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# WILDY BOOK NEWS

Volume 24

Issue 8

Published Monthly

Aug/Sept 2019

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*Cover:* Summer Holidays are over. Antigua the venue for the CARALL conference.  
Picture by Matthew Regnard

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That time of the year is approaching when the shop becomes crowded with new law students looking for secondhand bargains. On new books, Wildy's will again be offering a 10% discount on new student titles upon the production of a student card.

After many years with Wildy's our bookshop manager, Charlie Alpera, is leaving to do a degree in environmental science. We wish him well with his studies. This has meant some changes in the bookshop. Graham Norfolk will be taking up the post of bookshop manager and will be assisted by Daniel Higgins as deputy manager and Molly Lewis as assistant manager.

Along with the above appointments, Patrick Butler will be joining the publishing team along with his tasks in the bookshop. New books this month from Wildy, Simmonds & Hill include *Peacekeeping Operations in Ukraine* edited by O. V. Kresin and translated and edited by William E Butler and *High Principle, Low Politics and the Emergence of the Supreme Court*. by Frederic Reynold.

'Wildy'

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ON THE TITLES LISTED IN THIS MONTH'S BOOK NEWS  
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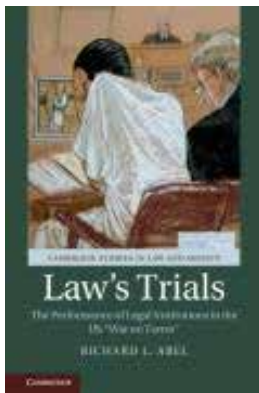
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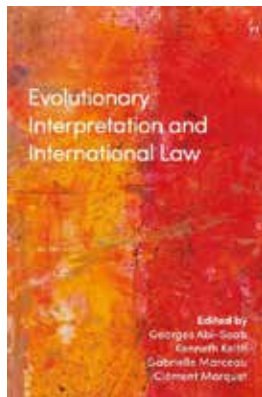
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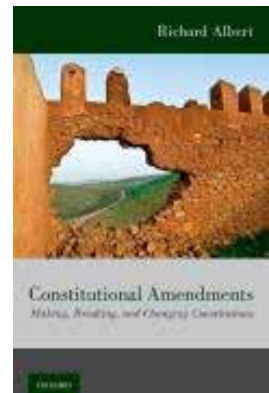
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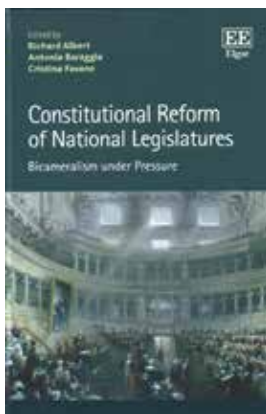
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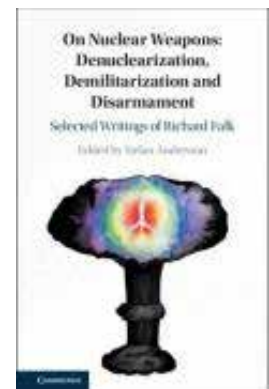
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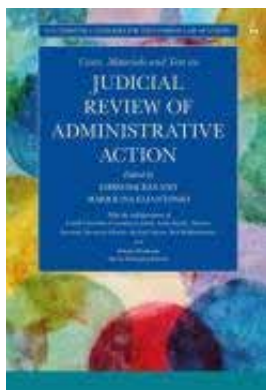


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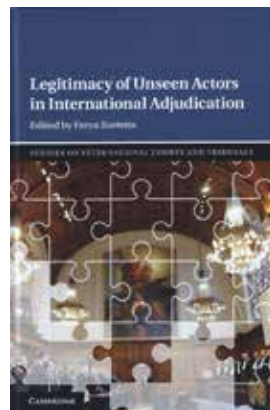
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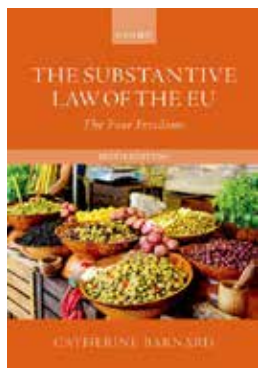
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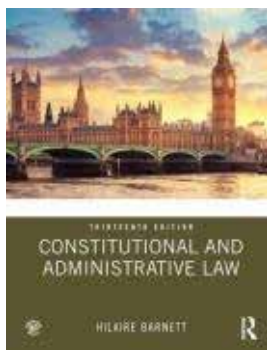
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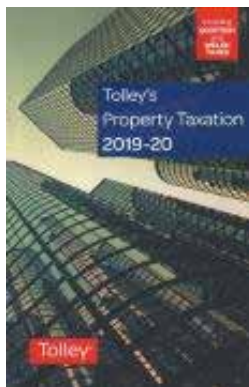
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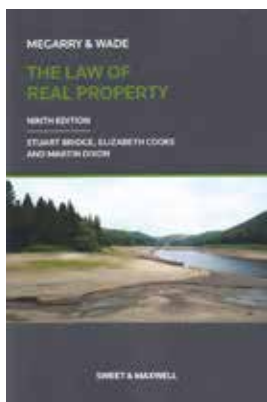
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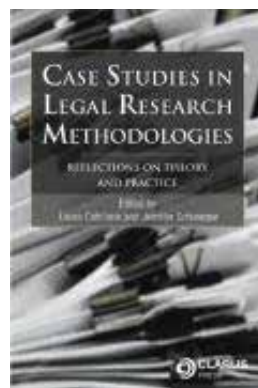
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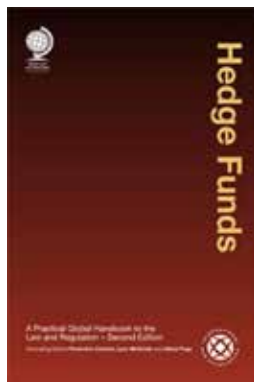


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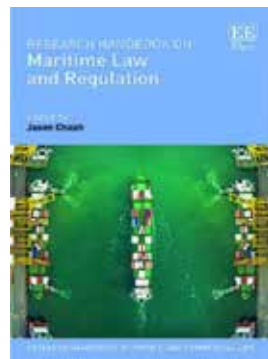
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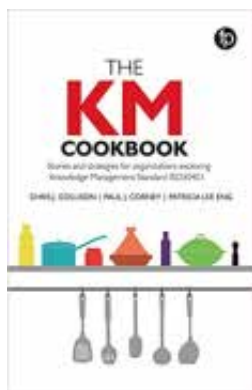
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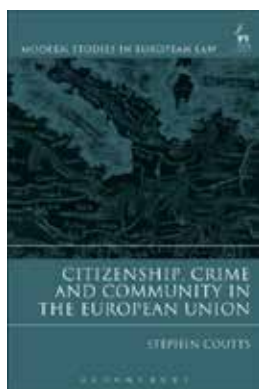
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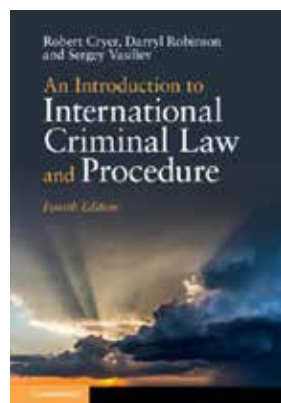
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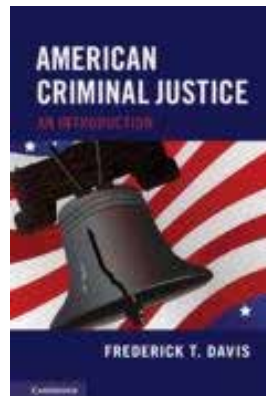
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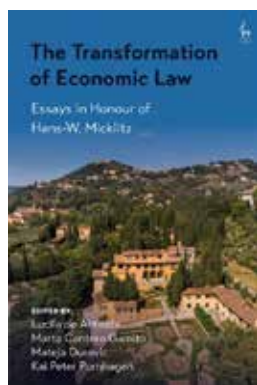
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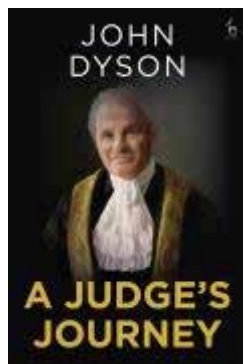
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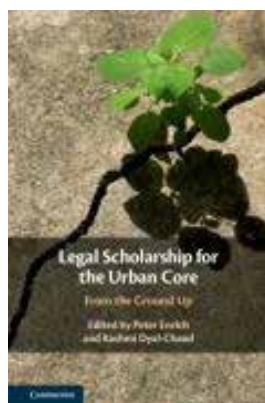
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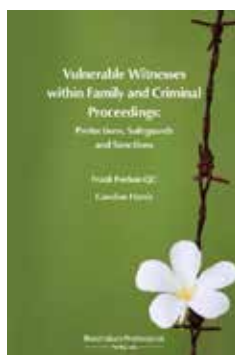
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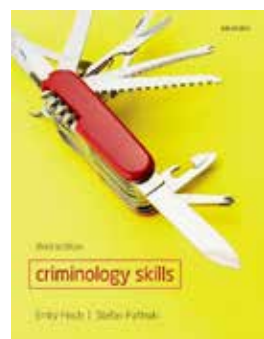
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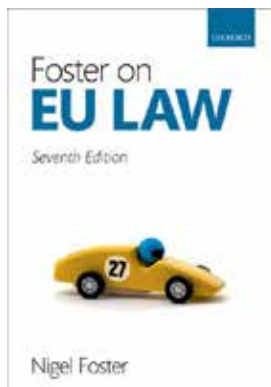
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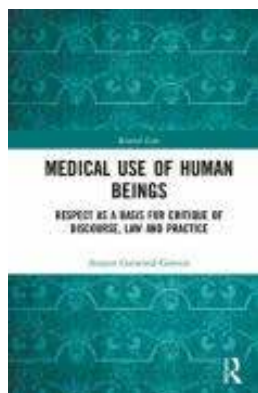
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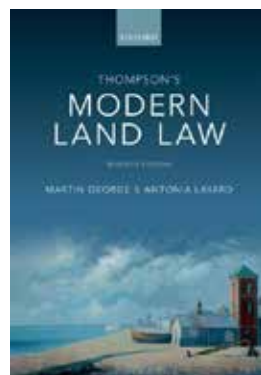
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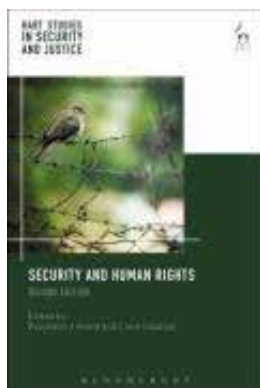
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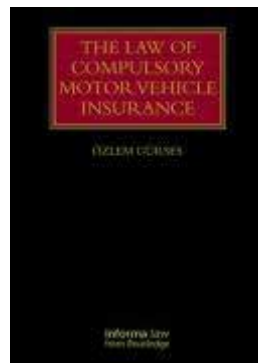
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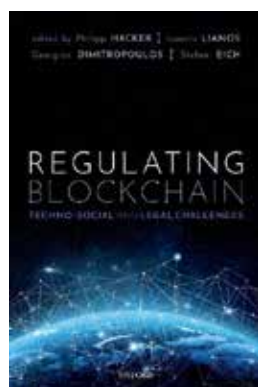
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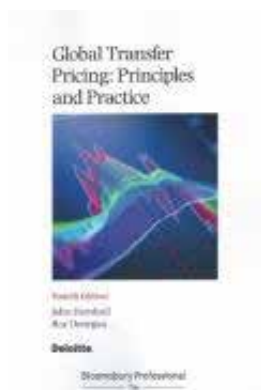


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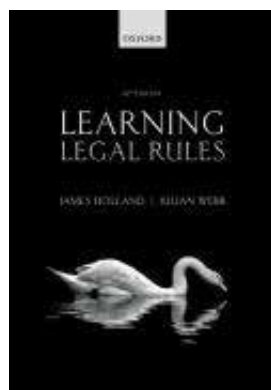
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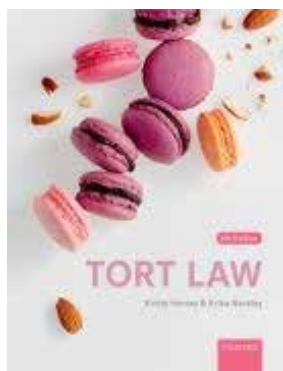
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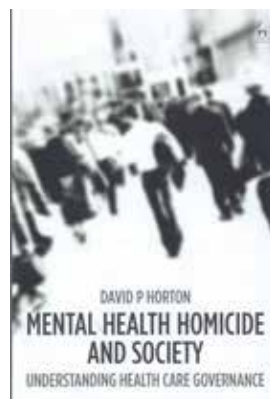
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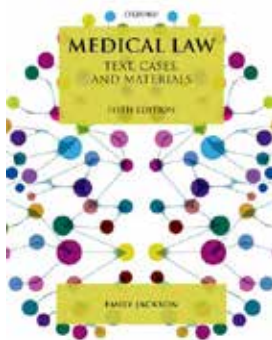
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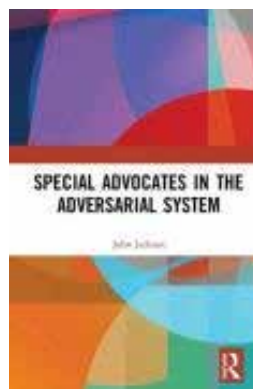
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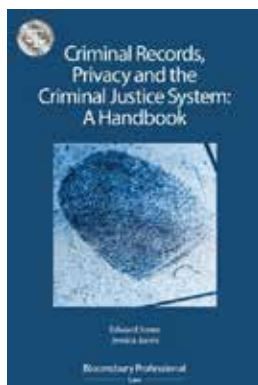
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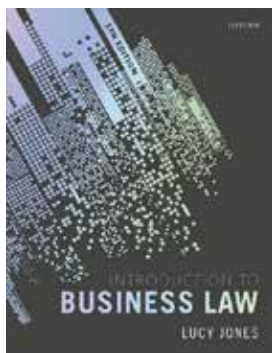
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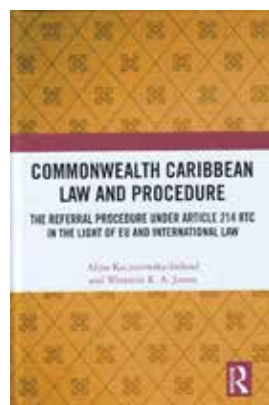
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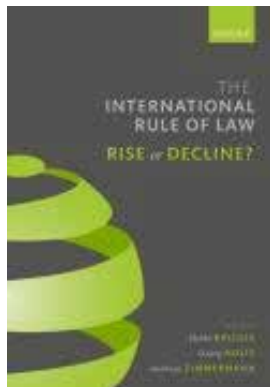
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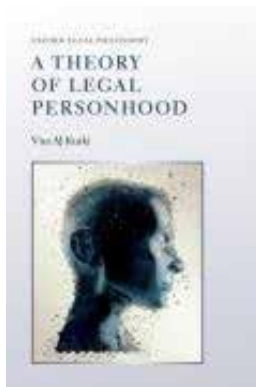
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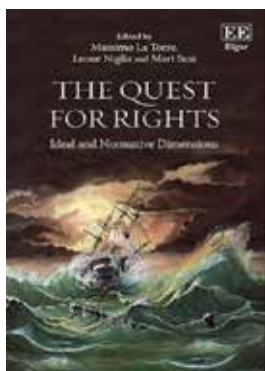
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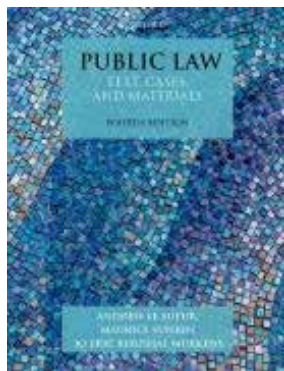
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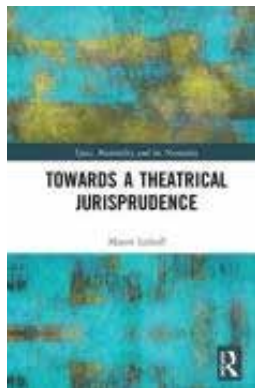
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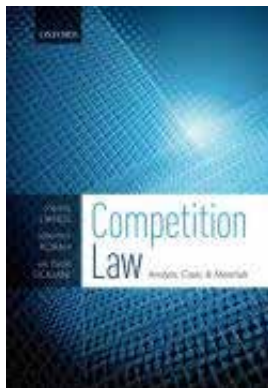
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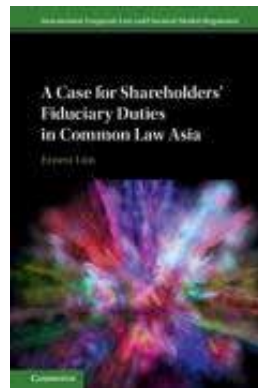
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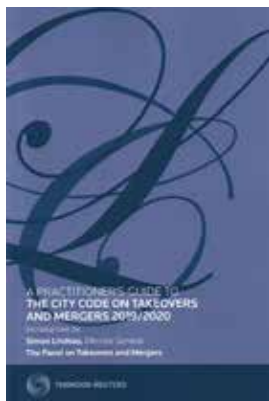
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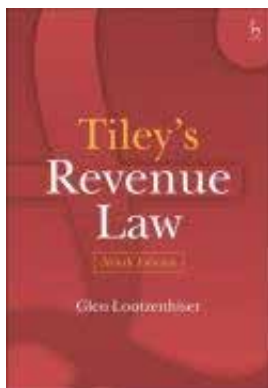
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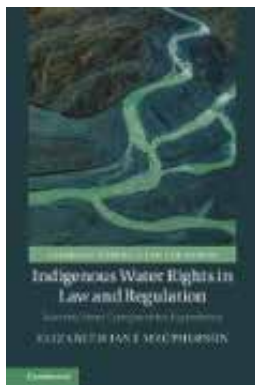
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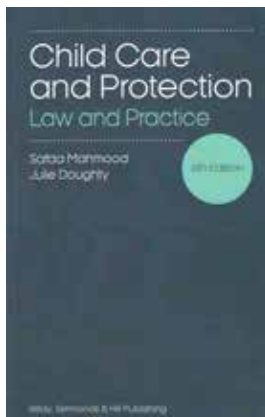
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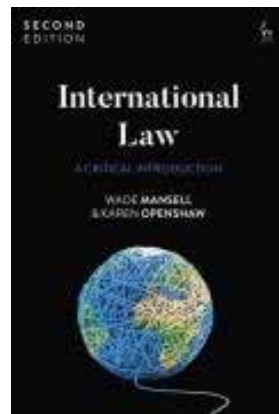
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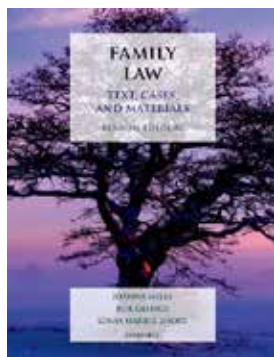


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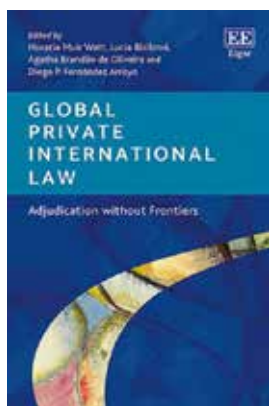
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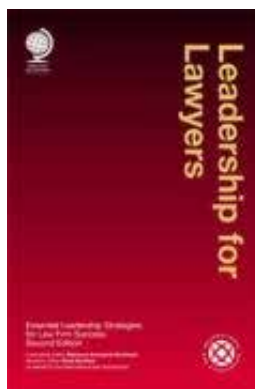
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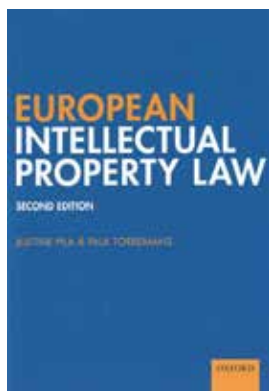
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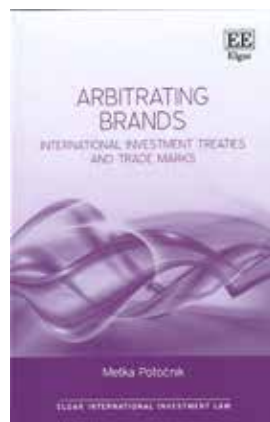
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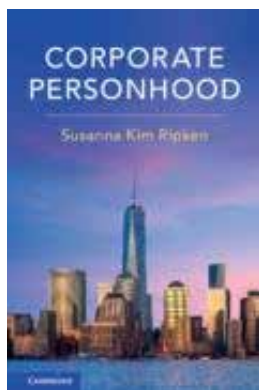
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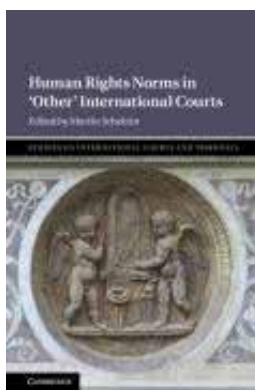
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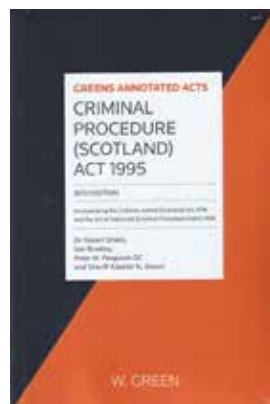
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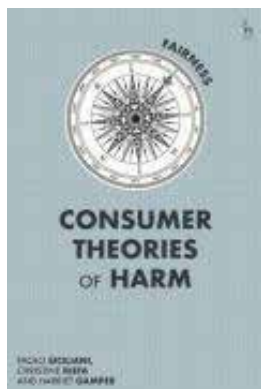
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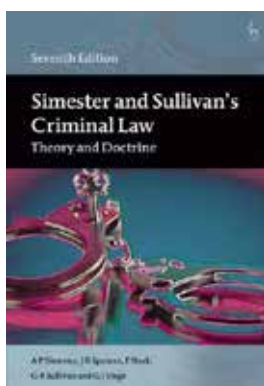
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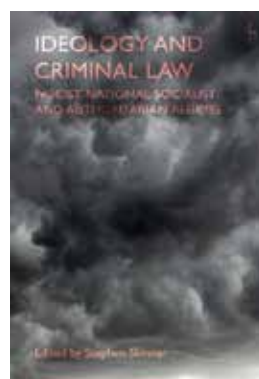
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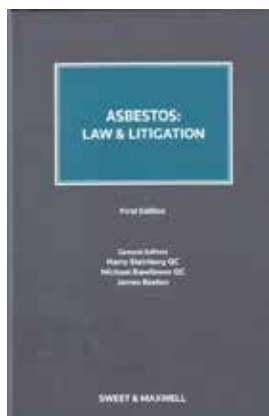
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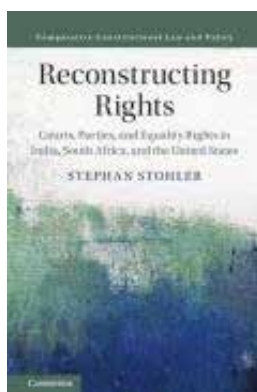
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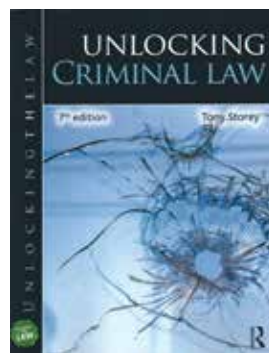
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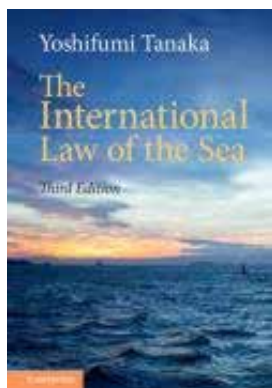


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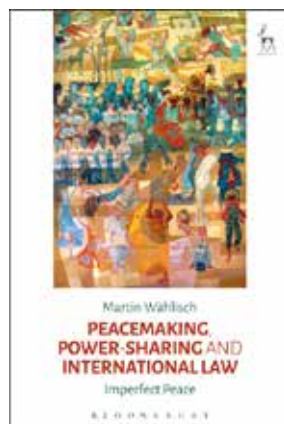
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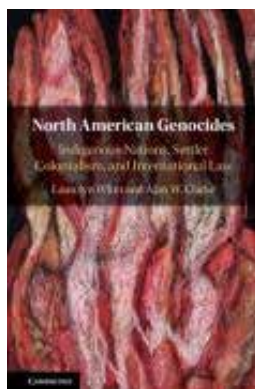
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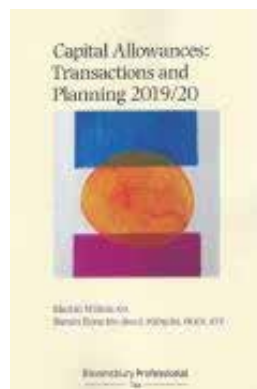
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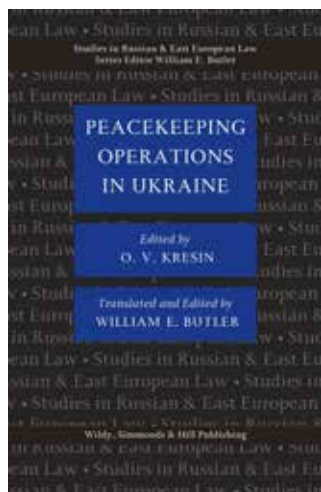
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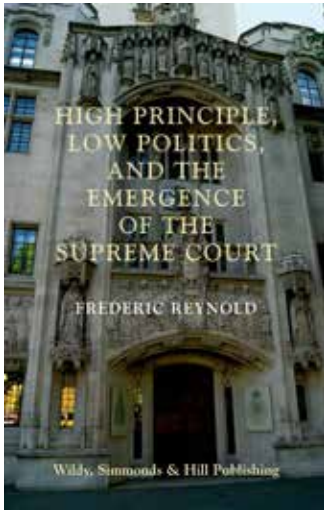
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Oleksiy Kresin, доктор юридических наук, is a leading Ukrainian international and comparative lawyer; Head, Center of Comparative Jurisprudence, Koretsky Institute of State and Law, National Academy of Sciences of Ukraine; Associate, International Academy of Comparative Law; Secretary-General, Ukrainian Association of Comparative Jurisprudence; President, Ukrainian National Committee, International Association of Legal Sciences.



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The author, who has known personally some of the main characters in the story, has had a long and distinguished career at the Bar, appearing in many landmark cases in different areas of the law. His memoir: *Chance, Cheek and some Heroics* was published last year, and proved very popular.



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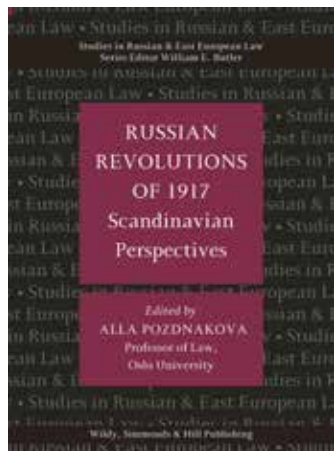
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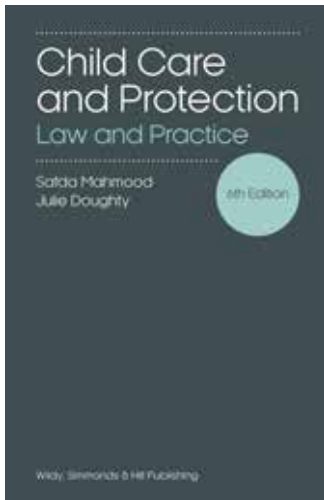
The volume is complemented by a substantial selection of documents on Scandinavian-Russian legal relations between 1917 and 1928.

Alla Pozdnakova is Professor of Law at the University of Oslo in Norway.

# CHILD CARE AND PROTECTION LAW AND PRACTICE

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Safda Mahmood and Julie Doughty



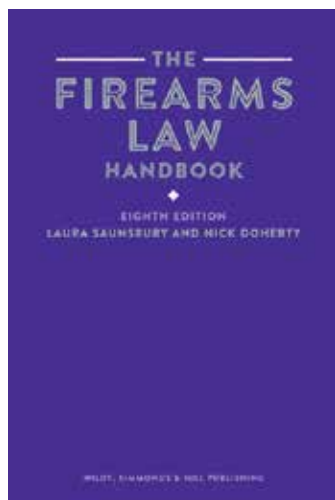
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*Child Care and Protection: Law and Practice* provides a practical and concise guide to the areas surrounding the Children Act 1989 and subsequent child protection legislation, guidance and case law. In addition to explaining the general principles of the law relating to child care and protection, the authors provide valuable insights into assessments, care planning, expert evidence, taking instructions, case preparation and courtroom skills.

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Safda Mahmood has extensive experience in family law private practice and local government and currently practises as a solicitor, manager, and team leader in advocacy with Coventry City Council, Legal Services Department. He also runs training courses including Professional Development training for, amongst others, members of the Law Society Children Law Accredited Scheme, as well as various professional course providers. He is a representative for the National Child Care Lawyers Advisory Legal Group.

Julie Doughty has practice experience as a former solicitor and guardian ad litem panel manager, and currently she is a lecturer in law at Cardiff University. Julie writes widely in journals on child law topics and is a trustee of The Transparency Project and Family Mediation Cymru.



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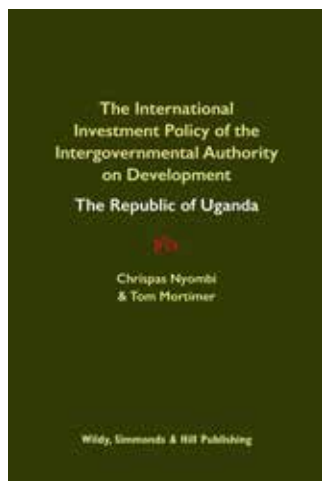
*The Firearms Law Handbook* covers all aspects of the law relating to the use of firearms in Britain. Those who enforce and apply the law will find it of invaluable assistance in their work. The reader who handles and sells guns, both commercially or for sport, will find everything they need to know here. Although the subjects covered can be complex, the book is written in an approachable style to be understood by all of those with an interest in the subject.

Since the seventh edition of this work in 2011 there have been significant changes to firearms legislation which are covered in full, including key changes in the Policing and Crime Act 2017 including new definitions of ‘firearm’; ‘component part’; ‘deactivated weapon’ and ‘antique firearm’.

The book covers all decisions of the higher courts regarding this area since 2011 and deals with the likely effects of the UK leaving the European Union. Police policy on the licensing of firearms is covered in addition to the process of application and appeal to the Crown Court. Applications to lift a ‘firearms prohibition’ are also considered.

Laura Saunbury is a consultant solicitor who has been in practise for over 25 years. She specialises exclusively in firearms-related law, dealing with both firearms licensing appeals and criminal offences involving firearms. Laura is Honorary Solicitor and shotgun licensing advisor and Life Vice President of the Clay Pigeon Shooting Association and is also the Honorary Solicitor to the Deactivated Weapons Association. She is a member of the Gun Trade Association. Laura is a regular contributor to the CPSA magazine *Pull!* and gives seminars and broadcast interviews on this area of law.

Nick Doherty is a practising barrister who has been involved in firearms-related criminal work for over 30 years and now specialises in firearms licensing appeals. Since 2008 Nick has been the only common law legal advisor to the International Council for Game and Wildlife Conservation (The CIC). In addition to presenting seminars, writing articles, and giving interviews on firearms law, Nick is the chairman of a shooting club and a Liveryman of the Worshipful Company of Gunmakers.



# **THE INTERNATIONAL INVESTMENT POLICY OF THE INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT**

*The Republic of Uganda*

By Chrispas Nyombi & Tom Mortimer

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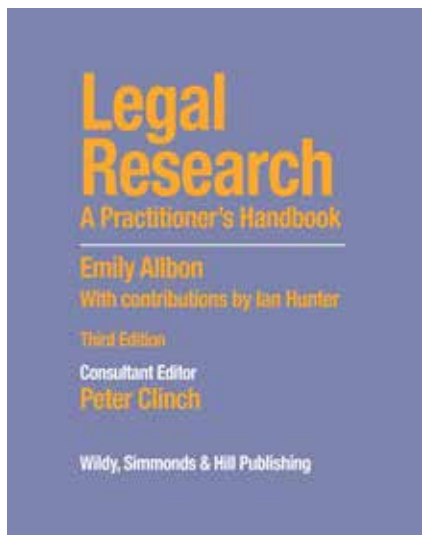
Traditionally, African states have played a very active and influential position in both the design and development of international investment law.

This book reviews the types of Bilateral Investment Treaties concluded by the Intergovernmental Authority on Development (IGAD) Member States, using Uganda as a case study, with the objective of establishing the investment treaty practice of African states. In so doing, the text sets out to examine whether African treaty practice conforms or differs from general investment law. While reviewing this practice, the text also explores the extent to which the emerging investment treaty practice interferes or restrains legitimate policy making by African states.

Ultimately, this book argues that there has been a paradigm shift in the investment treaty practice of African states. Whereas historically they have argued for and defended their state sovereignty they now adopt, via BIT's, a more peculiar position of acquiescence. This text proposes how, going forward, African states might re-assert their independence and contribute to the further development of international investment law in a meaningful and pro-active way.

Chrispas Nyombi is a Reader (Associate Professor) in International Commercial Law and Director of Research in Law at Canterbury Christ Church University. He is part of a Panel appointed by the General Assembly of IGAD tasked with creating an International Arbitration and Mediation Centre in Djibouti.

Tom Mortimer is the Director of Law at Canterbury Christ Church University. He has over thirty years of experience in legal education, including Head of Law School at three Universities and has published widely in the areas of business law in practice, comparative law and governance, International law and in learning and teaching.



## LEGAL RESEARCH

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Legal Research: A Practitioner's Handbook provides practical advice on every aspect of effective legal research: problem analysis, selecting and finding the best sources, and presenting results effectively. This third edition has been thoroughly updated, taking into account the increasing popularity of commercial databases aimed at UK law practitioners; the overhaul of a number of government and other official sites (national and international); and significant changes to directions by UK courts relating to the conduct and presentation of legal research. New material on the use of social media in legal research, business information and making use of a law firm's internal precedents has also been added.

Emily Allbon is a Senior Lecturer in Law at the City Law School (City, University of London), having previously spent 14 years as an academic law librarian. She is also the human behind the popular Lawbore website.

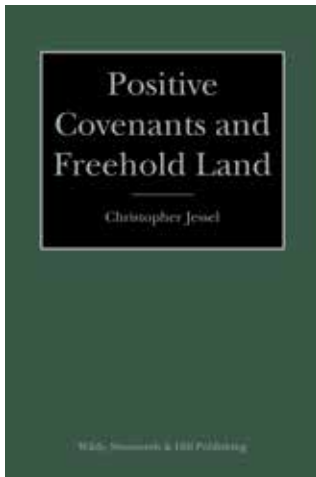
Ian Hunter is Research & Information Services Manager at Shearman & Sterling (London) LLP, and has worked for law firms, investment banks and a university business school.

Peter Clinch had 35 years' experience in law information work, including training law students, practising solicitors and law librarians in legal research skills before retirement and wrote the first two editions of this text.



# POSITIVE COVENANTS AND FREEHOLD LAND

Christopher Jessel



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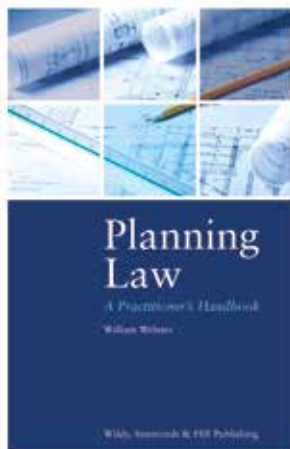
Positive covenants are obligations binding the owner of land for the time being which require some form of action or expenditure such as keeping a roof or wall in repair or paying instalments of service charge over many years.

*Positive Covenants and Freehold Land* concerns the rule of property law that a positive covenant cannot bind successors in title to the original covenantor. It considers the origin of the rule, the legal reasoning behind it, and the historical, social and political context in which it has developed. The book then looks at the various methods to circumvent it by using restrictions on the register of title, estate rentcharges, rights of re-entry, the principle of benefit and burden and the use of long leases as virtual freeholds.

A modern structure designed to overcome the problem is the system of commonhold which is currently under review by the Law Commission. The law of easements, particularly in relation to fencing, and the law of nuisance can have the effect of imposing positive obligations on landowners. Statutes can also either require owners to take specified steps such as keeping listed buildings in repair or they can authorise a landowner to enter into obligations as under the Town and Country Planning Act s 106. Separate chapters examine the issues to be considered on assignment of the benefit of positive covenants, on the transfer of land which is subject to the burden of them, and on the way that covenants operate in the management of housing and commercial estates.

Reform of the law of positive covenants has been in prospect for over 50 years without any response by Parliament but there is now the possibility of Government support. A chapter is included on issues to be borne in mind in drafting covenants and an examination of the juristic nature of positive covenants and their nature as part of a neighbour relationship. The book also features a number of suggested precedents for the practitioner.

Christopher Jessel is a solicitor and was a partner with Farrer & Co of Lincoln's Inn Fields, practising in rural property, constitutional and charity law and was previously Assistant Editor of the *Rights of Way Law Review*. He has written articles and books on property-related subjects including: *The Law of the Manor* (2nd ed, Wildy, Simmonds & Hill) *A Legal History of the English Landscape* (Wildy, Simmonds & Hill) *Farms and Estates: A Conveyancing Handbook* (2nd ed) and *Development Land Overage and Clawback* (2nd ed).



## PLANNING LAW

### A Practitioner's Handbook

William Webster

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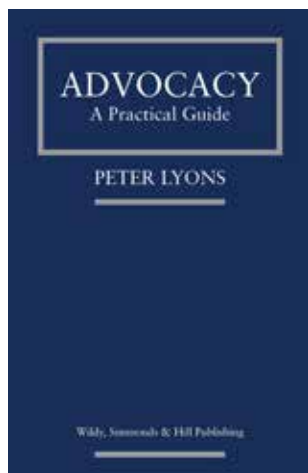
Keeping pace with planning law is no easy matter. The mass of primary and secondary legislation in this field, allied to local and national policy and guidance, make this the most intensively regulated area of the law.

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It also contains sections on village greens, assets of community value, public rights of way, and gypsies and travellers, all of which impact on the realisation of land for planning purposes. The inclusion of these topics will be of particular value to practitioners in the public sector looking for up-to-date guidance in these fields.

William Webster was called to the Bar in 1975 and is a tenant at 3 Paper Buildings practicing in the fields of land and planning law. He is a member of the Chancery Bar Association and joint author of *Restrictions on the Use of Land* published by Wildy, Simmonds & Hill.



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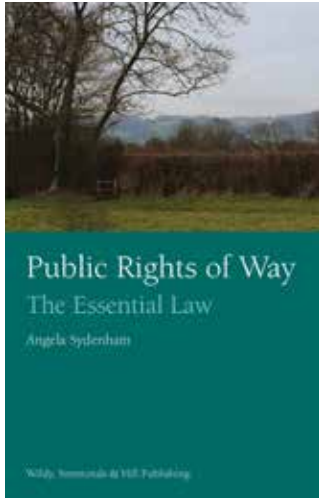
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Peter Lyons is an Australian barrister and solicitor living in the UK. Since 1995 he has taught advocacy to civil, common and arbitration lawyers, barristers and patent attorneys. He designed and has taught the Bar’s Public Access course and many programmes for the top City law firms, as well as the first LLM in Advocacy at the University of Strathclyde. His company, CPD Training (UK) trains candidates for Higher Rights of Audience.



## PUBLIC RIGHTS OF WAY

### The Essential Law

Angela Sydenham

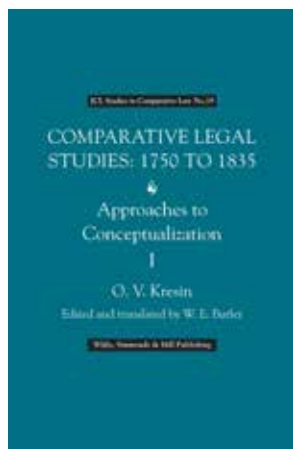
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| Price:   | £45.00        |
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This succinct, practical and up-to-date book is an introduction to the complex area of public rights of way. It is aimed at practitioners, lawyers and surveyors, who are not necessarily experts in this area of law, but who may have to deal with rights of way in conveyancing transactions, land management or planning matters. The book will also be useful for those landowners, farmers and those working for local authorities.

For this reason, the book does not follow the conventional pattern of dividing the chapters into subject topics, but looks at the law from the angle of the landowner, the purchaser, the public users of the rights and the local authority. There will, of course, be some chapters which will be relevant to all parties.

Sections 20 to 26 of, and Schedule 7 to, the Deregulation Act 2015 will introduce many changes to the recording of public rights of way. The provisions were originally expected to come into force in April 2016. Although the relevant regulations are still awaited the book covers the prospective legislation.

Angela Sydenham was a consultant with Birketts, and was formerly Chief Legal Adviser to the Country Landowners' Association. She is the author of several books on the law relating to rural property. These include, amongst others, *Commons and Greens* (2nd edition), *Public Rights of Way* (4th edition), *Agricultural Tenancies* (Wildy, Simmonds & Hill) and has contributed to the section on commons in *Halsbury's Laws of England* and *The Encyclopaedia of Forms and Precedents*.



*JCL Studies in Comparative Law No. 19*  
**COMPARATIVE LEGAL STUDIES: 1750-1835**

Approaches to Conceptualization

2 volumes

O. V. Kresin  
edited and translated by  
W.E. Butler

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Volume Two addresses the origins of the theoretical foundations of comparative law, and then turns to the roles of the Individual and the Universal in developing a comparative legal scientific picture of the world, with attention to the Particular in Law and the classification of national legal systems. The reconsideration of approaches to comparative-legal conceptualization is accompanied by an extensive Bibliography of sources.

Oleksiy Kresin, доктор юридических наук, is a leading Ukrainian comparative lawyer; Head, Center of Comparative Jurisprudence, Koretskii Institute of State and Law, National Academy of Sciences of Ukraine; Associate, International Academy of Comparative Law; Secretary-General, Ukrainian Associate of Comparative Jurisprudence; President, Ukrainian National Committee, International Association of Legal Sciences.



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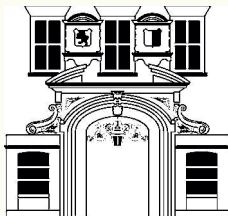
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