

FOREWORD

by Professor Caroline Hunter
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It gives me great pleasure to provide this Foreword to the first edition of the York Law Review. The Review has been set up in order to showcase the best work of our students, from first year undergraduate to PhD. In particular, we are able to present the best dissertations from our final year LLB students and our LLM programmes. Each edition will also include articles based on student competitions or themes.

It is less than 10 years since our first students graduated. In that time the number of students at York Law School has more than doubled. We like to think that we have managed to maintain the quality of students, teaching, and the culture of the Law School throughout that period. The starting principle in our culture is that *YLS is a learning community* in which staff and students are active participants. The Review is a new venture that reflects this culture: it is a collaboration between students and staff, and shows the active learning of our students, particularly through the research that goes into producing a substantial piece of work, such as a dissertation.

This first edition includes four edited versions of undergraduate dissertations. All our final year LLB students are required to complete a dissertation. The Law School provides no limits in terms of legal subject matter for dissertations and encourages students to follow their interests, legal and personal. The four here provide an eclectic mix of subject matter: Alexander Stewart-Moreno on e-commerce and EU regulation; Kathryn Chick on social media and harmful communications; Rachel Adam-Smith on the tensions between abortion and the disabled foetus; and Deric Lui, Benjamin Thompson, and Carter Rich on gambling regulation and virtual gaming. This final paper requires an explanation: it is a ‘mash-up’ of three individual dissertations. The students recognised that their dissertations focused

on the same issues and took the time to collaboratively turn them into a single paper for the Review. It is part of the culture of YLS to encourage students to work collectively on the basis that we can always learn from each other. It is great to see students putting this into practice.

What links all the papers is academic curiosity and rigour. They do not just describe the law, they set up an argument and follow it through. They demonstrate the best of what our students can achieve.

The other two papers are the best responses from two competitions. One of the defining elements of York Law School is the use of problem-based learning (PBL) for all of our undergraduate core modules. We wanted to encourage our LLB students to respond to that in our first essay competition. Accordingly, we asked students to reflect on their experience of PBL. I am very happy that the winning essay is from a first-year student: Lauryn Clarke. She explains how PBL works in the Law School but then reflects on how the loss of staff to strike action impacted on PBL. As she says:

There is a heavy focus on reflective learning throughout the LLB course at YLS. In the Legal Skills module, which is aimed at developing practical vocational skills that are particularly useful in a legal profession, we are encouraged to keep a journal for the reflective portfolio coursework.

Her essay is a great example of reflective writing.

At the post-graduate level, we have a number of programmes, with students both new to YLS and returners who know the school well. The essay competition for these students sought to offer an opportunity for all students across all programmes. They were asked simply to discuss a recent legal issue – whether case, legislation, treaty or other legal development. So a broad canvas. The winning essay was from Elinor Coombs – a student on our general LLM. The essay looks at the decision in the case *Lucasfilm Limited v Ainsworth*, which Elinor first

encountered in our module ‘Art: A Problematic Life Cycle’, which is part of the LLM in Art Law. The module provides students with a wide-ranging understanding of the main pressure points in artists' creative rights and the requirements for their subsistence (or registration) of intellectual property rights, and the scope of protection of each. In the case, the court had to decide whether the Stormtrooper helmets from the Star Wars franchise were sculptures protected by the Copyright, Design and Patents Act 1988. Elinor concludes that the court failed to untangle the previous inconsistent case law.

This first edition of the Review does, in my view, achieve our aim to showcase the great work of our students.

Finally, I want to acknowledge the work of five people without whom the York Law Review would not have happened. Three are members of staff: Sue Westwood and Jed Meers, lecturers in the Law School, and Martin Philip, our academic liaison librarian. But most of all, I would like to congratulate our student editors: Carl Makin and Isabel Ringrose. They have put a huge amount of work into setting up the Review and ensuring this first edition has made it to press. Any academic who has been involved with editing a journal is aware of the time required to make it happen. Carl and Isabel have made the Review happen while continuing their studies respectively as a PhD student and a final year undergraduate. The Law School is grateful and proud of them.