

Law Student

// issue 3

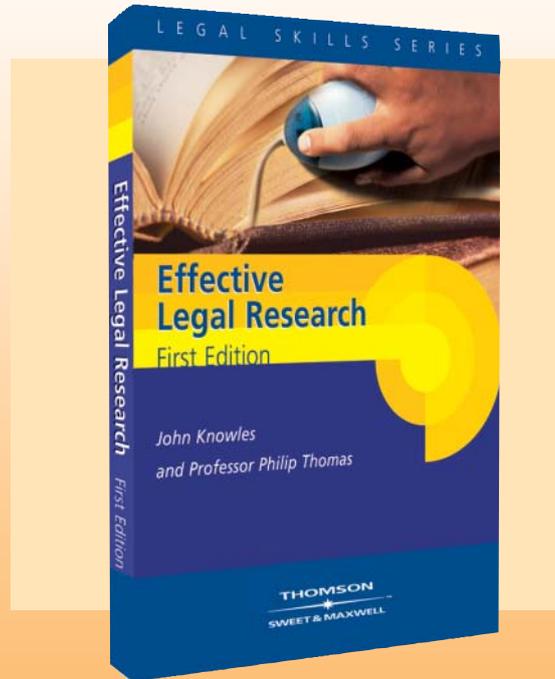
- // The writing cycle
- // Improving questioning
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- // A day in the life of a student rep
- // The flatmate from hell

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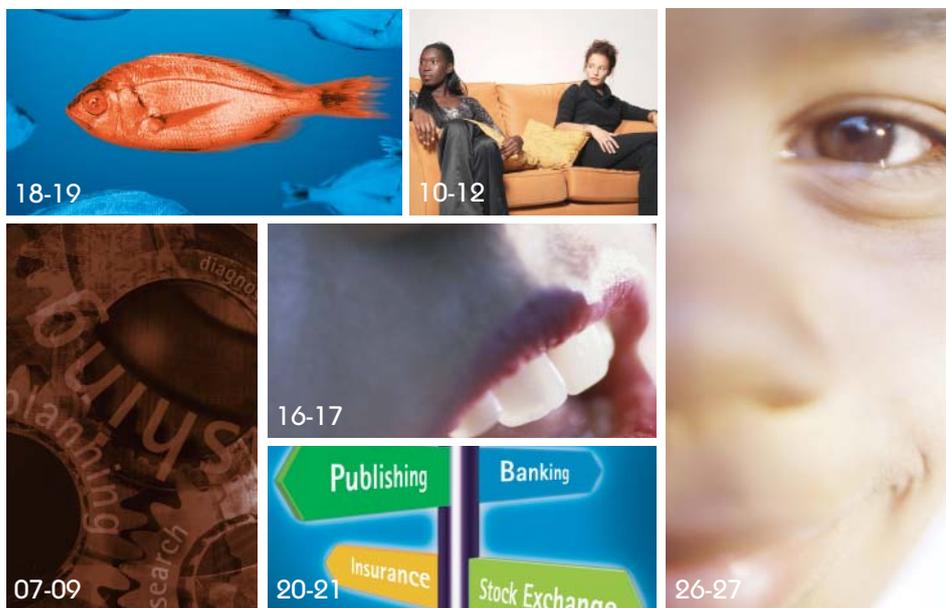
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Letter from the Editor



Welcome to the third issue of Law Student from Sweet & Maxwell. Thank you to everyone who has given us feedback on the last two issues. We've listened to your comments and reduced the magazine down to A4 so that it's easier to read and carry around.

The new academic year has kicked off and you may be sharing a flat for the first time, or have new flatmates moving in. So what happens when you find yourself sharing with the flatmate from hell? You can find some top advice in our article, the flatmate from hell could be closer than you think.

Legal writing is an important skill you'll need to learn, and keep improving if you want to do well in your assignments and future career. Check out the article on the writing cycle, which details a system which if put into effect, will help you improve.

Questioning is also an important skill to learn, especially if you plan to take part in mooted competitions. Without a question, our article on page 16 is a must read.

It may seem early to start thinking about work experience but vacation placements are fiercely fought over so the sooner you start researching the better. Check out our article on pages 18-19 which provides all you need to know, along with top tips on how to turn your vacation placement into a training contract.

What if you've just finished a vacation placement and realised you don't want to be a solicitor or barrister? Turn to pages 20-21 where we detail the range of different career options available for someone with a law degree.

A must-read is the article by high profile IP solicitor David Llewelyn, who explains why he has no hesitation in recommending IP as a field of specialisation in practice.

Check out pages 22-23 where three law students detail what it's like to be a student rep for Sweet & Maxwell.

After a hard day's studying it's time to unwind and what better way than with a good book – but not just any good book, one that keeps you thinking about the law. We highlight some top-notch fiction books that touch on the field of law.

Finally, we'd love to know more about you. Complete and return the enclosed questionnaire and you could be in with a chance of winning £250 worth of books for you and your classmates as well as either an Ipad or Ipad accessory.

I hope you enjoy this new issue.

Samantha Siddle

Sam Siddle
Editor

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Law Student

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Sweet & Maxwell Ltd
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Fancy a bit of law in your fiction?



When browsing for your next fiction book, why not consider one that touches upon the law? Here, from *Glanville Williams: Learning the Law*, A.T.H. Smith shares those fiction books which do just that and, if they come your way, are well worth a read.

Dickens started life as (among other things) a lawyer's clerk and court reporter, and most of his novels contain legal characters or legal references. The famous trial scene in *Pickwick Papers* (written when the author was only 24) shows the working of the system of advocacy in a common law court at its worst. We have moved far since those days, not least because, since 1851, the parties to the proceedings have been allowed to testify on their own behalf. Students of the reports may like to know that Dickens's Mr Justice Stareleigh was modelled upon the real Mr. Justice Gaselee, while Serjeant Buzfuz was Serjeant Bompas.

Even more engrossing for the lawyer is the description of the appallingly inefficient proceedings of the Court of Chancery in *Bleak House*. Space forbids extended discussion of Dickens's works, but a good commentary is Sir William Holdsworth's *Charles Dickens as a Legal Historian* (1929).

An earlier writer, Henry Fielding, must occupy a special place in the esteem of the lawyer and the law-abiding citizen, for it was he who, with his blind half-brother, sitting as London magistrates, founded the Bow Street Runners, the ancestors of our present professional police. Most of his novels were written when, for want of any other source of income, he was practising at the Bar, but his *Tom Jones* deserves to be read for its own sake, and not merely for the incidental legal allusion. Thackeray entered the Middle Temple (though he did not get much further), and his experience there is pictured in Chapter 29 of *Pendennis*.

Creation of the detective novel

To legal writers of the nineteenth century belongs the credit of inventing the detective novel. Wilkie Collins, a nominal barrister, was author of *The Moonstone* (1860), which is widely considered to

have been the first example of this genre. Galsworthy's *Forsyte Saga* has a solicitor as one of the principal characters, a libel action conducted on somewhat irregular lines, and a will that neglects the *Thellusson Act*. Someone brought the latter mistake to the author's attention, and in the sequel, entitled *On Forsyte Change*, the point is admitted but ingeniously evaded.

Scottish works

Outside the field of English law there are the works of Sir Walter Scott and Honore' de Balzac – both lawyers, and both prolific in legal allusion. Scott combined novel writing with the practice of a busy Scottish advocate and judicial duties. His more boyish romances do not appeal to all; but the reader may like to know that two novels with a strong legal flavour are *Guy Mannering* and *Redgauntlet*. Scott's best novel, *The Heart of Midlothian*, is also set against a legal background, and most of the main story is historically authentic. Students of Scots law will find instruction in *Sir Walter Scott and Scots Law*, by David Marshall (1932).

R.L. Stevenson became qualified as a Scottish advocate, though he never practised. His unfinished *Weir of Hermiston* gives an arresting picture of a coarse and cruel Scottish judge, Lord Braxfield (in the story called Lord Hermiston).

“A lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these, he may venture to call himself an architect.”
 –Scott, *Guy Mannering*.

Law by non-lawyers

It is not only the lawyers, real or nominal, who have written novels with a legal angle. Trollope is best known for his descriptions of ecclesiastical life in the *Barchester* series; but lawyers will remember him for his account of their own profession in *Orley Farm*.

Emily Bronte’s *Wuthering Heights* shows an accurate knowledge of the law of entails 50 years before her own time. George Eliot’s *Felix Holt* has an ambitious legal plot turning on a base fee – though the legal reader will want to know why the owner in possession of a base fee, with constant legal advice, did not take steps to bar the remainder.

Modern novelists

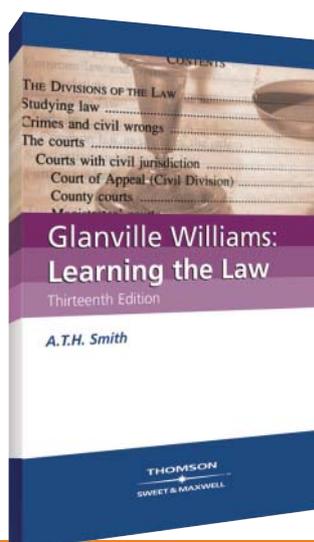
Modern novelists deserve a paragraph to themselves. The American thrillers of Scott Turow and John Grisham exploit a rich seam of public interest in courtroom pyrotechnics, lawyers turned detective and “innocent” clients. Many of these works have been turned into hugely successful films. The legal worlds that these characters inhabit are very different from that found on the other side of the Atlantic, and there is not really any British equivalent, though lawyers currently writing detective novels include Dexter Dias, Frances Fyfield and Caro Fraser.

Works by Q.C.s and Judges

In a somewhat different genre stands John Mortimer Q.C.’s creation *Rumpole*, who appears in numerous works (translated on to television subsequently; the actor Leo McKern, wig askew, being almost instantly recognisable world-wide as the face of the Old Bailey).

Judge Gordon Clark wrote detective novels under the pseudonym of “Cyril Hare”, and the plot of several of them turns on a point of law. Thus his *Tragedy at Law* involves an obscure subsection (now repealed) of an Act of 1934; it is of interest for its detail of contemporary circuit life. *When the Wind Blows* was inspired by a bad old (and long-repealed) rule of the law of marriage. All these novels were reprinted as Penguins, and have subsequently been re-issued by House of Stratus Press as recently as 2001.

Another former county court judge, H.C. Leon, wrote under the pen-name of “Henry Cecil”. A favourite is his first book *Full Circle*; but he wrote many other humorous best-sellers about judges and lawyers, including *Brothers in Law* which was made into a film. These works too have been reprinted (2001) by House of Stratus Press.



This article is taken from the 13th edition of Glanville Williams: Learning the Law by A.T.H. Smith, which is available from good booksellers priced £12.50 [0 421 92550 7]

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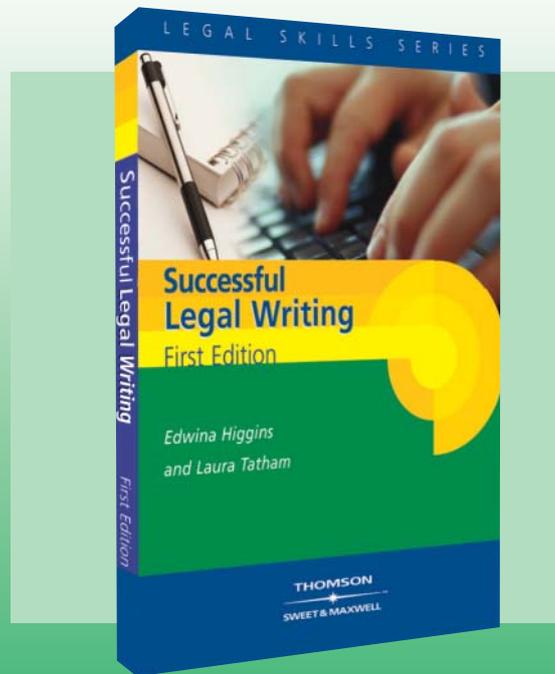
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Did you know?

Administratrix is a female person to whom letters of administration are granted.

- Taken from the 10th edition of Osborn’s Concise Law Dictionary [0 421 900 504] available from all good booksellers priced £9.95

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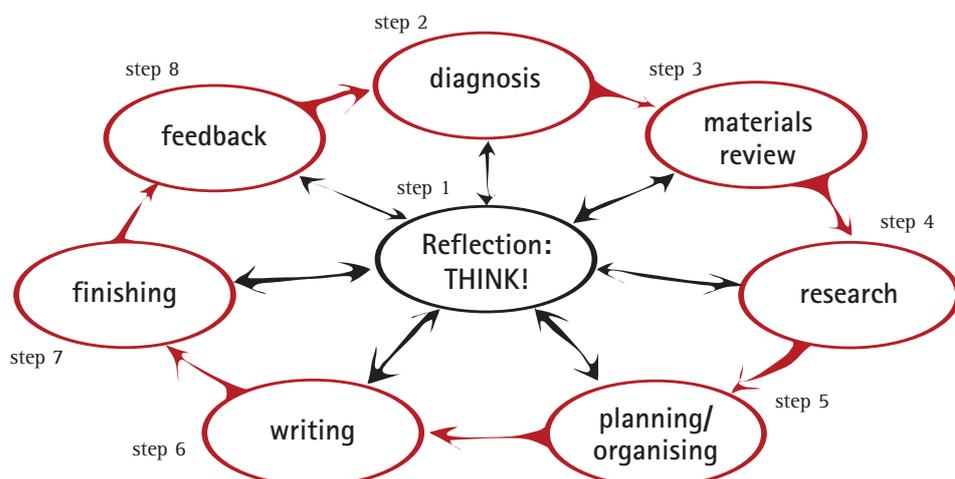
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Ensure your writing doesn't let you down

You might think that the difference between a student who does OK and one who does very well is down to how clever they are, how much they learned, how much effort they put in, or how many classes they attended. These are all important factors, but the difference could be that the student who did better was just more effective in communicating their understanding in the work they produced.

This article, adapted from *Successful Legal Writing* by Edwina Higgins and Laura Tatham, gives an overview of a writing process that if followed, will help you to write assignments more effectively.



The writing process can be broken down into a number of steps which are essential for successful legal academic writing. However, these will tend to overlap: as you go through a particular step, issues may arise which require you to revisit a previous step. This is an important part of keeping your writing under review, so do not think of the steps as being entirely separate. Nevertheless focusing on the steps will help you to go about your writing in a logical and structured way.

Step 1 – Reflection

Before you start to write an essay or other legal assignment you need to consider what your existing strengths and weaknesses are. This will help you work out what part of the writing cycle you need to put most thought in to.

Think about how you currently write and compare this to any *evidence* you have of the results this produces, for example, previous marks or grades, and feedback from tutors (or peers).

Step 2 – Diagnosis

The real key to successful writing is to understand *exactly* what you are being asked to do. Get this right, and you'll be well on the way to making a good job of the rest of the writing 'cycle'.

When diagnosing your questions you need to:

- Identify the points of the question, for example by looking for key words, instruction words, and (on a problem question) picking out the material facts
- Break the question down into a series of sub-questions which need to be answered
- Think about which points are the most important (these are your major points which you'll want to spend more time/words on)
- Pick out other points which are relevant to the question but are not as vital as the major points (these are minor points, which you deal with more briefly)
- Work out whether there are any hidden issues which need discussing (your examiner may have 'hidden' an issue which is important to



a sophisticated discussion of the subject matter but not referred to it directly in the wording of the question). Don't confuse hidden points with irrelevant points – only a student with a thorough grasp of the subject matter is going to be able to spot any hidden points.

The last point raises an important issue. How can you diagnose without having a thorough

understanding of the topic when your diagnosis gives you the direction in which to research, and it's from the research you get a thorough understanding? You make a **preliminary diagnosis** and then **keep it under review**. Your preliminary diagnosis sends you off to the right places, but you then have to keep reflecting on what you find in order to 'fine tune' your diagnosis.

Another important part of your diagnosis is to think about the general instructions:

- What's the word limit?
- Are you handing in a finished piece of work or does it need to be accompanied by a plan?
- Are there specific instructions for this piece of work?
- Does it need to be presented in a particular way?
- Does it need to conform to a certain style (such as a preferred footnote scheme)?

Remember to apply your time management techniques to the assignment. Look at the word count. Check how much this assessment is worth – remember to keep things in proportion and split your effort accordingly.

Step 3 – Review your materials

The next step is to gather together the resources you need in order to complete the assignment. Carry out an audit of existing relevant materials. Your lecture notes and textbooks will be a good place to start but won't be enough on their own. You will be expected to read as widely as possible, but remember, in doing so your goal is to answer the questions you posed in your diagnosis phase. This is what you need to keep in mind as you move into your research phase.

Step 4 – Research

The research phase is where you pursue a range of sources in order to answer the different points of the question that you identified in the diagnosis stage. It's really important that you remain focused on what you need and don't get side-tracked by information which is only of vague relevance. Keep in mind the length of the piece you have been asked to write. Reading eight full length books and six articles will yield much more than you could utilise in one 2000 piece of coursework.

You'll also need to learn how to make notes effectively from the readings you have chosen as being most relevant, so that you can make the most of them when you come to do your writing.

Remember to keep reflecting on your diagnosis. Don't lose track of what you've been asked to do. When you have found the answers you have finished your research – *so stop*. You are now in a position to start thinking about how to put your answer together.



Step 5 – Planning and organising your answer

A well-written assignment will have an organised structure, which flows logically from point to point. You therefore need to spend time planning this structure. Don't jump straight into writing as you are likely to lose your focus and your assignment will end up confused. If you have diagnosed your task effectively, the structure should flow logically from the points you identified.

Once you have put your structure together, review it. Ask yourself:

'If I write up my answer in this way, will it be answering what I've been asked?'

If the answer is 'yes' then you can move onto the writing stage.

Step 6 – Writing

Keep the question you have been set in mind at all times. Unless you have completed Steps 1 – 5 carefully you are not going to be in the position to start the writing phase successfully.

Remember you will need to:

- use evidence to support assertions, acknowledge sources to avoid charges of plagiarism, and ensure your arguments form a logical structure
- structure your writing appropriately by writing an effective introduction, main body and conclusion
- write in good English in terms of use of grammar, your style, sentence construction, spelling, use of legal terminology and so on

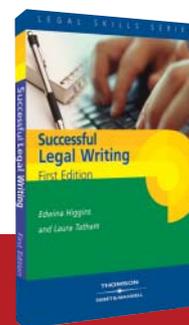
Write in the way that best suits you. If you find it easier to tackle some parts first and leave others to last then do that. But stick to the structure you worked out in the planning stage.

Step 7 – Finishing

In order to finish your work you need to review and reflect. Check for inaccuracies or irrelevancies and presentational errors. Remember to look at any specific requirements you've been set and make sure you comply with those. You can now submit your assignment.

Step 8 – Feedback

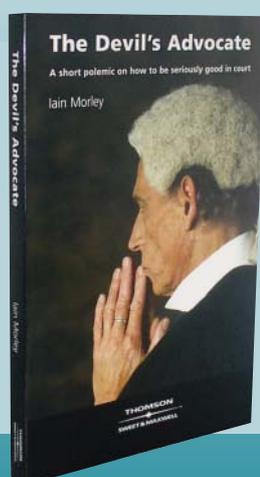
In order to keep improving your writing you need to reflect carefully on the marks and feedback you get back. This way you can identify where your weaknesses are and turn them into strengths.



Successful Legal Writing, by Edwina Higgins and Laura Tatham, is available from good booksellers priced £15.95 [ISBN 0 421 96120 1]

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The flatmate from hell could be closer than you think

Whether you are sharing with good friends or strangers, problems can and will arise. Lurking in the depths of your very own sitting room, ready to finish the milk, hog the phone and wake you up with drunken antics in the middle of the night could be the phenomenon commonly known as the 'flatmate from hell'. This creature, adept in the art of disguise, could make your life a living nightmare. The National Student Union offers some advice.

Problems WILL occur, there is no getting away from it. Soon enough, your flatmate drinks your beer and never replaces it, his girlfriend keeps staying over and spends hours in the bathroom, and insists on watching DVDs of sex and the city all night long in your sitting room!

Generally, current tenancy laws fail to deal with house sharing arrangements, which is all the more reason why you should put effort into making things work. The best way to avoid problems later is to solve potential problems before they exist. Set up some rules at the beginning, it will save you a world of hassle later on. The main causes of problems are:

Bills

A major point of conflict in a shared house is often about paying bills (electricity, water, gas, council tax, TV licensing). It is vital to decide when you move in who is to be responsible for paying bills and how the bills are to be divided.

Generally, bills such as gas, electricity and water are divided equally between all members of the household. However, if one person has an appliance which uses a lot of electricity, water or gas, then maybe they should pay extra.

If you are having services connected, it's important to think carefully about whose name the account will be in. The person who has their name on the account will be held liable by the service provider for payment of the bill and may have trouble getting access to future services if the bill is unpaid for any reason.

It's a good idea for different flatmates to organise different services in order to spread the financial responsibility around. In this way no one person will be left with responsibility for all the bills if things should go wrong in the house.

Phone and internet bills

Bills for phone and internet usually arrive either every month or three months and are usually the

tenants' responsibility (they are not covered in the rent). Often these can be quite large and flatmates on tight budgets can sometimes have difficulties paying their share all in one hit – which is why these bills cause so many problems.

There are ways to reduce the problem. For example, you could all decide to put some money away every week for bills, so that when one arrives you have some money saved to cover it. Alternatively, you could arrange a pre-payment plan with these services.

What do I do if a flatmate won't pay a bill, or disappears without a trace?

If you have a joint tenancy agreement, the landlord wants a fixed rent for the whole house irrespective of how many students are living there. This means that if a student drops out of his/her course and goes home, the remaining students in the house will have to cover the rent of the student who has left. In this situation the remaining students would have to take legal action against the student who has left to try to recover their money if the student refused to continue to pay rent after he/she had vacated the property.

Chores

Like it or not there are certain tasks which have to be done for a household to continue functioning. The toilet is not self-cleaning, the garbage has to go out eventually and disposable plates are not the answer to washing-up. Floors, bathrooms and lawns also need looking after.

Many households find that a roster for certain tasks, especially cooking and washing-up, is the best way to ensure that chores are completed fairly. Others find that a more flexible honour system is sufficient. Some households employ a



'If you're in conflict with a flatmate, and assuming there is no threat of physical violence, deal with them face-to-face if possible..'



system where people put down a tick every time they do the washing-up or some other chore.

Personal belongings

Be clear about what is communal property and what is not. You may be happy to share your T.V., washing machine, stereo, pots and pans, furniture etc, but you may not wish to share your computer, food, shampoo and gym equipment; be clear up front, rather than annoyed because your flatmate didn't realise.

After a while, a flatmate becomes like a boyfriend at the end of a relationship. All the endearing little things you didn't mind at the beginning – the inability to close the front door quietly, the shoes that you trip over whenever you get home – become enough to send you into the most violent and irrational rage. At which point, it's time to have a serious face-to-face discussion.

Are you scapegoating your flatmate?

It's surprisingly easy to blame one person for problems that everyone's jointly responsible for. So be sure it really is that one person who's the problem. A group of friends can sometimes round on someone unfairly, just because they are shy, or don't share the same interests or religion.

Top tips

- If you're having services connected, try to spread the responsibility around so no one person has all the bills in their name
- Ensure you have rules in place as to how bills are going to be split and who is going to do what chores
- Ensure everyone knows what you consider to be communal property and what you don't – other people might have different ideas to you
- A closed bedroom door means "Stay out" Never enter your flatmate's bedroom if they are not at home and always knock if they are
- If a problem arises talk about it, don't resort to sending messages or moaning to other flatmates

For more information on this and other topics, visit NUS at www.nusonline.co.uk

Tips for dealing with conflict

If the problems have already started, your options will usually depend on what the problem is and whose name the agreement is in. If you have separate tenancies, you may be able to ask the landlord to sort things out. But if you have a joint tenancy, each tenant's actions affect all of you. If one person isn't paying their rent, you could end up having to pay her/his share. And if they cause problems, the landlord may decide to evict you all.

In some cases, the only options may be to put up with the situation or move out. If this is the case, be sure to end your tenancy properly before you go. See: <http://england.shelter.org.uk> for more information.

In extreme cases (eg if your flatmate is violent or causes a serious nuisance) the council, or even the police, may be able to help you. Just because you live with someone this doesn't mean they have any right to subject you to emotional violence, physical violence, sexual harassment or sexual abuse.

Talk

If you're in conflict with a flatmate, and assuming there is no threat of physical violence, deal with them face-to-face if possible. This is always better than sending letters and messages, banging on walls, throwing things, or talking to other flatmates about them.

Plan to talk to your flatmate at an appropriate time and allow enough time to do it. Think beforehand about what you want to say. It's important to state clearly what the problem is and how you feel about it.

Don't blame your flatmate for everything or begin with your opinion of what should be done. Give your flatmate a chance to tell their side of the story and what they think has been happening to cause the trouble.

When you've reached this point, try working on the dispute together. Work out what you both have to do to resolve the problem.



Did you know?

Coif was a white silk cap which serjeants-at-law (q.v.) wore in court

- Taken from the 10th edition of Osborn's Concise Law Dictionary [0 421 900 504] available from all good booksellers priced £9.95

Top tips to get the most out of your legal research with Westlaw UK

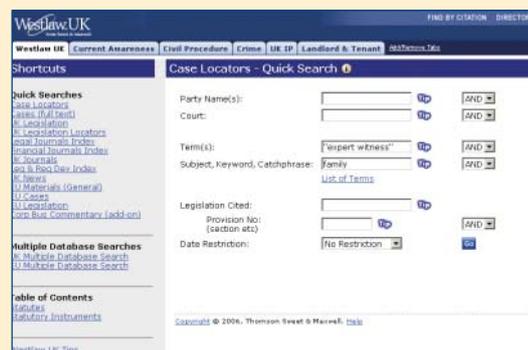
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Many Westlaw UK Quick Search templates include the option to add a Subject, Keyword or Catchphrase, in addition to the free-text terms. For example, a search for "expert witness" in Term(s) returns 665 cases, whereas adding the word "family" in the Subject box retrieves just 50.



TIP
2

Copy with Reference

If you would like to take a sentence or paragraph from a journal article or case report, rather than printing or emailing an entire document, you can use Copy with Reference.

Highlight the text you want to copy, click Tools in the bottom right-hand corner of the screen and select Copy with Reference. Your text will be formatted in a Word document, live links will be removed and the journal or case reference will be added – a definite time saver.



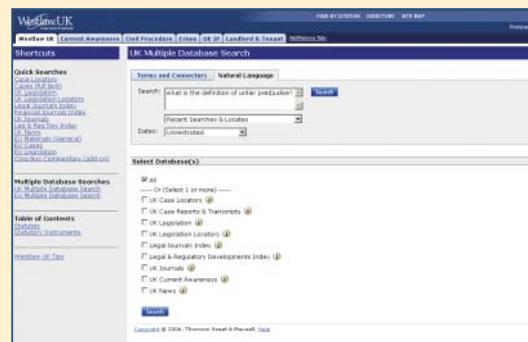
TIP
3

Natural Language

If you are having trouble constructing a search using the Templates or Connectors use a Natural Language search.

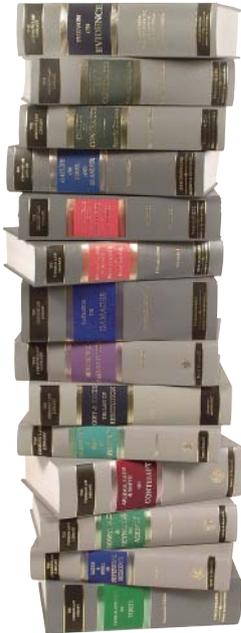
Natural Language allows you to enter a plain English question and then search across multiple databases – this is a great way to brainstorm if you are unsure where to start. You can also refine your search with Locate in Result. The sections that best match your search will be highlighted in red which saves you having to scan the entire document.

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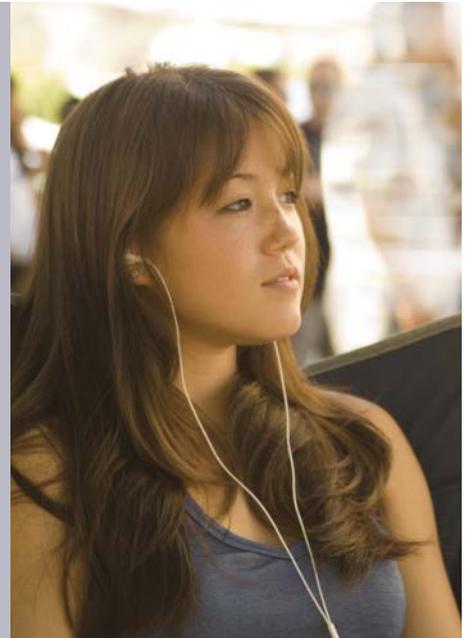


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If you can't decide what books to spend your money on straight away, or have already purchased all the books you need for your current academic year, you can always wait or spend some of the prize money. If you spend just part of your prize, the rest will be credited to be used against future purchases. You have three years in which to use up all of your prize money.

How to get your law school entered

To stand a chance of winning the Sweet & Maxwell Law Prize, all you need to do is tell one of your lecturers about the prize and get them to register your law school. They can do this by emailing us at sweetandmaxwell.lawprize@thomson.com. We'll send a confirmation email to them and then wait to hear who wins.

All you need to do after getting your law school to register is win the prize!



Podcasts now available



Expanding the way they convey their information to you, Sweet & Maxwell have made their first foray into podcasts. Mentioned by Richard Susskind in *The Times* on 5th September, and also in the September issue of *Information World Review*, they are a great way to study whilst on the move.

There are seven podcasts available, six of which tie in with titles from the popular *Nutshells and Nutcases* series. Used in conjunction with the print editions, they provide you with a great introduction to the subject, and are ideal revision aids.

The other podcast is presented by Roger Brownsword, editor of the *Understanding Law* series and co-author of the individual titles *Understanding Contract Law* and *Understanding Law*. Roger reflects on the origins of the *Understanding Law* series and how well law does in its aspirations to serve the community. He goes on to discuss some recent cases which challenge the authority of and respect for law.

You can access these free podcasts by visiting <http://www.sweetandmaxwell.co.uk/podcasts/index.html> or by following the instructions from our homepage www.sweetandmaxwell.thomson.com

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john smith's

Improving questioning

Mooting gives you the chance to practise the skills of advocacy and gives you a taste for what it's like to argue cases in court. It's essential to take place in mooting whilst at university. It will help improve your legal skills and is a must for anyone who wants to go on to be a barrister.

This article, taken from *The Devil's Advocate* by Iain Morley, provides you with two exercises that will help you improve your questioning technique. By undertaking these exercises, you'll improve your abilities, and your chances of winning when participating in moots or mock trials. Your new found skills will also hold you in good stead for your future career.



There is a drill which can work wonders at improving your ability to ask leading and non-leading questions. It will teach you the difference between them. It will teach you to be comfortable with the difference.

Improving non-leading questioning

To improve non-leading technique you need two colleagues, three pieces of paper and three pens. We'll call them Jack and Jill. Jill draws a simple shape which you do not see. With your pen in hand, ask questions of Jill to describe her drawing. You now draw what you hear described. And Jack does the same. He draws what he hears described by your questions of Jill.

Both of you, separately, without helping each other must draw **EXACTLY THE SAME SHAPE AS JILL**: same angles, same size, same scale. Exactly the same.

Your questions must be precise to elicit the precise location of the various lines in the shape.

- What shape have you drawn?
A boat
 - Has it sails or funnels?
Funnels
 - How many funnels?
Two
 - How many decks?
Two
 - Is there smoke rising from the funnels?
Yes
 - From both?
Yes
- And so on

At the end of the exercise, compare drawings. Check your drawing with Jill. Check Jack's drawing with Jill. The more exactly your drawing matches her, the more accurate and focused your questioning has been. And because you have not known what her shape was, your questions will naturally have been non-leading. And here's the clever bit. The more exactly Jack's drawing matches Jill's, the more effective your questions have been to the ear of an audience. A tribunal is an audience.

In other words, you will get some idea of whether, from your questions, a tribunal could have formed the **SAME MENTAL PICTURE** as you have formed and as has been formed in the mind of Jill. This exercise allows you to measure how effective your questioning is.

Now for the leading questions

To improve leading technique, you need Jack and Jill, two pieces of paper and two pens.

Jack draws a shape unseen by Jill. You look at Jack's drawing and you ask leading questions of him. Through the leading questions you describe the shape. Jill listens to the descriptions you put to Jack.

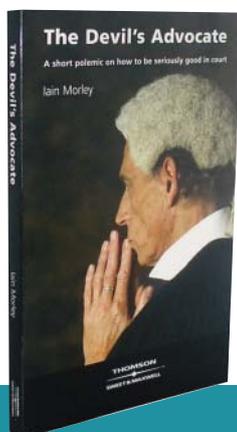
If your leading questions are unfocused or clumsy, Jack will disagree with what you have put to him, just as a real witness would. You want Jack always to answer yes. This is the key to leading question technique. You want to be so methodical and focused in the questions that they basically amount to instructions to Jill about how to draw exactly the same shape.

- The shape is a boat? Yes
- It has two funnels? Yes
- Each funnel produces smoke? Yes
- The boat has one deck? Yes
- The bow of the boat is one inch from the left edge? Yes
- The rear of the boat is two inches from the right edge? Yes

And so on.

At the end of the exercise look at Jill's drawing. It is a representation of the picture you have created in Jill's mind. Once again, you can measure the effectiveness of your questioning as you now have some idea of the sort of picture you have created in a tribunal's mind.

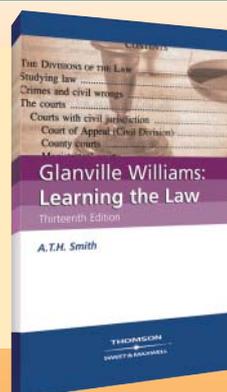
These exercises work. Very well. Try them. Often. The learning curve is exponential.



This article is taken from *The Devil's Advocate* by Ian Morley, which is available from good booksellers priced £12.95 [0 421 91480 7]

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Did you know?

Advowson is the perpetual right of presentation to a church or benefice being a rectory or vicarage. It is the right of parsonage.

- Taken from the 10th edition of Osborn's Concise Law Dictionary [0 421 900 504] available from all good booksellers priced £9.95

Spend your vacation time wisely

Vacation schemes offer you the chance to get some work experience under your belt and can help your chances of securing a training contract. But, places for vacation placements are extremely competitive. Read on to find out more.

1 Basics

- If reading law at university you should try and secure a scheme during the summer before your final year.
- If reading other subjects you should apply for a scheme during the summer following your third year.
- Most schemes last between two or three weeks, although the size and content will vary depending upon the size of the firm.
- Most firms will offer remuneration for the scheme; this is usually at least £100 per week outside London and at least £200 per week in a City firm.

2 Why?

- It is an ideal way to find out whether the law is right for you and the type of firm that will suit you best. Although a placement can only provide a snapshot of the working environment, it is an opportunity to get a feel for the character of the firm. It undoubtedly provides a much better insight than simply attending interviews and open days.
- Many firms use the placements as an opportunity to appraise the candidates and are looking for people who will fit into the firm. It is effectively a three-week assessment period, as seeing how candidates interact and develop in a working environment is far more revealing than a paper based application. Attendance on a scheme may well enhance your chances of winning a training contract.
- When applying for training contracts most firms will expect you to have undertaken at least one or two placements to show that you are serious about entering the profession.

3 What happens?

- This will vary depending on the type of firm. However the core of every scheme is work shadowing. Whilst in a particular department you are likely to be asked to do tasks such as drafting, taking minutes at clients meetings, writing letters and undertaking legal research.
- Most schemes include a full social programme where students can get to know each other and other members of the team on a more informal footing.

4 How many?

- Ideally you should aim to secure between one and three placements. In reality, two schemes will be enough to give you a general overview of working in the law. If you can also show that during the summer you have been travelling, or have developed yourself in other ways, this will help to strengthen your application and will show that you are a well-rounded character.
- It will be useful to secure experience at different sized firms where the level and type of work will be varied. This will allow you to make an informed choice as to the type of firm you would like to train at.

5 How and when to apply?

- It is best to plan in advance and start early, as most schemes are extremely competitive. In fact, it is said to be harder to secure a work placement than it is a training contract! Many firms use the same application structure as for training contracts applications, with interviews and assessment days.
- The closing dates for firms vary so it is best to check with individual firms to ensure you do not miss the all-important deadline.
- If you are unable to secure a placement do not give up. Many firms will run open days for those who have been unsuccessful, with lectures, training sessions and a taste of work shadowing.

6 Where else?

- The town 'high street' firms of solicitors have not generally taken up the idea of vacation placements on a formal basis but if you are unable to get a vacation placement with a major firm, you can apply direct to these smaller firms.



- The Government Legal Service (GLS) also offers vacation placements. You can get to work for departments such as the Department of Trade and Industry, Department of Transport, Ministry of Defence, Treasury Solicitor's Department etc. Further details can be obtained direct from their website – www.gls.gov.uk
- If you are unable to get a vacation placement with a law firm, you can apply to other organisations. Commercial banks, investment banks, oil companies and various other large companies run placements in the summer and where possible, you may be able to work shadow in their in-house legal department. Many law firms look upon the general commercial experience gained favourably.
- Shadowing a judge or undertaking a mini-pupillage is also good experience of the legal world. It can also help you decide which career path to go down. These are generally unpaid but again experience worth having. Most Barristers' Chambers now offer minipupillage programmes during the vacation. Full details can be obtained from the Bar Council.

7 How to find out more?

Books

- The Training Contract and Pupillage Handbook (published by Globe Business Publishing in association with the TSG) is updated each year and lists those firms which offer placements and the deadline for applications.
- Chambers and Partners Student Guide

Websites

- www.chambersandpartners.com/student
- www.lawcareers.net
- www.lawsociety.org.uk
- www.prospects.csu.ac.uk
- www.studentlaw.com

Written by Nathalie Brayne (Eversheds LLP), this article is taken from the Trainee Solicitors' Group website. The TSG has approximately 48,000 members throughout England and Wales and is made up of law students, trainee solicitors and solicitors who have been qualified for up to one year. For more information on the TSG or for other interesting articles visit their website at www.tsg.org.

TIPS TO TURN YOUR VACATION SCHEME INTO A TRAINING CONTRACT...

The vacation scheme that you are about to start is a valuable commodity. Not only is this a chance for you to see if a career in the law is really all it's cracked up to be, but you are embarking on a two week (or week or whatever!) long interview. It is a chance for both you and the firm to decide if this is a relationship that should be taken further.

So, how can you make that vacation scheme turn into a training contract? Well – it can be difficult! Not only because you may be one face amongst many, but you also may be given very little responsibility or “real” work to do. If you can't wow them with your academics, we have a few little tried and tested tips for you to stand out from the crowd:

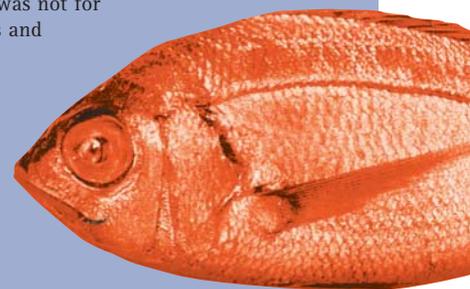
1. Ask plenty of questions – of partners, associates, assistants and support staff.
2. Take an interest in cases or transactions that the firm is involved with – current or past.
3. Show willingness at even the most simple and basic tasks.
4. Make yourself useful!
5. Join in any social activities that are available whilst you are in the firm.
6. Arrive punctually!
7. Pay attention during any formal presentations.
8. Look business-like – i.e. ready to make the transition between a student and trainee.
9. At any client or firm social:
 - (i) Do NOT be so reserved that you run the risk of becoming invisible.
 - (ii) Do NOT be so drunk that you become a legend.
 - (iii) Do NOT be so loud that you become a bore.

Got all that? ;-)

The vacation scheme is a perfect chance to show how you would fit into the working life of the particular firm. You should therefore make an effort to do this. This may well be easy for you, and you leave the placement feeling that you've worked there forever. In which case, it is very likely that this firm (or another like it) would be the sort of environment you would do well in. If not, and the placement was difficult, painful and a hard-slog – then pat yourself on the back as you've clearly found that the firm was not for you. Don't give up though – there are many different types and formats of law firm. You can just check one off the list!

The best piece of advice?

10. Enjoy your vacation scheme – and make it work for you.



Did you know?

Contumacy is the refusal to obey the order of an ecclesiastical court.

- Taken from the 10th edition of Osborn's Concise Law Dictionary [0 421 900 504] available from all good booksellers priced £9.95

Alternative career options

If, while completing your law degree, you've decided that becoming a solicitor or barrister is not for you, then don't fear. There are a number of alternative careers available that will benefit from the skills you have gained – some of these are showcased below.

Actuary

Most actuaries work for insurance and pension fund companies. They calculate matters such as the life expectancies of certain occupational groups and assess a wide range of insurance risks.

Banking

High street banks have expanded the range of services they offer to corporate and personal customers. Advice is given on a wide range of services including investments, taxation, securities, loans and leasing schemes. The banks have substantial trust and probate departments. Merchant banks give specialist advice, manage clients' investments, and advise on company acquisitions, flotations and mergers. They employ a number of lawyers.

UK Civil Service

Many jobs in the civil service have a legal content. The civil service employs a large number of solicitors and barristers. The Government Legal Service employs over 1,800 lawyers who work in both major Departments of State and smaller, more specialised public bodies. The Civil Service runs a highly competitive Fast Stream scheme for 'high flyers' as well as recruiting graduates directly into some departments. The departments with a legal emphasis include the Home Office, the Inland Revenue, the Department for Constitutional Affairs and the Foreign Office.

European institutions

Regular open competitions are held to recruit staff to institutions such as the European Commission, European Parliament and the European Court of Justice. The majority of opportunities exist within the Commission with the other institutions recruiting on a lesser scale. Qualified lawyers are also recruited to the European Commission, Parliament and Council of Ministers through the open competitions. Opportunities at the European Court of Justice are usually confined to lawyer linguists and are always advertised.

Journalism and broadcasting

There is a constant flow of law graduates into professions associated with the media. This is a wide field offering opportunities not just as a broadcaster or journalist, but also behind the scenes in the administration and management of businesses. Many media companies have in-house legal departments.

Licensed Conveyancers

Licensed Conveyancers are specialist property lawyers who have qualified in all aspects of the law dealing with property through the Council for Licensed Conveyancers (CLC) Examinations and are employed under the supervision of a "qualified" person. A qualified person is a Licensed Conveyancer or Solicitor in sole practice or partnership for at least two years. Once qualified, a Licensed Conveyancer may set up in business after being employed for a further three years. Licensed Conveyancers are regulated by the Council for Licensed Conveyancers.

Library, information and training services

An increasing number of the larger firms of solicitors have specialist departments covering legal information and practice developments, library services, precedents, education and training programmes, research and publications. These departments are often staffed by lawyers.

Management

Most companies in industry, commerce and the financial sectors have graduate recruitment programmes. A good law degree will often be considered a suitable background to a career in management.

Patent and Trademarks

Patent agents (also known as patent attorneys) advise on all aspects of the protection of ideas through patents, copyright, designs and trade marks, collectively known as intellectual property or IP. Registration of a patent or industrial design is a way of preventing anyone copying your invention without them first paying an appropriate fee. The job involves a knowledge of both science and law and is particularly suitable for a science or engineering student with an interest in the law.

Stock Exchange

Graduates with either law or law-related degrees may find jobs in firms of stockbrokers working in their research and investment analysis departments. There is no formal training for these positions.

The London Stock Exchange organises and regulates the activities of its 400 plus member firms which range from large international securities houses to small two-partner firms of brokers.

It is the member firms, rather than the Exchange, which employ stockbrokers.

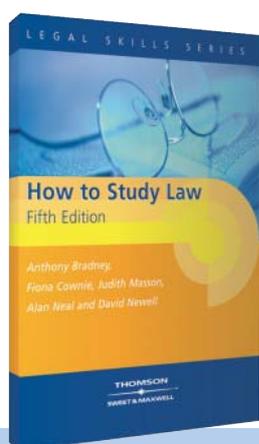
Planning

Top tip

If you are applying for employment where your degree discipline is not specifically relevant then you will need to be aware of transferable skills which are likely to be required. Ideally, you should start planning early in your university course. Try to devise a strategy for your final year, having considered all the options, during your penultimate year as this will relieve the pressure during your final year and ensure that you do not miss deadlines and closing dates.

Other possible careers

- Accountancy
- Advertising
- Building society management
- Chartered secretary
- Customs and Excise
- Engineering
- Environmental Health Officers
- Factory inspector
- Health services management
- Housing
- Insurance
- Law Costs Draftsmen or Legal Costs Consultants
- Justices' Chief Executives, Justices' Clerks, and Legal Advisers
- Court Clerks
- The Crown Prosecution Service
- Armed Forces
- Local government
- Personnel management
- Police
- Public relations
- Publishing
- Recruitment consultants
- Social work and probation
- Surveying and autioneering
- Tax inspector



This article is based on the "Where next?" section in **How to Study Law**, by Anthony Bradney, Fiona Cownie, Judith Masson, Alan C. Neal and David Newell, priced £14.95 [0 421 89380 X], which is available from good booksellers.



How your Westlaw UK Student Representative can help you

Westlaw UK has a network of Student Representatives in universities across the UK. Within their role each Student Representative is available to help you with general or specific Westlaw UK search queries, and they can also offer the following support:

Making the most of your Westlaw UK Student Representative (SRs)

- Book a time slot with your SR, available at the same time and day each week.
- You can contact your SR by phone, email and even via MSN Messenger.
- As a 2nd or 3rd year, they can empathise with the pressures of being a law student and you can gain from their experience.
- Ask about Westlaw UK freebies provided at the Westlaw UK training sessions as well as the Westlaw UK competitions and prizes.

To date the following SRs have been appointed and the recruitment process is continuing throughout other universities:

- Daniel Haden, University of Liverpool
- Hern Gene Lim, BPP Holborn
- Rachel Daily, BPP Manchester
- John Nee, BPP Leeds
- Julie-Anne Buchanan, University of Glasgow
- Kerry Gotts, Queen Mary University
- Michael Forrester, College of Law, Chester
- Sinmi Owolabi, College of Law, Store Street
- Nancy Zulu, Buckingham University
- Nathan Talbott, University of Wolverhampton
- Rebekah Parker, University of Kent
- Robin Walker, UCL
- Siobhan Ferguson, University of Manchester
- Tang Chong Jun, University of Durham

Look out for your Student Representative clinic hours advertised at the beginning of term within your faculty. For those of you currently without an SR, we are working to appoint representatives within 16 more universities.



Who are your Student Representatives?

To give you more of an insight, three SRs have their profiles below.

Daniel Haden - University of Liverpool.
Starting his second year at 19 years old, he is clear about what he wants to do upon finishing his degree.

When did you start studying law at the University of Liverpool?

2005

What made you choose law?

Studying law allows me to pursue a variety of different careers, whether it's in the legal sector or elsewhere, plus gaining knowledge of the law is beneficial to me as a UK citizen. Studying law also helps me to improve my debating, public speaking and many other skills which will help in my future career and my life experience in general.

What subjects are you currently studying?

Now I'm in my second year, I am studying Tort Law, European Law, Equity and Trusts, Commercial Law and Consumer Law.

What do you like about Westlaw UK?

Westlaw UK is the most popular service in our university, so I started using the service from the very beginning. I find it the most accessible and it is easy to navigate too. Also, Westlaw UK seems to have more active support than other legal online resources at my university.

Do you play an active role in your Law Society?

I was unaware of the benefits of joining the Law Society until finishing my first year. I am looking to get more involved with it next year, especially attending the law social evenings or spectating in mooting competitions.

What are your future plans?

On completing my degree, I want to study at the College of Law and practice in a London law firm. I want to specialise in Corporate Law as I have always had a strong interest in business, and luckily I kept my options open and decided to apply for a law degree!

Sinmi Owolabi - College of Law, Store Street.
Sinmi started his Bar Course in late August. He played an active role in his Temple Society, similar to the Law Society, but for potential barristers and is an avid supporter of Westlaw UK.

What made you choose law?

I admired a particular politician as a 7 year old, and was told he had trained as a Barrister at Grays Inn, so I set out to become a lawyer. I ended up joining Inner Temple, however, as they had the best chef of the four Inn's the year I joined.

What subjects are you currently studying?

I cover a broad span of Civil and Criminal Practice on the Bar Course. For my optional modules I am likely to choose Tribunal and Advanced Criminal Practice.

What do you like about Westlaw UK?

Blue is my favourite colour and it has that calming psychological effect that suggests it can be trusted. More seriously though, in my first year I didn't like Lexis' layout, the non user-friendly feeds, or their background colour.

Where do you use Westlaw UK?

In my local library, on my laptop at home and in the library at university.

What are your future plans?

Upon completion of the BVC, I hope to secure Pupillage in a set that deals with matters of Social Justice. Alternatively I may accept a Commission with the Army, possibly with the Army Legal Services, but I shall take this on a Che Sara basis.

Siobhan Ferguson - University of Manchester.
Chose law to study an academic discipline with a practical application. Her ambitions are to complete a training contract with a commercial law firm.

When did you start studying law at the University of Manchester?

2004

What subjects are you currently studying?

I am studying Insurance Law, Mental Health Law and Consumer Law.

What do you like about Westlaw UK?

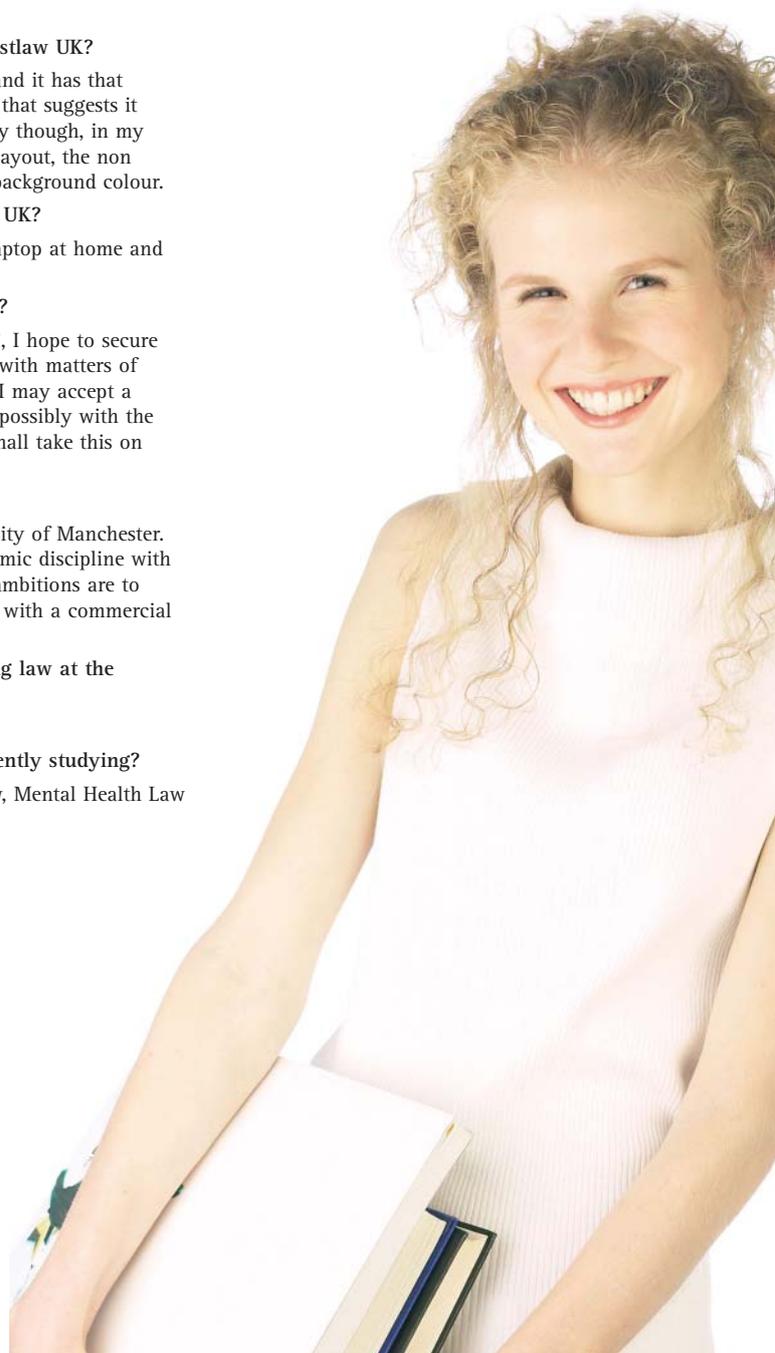
I find it to be the most useful resource for locating articles. I think that it is particularly good at returning relevant articles from general or specific search terms.

Where do you use this?

At home and in the University library.

What are your future plans?

I plan to complete a training contract with a commercial law firm.



Spotlight on IP law

From fake football shirts to music sharing software to company logos, the work of an IP lawyer is extremely diverse. If you're considering IP law as one of your modules, or even as a career option then read on.

In the following article, David Llewelyn, a top IP lawyer and co-author of *Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights* illuminates the world of IP.

"Intellectual property" (IP): the most valuable asset of many businesses today. IP rights: the battlefield or the bank, depending on what you do with them. What you can't do is to ignore them.

From patents on biotech inventions, through copyright in computer software, and on to the power of the brands and design; with stops on the way to consider confidential information (or know-how), copyright in books and TV programmes (perhaps even in Pop Idol), and protection for databases. These all present challenges for the IP lawyer (and student, who hopefully reads about them in *Cornish & Llewelyn, Intellectual Property* (5th ed., Sweet & Maxwell/Thomson)!

At least IP is easier to appreciate than incorporeal hereditaments (try saying that after a BACARDI® and COKE®) or debentures: walk along the street and all you see is IP (if you're a sad person), from the BP green of the service station (a registered trade mark), the McDonald's Golden Arches (another one), the iPod® playing pirated copyright music, the pharmacy dispensing patented (and trade marked) pharmaceuticals (a little known fact: both HEROIN and ASPIRIN were trade marks belonging to Bayer at one point), and so on down to Charlie's Chocolate Factory (and its tale of stealing trade secrets).

A world-wide area of law

But one of the most satisfying aspects of this area of practice is that it's not just in the UK High Street: IP is at the top of the agenda all around the world, from the European Commission in Brussels to the Ministry of Culture in Beijing. At the IP Academy Singapore (of which I am the Director) we look at how IP is critical to the growth of Asia (the management gurus call it 'moving up the value chain'), including how companies must get to grips with the "Wild West" that is the IP scene in China (remembering that it's only just over 20 years since the Chinese Government introduced its first modern IP law).

So, the IP lawyer must keep up to date with developments both on the domestic scene and further afield. But that's the attraction of a field of law which is ever-expanding and is a crucial part of most transactions dealt with in other areas practised by an international law firm, such as White & Case where I head up the London IP group. Like competition/antitrust (which needs to be borne in mind whenever IP is being exploited, as Microsoft discovered in their recent brushes with the Euro Commission), employment (that ex-employee who has taken to his new job the customer lists or the source code

for your programs), projects (who owns the copyright in the software that controls the refinery), banking (how to get security over the IP), corporate (where in most cases the brands, the technology or the know-how of the people is what you are really buying or selling) and, of course, litigation, because IP is all about protection and if you don't protect it nobody else will.

Keeping you on your toes

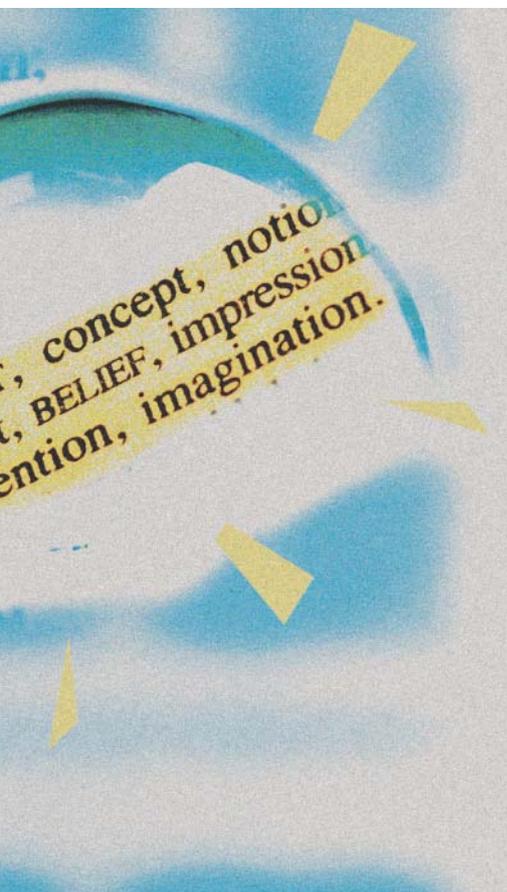
The best thing about IP though, is that it's always changing. Almost by definition you are on the cutting edge: of marketing practices, of technology and even ways of doing business (which are protectible as patents in the U.S. but not in Europe). And at the forefront of the law, which struggles to keep up but is still overwhelmed by the creativity of designers, innovators and of IP infringers. It means that my IP lectures to both undergrads and postgrads at King's College London are different every year, and sometimes are overtaken by events almost as soon as they are given. It will be interesting to hear the views of my LL.M. copyright students later this term on the US



Supreme Court *Grokster* and High Court of Australia *Kazaa* file sharing cases decided in the last six months.

After practising and teaching IP law for nearly 25 years, I don't hesitate to recommend it both as a field of specialisation in practice and for the student wanting an area which is interesting as well as challenging and relevant. It's certainly taken me from dingy factories in the Midlands making the proverbial widget to saunas in snowy Finland (home of telecomms products so geeky they make your head spin). Not many lawyers can say that.

Inspired you to learn more? Check out *Intellectual Property: Patents, Copyrights, Trademarks and Allied Rights* by David Llewelyn and Professor William Cornish, priced £32 [ISBN: 0 421 78120 3] or *Cases and Materials on Intellectual Property* by Professor William Cornish, priced £36.95 [ISBN: 0 421 91780 6], Both can be found at any good booksellers.



David Llewelyn – a “leading individual”



David Llewelyn is a Partner with White & Case, a Professor at King's College, University of London, and since December 2004 he has been Director of the IP Academy Singapore.

He has been named by Chambers' *Guide to the Legal Profession* as one of the “Leading Individuals” in intellectual property and one of the top 50 trademark lawyers in the world, as chosen by Euromoney's *Managing Intellectual Property*.

In his role as a Partner at White & Case he represents clients in all aspects of intellectual property protection and exploitation, as well as the resolution of disputes concerning intellectual property by negotiation, mediation, litigation and arbitration.

In addition, David has published and lectured extensively. He is co-author of *Kerly's Law of Trade Marks and Trade Names* (14th ed. 2005) the leading practitioners' textbook on the subject in the UK and EU, and joint author of *Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights* (5th ed. 2003).

Did you know?

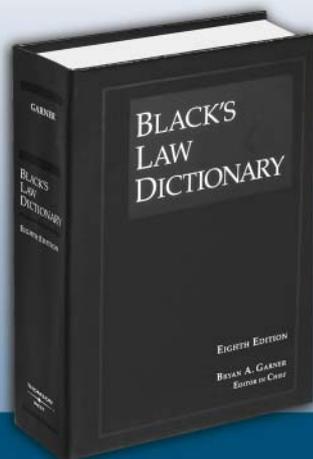
Allonge is a slip of paper annexed to a bill of exchange for endorsements when there is no room for them on the bill.

- Taken from the 10th edition of Osborn's Concise Law Dictionary [0 421 900 504] available from all good booksellers priced £9.95

Black's Law Dictionary

Edited by Bryan A. Garner

A fundamental work for the student or academic



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Help Sweet & Maxwell support children around



Sweet & Maxwell, the UK's leading legal publishers, have teamed up with international children's charity, Plan, to rebuild and refurbish Akwansa Kokodo Primary School in Ghana and make a safe, healthy and conducive learning environment for over 300 children. Here, Marie Staunton of Plan elaborates on what Plan does and how you can help Sweet & Maxwell reach their goal.

Plan is an international humanitarian organisation helping children to realise their full potential in life. Plan works with some of the world's poorest children in countries where one out of five children die before the age of five, and the ones that survive often go hungry and have no chance of learning to read and write.

Plan sits down with these children, their parents and the community to plan practical ways to provide all the things we take for granted, so that together they build schools, drill wells, train nurses and health workers and help families to support themselves. Plan seeks to ensure that children are actively involved in the decision making process, working with adults who have learnt to value their contribution.

Plan can do this because over a million people across the world sponsor a child and, in doing so, benefit many other children and entire communities. The aim is that when Plan leaves over 10 to 15 years later the children have a better start in life. They not only know their rights but have the confidence to claim them for the next generation. They can be the catalysts for the development of entire communities for the future.

Sweet & Maxwell hope to raise enough funds over the next 18 months to rebuild Akwansa Kokodo School in Mankessim, Ghana. The total cost to do this is £23,600. Many children in Ghana, especially in rural areas, do not have access to good quality education in a safe and healthy school environment. Only 60% of children are enrolled in primary school, and it's estimated that just 75% of this number attend regularly. Female literacy is low, at 63%, and only 37% of children attend secondary school.

the world with Plan

The school currently has 120 pupils and is overcrowded with children having to study in dilapidated classrooms and, often, different classes are taught in the same classroom. The roofs are rotting and in danger of total collapse. As a result, no lessons can take place at the height of summer or during the rainy season. In addition, the open nature of the current classrooms leaves pupils and teachers vulnerable to snake bites. This environment leads to poor attainment and high drop out rates.



The funds raised by Sweet & Maxwell will completely transform the school by:

- Constructing two new, bright and airy classrooms designed with the participation of children
- Refurbishing the four existing classrooms
- Equipping the school with furniture and learning materials
- Constructing a water system to provide safe, clean water
- Constructing two latrine blocks – one for boys and one for girls

The new school will mean that up to 300 pupils, aged 6 to 12, will be able to benefit from a good quality primary education and that drop out rates and absenteeism will fall as a result.

How you can help

Sweet & Maxwell are encouraging their staff, suppliers and customers to support Plan's work and sponsor a child. You can sponsor a child and help build stronger communities overseas for just £12 a month. To find out more about Plan and child sponsorship call 020 7482 777 quoting reference CORSM1 or visit www.plan-uk.org

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Portreeve is the chief magistrate of a town.

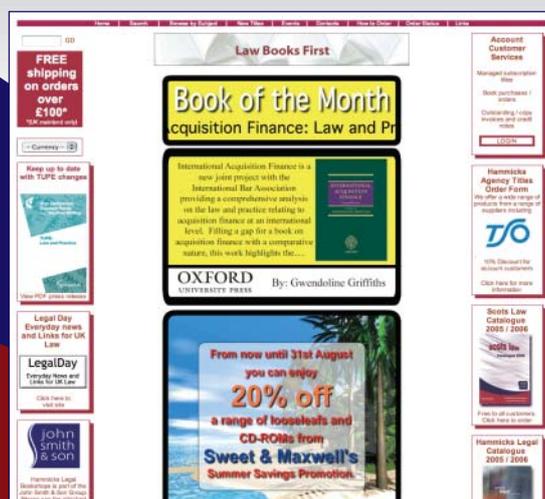
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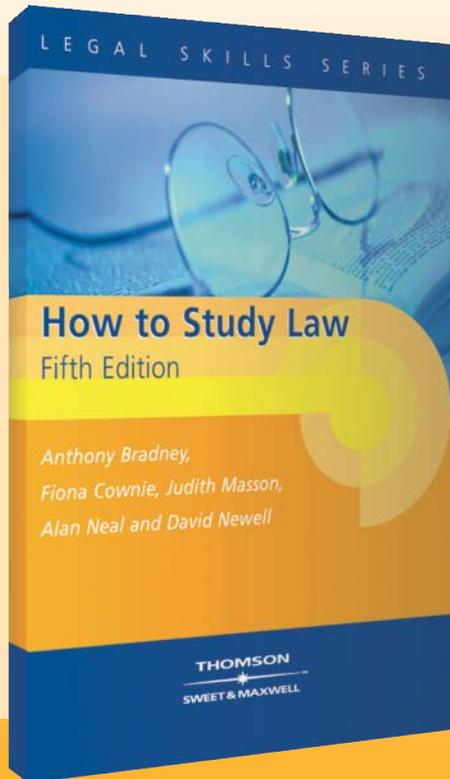
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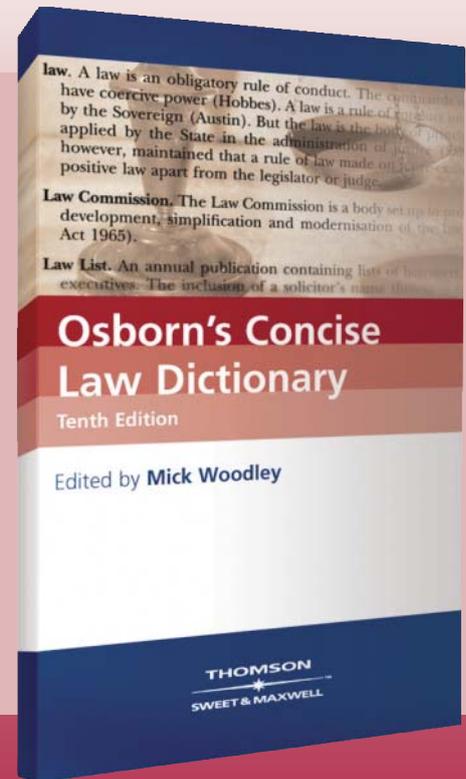
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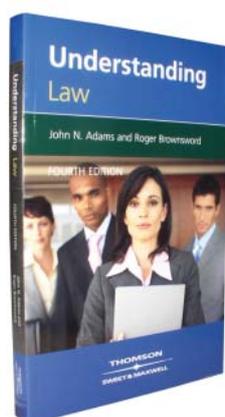
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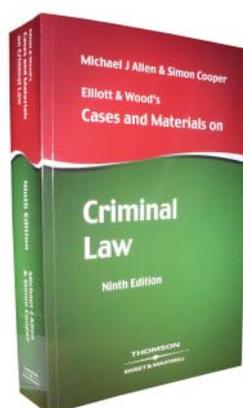


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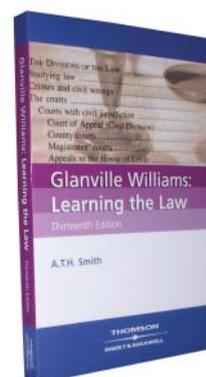


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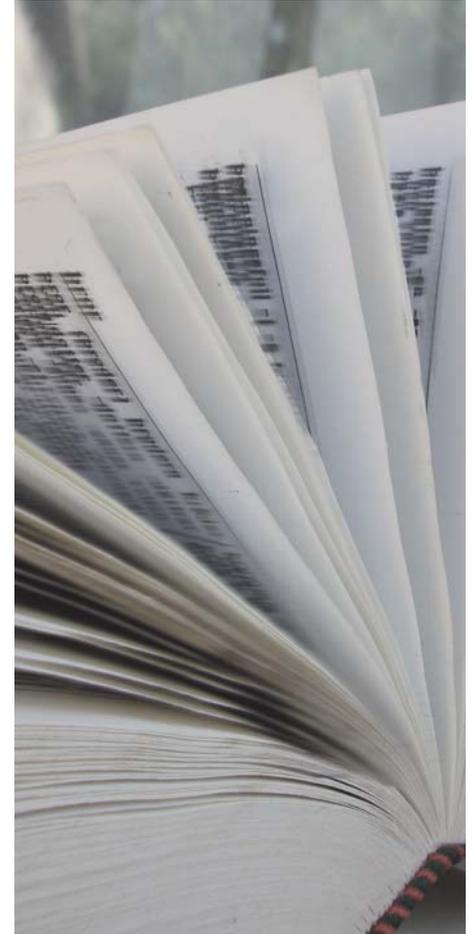
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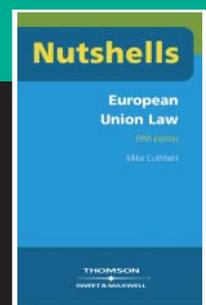
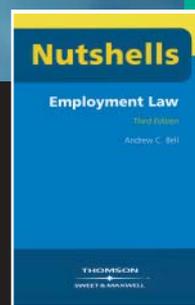
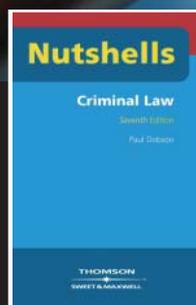
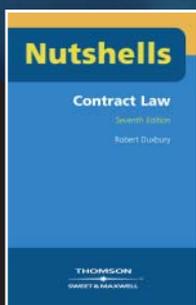
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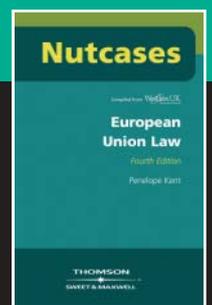
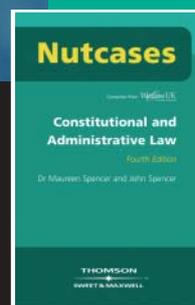
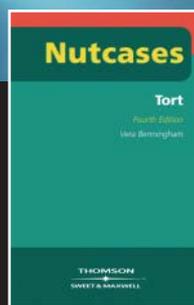
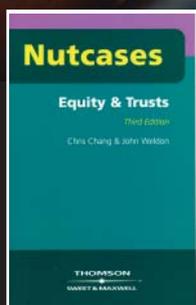
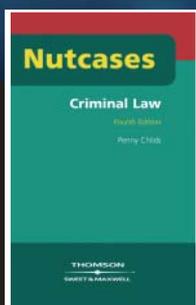
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