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Published Monthly

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Cover: Happy Holidays from the Wildy team

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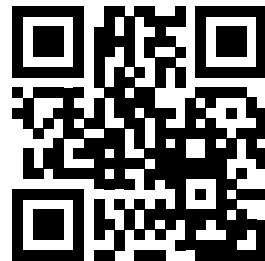
Pictures this month are from the launch of our book *Mortgage Receivership* by Stephanie Tozer and Cecily Crampin and the launch of *Access to Justice for Vulnerable People* edited by Penny Cooper and Linda Hunting. As last month we noted Catherine McArdle's 30 years of service at Lincolns Inn Library and our own John Sinkins 50 years at Wildy's we almost missed another anniversary. See pages 28 and 29 of this issue.

Wildy, Simmonds & Hill new publications this month include *Access to Justice for Vulnerable People* edited by Penny Cooper and Linda Hunting and *Foreign Direct Investment Risks and Export Credit Agencies* by Wael Saghir.

'Wildy'



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Launch of *Mortgage Receivership*  
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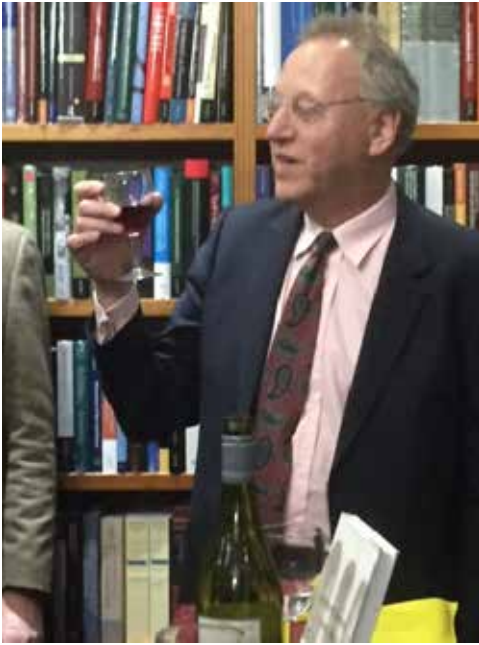
The authors:  
Stephanie Tozer and Cecily Crampin





Launch of *Access to Justice for  
Vulnerable People*  
edited by  
Prof Penny Cooper and  
Linda Hunting



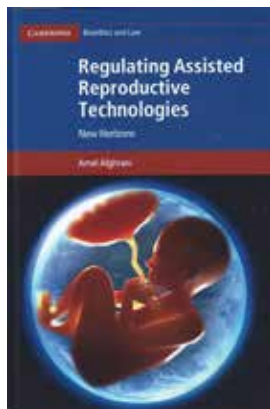


Sir Nicholas Green QC speaking at the launch with Linda Hunting and Prof Penny Cooper below



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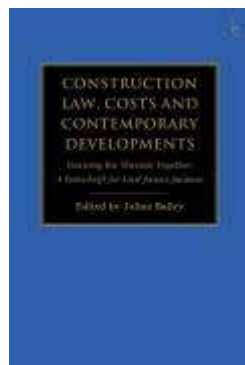
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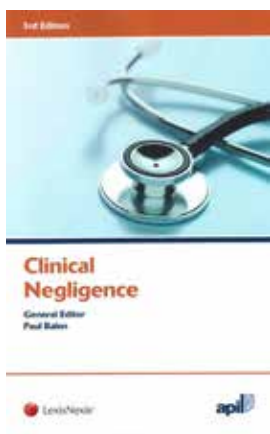
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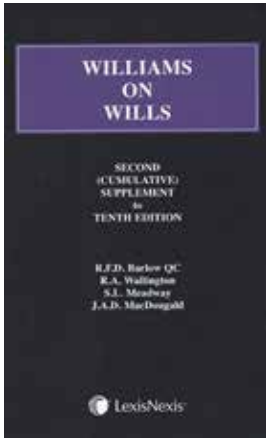
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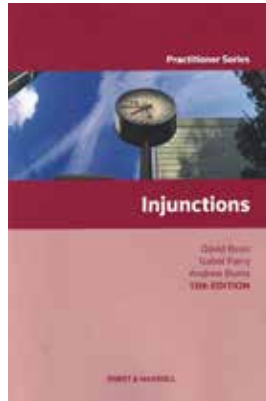
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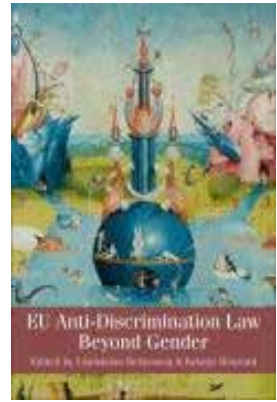
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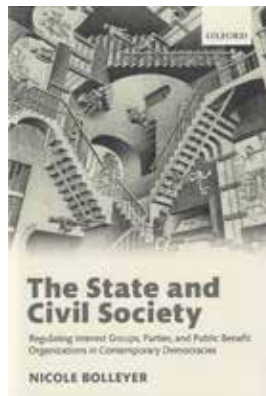
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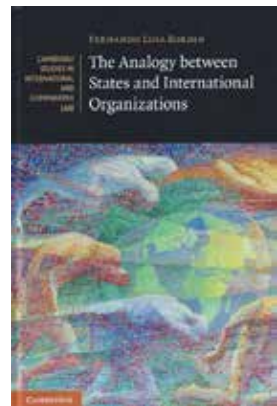
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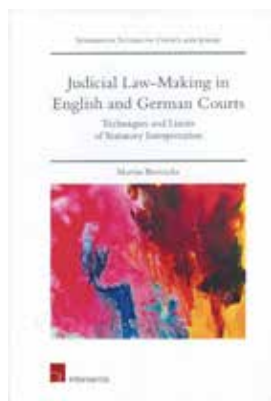


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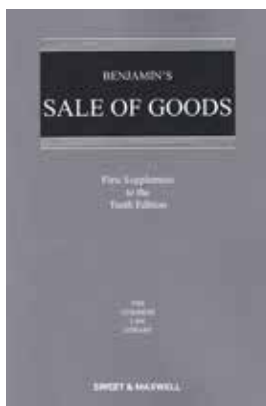


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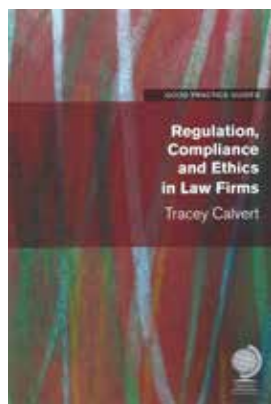
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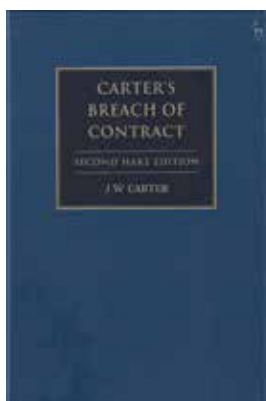
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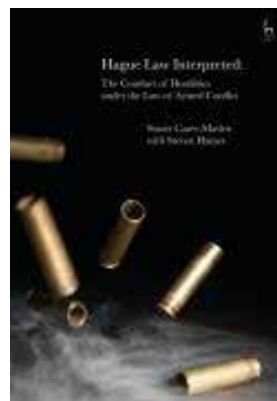
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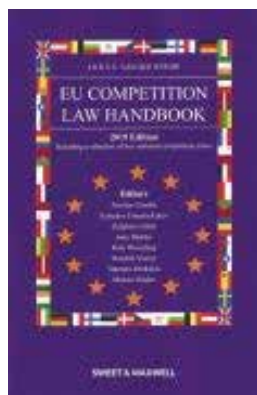
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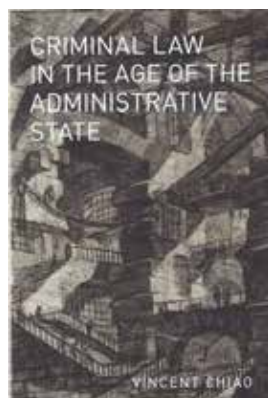
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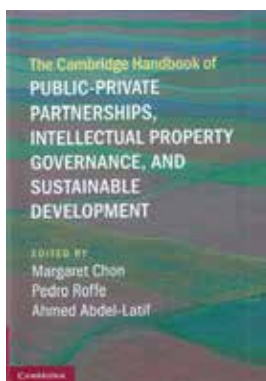
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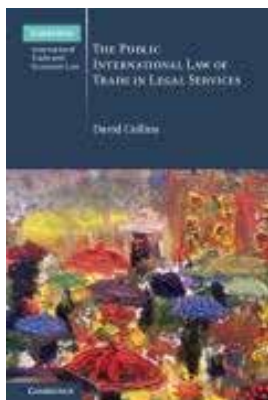
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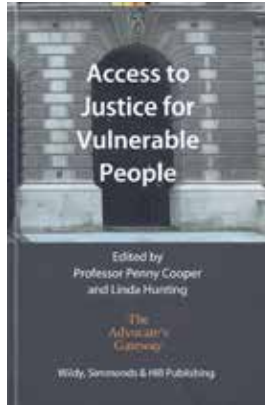
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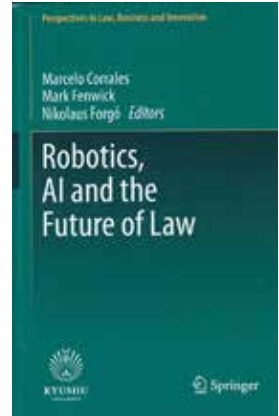
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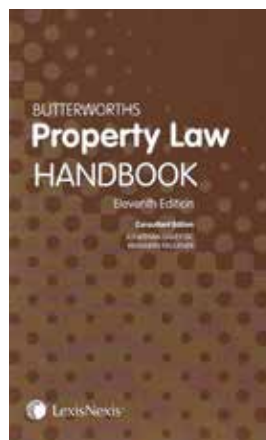
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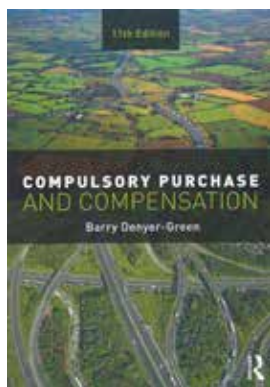
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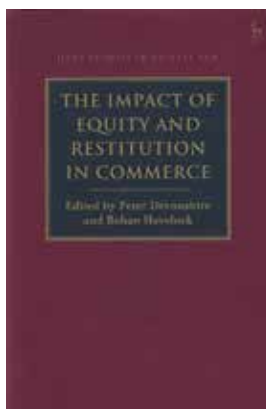
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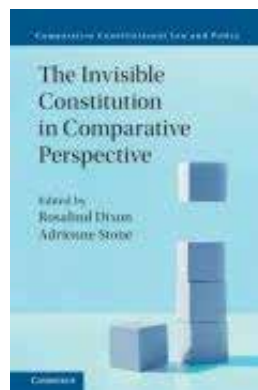
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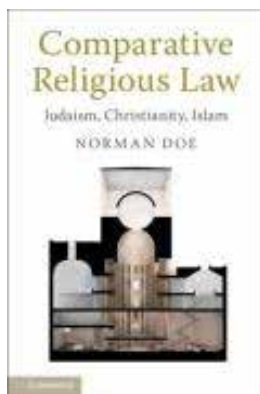
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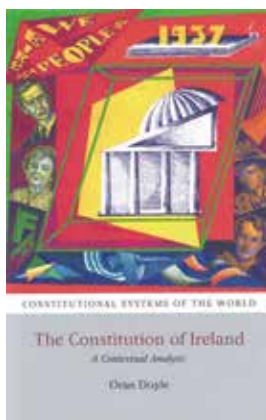
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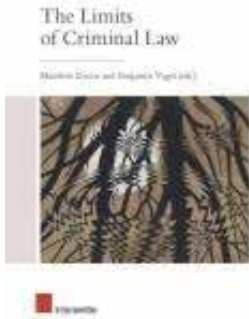


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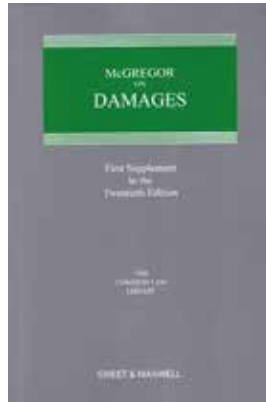


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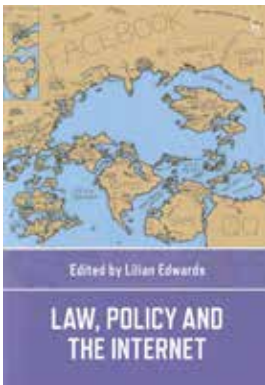
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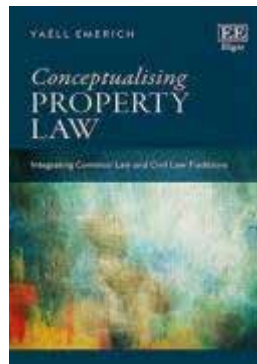
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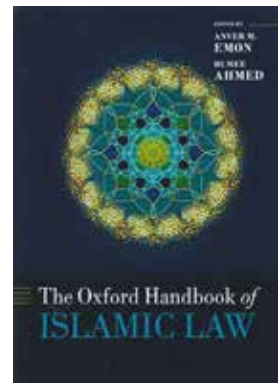
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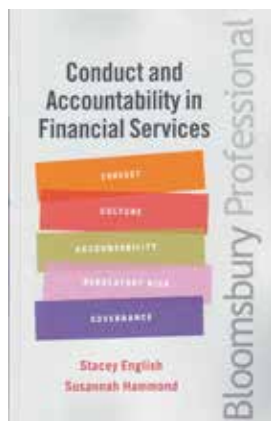
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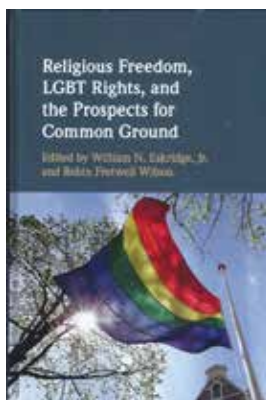
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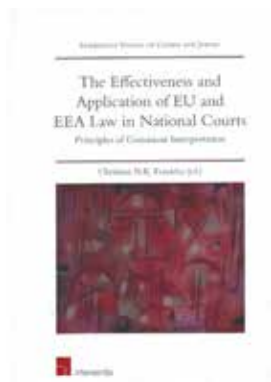
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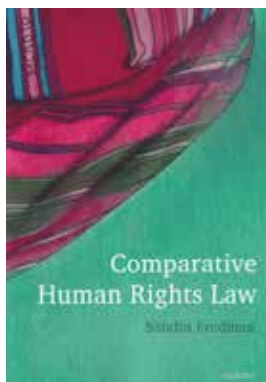
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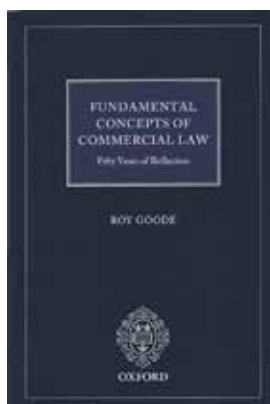
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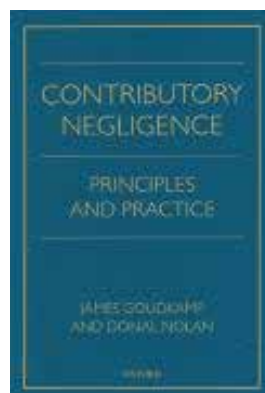
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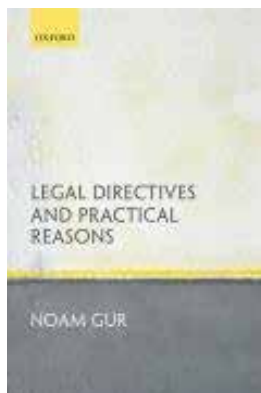
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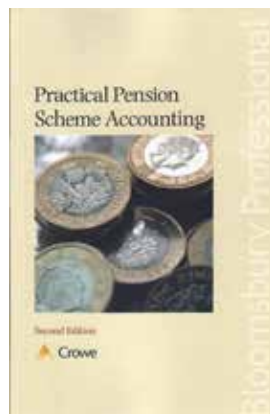
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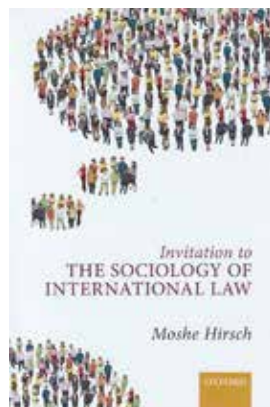
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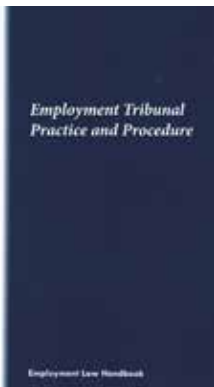
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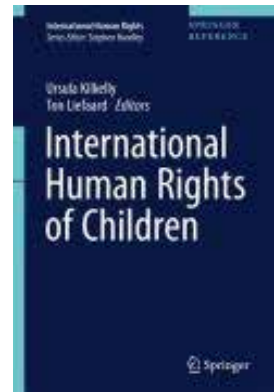
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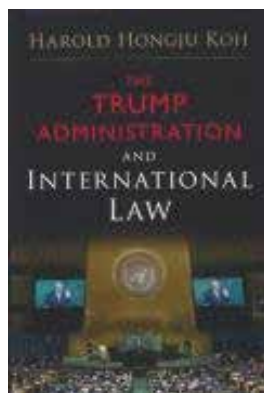
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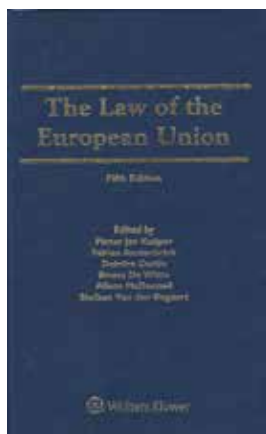
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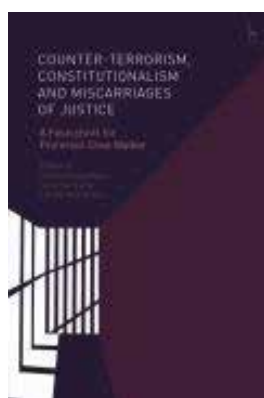
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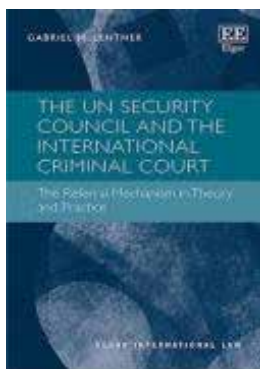
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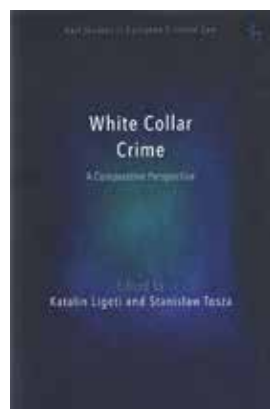
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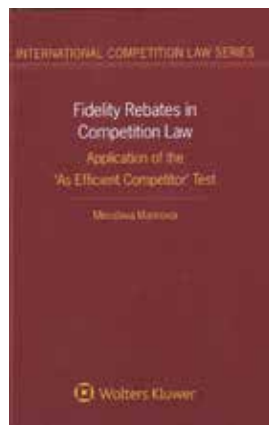
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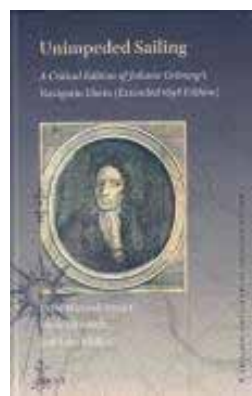
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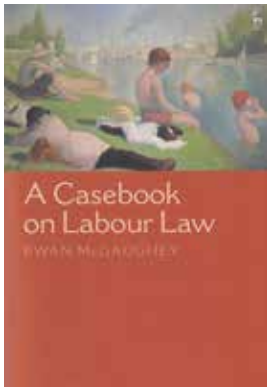
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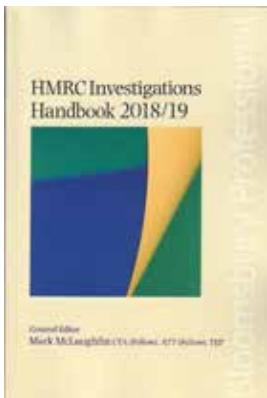
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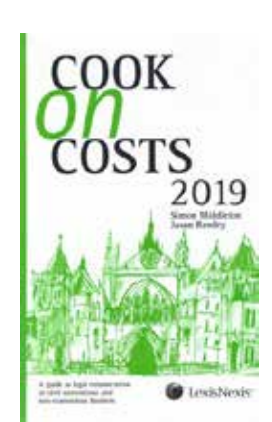
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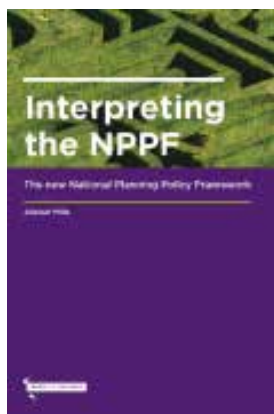


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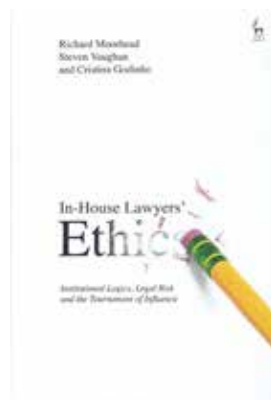
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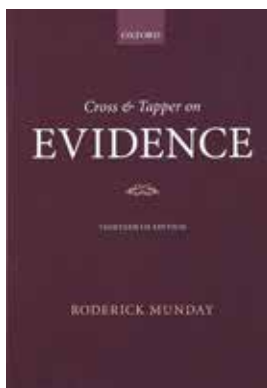
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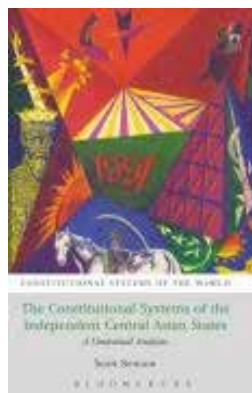
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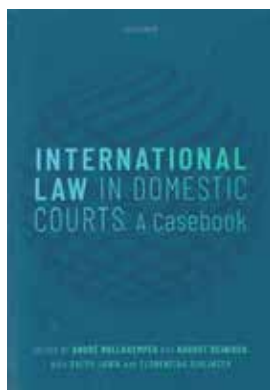
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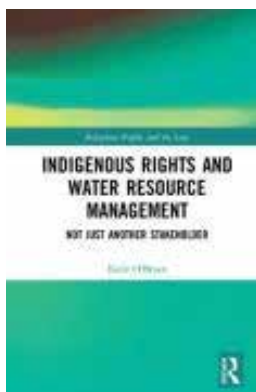
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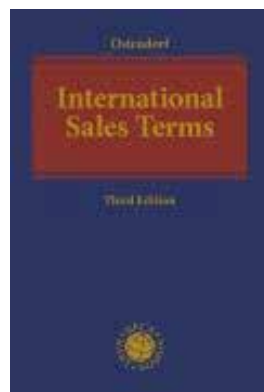
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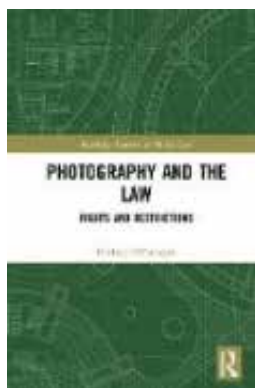
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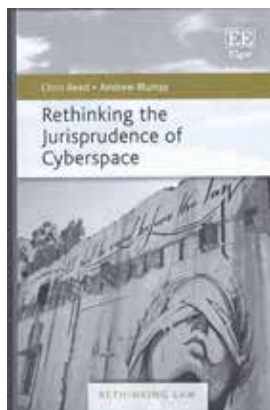
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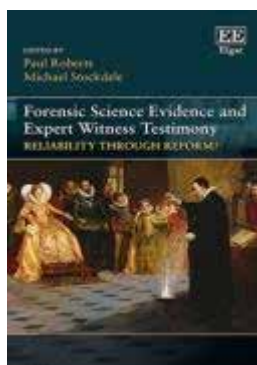
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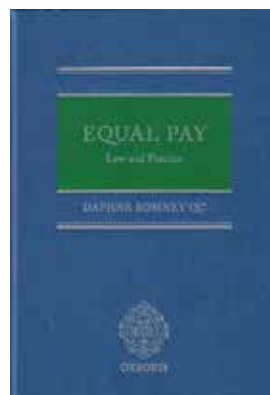
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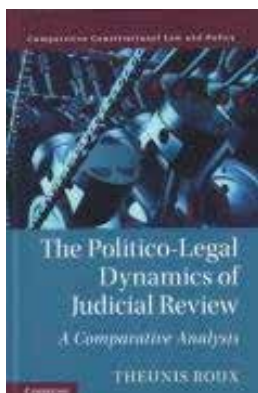
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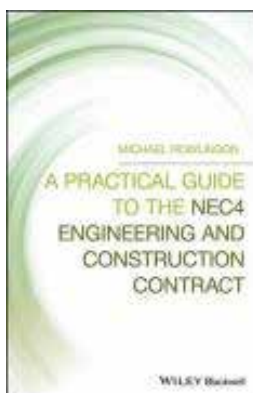
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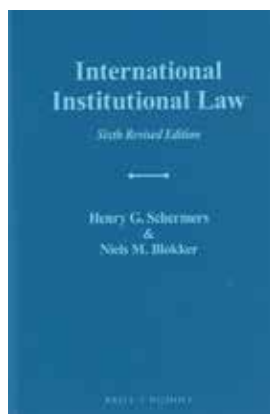
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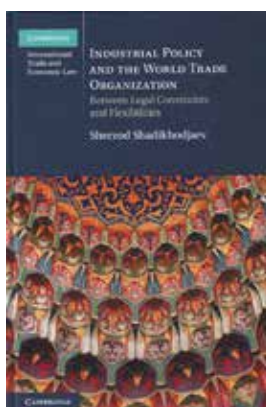
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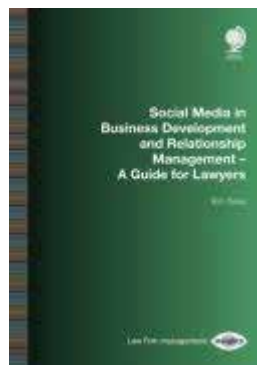
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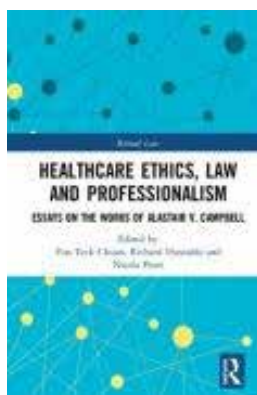
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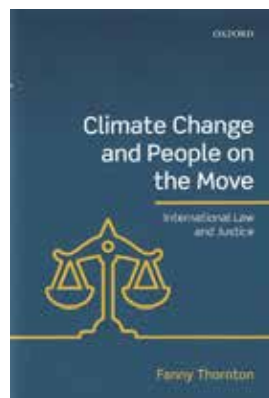
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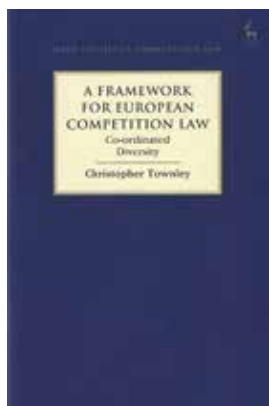
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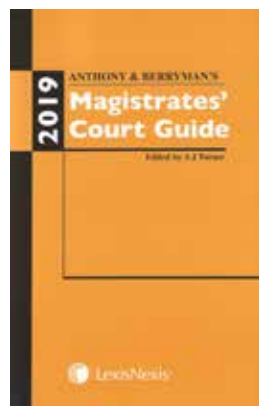
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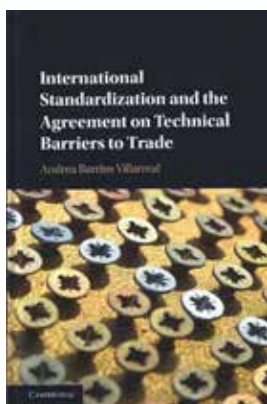
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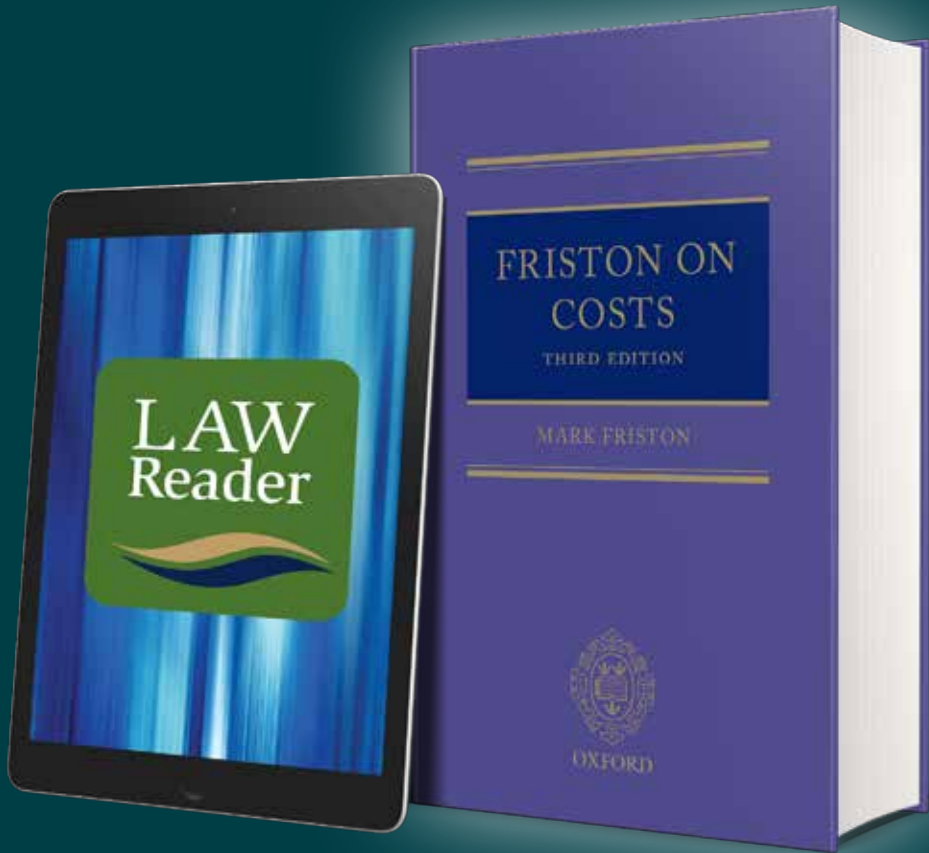


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By Nigel Eastaway

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## **Another anniversary 20 Years at 16 Fleet Street, 1998 - 2018**

Last month we noted Catherine McArdle's 30 years of service at Lincolns Inn Library and our own John Sinkins 50 years at Wildy.

Somewhat overshadowed by these events, another anniversary in 2018 almost slipped below the radar. In July 1998 Wildy opened their second bookshop at 16 Fleet Street, therefore this year marks our 20th anniversary at this site.

What follows is the announcement we made in the Wildy Book News Vol 3 iss 5 May/June 1998

### **Wildy Returns to the Temple**

#### *New Shop to Open 1st June 1998*

Most of our customers are aware that we have traded from Lincoln's Inn Archway since 1830. It is little known today that for many years we had a second shop in the Cloisters in Middle Temple. Unfortunately, this shop was destroyed by enemy action in 1941. It is therefore with some pleasure that we announce the opening of our second shop on the site of the former Simmonds bookshop at number 16 Fleet Street, adjacent to the entrance to the Temple at Inner Temple Lane. Louis Simmonds traded at that site from the second world war onward, and the business continued after his death until its closure last summer.

The site dates back as far as the 14th century although the date of construction of the present building is uncertain. From the 18th century until before the war it was the site of a coffee house. Engraved windows overlooking Inner Temple Lane still proclaim this use.

Fleet Street has always been the haunt of printers, publishers and booksellers including Bernard Lintot, publisher of Pope, Farquhar, Steele and Addison, were established in the street. Press cuttings dating from 1706 contain notices of Lintot with an address suggesting he may have even operated from No. 16.

The building is now owned by the Hon. Society of the Inner Temple who are converting the upper floors to Chambers. The shop will continue to occupy the ground floor and we will have a small gallery downstairs which will exhibit both legal and non-legal prints and engravings.

The new shop will carry an extensive range of legal books and other titles of general interest. It will work closely with our shop in Lincoln's Inn Archway and, between the two, we should be able to substantially increase our services to the legal profession. The primary aim of the new shop is to provide better and more convenient facilities for lawyers not only of the Inner and Middle Temple but also in Fleet Street and the surround area.

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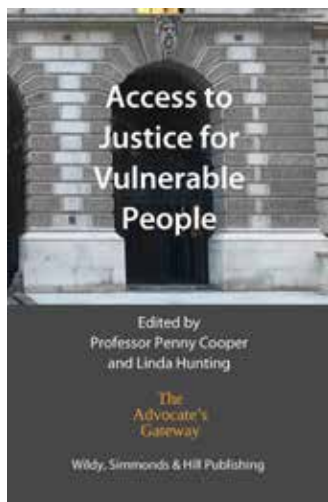
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*The Advocate's Gateway*

### ACCESS TO JUSTICE FOR VULNERABLE PEOPLE

Edited By  
Penny Cooper and Linda Hunting

Price:	£19.95
ISBN:	9780854902675
Extent:	288pp
Binding:	Hardback

This is the second volume of this kind. The first, *Addressing Vulnerability in Justice Systems*, focussed on identifying vulnerability in international justice systems. This volume presents some of the challenges that exist in achieving sufficient access to justice for vulnerable people, primarily in criminal and family proceedings and provides international comparisons of best practice.

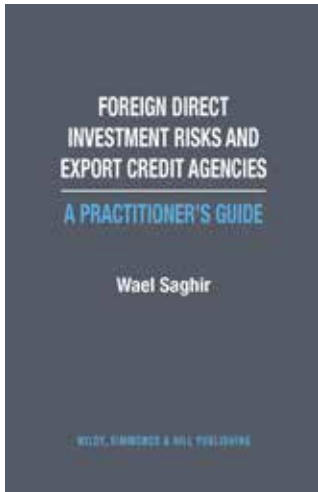
This book, following on from The Advocate's Gateway Conference in 2017, consists of a selection of papers from presentations at the conference. The primary focus is an international comparison of vulnerability in justice systems and issues surrounding access to justice for vulnerable witnesses and parties. The book presents the latest developments in a constantly developing area of law and provides details of the many different challenges which advocates, judges and vulnerable witnesses and victims encounter in justice systems. It also offers international comparisons of best practice.

The discussions in *Access to Justice for Vulnerable People* will provide academics and practitioners across a variety of disciplines an insight in to topics of central importance to the fairness and efficiency of court processes. Expert contributors offer an international perspective and research-informed practical advice for lawyers, researchers, judges and policy makers.

## FOREIGN DIRECT INVESTMENT RISKS AND EXPORT CREDIT AGENCIES

### *A Practitioner's Guide*

Wael Saghir



Price:	£65.00
ISBN:	9780854902583
Extent:	296pp
Binding:	Hardback

Every state, in order to promote foreign investment, and to stimulate its economy, offers loans and insurance against certain risks to investors willing to invest abroad. For that purpose, Export Credit Agencies (ECAs) were created. Their purpose is to facilitate foreign investments and to cover and insure against certain political and financial risks that foreign investors may encounter in the host-state.

Also, since political instability and the fear of expropriation in some developing states pose grave risks to foreign investors, together with the behaviour of the financial markets of some states, the need to insure against such risks is something to be considered in order to encourage investments in these regions. ECAs have also been established to assist foreign investors conducting their business in a given market through granting them loans, guarantees and insurance against certain risks encountered by them. These loans to foreign investors are granted in order to ease their entry into foreign markets so that the recipient market can benefit from the foreign investors' expertise and technology. This book examines Export Credit Agencies in some detail. It concludes that even with the existence of various safeguard mechanisms, such measures are not enough to eliminate the risks faced by investors rather these are risk-reduction mechanisms and the success of such reduction depends upon a particular investor's due diligence and proper analysis of the foreign market and in knowing the protection limits present in laws and regulations and in international agreements.



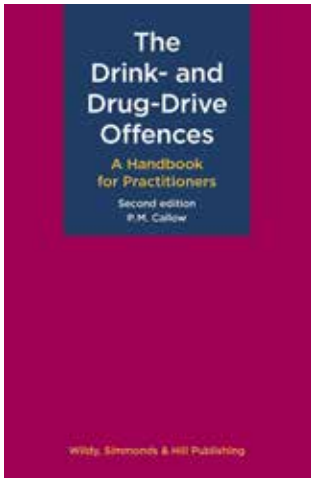
*Law in East Asia Series*

## **TRANSPARENCY CHALLENGES FACING CHINA**

Edited By  
**FU Hualing, Michael Palmer and ZHANG  
Xianchu**

Price:	£65.00
ISBN:	9780854902606
Extent:	392pp
Binding:	Hardback

The concept of transparency has grown exponentially in importance around the world as a principle of good governance over the past two decades. Openness in the manner in which governments, social institutions and business corporations conduct themselves, and their willingness to disclose important information about themselves or about other actors in which they have an interest, are important features of this growth. However, greater commitment to transparency may present difficulties for an authoritarian system's political leadership. Such reform is likely to lead also to demands for political and governance change and similarly radical ideas that foster stability problems for an authoritarian political and legal system, as they enable civil society to scrutinize better the conduct of that authoritarian leadership and its institutions. On the other hand, when transparency is only partial, the government might use it as an instrument of propaganda, shaping public opinion and forestalling structural reform. The chapters in this book address the situation in mainland China where economic reform policies and a drive to gain a stronger place in the global economy have encouraged a complex and sometimes ambiguous approach to transparency. The essays explore the manner in which, and the degree to which, greater transparency in governance has emerged in the PRC. They also assess the impact of greater transparency in terms of accountability, decision-making processes, and responsiveness in the Chinese governance system. The papers in this volume have their origins in a 2016 conference on transparency issues in China held at the University of Hong Kong's Faculty of Law under the guidance of the editors, and bringing together scholars with interests in the emergence of transparency in some of the most important areas of Chinese governance.



## THE DRINK- AND DRUG-DRIVE OFFENCES A HANDBOOK FOR PRACTITIONERS

Second Edition

P. M. Callow

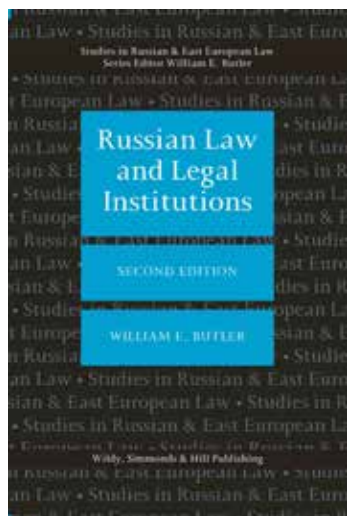
Price:	£69.00
ISBN:	9780854902590
Extent:	376pp
Binding:	Hardback

The provisions on drink-and drug- driving, and their statutory predecessors, have undoubtedly contributed to greater road safety. The conviction rate is extremely high, running at 95 per cent. The consequences of conviction for a drink- or drug-drive offence go beyond the immediate penalty of a fine, a community penalty or imprisonment. They include disqualification from driving, which may not simply inconvenience the offender, but may lead to loss of employment and, in due course, to greatly increased insurance premiums.

Since the first edition of this book was published in 2011, there have been two major changes. First, the new s 5A of the Road Traffic Act 1988 came into force in March 2015 and created the offences of driving, attempting to drive or being in charge with a concentration of a specified controlled drug above the specified limit for that drug. This new edition includes a new chapter which describes the new offence. As far as possible, the provisions under s 5A mirror those relating to excess alcohol, but the seventeen drugs in question are very different from alcohol, and from each other. The law on s 5A is no doubt set to develop over the years to come. Secondly, the so-called ‘statutory option’ has been removed (except in Northern Ireland, the Isle of Man and the Channel Islands). The new edition of *The Drink- and Drug-Drive Offences: A Handbook for Practitioners* (formerly *The Drink-Drive Offences*) provides a practical, comprehensive, accessible and up-to-date account of this broad area of law. The book brings together the statutory provisions and the case law on the drink-drive offences, elucidating issues which are often surprisingly difficult. It is intended for all practitioners concerned with this area of law, whether police, prosecution or defence, and adopts a neutral standpoint between their various interests.

P. M. Callow Ph.D. is the author of *Drink and Drug Drive Case Notes* (3rd ed, 2015), co-author of *Wildy’s Handbook for Magistrates* (3rd ed, 2012), *The Drink-Drive Offences* (2011), *Drink-Drive Case Notes* (2nd ed) all Wildy, Simmonds & Hill) and co-author of *Blackstone’s Handbook for Magistrates* (2nd ed, 2000).





**RUSSIAN LAW AND LEGAL  
INSTITUTIONS  
Second Edition**

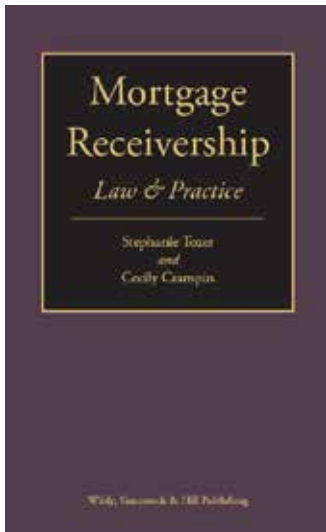
William E Butler

Price: £75.00  
[ISBN:](#) 9780854902620  
Extent: 492pp  
Binding: hardback

A thoroughly revised and updated introduction to the historical and contemporary foundations of the Russian legal system placed in the larger context of comparative legal studies, this volume addresses The Russian Legal System in Context (Russian Law in Comparative Legal Studies, Russian Law and Legal Translation); The Foundations of Russian Law (The Pre-Revolutionary Heritage; Russian Legal Theory; Sources of Law; Legal Professor and Legal Education); The Administration of Russian Legality (ministries of justice, judicial system, procuracy, notariat, registry for acts of legal status, administrative commissions, law enforcement agencies, investigative agencies, arbitration, and the role of non-State entities); and the State Structure of the Russian Federation (Presidency, Federal Assembly, Government, Local Self-Government). Recommendations are made for further reading. The 1993 Constitution of the Russian Federation as amended to date is appended.

# MORTGAGE RECEIVERSHIP LAW AND PRACTICE

Stephanie Tozer and Cecily Crampin



Price: £125.00  
[ISBN:](#) 9780854902521  
Extent: 534pp  
Binding: Hardback

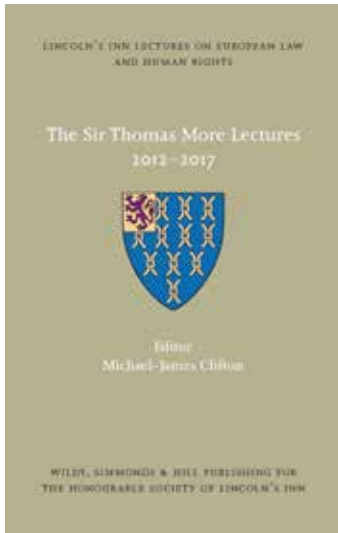
Mortgagees often appoint receivers, if the borrower falls into arrears. Perhaps because of the prevalence of buy-to-let mortgages, receivership appears to be used more often in the residential context than formerly, which has led to some recent case law, testing the effect of the receivers' agency in residential landlord and tenant law, such as *Helman v John Lyon Free Grammar School Keepers and Governors* [2014] EWCA Civ 17 in the context of lease extensions under the Leasehold Reform, Housing and Urban Development Act 1993, and *McDonald v McDonald* [2014] EWCA Civ 1049 (appealed on other issues) which decided that receivers could serve a Housing Act 1988 s21 notice on a tenant of the mortgagor.

This book seeks to answer crucial questions unanswered by the recent cases: what is the source and extent of the receivers' agency? Can receivers, for example, take possession against the mortgagor? When can the receiver be in a better position, as regards third parties, than the borrower is? This new book is a detailed and authoritative text on all aspects of mortgage receivership, surveying current case law and proposing analyses of the nature of receivership to answer some of the questions on which there is no direct authority.

Mortgage Receivership also provides practical advice about what receivers should do in particular situations and how litigation involving receivers should be conducted. It is essential reading for lawyers advising receivers, or who are involved in litigation for or against receivers, and for receivers themselves.

The authors are barristers at Falcon Chambers. Stephanie litigates a wide range of property-related disputes, and has particular expertise in fixed charge receivership law. She appeared in *Bower Terrace* [2012], and acted for receivers obtaining a possession order against the borrower. For several years, all directories have ranked her as a top tier property litigation junior.

Cecily practises in all areas of property law. Her particular interest in mortgage receivership started when she litigated a claim by receivers for possession of buy-to-let property in which the borrower repeatedly broke back in. Cecily is ranked in Chambers and Partners 2018 for real estate litigation.



## THE SIR THOMAS MORE LECTURES 2012-2017

Edited by  
Michael-James Clifton

Price: £14.95  
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Binding: paperback

The Lincoln's Inn annual Sir Thomas More Lecture is one of the largest public educational events in the Inn's calendar.

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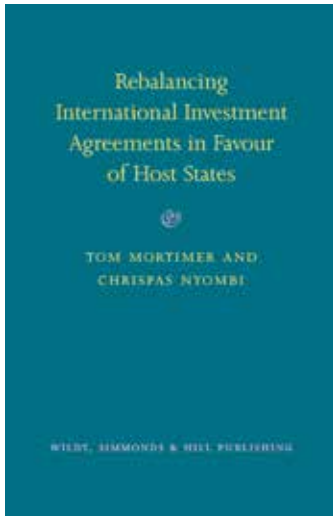
Sir Thomas More Lecture 2013: EUROPEAN INTEGRATION AND THE BUNDESVERFASSUNGSGERICHT Prof. Dr. Andreas Voßkuhle, President of the Bundesverfassungsgericht

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Sir Thomas More Lecture 2017: BREXIT – AN AUSTRALIAN PERSPECTIVE The Hon. James Spigelman AC QC, Honorary Bencher of Lincoln's Inn



## REBALANCING INTERNATIONAL INVESTMENT AGREEMENTS IN FAVOUR OF HOST STATES

Edited by  
Tom Mortimer and Chrispas Nyombi

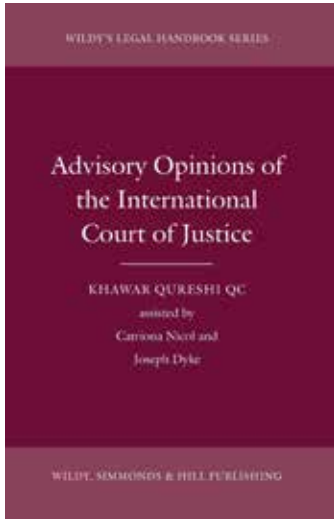
Price: £65.00  
ISBN: 9780854902613  
Extent: 502pp  
Binding: hardback

Investment is a critical source of economic growth – leading to improvements in job creation, infrastructure, international trade and innovation. The pivotal question is therefore: how to improve and enhance investment? To facilitate this, International Investment Agreements can be a key factor to support foreign direct investment creating an additional level of security for foreign investors. Are International Investment Agreements fit for purpose or is some re-balance required? If it is, then the question which follows from this is: in whose favour? Should it be the investing country or the host State?

This book provides analysis of International Investment Agreements and their relationship with society and the State in a rapidly changing social and commercial landscape. It also assesses the impact and feasibility of the reform models put forward by the United Nations Conference for Trade and Development (UNCTAD) including the creation of regional investment courts and the introduction of an appellate system in investor-state arbitration.

The book focusses primarily on twenty-first century developments that have contributed to what academics have termed a legitimacy crisis in international investment law. Theoretical conceptualisation, case studies and doctrinal analysis are employed through the book, in a bid to highlight the legitimacy crisis facing International Investment Law and the progressive reform models that have been proposed or bring instituted around the world. This research is both international and comparative, with a chapter dedicated on the challenges and reform models that are surfacing from around the world, covering Asia, Europe, Africa, South America, the Caribbean and the United States. In addition, three chapters are dedicated to the main reform proposals; namely, a world investment court, reducing the scope of substantive protection standards through innovative treaty drafting approaches and the introduction of an appeals mechanism.

This book contributes to a growing body of research on International Investment Law reform models by examining and providing empirical evidence on the regulatory approaches and treaty making practices in all six continental areas and the impact on the stability of the international investment protection architecture.



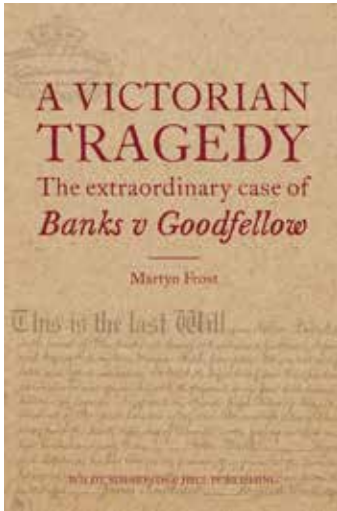
## ADVISORY OPINIONS OF THE INTERNATIONAL COURT OF JUSTICE

Khawar Qureshi

Price: £75.00  
ISBN: 9780854902323  
Extent: 320pp  
Binding: hardback

This book provides a complete guide to the vital Advisory jurisdiction of the ICJ which is available to the UN General Assembly, Security Council and UN Specialised Agencies. Subjects such as Treaty interpretation, privileges and immunities, legality of nuclear weapons, the legality of the “Wall” built by Israel in respect of the Occupied Territories have featured in the ICJ’s Advisory Opinions. The author explains why the Advisory Jurisdiction is a vital and important means for the continuous clarification and development of Public International Law. The book analyses the key features of an Advisory Opinion, the process and procedure for invoking the ICJ’s jurisdiction, as well as the practice of the Court with reference to its leading Advisory Opinions. The reader will find a complete schedule of all requests and answers delivered by the ICJ and its predecessor the PCIJ since 1922, as well as the relevant Rules and Practice Directions of the ICJ.

*“The author..[has] achieved the considerable feat of producing a book which manages to avoid the twin perils of technicality and over-simplification.”* Sir Christopher Greenwood, GBE, CMG, QC (Judge, International Court of Justice, 2009-2018)



## A VICTORIAN TRAGEDY *The Extraordinary Case of Banks v Goodfellow*

Martyn Frost

Price: £19.99  
ISBN: 9780854902538  
Extent: 274pp  
Binding: hardback with dustjacket

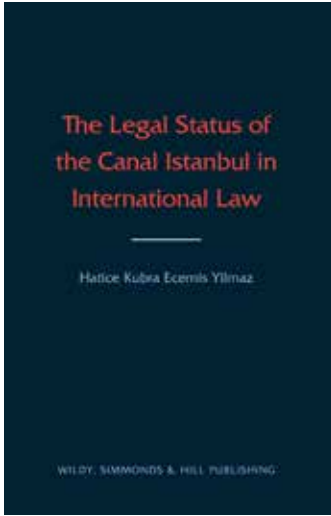
*A Victorian Tragedy*, for the first time, describes how the landmark court case of *Banks v Goodfellow* (1870) came about, what happened to the protagonists and how an enlightened judgment provided a practical definition of testamentary capacity that has since been used throughout the common law world. This fascinating story is set against the backdrop of the mid-Victorian world and how it affected the lives of those caught up in the case.

Set in the Lake District, around Keswick, the central issue was the mental illness of the testator, John Banks, and how he coped with living in a world that often derided his paranoia – “From the appearance of the man anyone would take him for a person out of his mind” as a local clergyman put it. The lives of John’s relatives were scarred, and often ended early, by other illnesses common at that time, but these lives also interweave with 19th century issues of emigration, marriage reform and early mortality.

Extensive use is made of original court papers and contemporary newspaper reports, both from the national and local press, to present the picture that was placed before the court of how John Banks was affected by his insane delusions. The conduct of the Assize court hearing is explained, together with how the court and jury dealt with the radically opposed evidence from either side.

*A Victorian Tragedy* covers this case in detail not previously dealt with before and offers a different approach to re-evaluate an important case in the context of its time and the treatment of the insane in the 19th century. While the book will undoubtedly appeal to lawyers, the book’s portrayal of a mid-Victorian family and the treatment of the insane will also be of interest to the more general reader.





## THE LEGAL STATUS OF THE CANAL ISTANBUL IN INTERNATIONAL LAW

Hatice Kubra Ecemis Yilmaz

Price: £65.00  
ISBN: 9780854902569  
Extent: 348pp  
Binding: hardback

Canals are fascinating, whether domestic or international. Gouged into the firmament at great expense of capital and human labour, international canals transform the transit route of the oceans, linking that which nature did not. The Suez, Panama, and Kiel canals are likewise exercises in human imagination that confounded the sceptics of the day about what might be accomplished and what was deemed to be impossible.

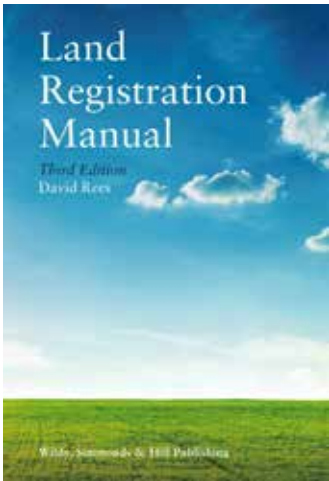
Although each international canal is unique in so many ways, common principles at a certain level of generality have emerged in fashioning their respective legal regimes. The challenge is whether the major three international canals will be joined by a fourth. The Black Sea and the Mediterranean Sea are actually joined by nature in the personage of the Turkish Straits, recognized for centuries to be a key “chokepoint” in the arteries of maritime commerce. So heavy has maritime traffic become in the Straits than an alternative, or parallel, artificial route has been considered desirable since at least the sixteenth century. Half a millennium later plans are advanced to undertake and complete the construction of what is today known as the “Istanbul Canal”.

Dr. Ecemis-Yilmaz has produced what is believed to be the first analysis in any language of the potential implications of the Istanbul Canal for the convention regime of the Turkish Straits. She considers the history of the Straits regime, relevant aspects of the Suez and Panama canal regimes, and the sundry scenarios that may arise out of a reconsideration of the Montreux Convention provisions. Her book is intended to encourage discussion of the alternatives, and for the non-Turkish specialist will be all the more attractive and informative for its extensive use of Turkish doctrinal writings and Turkish State practice.

# LAND REGISTRATION MANUAL

*Third Edition*

David Rees



Price: £49.00  
[ISBN:](#) 9780854902491  
Extent: 660pp  
Binding: paperback

Written by an author who has extensive experience in private practice, the Land Registry, and the academic sector, *Land Registration Manual* is an authoritative source of technical and practical advice on all matters relating to registered land and interests affecting it.

The book's alphabetical (A to Z) approach allows practitioners to zoom in on the specific topic they are dealing with, knowing that the book will provide useful background commentary, along with clear guidance on the form and content of relevant Land Registry applications specific to that topic. The topics are geared to aspects of day-to-day practice rather than academic areas of law – making the book more accessible and more relevant to the needs of busy practitioners.

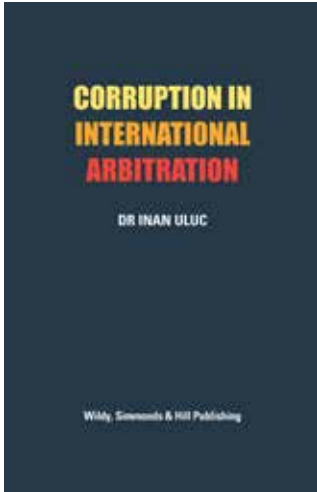
Fully updated to take account of all the changes in land registration law and practice, including those introduced by the Land Registration (Amendment) Rules 2018, *Land Registration Manual* covers not only the usual subjects, but also many less frequently encountered topics which are often not covered elsewhere. Thus, its coverage extends not only from transfers to leases, but from bare trusts to franchises; options to powers of attorney; and chancel repair to embankments and sea walls. Each topic contains accurate commentary to aid understanding and clear guidance on the relevant applications which may need to be made to complete a transaction or protect a client's interests.

The book also contains all the current versions of the standard form restrictions and the prescribed lease clauses, along with a list of Land Registry forms and other useful information, making Land Registration an invaluable 'one-stop' source of guidance for busy practitioners of all levels of experience. It will enable them to research topics and deal with matters quickly, efficiently and effectively.

David Rees is a solicitor with 30 years' experience initially in private practice and latterly as an Assistant Land Registrar at HM Land Registry. He is also an External Examiner to the Solicitors Regulation Authority and the Bar Standards Board and a Chief Examiner to the Chartered Institute of Legal Executives. He is an experienced author of well-known texts on property law and conveyancing.

# CORRUPTION IN INTERNATIONAL ARBITRATION

Inan Uluc



Price: £65.00  
[ISBN:](#) 9780854902460  
Extent: 304pp  
Binding: hardback

Corruption represents a great menace to national and international development. It jeopardizes democracy, human rights, and social justice. Consequently, corruption is vehemently abhorred and denounced by members of the international arbitration arena. Unfortunately, while these players purport repugnance towards corruption and do not condone corrupt acts, a misplaced distrust of the arbitral process, as a proper dispute resolution system, has arisen.

Indisputably, corruption's involvement in arbitration is far from novel. Nonetheless, there remains a lack of uniformity among arbitral tribunals on how to tackle corruption. The core issues causing said divergence include: (i) arbitrability and admissibility of corruption issues; (ii) the burden of proof and the standard of proof; (iii) sua sponte arbitrator investigation and inquiry into corruption; (iv) disclosing corruption to arbitral institutions and public authorities; (v) and proper judicial review of an arbitral award when the legality of the award is challenged on the basis of corruption.

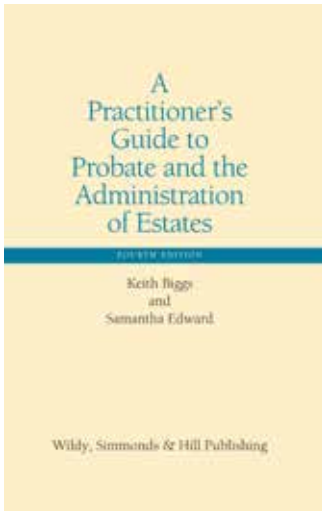
This study delves into these controversial concerns and analyses practical solutions within the context of theory and practice. Further, this study scrutinizes commercial and investment-treaty arbitration cases, national and international court judgments, international conventions, national statutes, and other materials exploring corruption and arbitration.

Inan is currently Assistant Professor at the Social Sciences University of Ankara, School of Law.

# A PRACTITIONER'S GUIDE TO PROBATE AND THE ADMINISTRATION OF ESTATES

*Fourth Edition*

Keith Biggs and Samantha Edward



Price: £69.00  
ISBN: 9780854902361  
Extent: 628pp  
Binding: hardback with CD

The fourth edition of *A Practitioner's Guide to Probate and the Administration of Estates* is a practical and comprehensive guide to all forms of non-contentious probate applications, completion of Inheritance Tax Accounts and the administration of estates. The book is packed with hints and tips and an accompanying CD-ROM contains a comprehensive set of precedent forms, enabling practitioners to adapt precedents for their own use.

The authors provide careful explanations of every step in the procedure for winding up the estate of a deceased person, from taking initial instructions to the final distribution of the estate and closing the file. The book opens with advice on meeting the client and taking proper instructions; moving on to tracking down the assets and liabilities which comprise the estate; completing inheritance tax forms and obtaining any available reliefs and allowances; questions concerning wills and intestacies; applying to the probate registries; discretionary orders; obtaining grants of representation; collecting in the paying debts and liabilities; identifying the beneficiaries and paying the legacies; finalising the tax situation; and distributing the residue of the estate.

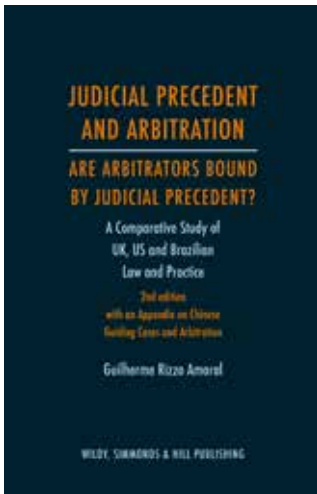
This new edition has been completely revised with practice and procedure brought up-to-date, including changes to the rules, IHT and CGT and case law as it affects private client practice.

## JUDICIAL PRECEDENT AND ARBITRATION

*Are Arbitrators Bound by Judicial Precedent?  
A Comparative Study of UK, US and Brazilian  
Law and Practice*  
Second Edition

Guilherme Rizzo Amaral

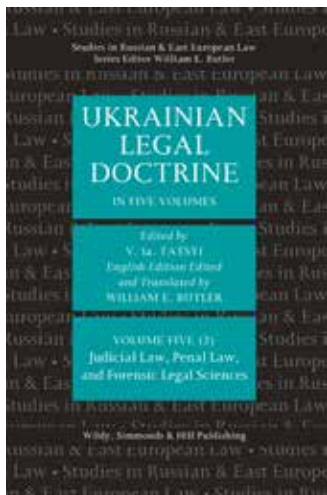
Price: £65.00  
[ISBN:](#) 9780854902576  
Extent: 220pp  
Binding: hardback



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. ***In its second edition, the book offers an Appendix on Chinese Guiding Cases and Arbitration.***

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 arbitration and has taught 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).



# UKRAINIAN LEGAL DOCTRINE

*in five volumes*

## *Volume 5(2): Judicial Law, Penal Law, and Forensic Legal Sciences*

Edited by V. Ia. Tatsyi and V. I. Borysov

English Edition Edited and Translated  
by William E. Butler

Price: £125.00  
ISBN: 9780854902439  
Extent: 490pp  
Binding: hardback

In this final volume the authors introduce and defend the concept of judicial law, the scientific foundations of penal, sometimes call penitentiary, law, and theoretical issues of the forensic legal sciences (criminalistics, forensic expert examination, and the role of legal psychology, with some consideration of foreign doctrines and legislation. Reference is made in some detail to the role of legal psychology and its links with other branches of the legal sciences. Reports on the results of empirical studies enrich the volume. Considerable attention is given to the predictive functions of criminalistics. The debates which accompanied changes in Ukrainian court organization and the administration of penal institutions are illuminating.

### THE GENERAL 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.

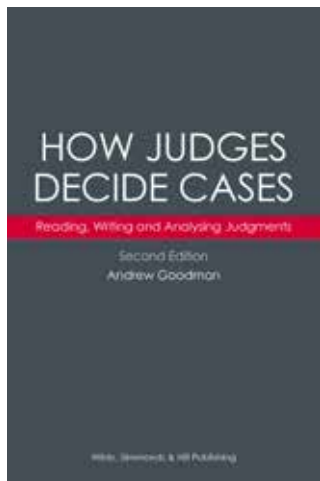


# HOW JUDGES DECIDE CASES: *Reading, Writing and Analysing Judgments*

Andrew Goodman

2nd Edition

Price: £45.00  
ISBN: 9780854902453  
Extent: 268pp  
Binding: paperback



*How Judges Decide Cases* is a unique and practical guide which looks at how cases are decided and judgments are written. It examines the style and language of judges expressing judicial opinion and considers the drive for rational justice, bias, linguistic, and other influences. The book is founded upon independent research in the form of interviews conducted with judges at every level, from deputy district judges to justices of the Supreme Court, and the practical application of academic material more usually devoted to the structure and analysis of wider prose writing.

This new edition has been revised to take into account modern scientific thinking on bias in decision-making and is generic to all areas of contentious law. Newly appointed recorders, deputy judges, tribunal chairman, lay magistrates and arbitrators as well as experienced practitioners will find it invaluable as a guide to the deconstruction of judgments for the purpose of appeal.

Andrew is a practising Barrister, international mediator, mediation advocate and trainer, broadcaster and author of over forty books, including *Effective Written Advocacy* (Wildy, Simmonds & Hill Publishing). He lives in Essex but works in twenty jurisdictions world-wide from the Caribbean to China (HKSAR and PRC).

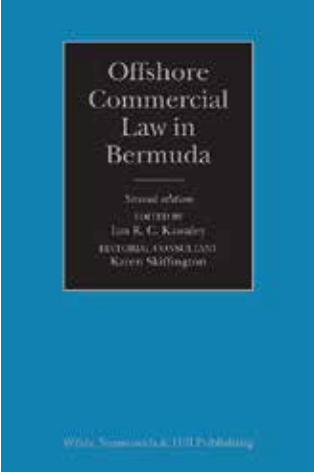
## OFFSHORE COMMERCIAL LAW IN BERMUDA

### *Second Edition*

Edited by Ian R. C. Kawaley, Chief Justice of Bermuda

Editorial Consultant: Karen Skiffington

Price: £165.00  
ISBN: 9780854902422  
Extent: 760pp  
Binding: Hardback



The publication of the so-called ‘Paradise Papers’ in early November 2017 placed Bermuda in the international spotlight as an offshore financial centre. The new edition of *Offshore Commercial Law in Bermuda*, written before these sensationalised disclosures, provides an insider’s professional view of how Bermuda’s legal and regulatory framework actually works in practice.

The first edition of *Offshore Commercial Law in Bermuda* was the first comprehensive practitioner’s guide to offshore commercial practice in one of the world’s leading offshore financial centres. The second edition retains the original structure of three main sections, ‘Establishing Offshore Vehicles’, ‘Commercial Dispute Resolution’ and ‘Relations with the Onshore World’. Subjects covered include company law, insurance partnership law, trust law, litigation and insolvency law, regulatory law and cross-border cooperation. The book also contends for the novel concept of ‘offshore commercial law’ as a special sub-set of commercial law.

Edited by a commercial judge and Law Librarian and written by leading practitioners in the principal commercial law fields, this book provides an insight into the historical development and current operation of Bermuda’s offshore legal framework. Each contributor describes the key legal rules and explains how the relevant legal principles are applied in practice. Reference is made to relevant statutory provisions and case law, while contributors also furnish practical observations which add flesh to the bare bones of the formal legal structures in question.

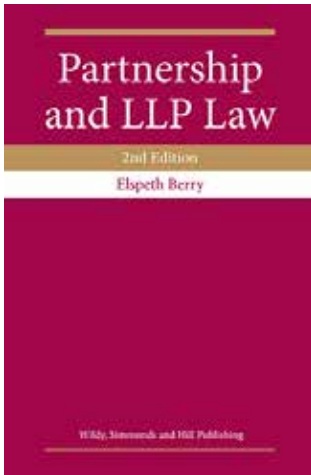
Ian Kawaley has been Chief Justice of Bermuda and Senior Commercial Judge since April 2012. He has been a judge of Bermuda’s Supreme Court since July 2003. In October 2017 he was appointed a Master of the Bench (Overseas) of Middle Temple.

Karen Skiffington is a Law Librarian and founded the Bermuda Law Reports in 2002. She became Head of Knowledge Services at Cox Hallett Wilkinson Limited in 2009 where she currently serves as Firm Administrator.

## PARTNERSHIP AND LLP LAW

*Second Edition*

by  
Elspeth Berry



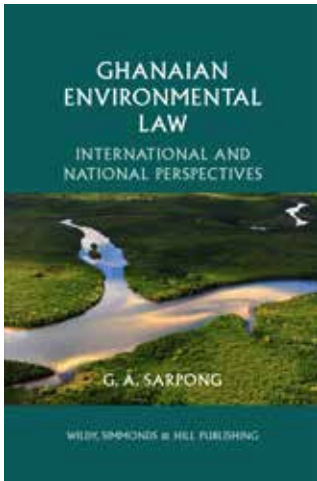
Price: £39.00  
[ISBN:](#) 9780854902415  
Extent: 290pp  
Binding: paperback

This book provides a comprehensive and comparative explanation of the law relating to all three types of business partnership available under English law; general partnerships, limited partnerships (including private fund limited partnerships) and LLPs. It explains the applicable law from formation of the business to termination, including chapters on the availability or otherwise of legal personality, duties of partners and members, management issues, property and finance, taxation, litigation and insolvency.

This new edition of *Partnership and LLP Law* is fully updated and includes coverage of the Legislative Reform (Private Fund Limited Partnerships) Order 2017 which introduces a new form of limited partnership, the private fund limited partnership, and the new provisions requiring certain partnerships and LLPs to maintain a register of persons with significant control over the business. It also includes a discussion of the impact of *v Clyde & Co v Bates van Winkelhof* on employment and worker status of partners and LLP members. Other recent cases such as *Flanagan v Liontrust Investment Partners* and *Inversiones Frieira SL* and another *v Colyzeo Investors* are also discussed.

The law relating to each of the three types of partnership is set out clearly and concisely to enable the busy practitioner to understand, or refresh their understanding of, partnership and LLP law. It will also enable those with knowledge or experience of one type of partnership to understand the similarities and differences of the other types.

Elspeth Berry is a non-practising solicitor, member of the Association of Partnership Practitioners and Reader in Law at Nottingham Law School. Elspeth has over twenty years' experience in researching and publishing in partnership and LLP law and is co-author of *Law of Insolvent Partnerships and LLPs*.



## GHANAIAN ENVIRONMENTAL LAW

*International and National Perspectives*

by  
G. A. Sarpong

Price: £65.00  
[ISBN:](#) 9780854902507  
Extent: 514pp  
Binding: paperback

As a subject, Ghanaian Environmental Law has been influenced by Ghana's participation in several treaty arrangements aimed at addressing contemporary international challenges such as climate change, marine pollution and conservation of biodiversity. The approach adopted in this book is to ascertain the extent to which Ghanaian environmental jurisprudence has been influenced by Ghana's participation in the various fora or treaty arrangements on the subject. In that regard, using examples from the marine environment, wetlands and biotechnology, an attempt is made to provide an insight into Ghanaian implementation of treaty norms and draws lessons for legislators and policymakers.

The book has been structured to deal with basic doctrinal issues such as the nature, sources and development of Environmental Law; as well as other core aspects of the subject such as environmental justice. The role of regulatory bodies in environmental management and protection and the regulatory frameworks for the conservation, management and utilisation of natural resources are also discussed.

George Agyemang Sarpong is the Managing Partner of G. A Sarpong & Co., Legal Practitioners and Consultants, Accra. A retired military officer and a former Director of the Ghana School of Law, he is an alumnus of the Universities of Ghana, British Columbia and London (SOAS). He has published widely on environmental and public international Laws.

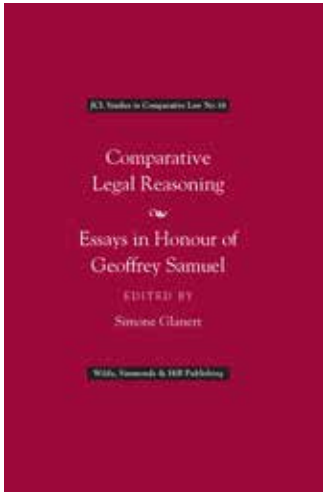
## COMPARATIVE LEGAL REASONING

*Essays in Honour of Geoffrey Samuel*

*JCL Studies in Comparative Law No 18*

edited by  
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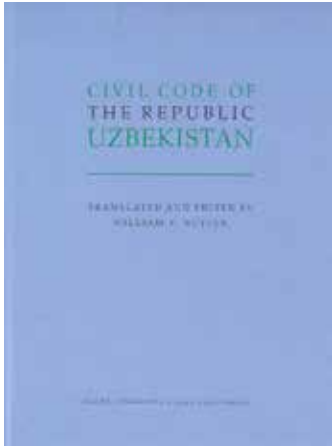
This volume features the papers presented by leading comparatists from the UK and abroad at an international workshop on ‘Comparative Legal Reasoning: une journée d’étude aux alentours du travail de Geoffrey Samuel’ at Reid Hall, Paris on 3 December 2016. Contributors include John Bell (University of Cambridge), Anne Bottomley (University of Kent), Sir Ross Cranston (London School of Economics and Political Science), Maks Del Mar (Queen Mary), Simone Glanert (University of Kent), Pierre Legrand (Sorbonne), P.G. Monateri (Università di Torino), Horatia Muir Watt (Sciences Po), François Ost (Université Saint-Louis), Pascal Pichonnaz (Université de Fribourg), Geoffrey Samuel (University of Kent) and Franz Werro (Université de Fribourg and Georgetown University Law Center).

Dr Simone Glanert, Reader in Law at the University of Kent, Canterbury, UK teaches and writes in the fields of comparative law, legal interpretation and legal translation.

# CIVIL CODE OF THE REPUBLIC UZBEKISTAN

*2018 Edition*

edited and translated by  
William E Butler

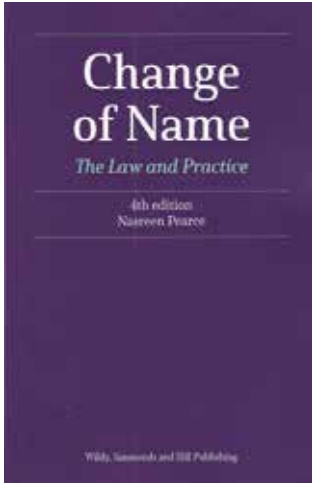


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*The Civil Code of the Republic Uzbekistan*, as amended, is the key document for any foreign investor and remains of considerable interest to the comparative law community as a leading Central Asian model for a legal system in transition from the socialist legal tradition to a destination as yet undetermined.

William E. Butler is the John Edward Fowler Distinguished Professor of Law, Dickinson Law, Penn State; Emeritus Professor of Comparative Law, University of London (University College London); Director, The Vinogradoff Institute, Dickinson Law, Penn State; Academician, National Academy of Sciences of Ukraine and National Academy of Legal Sciences of Ukraine; Associate, International Academy of Comparative Law. He has published a number of works on the legal systems of Central Asia, including Uzbekistan.





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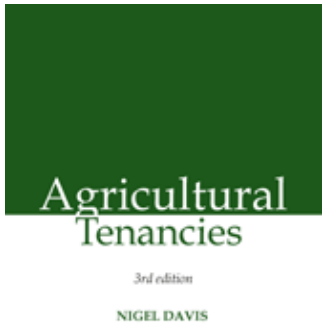
*Change of Name: The Law and Practice* is an accessible guide to this sometimes tricky area of law and includes a range of precedents that will prove invaluable to the busy practitioner.

Nasreen Pearce is a retired circuit judge and former district judge in the Principal Registry of the Family Division and currently an Associate Member of 2-3 Hind Court. She has written widely on family law and is a contributor to the Family Court Practice and Butterworths Wills Probate and Administration Service and is Editor and major contributor to Emergency Remedies in the Family Courts and author of A Practitioner's Guide to Probate Disputes and Inheritance Act Claims (Wildy, Simmonds & Hill).

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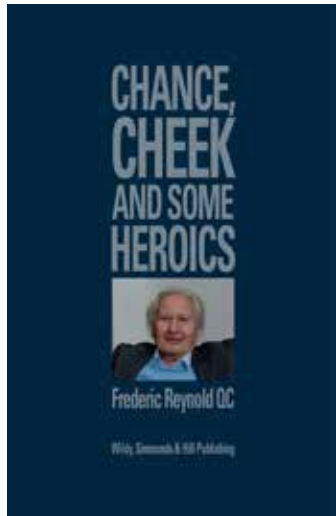
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Nigel has specialised in agricultural law for more than 40 years particularly in the areas of landlord and tenant, arbitrations and tribunals, partnerships and CAP reforms. He is an accredited mediator.

## CHANCE, CHEEK AND SOME HEROICS



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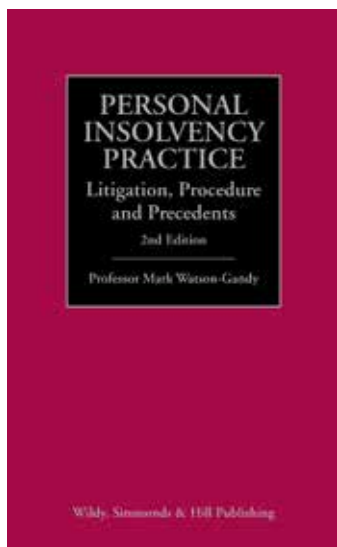
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Professor Mark Watson-Gandy is a practising barrister, specialising in insolvency law, at Three Stone Chambers. He is a Visiting Professor at the University of Westminster and a Visiting Lecturer at Cass Business School. He was appointed to the Court 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”.

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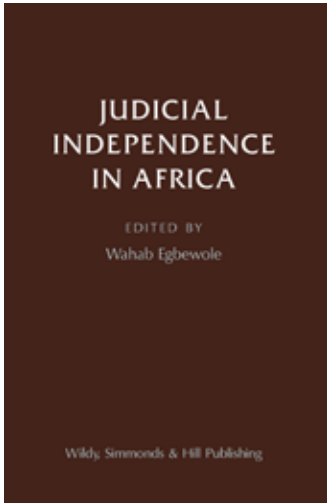


A pioneering systematization of Chinese legislation, regulations, judicial instructions and directives, doctrinal materials, and selected judicial practice relating to private international law, set out in the form of a Restatement, with commentary, followed by a draft Code which distils the best of the material and makes suggestions for improvements or offers a rationale for retaining the existing rules – drawing upon leading worldwide experience and trends.

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Shaoming Zhu received her LL.B. from Chang’An University; her LL.M. from Beijing Normal University, and her SJD degree from the Dickinson School of Law, Pennsylvania State University.

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Edited by  
Wahab Egbewole

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At the theoretical level, most constitutions in Africa normally provide for the concept of separation of powers with each arm of government assigned defined roles and functions. At the operational level, the Judiciary is regarded as the junior partner with the 'restrictions' on funding in terms of spending as it is usually the prerogative of the Executive branch of government to allocate funds to the Judiciary. To what extent is the check and or control of funding affect the operations of the courts? Can in exercise of the doctrine of separation of powers be expanded with regards to the appointment, discipline and removal of judicial officers? What should be the relationship between the two other arms of government and the Judiciary with regards to control of cases to be determined by the courts. All these issues find a way of determining how effective the Judiciary can be in any governmental arrangement and structure. It is particularly challenging in Africa where democracy in practice is still at the embryonic stage especially with regards to the political office holders. The African Union has in place the African Charter on Human and Peoples' Rights with a provision for an African Commission to determine disputes. How effective is this Commission and how independent is it?

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Wahab Egbewole is a Professor of Jurisprudence and International Law at the University of Ilorin



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