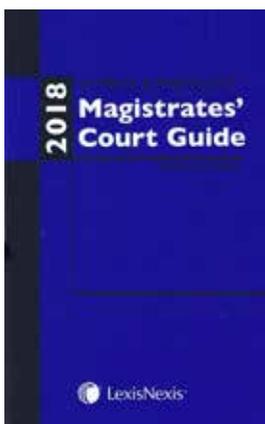
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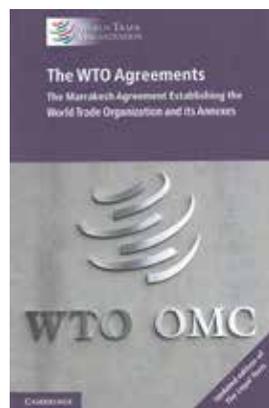
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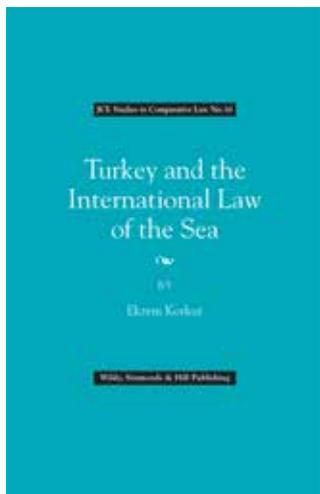
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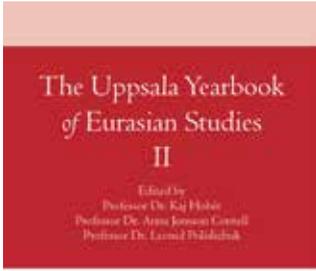
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We are happy and proud to be able to resume publication of the Yearbook, now with a broadened perspective. As the title, Uppsala Yearbook of Eurasian Studies, indicates the Yearbook now covers also other disciplines than law, in particular political science and economics. Given recent developments in the Eurasian region this enlarged focus is increasingly relevant and important.

Contents:

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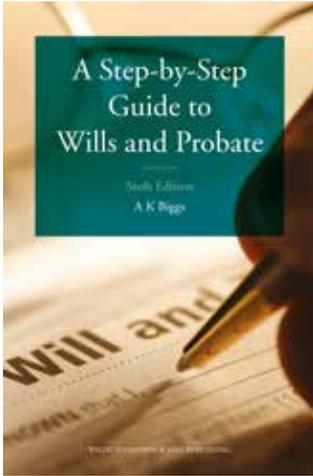
- Jonathan Anderson, "The Soviet Slant – Two Key Factors in Cuba's Transplant of Soviet Constitutional Principles"
- Christian R. Burne, "Ask and You Shall Receive: The Exercise of Military Powers by the Russian President"
- Kirill Koroteev, "Degradation of Russian Administrative Law: Cassation Proceedings in Judicial Review before the Russian Supreme Court"
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A STEP-BY-STEP GUIDE TO WILLS AND PROBATE

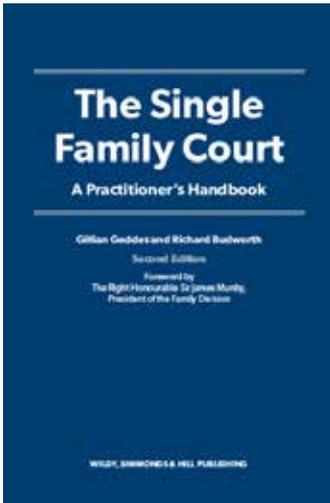
6th ed

by
A. K. Biggs

Price: £15.95
[ISBN:](#) 9780854902231
Extent: 206pp
Binding: paperback

A Step-by-Step Guide to Wills and Probate explains how to write a simple will, and how to deal with the affairs of someone who has died. This new edition is completely revised and updated, and is written in plain language by an author who has many years' experience in the probate registries. It explains when you can do things yourself and when you need a solicitor. The subjects covered include:

- Making your will: why do it; how to do it; appointing executors, the different gifts that can be made; how to make sure the will is valid and will be put into effect; examples
- Who may apply for probate: how to work out who, of the relatives and friends left behind, is the one to sort out a deceased person's affairs. Who inherits if there is no will?
- The estate: making sure that all the property and debts are found
- Inheritance Tax: working out if tax has to be paid, how much, and the arrangements for paying it
- Filling in the forms: essential paperwork, with examples. Will drafting/tax law/court forms and precedents updated to April 2017
- Going to court: the procedure for visiting the probate registry to finalise paperwork when this is requested by you and, when not, the procedure for swearing oaths before solicitors
- Administering the estate: collecting together the property; paying the debts, distributing the inheritances



THE SINGLE FAMILY COURT
A Practitioner's Handbook
2nd ed

by
Gillian Geddes and Richard Budworth

Price: £49.00
[ISBN:](#) 9780854902316
Extent: 592pp
Binding: paperback

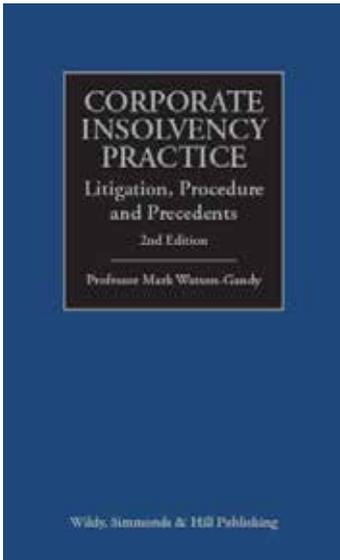
Following the recent overhaul of the family justice system and the resulting plethora of revised legislation, practice directions and guidance from the office of the President of the Family Division, an encapsulation of the essential points and features is vital for the busy family practitioner.

The authors have drawn on their extensive knowledge of the family court system to focus on the key aspects of the recent and significant changes, enabling the practitioner to cope more easily in this rapidly transforming legislative and procedural labyrinth.

This book contains the most frequently needed practice directions, protocols, precedents and relevant case law, as well as providing focussed guidance on a wide range of issues ranging from committal applications in family proceedings to the enforcement of foreign maintenance orders. This fully updated new edition provides a comprehensive and accessible handbook.

Gillian Geddes specialises in complex children's cases and has been cited as a leader in her field in Chambers & Partners UK. Gillian has written comprehensively in relation to family law and the family justice system. She is Head of Chambers at Hind Court, a specialist family set.

Richard Budworth studied law at the City University in London and was called to the Bar in 1982. He specialises in a broad range of family law work including financial remedies, and is a contributory Editor to Emergency Remedies in the Family Courts.



CORPORATE INSOLVENCY PRACTICE

Litigation, Procedure and Precedents

2nd ed

by

Professor Mark Watson-Gandy

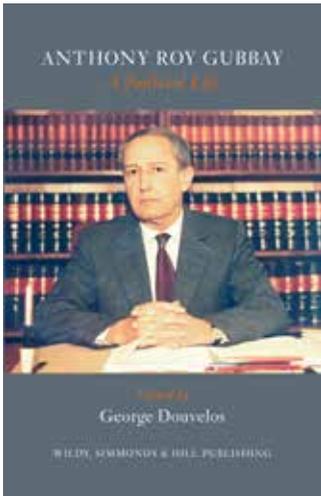
Price: £95.00
[ISBN:](#) 9780854902187
Extent: 552pp
Binding: hardback

The Insolvency (England and Wales) Rules 2016 introduced extensive changes to insolvency practice, precedents and procedures – the biggest change to insolvency for over 20 years. Fully updated to take account of these new rules, which came into effect on 6 April 2017, Corporate Insolvency Practice is the only comprehensive ‘how to do it’ guide for solicitors and barristers to all the most common court applications in corporate insolvency.

Covering areas as diverse as winding up petitions to administrations to the reuse of company names, this practical and accessible book seeks to give the inside track on what the court will expect both in terms of practice and evidence. It also provides the busy practitioner with a range of useful precedents and checklists, and sets out key statutory and practice material for each application.

Packed with precedents, forms, checklists and statutory extracts, Corporate Insolvency Practice ensures you have readily to hand everything you need to prepare and present the most common insolvency applications. The new edition of this title will be an invaluable reference for all practitioners making insolvency applications in the Companies Court.

Professor Mark Watson-Gandy is a tenant at Three Stone Chambers, a specialist commercial chancery barristers’ chambers in Lincoln’s Inn. He is a Visiting Professor at the University of Westminster and a Visiting Lecturer at Cass Business School. He was appointed to the Court of the University of Essex in 2015. Mark gave evidence to the Commons Select Committee on Business Innovation and Skills’ Inquiry into the “Insolvency Service”, to the All Party Small Business Group’s Inquiry into “breaking down the barriers to entrepreneurship” and the Treasury Committee’s Inquiry on “SME Lending”.



ANTHONY ROY GUBBAY
A Judicial Life

edited by
George Douvelos

Price: £35.00
[ISBN:](#) 9780854902347
Extent: 150pp
Binding: hardback

Chief Justice Gubbay was appointed as Chief Justice of Zimbabwe by Robert Mugabe in 1990 but then forced to retire in 2001.

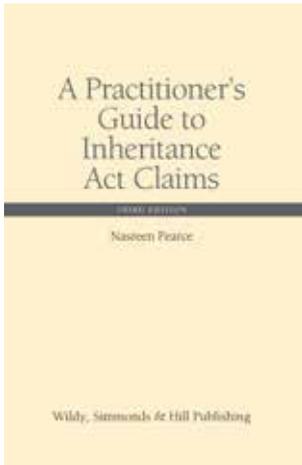
In this book, George Douvelos has collected tributes from some of Chief Justice Gubbay's many admirers, together with a number of papers and addresses delivered by the judge himself, to present a graphic portrayal of what can happen when the Rule of Law is ignored, and judges are subjected to a variety of pressures by political forces to achieve political ends.

What emerges is the story of one courageous man who remained faithful throughout to the Rule of Law, and steadfast in protecting judicial independence, in the face of enormous challenges.

Chief Justice Gubbay's life, and his example, should serve as an inspiration to all who value freedom, justice and democracy.

A PRACTITIONER'S GUIDE TO INHERITANCE ACT CLAIMS

by
Nasreen Pearce
3rd Edition



Price: £79.00
ISBN: 9780854902224
Extent: 460pp
Binding: hardback

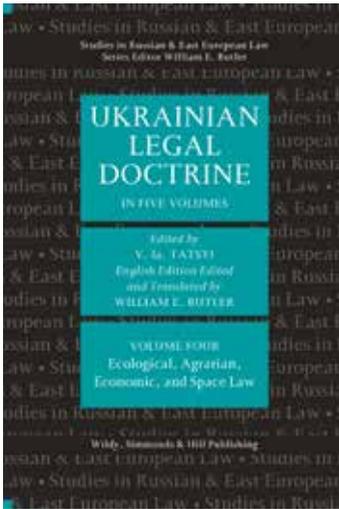
'*A Practitioner's Guide to Inheritance Act Claims*' (previously *Inheritance Act Claims*) provides a clear, comprehensive, easily accessible and practical guide to the provisions of the Inheritance (Provision for Family and Dependents) Act 1975 as amended.

This book sets out in detail the background to the legislation, pre-conditions and time limits for making a claim, categories of those who are entitled to make a claim, and grounds on which a claim may be made. It looks at the matters to which the court must have regard in deciding a claim and the court's powers to make orders (including the powers of the court in respect of dispositions intended to defeat a claim), the assets out of which financial provision under the Act may be made and the position of personal representatives and trustees.

The new edition includes coverage of the important case of *Ilott v The Blue Cross* and others and looks at the effect of the Supreme Court's first decision under the Act on the meaning of reasonable financial provisions, testamentary freedom, the position of charities as beneficiaries, the factors that are relevant to the exercise of judicial discretion when deciding what if any award should be made for a claimant and issues relating to grounds of appeal.

This new edition also deals with changes brought about by the Civil Partnership Act 2004; the Marriage (Same Sex Couples) Act 2013; the Presumption of Deaths Act 2013; the Inheritance and Trustees' Powers Act 2014 and the consequential amendments made to the Civil Procedure Rules Part 57 and the Human Fertilisation and Embryology Act 2008.

Nasreen Pearce is a retired circuit judge, and was formerly a district judge in the Principal Registry of the Family Division. She has written widely on family law and is a contributor to *The Family Court Practice*. She is the author of *Change of Name: The Law and Practice* also published by Wildy, Simmonds & Hill.



UKRAINIAN LEGAL DOCTRINE
in five volumes
**Volume 4: Ecological, Agrarian, Economic,
and Space Law**

edited by V Ia Tatsyi

English Edition Edited and Translated
by William E. Butler

Price: £125.00
ISBN: 9780854902163
Extent: 646pp
Binding: hardback

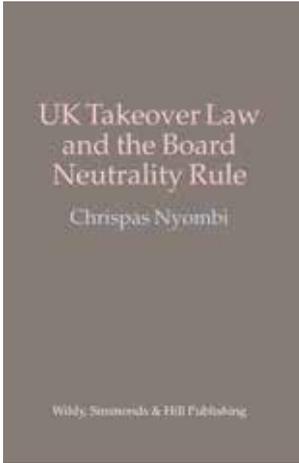
The authors address in this volume doctrinal approaches to ecological law (sources, natural-resource law, compensation for ecological damage, ecological entrepreneurship, nuclear law, and concepts of contractual ecological law); economic law (models of economic law, responsibility for violations; public/private partnerships, relevant foreign legal experience, legal regime of property, systematization of economic legislation, economic contract law, and innovation legislation); land law and agrarian law (Soviet and post-Soviet land law doctrines, methodologies of land law, land ownership, agricultural land market, and other contemporary issues of agrarian law); and space law (the role of Ukraine in space activities and development of space law).

William E. Butler is The John Edward Fowler Distinguished Professor of Law, Pennsylvania State University; Emeritus Professor of Comparative Law in the University of London (University College London); Foreign Member, National Academy of Sciences of Ukraine and National Academy of Legal Sciences of Ukraine; Associate, International Academy of Comparative Law.

V. Ia. Tatsyi is Academician, National Academy of Sciences of Ukraine; Honorary President and Academician, National Academy of Legal Sciences of Ukraine, Doctor of Legal Sciences, and Professor.

UK TAKEOVER LAW AND THE BOARD NEUTRALITY RULE

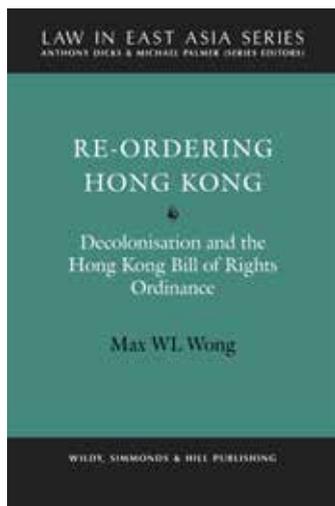
by
Chrispas Nyombi



Price: £45.00
ISBN: 9780854902293
Extent: 226pp
Binding: hardback

This book encompasses theoretical and empirical analysis of takeovers and their relationship with society and the State in a rapidly changing social and commercial landscape. It also assesses the experience of those affected by the process of law, for example employees who may find themselves disadvantaged by the operation of shareholder primacy during takeovers. Case studies on two formerly British companies (Corus Steel and Cadbury) which were taken over by foreign companies are also used. For both Cadbury and Corus, a case study method helped to highlight how the takeovers impacted on the interests of employees, senior management and suppliers, and the predatory role played by arbitrageurs (short-term investors) during the offer period.

Dr Nyombi is at present Director of Research in Law at Canterbury Christ Church University, School of Law, Criminal Justice and Computing; Senior Lecturer in International Commercial Law at University of Bedfordshire, Department of Law and Finance; Senior Academic Advisor, Djibouti Chamber of Commerce and the Intergovernmental Authority on Development (IGAD) and Academic/Legal Advisor at The World Health Organisation (WHO) United Nations



RE-ORDERING HONG KONG
*Decolonisation and the Hong Kong Bill of
Rights Ordinance*

by
Max W L Wong

Law in East Asia Series

Price: £65.00
ISBN: 9780854902309
Extent: 280pp
Binding: hardback

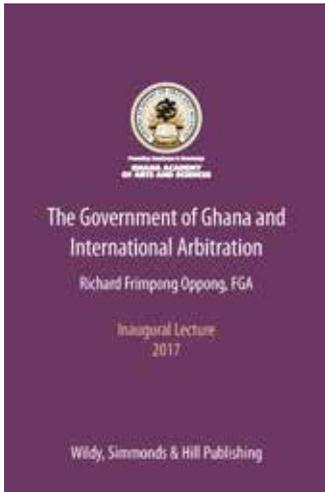
The promulgation of the Hong Kong Bill of Rights Ordinance (“HKBORO”) denotes a change in British decolonisation policy from that which prevailed in the 1950s and 1960s – the protection of minorities through a Bill of Rights. The HKBORO is uniquely interesting. The decision to incorporate it into Hong Kong law was political, and aimed at restoring the confidence of the Hong Kong people following the suppression of the Tiananmen democratic movement in Beijing in 1989. In addition, Hong Kong was the only Crown colony to entrench the International Covenant on Civil and Political Rights indirectly in a constitutional document -- in the case of Hong Kong, the Letters Patent, the constitution for Hong Kong before 1997. This incorporation and entrenchment was intended to ensure that the HKBORO continued in force under the Basic Law of the Hong Kong SAR, the “mini-constitution” after 1997. The author suggests that Hong Kong provides a successful model for the courts in other common law jurisdiction in their efforts to incorporate international human rights jurisprudence into decision-making in the criminal law field. This book is not only suitable for practitioners, law teachers and students, but also for researchers with interests in UK colonial history, civil liberties and political science.

Max Wai Lun WONG is Assistant Professor, School of Modern Languages and Cultures, University of Hong Kong. He holds a Ph.D. from SOAS, University of London. His research interests include Law and Public Administration, Chinese Customary Law and Practice in South East Asia and Law and Creative Industries.

THE GOVERNMENT OF GHANA AND INTERNATIONAL ARBITRATION

by

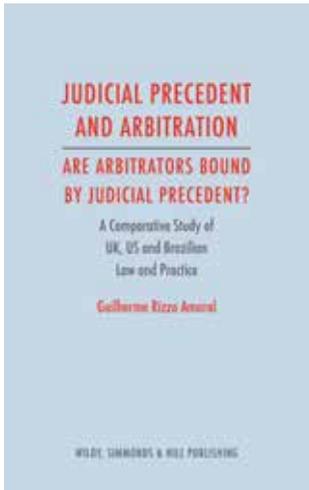
Richard Frimpong Oppong, FGA



Price: £19.95
ISBN: 9780854902286
Extent: 160pp
Binding: paperback

Since the dawn of the twenty-first century, at least twelve international arbitration claims have been submitted against the Government of Ghana (GoG). This is a significant number compared with what had previously been the case. To date, there has been little or no academic study involving the claims, the arbitral awards resulting from them, and their implications for Ghana. This book aims to fill that void. It examines GoG's experiences with international arbitration. It draws on lessons from those experiences, as well as the comparative insights extrapolated from other jurisdictions. The book focuses on arbitration between GoG and private foreign individuals, firms or corporations. It does not deal with interstate arbitration. The book examines: the nature of international arbitration; the writings of Ghanaian scholars on international arbitration; the legal regimes and contractual mechanisms that make GoG amenable to international arbitration as a method of settling disputes between it and private foreign individuals, firms or corporations; the record of actual international arbitration claims that have been brought against GoG, and the awards that have resulted from such claims; the reception and treatment of Ghanaian law as the applicable law in international arbitration claims; the extent to which Ghana has implemented its international obligations with respect to international arbitration; and, the enforcement of foreign arbitral awards against GoG within and outside Ghana.

Richard Frimpong Oppong, FGA, LLB (Ghana); LLM (Cambridge); LLM (Harvard); PhD (University of British Columbia); Barrister-at-Law; Fellow of the Ghana Academy of Arts and Sciences; Associate Professor, Thompson Rivers University Faculty of Law



JUDICIAL PRECEDENT AND ARBITRATION

Are Arbitrators Bound by Judicial Precedent? A Comparative Study of UK, US and Brazilian

Law and Practice

by

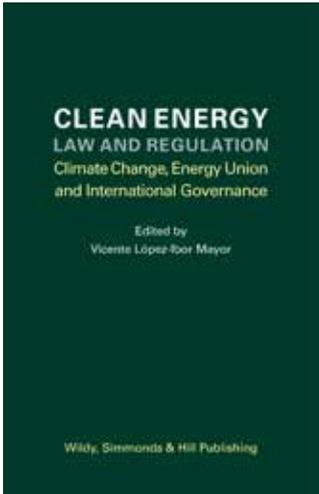
Guilherme Rizzo Amaral

Price: £65.00
[ISBN:](#) 9780854902279
Extent: 204pp
Binding: hardback

One of the cornerstones of arbitration is the finality of arbitral awards. Saving rare exceptions, arbitral awards cannot be subject to challenges based on the arbitrator's errors of law. Furthermore, there is no hierarchy between arbitral tribunals and judicial courts, nor are arbitrators part of any judicial system. Thus, if arbitrators are not part of any hierarchical scheme and if there is no challenge or appeal available against their errors of law, how could one say that arbitrators have a duty to follow judicial precedents? Besides, when individuals agree to solve their disputes outside the judicial arena, should they expect a private arbitrator to abide by the same standards of a system they have just avoided? Is the choice for arbitration not a choice for an entirely different legal system, unbound by the so-called judge-made law?

This book attempts to answer those questions by presenting a comprehensive guide to the relation between judicial precedents and arbitration in the United States, the United Kingdom and in Brazil, as well as in international arbitration as a whole.

Guilherme Rizzo Amaral holds a Master's degree from the Pontificia Universidade Católica do Rio Grande do Sul (Brazil), a Doctor's degree from the Universidade Federal do Rio Grande do Sul (Brazil) and was a Visiting Scholar at Queen Mary, University of London (Centre for Commercial Law Studies – CCLS). He has authored books and various legal articles on procedural law and has taught Civil Procedural Law at the Universidade Federal do Rio Grande do Sul (UFRGS) and at Fundação Escola Superior do Ministério Público (FMP), among other institutions. He was a member of a committee that assisted the Brazilian House of Representatives in the drafting of the bill of the new Brazilian Code of Civil Procedure (which entered into force in 2016). He is one of the founding partners of Souto Correa Cesa Lummertz & Amaral Advogados (Brazil), where he heads the Dispute Resolution practice. He also participated of the Scholar-In-Residence program at Wilmer Cutler Pickering Hale and Dorr (WilmerHale) in London (2017).



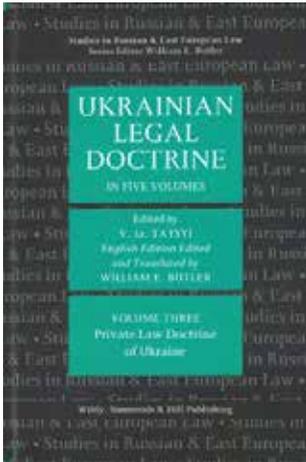
**CLEAN ENERGY
LAW AND REGULATION**
Climate Change, Energy Union and International Governance

edited by
Vicente López-Ibor Mayor

Price: £65.00
ISBN: 9780854902262
Extent: 306pp
Binding: hardback

The energy industry has an unstoppable momentum but also a value to society in terms of economic development and environmental protection through the development of “clean energies”. This is helping to build the foundations of an energy law regime, which is currently undergoing necessary development and consolidation. The contributors to this book examine the essential legal and regulatory factors contributing to energy law from different viewpoints and backgrounds.

Dr. Vicente López-Ibor Mayor is President of Estudio Jurídico Internacional, Spain and Chairman of Lightsource Renewable Energy, United Kingdom



UKRAINIAN LEGAL DOCTRINE
in five volumes
Volume 3: Private Law Doctrine of Ukraine

Edited by N. S. Kuznetsova

English Edition Edited and Translated
by William E. Butler

Price: £125.00
ISBN: 9780854902156
Extent: 638pp
Binding: hardback

In this volume the authors address for the first time in a single volume the development of ‘schools’ civil law doctrine in Ukraine: Kharkiv, Kyiv, Odessa, Lviv, and others, the general theoretical foundations of civil-law doctrine, the subjects of civil law, doctrines on ownership, contract, delict, intellectual property, personal non-property rights, inheritance, corporate law, securities, family, labor, and housing law, and international private law. The volume concludes with a consideration of the law of civil procedure and alternative dispute resolution.

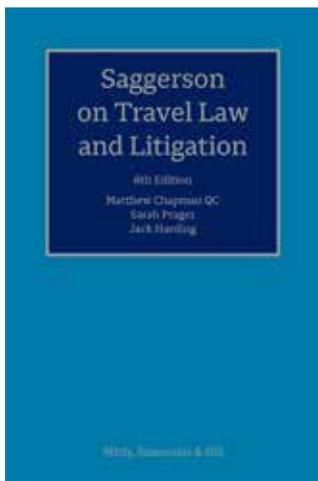
THE EDITORS

William E. Butler is The John Edward Fowler Distinguished Professor of Law, Pennsylvania State University; Emeritus Professor of Comparative Law in the University of London (University College London); Foreign Member, National Academy of Sciences of Ukraine and National Academy of Legal Sciences of Ukraine; Associate, International Academy of Comparative Law.

V. Ia. Tatsyi is Academician, National Academy of Sciences of Ukraine; Honorary President and Academician, National Academy of Legal Sciences of Ukraine, doctor of legal sciences, and professor.

SAGGERSON ON TRAVEL LAW AND LITIGATION *6th ed*

Matthew Chapman QC
Sarah Prager
Jack Harding



Price: £125.00
[ISBN:](#) 9780854902194
Extent: 912pp
Binding: hardback

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:

- Package travel liability and the limits of the same;
- Latest developments in the local safety standards defence;
- What is the extent of a tour operator's liability for off-package sales and what is the contractual framework for such liability where it arises?
- Recent case law on "accidents" within the meaning of article 17(1) of the Montreal Convention?
- Flight Plus;
- Jurisdiction within and without the European Union;
- Applicable law and claims against the Motor Insurers' Bureau;
- The law of hotels.

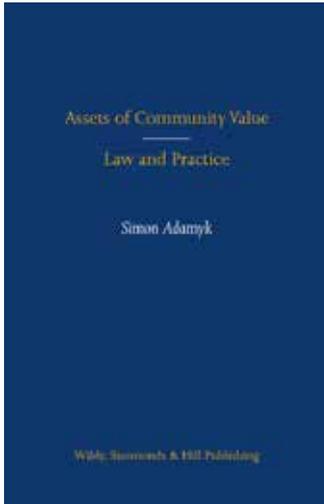
This authoritative text will be of interest to all those who deal with claims that have a cross-border elements and will prove an essential addition to the library of all barristers, solicitors and legal executives who practise in the rapidly expanding field of travel law.

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

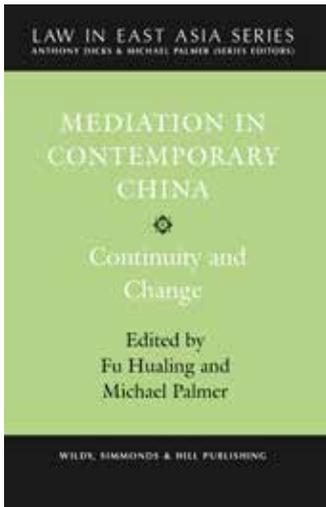


Price: £75.00
ISBN: 9780854902071
Extent: 486pp
Binding: hardback

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
Fu Hualing and Michael Palmer

Price: £65.00
[ISBN:](#) 9780854902248
Extent: 420pp
Binding: hardback

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.

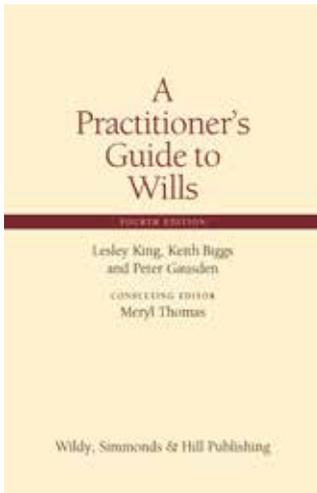
Mediation is used In China today for handling disputes in a variety of institutional contexts: 'people's mediation', which is primarily a form of local community dispute resolution, judicial mediation carried out by judges in and around the court, administrative mediation as conducted by officials and 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.

WILDY, SIMMONDS & HILL, PUBLICATIONS

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