### Interesting New Titles from Hart Publishing

### Fifty Years of the Law Commissions

The Dynamics of Law Reform Edited by Matthew Dyson, James Lee and Shona Wilson Stark

This book brings together past and present law commissioners, judges, practitioners, academics and law reformers to analyse the past, present and future of the Law Commissions in the United Kingdom and beyond. Its internationally recognised authors bring a wealth of experience and insight into how and why law reform does and should take place, covering statutory and non-statutory reform from national and international perspectives. The chapters of the book developed from papers given at a conference to mark the fiftieth anniversary of the Law Commissions Act 1965.

Matthew Dyson is a Fellow in Law at Trinity College, Cambridge. James Lee is Senior Lecturer in Private Law at the Dickson Poon School of Law, King's College London. Shona Wilson Stark is a Fellow in Law at Christ's College, Cambridge.

Aug 2016 9781849468572 368pp Hbk £95

### **Anonymous Speech**

Literature, Law and Politics Eric Barendt

This book discusses the different contexts in which people write anonymously or with the use of a pseudonym: novels and literary reviews, newspapers and political periodicals, graffiti, and now on the Internet. The book criticises the arguments made for a strong constitutional right to anonymous speech, though it agrees that there is a good case for anonymity in some circumstances, notably for whistle-blowing.

This is the first comprehensive study of anonymous speech to examine critically the arguments for and against anonymity. These arguments were vigorously canvassed in the nineteenth century - largely in the context of literary reviewing - and are now of enormous importance for communication on the Internet.

Eric Barendt is Emeritus Professor of Media Law at University College London.

Jul 2016 9781849466134 176pp Hbk £25

### THIRD EDITION The Constitution of the United Kingdom

A Contextual Analysis Peter Leyland

This acclaimed book provides a topical and contextual outline of the principles, doctrines and institutions that underpin the United Kingdom constitution. The third edition of has been comprehensively revised and updated to take account of recent constitutional developments and debates. This includes: the revised framework for devolution following the 2014 referendum in Scotland, the constitutional ramifications of the realignment of UK politics reflected in the result of the 2015 general election and the debate over the possible replacement of the Human Rights Act 1998 with a British Bill of Rights.

Peter Leyland is Professor of Public Law at SOAS, University of London.

Jun 2016 9781849469074 352pp Pbk £15.99

### THIRD EDITION **Evidence of Bad Character**

JR Spencer

This is the third edition of JR Spencer's now well established book which seeks to explain this complex area of law for the benefit of judges, criminal practitioners and academics teaching the law of evidence.

This book, now updated to take into account a raft of new cases, offers a thorough analysis of the bad character provisions of the Criminal Justice Act 2003 in the light of the way in which they have been interpreted by the courts.

JR Spencer is Professor Emeritus of Law in the Law Faculty at the University of Cambridge.

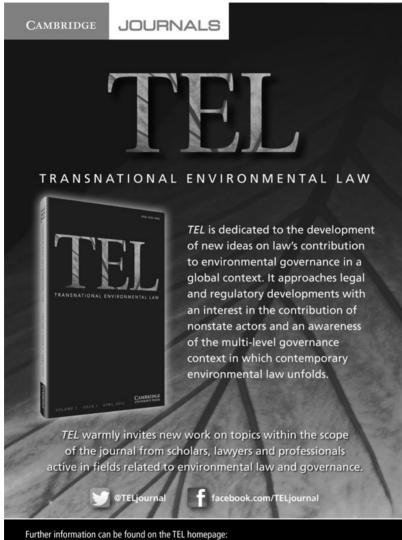
Aug 2016 9781509900046 368pp Pbk £40

### Published by Hart Publishing,

Kemp House, Chawley Park, Cumnor Hill, Oxford, OX2 9PH, UK T 01865 517530 E mail@hartpub.co.uk www.hartpub.co.uk







journals.cambridge.org/tel



CAMBRIDGE

**JOURNALS** 

## **New to Cambridge in 2015**

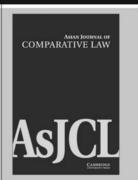
# Asian Journal of Comparative Law

Published on behalf Law Faculty, National University of Singapore

#### Editors

Andrew James Harding, NUS Faculty of Law, Singapore Wang Jiangyu, NUS Faculty of Law, Singapore

The Asian Journal of Comparative Law (AsJCL) is an initiative of the Asian Law Institute (ASLI), an association established by thirteen leading law schools in Asia and with a rapidly expanding membership base across Asia and in other world regions. The journal provides a forum for research and discussion of the law and legal systems of Asia, and aims to encourage and ventilate new scholarship on Asian legal issues. It embraces work that is theoretical, empirical, socio-legal, doctrinal or comparative that relates to one or more Asian legal systems. In practice Asia is defined as including East, Central, South East, and South Asia, as well as articles that compare one or more Asian legal systems with non-Asian systems. The journal seeks articles which display an intimate knowledge of Asian legal systems, and thus provides a window to the way they work in practice.



Asian Journal of Comparative Law is available online at: http://journals.cambridge.org/acl

### To subscribe contact Customer Services

### in Cambridge:

Phone +44 (0)1223 326070 Fax +44 (0)1223 325150 Email journals@cambridge.org

### in New York:

Phone +1 (845) 353 7500 Fax +1 (845) 353 4141 Email subscriptions\_newyork@cambridge.org

### Free email alerts

Keep up-to-date with new material – sign up at journals.cambridge.org/acl-alerts

For free online content visit: http://journals.cambridge.org/acl



CAMBRIDGE

**JOURNALS** 

## **New to Cambridge in 2015**

### Canadian Yearbook of International Law

Published on behalf of The Canadian Society of International Law and the Canadian Council on International Law

#### **Editors**

John H.Currie, University of / Université d'Ottawa, Canada Rene Provost, McGill University, Canada

Since its advent in 1961, the Canadian Yearbook of International Law has had three main objectives: to make available to Canadians and the international community a systematic presentation of the best Canadian and international thought on problems of international law; to promote the development and dissemination of Canadian research on international law; and to make available documents and commentaries that reveal the practice of Canadian institutions in matters of international law.

Issued annually under the auspices of the Canadian Branch of the International Law Association and the Canadian Council on International Law, the Yearbook contains articles of lasting significance in the field of international legal studies; a notes and comments section; a digest of Inter-American law; a digest of international economic law; a section on current Canadian practice in international law (including recent parliamentary declarations and Canadian treaty actions); a digest of important Canadian cases in the fields of public and private international law; and a book reviews section.

THE CANADIAN YEARBOOK OF INTERNATIONAL LAW

VOLUME II DOLL TOWN I

ANNUAIRE CANADIEN DE DROIT INTERNATIONAL

### Canadian Yearbook of International Law

is available online at: http://journals.cambridge.org/cyl

### To subscribe contact **Customer Services**

### in Cambridge:

Phone +44 (0)1223 326070 Fax +44 (0)1223 325150 Email journals@cambridge.org

### in New York:

Phone +1 (845) 353 7500 Fax +1 (845) 353 4141 subscriptions\_newyork@cambridge.org

### Free email alerts

Keep up-to-date with new material - sign up at

journals.cambridge.org/cyl-alerts

For free online content visit: http://journals.cambridge.org/cyl



### NOTES FOR CONTRIBUTORS

Communications concerning Articles (not exceeding 12,000 words, including footnotes) and Shorter Articles (not exceeding 5000 words, including footnotes) should be addressed to the Editor, Professor J. Bell, Faculty of Law, University of Cambridge, 10 West Road, Cambridge CB3 9DZ (clj.editor@law.cam.ac.uk); and those concerning notes (not exceeding 1,500 words) to Dr D. Fox, St John's College, Cambridge CB2 1TP (clj.notes@law.cam.ac.uk).

Books for review (not exceeding 2000 words) should be sent to the CLJ Book Review Editor, Faculty of Law, University of Cambridge, 10 West Road, Cambridge CB3 9DZ (clj.reviews@law.cam.ac.uk).

Notes for Contributors are available from the Editor at the above address or at http://www.law.cam.ac.uk. Prospective contributors are urged to observe the guidelines carefully.

Copying. This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923. Organisations in the USA who are also registered with CCC may therefore copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to CCC of the per-copy fee of \$15.00. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0008–1973/2016/5/\$15.00.

ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorised to supply single copies of separate articles for private use only.

For all other use, permission should be sought from Cambridge or the American Branch of Cambridge University Press.

Internet access. The Cambridge Law Journal is included in the Cambridge Journals Online service which can be found at http://journals.cambridge.org/. For further information on other Press titles access http://www.cambridge.org/.

The Cambridge Law Journal is included in the Thomson Reuters Social Sciences Citation Index® and Journal Citation Reports.

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests. Please see www.fsc.org for information.

### **BOOK REVIEWS**

ROBERT HAZELL AND JAMES MELTON (EDS):		Graham Gee, Robert Hazell, Kate Malleson	
Magna Carta and its Modern Legacy	426	AND PATRICK O'BRIEN: The Politics of Judicial	
Sharon Thompson: Prenuptial Agreements and		Independence in the United Kingdom's	
the Presumption of Free Choice: Issues of Power		Changing Constitution	437
in Theory and Practice	429	TIMOTHY MACKLEM: Law and Life in Common	440
Ben McFarlane: The Law of Proprietary Estoppel	432		
Rabeea Assy: Injustice in Person: The Right to			
Self-Representation	435		
*			

### CAMBRIDGE UNIVERSITY PRESS

University Printing House, Shaftesbury Road, Cambridge CB2 8BS, UK 1 Liberty Plaza, Floor 20, New York, NY 10006, USA 477 Williamstown Road, Port Melbourne, VIC 3207, Australia

# THE CAMBRIDGE LAW JOURNAL

July 2016

### CASE AND COMMENT

Administrative law – Proportionality	R. (on the application of Lumsdon)		
	v Legal Services Board	186	
Declarations – Extra-statutory guidance	R. (Bibi) v Secretary of State for the		
, 0	Home Department	189	
Criminal Law – Defensive force	Collins v Secretary of State	192	
Criminal Law – Complicity	R v Jogee; Ruddock v The Queen	196	
Contract – Implied terms	Marks and Spencer plc v BNP Paribas Securities		
•	Services Trust Company (Jersey) Ltd.	199	
Tort – Vicarious liability	Cox v Ministry of Justice	202	
Equity – Tracing - Rescission	Robb v National Crime Authority	206	
Unjust enrichment – Subrogation	Menelaou v Bank of Cyprus plc.	209	
Company Law – Proper purposes	Eclairs Group Ltd. v JKX Oil & Gas plc.	213	
Conflict of Laws – Jurisdiction agreements	Vizcaya Partners Ltd. v Picard	216	
A	RTICLES		
Balancing Domestic and International Exigencies: EIRIK BJORGE			
Limits on the Power of Amendment and National Constituent Power: MARIA CAHILL			
Enhanced Consumer Measures and the Retr	reat from Punishment in the		
Consumer Rights Act 2015: PETER CARTWRIGHT Misleading Appearances in the Tort of Deceit: JOHN MURPHY			
			R v Bolton and Judicial Review for Error of Law: PHILIP MURRAY
Principle and Policy in Private Law Reasoning: JAMES PLUNKETT			
The Role of Publicity in Regulating Political Donations: JACOB ROWBOTTOM			

Cambridge Journals Online http://www.journals.cambridge.org/

[continued on p. 3 of cover]

