Nottingham Trent University

Doctoral School

Nottingham Law School PhD Projects – 2016
Welcome to the Nottingham Trent University Doctoral School

The Doctoral School provides a supportive environment and a thriving research culture that encourages you to reach your full potential as a research degree student.

Valuing ideas, enriching society

We encourage new ideas and new ways of thinking across the whole University through a culture of discovery and innovation. We believe our research has the potential to impact the world we live in and change lives.

Research excellence

Our research is recognised across the world. In the most recent Research Excellence Framework (Ref 2014) most of our research was considered internationally-excellent or world-leading.

The University is committed to developing and expanding its activity to increase the scope, quality and impact of our research.

Be part of our research

With MPhil, PhD and Professional Doctorate research degree opportunities across each of our academic schools, we support students conducting research in a diverse range of areas. Our research students form an important part of our research community and make a significant contribution to our activity.

We offer full-time, part-time and distance learning research degree opportunities.

Our Professional Doctorates offer you the opportunity to contribute to research in your profession while attaining a research qualification.

A supportive community

We are committed to supporting and developing our research students.

You will have academic, administrative and personal support throughout your studies and access to dedicated workspace and exceptional facilities.
Excellent support throughout your studies

The Doctoral School aims to provide excellent personal and practical assistance for our research students creating a supportive and pro-active environment.

Support and guidance

Your main source of advice and support will be your own doctoral supervisory team, which will include a director of studies and at least one other supervisor. This team will be selected based on their experience in your chosen area of study or their background in relevant practice.

The Doctoral School Team will be available throughout your studies. Our dedicated team will offer advice and guidance for your initial enquiry and application and introduce you to the University and to your supervisory team.

Outstanding facilities

As a research student at NTU you will have access to a wealth of facilities and resources to aid and enhance your studies. The University is committed to providing the best possible facilities for all its students and we are constantly investing in new facilities and learning environments.

Dedicated study areas

All our research students are able to use study and writing areas giving you access to desks, laboratories and IT facilities when you need it.

Learning resources

Students at Nottingham Trent University have access to a wealth of library materials including over 480,000 books and 1,300 printed journals, as well as an extensive audio-visual collection of DVDs, videos and slides.

Electronic library resources are an increasingly important part of the support offered to research students, and more than 290 databases and 17,000 eJournals are accessible from any networked PC within NTU, or from your home or off-campus PC.

Our experienced and knowledgeable library staff will help guide you to the most useful sources of information.
Developing the next generation of researchers

We aim to nurture research talent and help our students thrive through their research degrees and into their future careers.

**Researcher Development Programme**

All research students are expected to participate in a rolling programme of professional development. You will have the opportunity to attend a range of workshops and developmental activities mapped to the Vitae Researcher Development Framework (RDF).

Our Research Development Programme empowers you – in discussion with your supervisory team – to create an individualized package of activities to support your career development as a researcher.

A range of core activities will support your journey from enrolment at NTU as a research student, through to final submission of your thesis. These activities will be complemented by a series of electives that you will choose to pursue, depending upon your developmental needs as you progress in your research work.

**Developing your career**

We pride ourselves on equipping our students with knowledge and skills and encouraging initiative, innovation and excellence.

Our research students are encouraged to take part in conferences, seminars and external networks. These are an excellent opportunity for you to share your work, meet other researchers and build a network of contacts.

Our own research conferences and seminars offer you the opportunity to present and discuss your work among the NTU research community.

You may also have the opportunity to teach undergraduate students or supervise laboratory work.
Nottingham Law School

Nottingham Law School is committed to high quality research, in particular through its research centres.

In REF 2014 93% of the School’s research was recognised as international standard or above, with 40% deemed to be internationally excellent or better.

The School has 48 research active staff, 34 PhD students - including international students from 16 different countries - and 13 Professional Doctorate students.

Nottingham Law School research centres

- The Centre for Conflict, Rights and Justice
- The Centre for Legal Education
- The Centre for Business and Insolvency Law
- The Centre for Advocacy
- The Centre for Sports Law

Nottingham Law School research themes include:

- Corporate and Commercial Law (including Insolvency Law)
- Civil Justice (including Advocacy and Alternative Dispute Resolution)
- Criminal Justice
- Health Law
- Human Rights
- Intellectual Property Law
- International Law
- Legal Education (in the academy and in the workplace)
- Property Law
- Regulation
- Sports Law

Professional Doctorates

- Doctor of Legal Practice
Conflict, Rights and Justice

The School’s Centre for Conflict, Rights and Justice is able to offer supervision in relation to a wide range of topics within human rights, transitional justice, criminal justice, restorative justice, victimology, the law of evidence, the law of war, asylum, minority rights, freedom of expression and freedom of religion or belief.

Publications


Supervisors: Elizabeth Chadwick, Jonathan Doak, Tom Lewis, Helen O’Nions, Louise Taylor, Loretta Trickett

Elizabeth Chadwick's main research and teaching interests lie in the fields of International Humanitarian Law, the self-determination of peoples, international terrorism, and international crimes. She has a specific and long-standing research
interest in the area of Laws of Armed Neutrality, regarding which she has published over many years.

Jonathan Doak has published widely in the fields of victimology, restorative justice, transitional justice and criminal evidence. He has a particular interest in ideas of international benchmarking and on the impact of international human rights norms on the formation of domestic criminal justice law and policy.

Tom Lewis is Director of Nottingham Law School’s Centre for Conflict, Rights and Justice and is actively engaged in research in the fields of Constitutional Law and human rights, with a particular interest in the rights to freedom of expression and freedom of religion and belief.

Helen O’Nions research interests centre on two particular aspects relating to international human rights; namely the right to seek asylum (in particular the effect of European asylum legislation) and the specific difficulties faced by the Roma in accessing rights protection.

Louise Taylor is deputy director of the Nottingham Law School Centre for Conflict, Rights and Justice and her research focuses on criminal justice and human rights. She is especially interested in issues pertaining to victims’ rights, restorative justice and the legitimacy of criminal justice institutions and processes.

Loretta Trickett’s particular research interest is on masculinities, the fear of crime and victimisation. She is also interested in the related area of boys and bullying and young men and gang violence.

**Entry Requirements**

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**Contact:** rebecca.parry@ntu.ac.uk for informal discussions about this project.

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Legal Education and Legal Practice

The School is able to offer supervision in relation to a wide range of topics related to legal education, whether academic or professional, in the university or in the workplace (including CPD/CLE). This includes but is not limited to, topics relating to legal professionals and legal practice, legal skills, ethics, regulation of legal practice and legal education, wellbeing and technology in legal learning.

Publications

- Ferris, G., Uses of Values in Legal Education (Intersentia, 2014).


Jo Boylan-Kemp is a barrister, principal lecturer in law and a fee-paid tribunal judge. Her educational interests include English Legal Method, Criminal Law and Law of Evidence as well as mooting. She also has a research interest in the citizenship syllabus, law in schools and in open access sources.

Professor Jane Ching is a commercial litigation solicitor and Professor of Professional Legal Education. Her PhD was on the learning of early career lawyers. She has experience in working with professional bodies in the UK and elsewhere on design and regulation of legal qualification systems. Her research interests include early career professionals; legal skills; variation theory; experiential and reflective learning; expertise; qualitative enquiry; civil litigation; law and language.
Graham Ferris is a solicitor and reader in law. His teaching and research interests include: property law, legal history, legal system and method, restitution, international economic law, and legal theory. He has a keen interest in the relationships between ethics, values, practice, profession, and identity and in well-being; theory; higher education; post graduate education and workplace education.

Professor Janine Griffiths-Baker completed her PhD in 2000 and is Dean of the law school. She has a particularly strong profile nationally and internationally in promoting ethical behaviour within the legal profession, both through her own research and as an editor of Legal Ethics. Janine has taught and has research interests in, criminal law, the law of evidence, legal ethics and the law of property.

Pamela Henderson is a solicitor and course leader of the professional doctorate in legal practice. Her main area of research is legal education, especially at the vocational and practitioner career stages. Pamela has specific research interests in SCALE-UP; collaborative learning; digital technologies; legal education at the vocational and practitioner career stages and higher education pedagogies.

John Hodgson is a solicitor and a reader in the law school. His research interests include the role of the external examiner in legal education; feedback on assessment; structural issues in academic and professional education; regulation generally, particularly regulatory crime; tort related human rights and medico-legal case law developments; carriage by road and rail.

Jane Jarman is a professional indemnity litigation solicitor and reader in legal education. Her expertise is in legal professional privilege and professional ethics, as well as the education of legal practitioners and regulation of legal practice. Jane has research interests in professional ethics and regulation, anti-money laundering, fraud in the professions, teaching legal skills (interviewing and drafting), and education in the workplace.

Nick Johnson is a solicitor and is responsible for Clinical Legal Education and the Pro Bono offering at the law school. His research interests are in clinical legal education, cause lawyering, the legal professions and aspects of trial process. He has published on human rights, housing and property law.

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Environmental Law

Projects within this theme consider legal aspects of the integration of social and environmental protection considerations into multinational oil, gas and mining operations.

Publications


Supervisors: David Ong

David M. Ong is Research Professor of International and Environmental Law at the Nottingham Law School, Nottingham Trent University and Visiting Fellow at the International Maritime Law Institute (IMLI) of the International Maritime Organization (IMO). His main research interests are in the International Law of the Sea, International Environmental Law, and latterly, the conjunction of these two fields with International Investment Law, especially in the oil, gas and mining industries.

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Nottingham Law School has run an LLM in Health Law and Ethics for the past 15 years. The principal members of its Health Law and Ethics Group are Austen Garwood-Gowers, Kay Wheat and John Tingle, all Readers who each have over 25 years of experience of research and teaching in this field.

The Group has hosted conferences and other research events on topics as wide-ranging as healthcare quality, organ donation, healthcare law and children and the human rights aspects of healthcare law. Its members are active in developing and participating in projects in the field.

Dr Garwood-Gowers is part of the steering committee of Midlands Health Law and Ethics Consortium, which in 2014 completed an AHRC funded seminar series exploring the intersection of faith and belief with health law. Dr Garwood-Gowers was formerly involved with a SCIE funded project exploring understanding of the Mental Capacity Act 2005 amongst community nurses and, with Kay Wheat, a Madrid Complutense University led project on the capacity of juveniles. In the 1990s he was on the management group of a European Commission funded project investigating the ethical and legal aspect of living donor organ transplantation in Europe.

Kay Wheat has recently collaborated with others on a project on psychological debriefing for the British Psychological Society and has carried out research on equal pay for the Government of the North West Territories, Canada.

**Publications**

**Monograph**


**Edited collections**


**Textbooks**

Articles in Refereed Journals

- Garwood-Gowers, A., Time to Address the Problem of Post-Mortem Procurement of Organs for Transplantation Occurring without Proper Pre-mortem Consent (2013) EJHL 20, 383-408
- Garwood-Gowers, A., International Means for Protecting Human Beings as Ends in Medicine, Journal on Law and Medicine, 2011, 1, 133-146
- Vindicating the right to bodily security of the incapable in research, Journal of Mental Health Law, 2006, May, 7-25

Chapters in Edited Books


Austen Garwood-Gowers lectures on the undergraduate LLB medical law modules and runs specialised law and ethics modules on medical use of the human body and beginning and ending of life on the LLM in Health Law and Ethics. He is currently supervising health law and ethics doctorates in the fields of: healthcare quality; protection of those with limited capacity; the role of the medical examiner; and transplantation

- Healthcare quality
- The ethical underpinnings of health law and ethics
- Human rights aspects of health law
- Consent issues, including protection of minors and incapable adults
Kay Wheat runs the module on Mental Health and Incapacity on the LLM in Health Law and Ethics. She has supervised a range of doctorates in the field of health law and ethics, including on such issues as patient decision making and capacity.

John Tingle runs the module on Healthcare systems on the LLM in Health Law and Ethics. He is currently supervising doctorates in the fields of healthcare quality and protection of those with limited capacity.

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Advocacy

The School is able to offer a range of projects relating to the practice and teaching of courtroom advocacy. These include the ethical behaviour of advocates, the qualities of effective advocacy and how the justice system can accommodate vulnerable witnesses and defendants.

Publications

- Robson, J., 'Lawyers Need Training to Protect Vulnerable Witnesses in Sex Offence Cases’ (Sept. 20, 2014) The Conversation

Supervisors: Jeremy Robson

Jeremy Robson is a barrister, principal lecturer in advocacy and director of the Centre for Advocacy at Nottingham Trent University. His research interests include the development of criminal advocacy, the changing nature of the advocate, use of language in advocacy and advocacy in cases involving vulnerable witnesses.

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**Intellectual Property Law**

Intellectual property (IP) rights are property rights in something intangible and they reward innovation and creative activity. Copyright, design, patents, confidential information, database rights and plant variety rights are examples. Information technology and privacy, data protection and big data are also related. In May 2015 Nottingham Law School received an Award for Excellence in IP Education in the IP Awards by Acquisition International. Our IP Law Research group carries out research in the areas of IP law and practice, IP law education, IP finance, IP commercialisation and creative IP. IP Research group members have worked with professional bodies in the IP law field including the UK Intellectual Property Office, the Institute of Trade Mark Attorneys (ITMA), the Chartered Institute of Patent Attorneys (CIPA) and the Intellectual Property Regulation Board (IPReg).

**Publications**


**Supervisors:** Dr Janice Denoncourt, Dr Rebecca Wong.

*Dr Janice Denoncourt* received her PhD from the University of Nottingham for her thesis 'Patent-backed Debt Finance: Should Company Law Take the Lead to Provide a True and Fair View of SME's Patent Assets?'. She practised law in Australia, where she worked as in-house counsel for a listed company and senior associate heading Minter Ellison's Perth office IP department. Awarded the Britain-Australia Chevening Commercial Law Scholarship in 2003, she is a graduate of McGill University, Canada. Her expertise includes intellectual property law, finance and corporate governance.

*Dr Rebecca Wong* has main research interests in EU Law, Cyberlaw, Cybersecurity, electronic commerce and data protection and privacy. She is an occasional blogger for The Independent on privacy and data protection issues and recently produced a monograph on data security breaches and privacy in Europe.

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Sports Law

Sports law encompasses a wide variety of areas centred on the intersection of the law and sporting activity. Key issues for study generally relate to the nature and extent of legal intervention in sport and the nascent quasi-legal system developing around the Court of Arbitration for Sport and the World Anti-Doping Code.

Important current areas of study include law and regulatory issues as they relate to: governance and accountability of international sports federations; anti-doping; cheating and match-fixing; discrimination; and European Union law as it applies to sport, for example in respect of football’s Financial Fair Play regulations.

As well as these high-profile contemporary issues the area of sports law offers numerous opportunities in areas where it touches on commercial legal issues, such as contracts and intellectual property, and important areas of public interest, such as sports ground safety and sports related violence.

Publications

- Patel, S., Inclusion and Exclusion in Competitive Sport: Socio-Legal and Regulatory Perspectives (Routledge, 2015).


Simon Boyes is Senior Lecturer and Director of the Centre for Sports Law. His research interests are principally in the area of the interface between law and sports regulation, and on the law of the European Union as it impacts sport. Simon is able to offer supervision on these and other sports law issues.

Seema Patel is Senior Lecturer and a Deputy Director of the Centre for Sports Law. Her research interests are focussed on legal approaches to inclusion and exclusion in sport, including discrimination law and human rights as they relate to race, gender, disability and religion. Seema offers supervisory expertise in there and a range of other areas relating to sports law.

Alfonso Valero is Principal Lecturer and a Deputy Director of the Centre for Sports Law. His research and supervision interests centre around the law relating to EU law, competition law and sports arbitration.

Austen Garwood-Gowers is Reader in Law. His research and supervision interests lie in the area of health law. Austen is able to offer supervision for projects relating to issues of bodily integrity – including doping and sports-related injuries.

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Business and Insolvency

The School is able to offer supervision in relation to a wide range of topics within business law and insolvency law. These include aspects of:

- Banking and financial law,
- Commercial law,
- Company law;
- Partnership law,
- Private international law
- Insolvency law, both domestic and international.

Publications

Banking and financial law:


Commercial law


Company law:


Partnership law:


Insolvency law:
• Parry, R., Xu, Y. and Zhang, H., China's new enterprise bankruptcy law: context, interpretation and application (Ashgate, 2010). ISBN 9780754676379

Supervisors: Elspeth Berry, David Burdette, Jason Ellis, Graham Ferris, Jennifer Gant, Brian Harris, Mohd Hwaidi, Alexandra Kastrinou, Paula Moffatt, Paul Omar, Rebecca Parry, Gary Wilson.

Elspeth Berry has wide-ranging research interests with a particular focus on partnership law. She has written a book on partnership and LLP Law and, with Rebecca Parry, another book which focuses on the insolvencies of partnerships and LLPs. She has successfully supervised PhD students with topics in private international law.

Professor David Burdette is very involved in the national and international arena of insolvency Law and is Director of Nottingham Law School's Centre for Business and Insolvency Law. He has strong professional links. His research focuses on insolvencies in developing countries and he has a particular interest in insolvency laws in Africa.

Graham Ferris's teaching interests include the law of world trade and he has successfully supervised students in this area, as well as commercial law and property law. He has published extensively in the fields of property law and legal education.

Jennifer Gant has a strong research interest in insolvency law from a comparative social policy perspective.

Brian Harris has teaching and research interests in international carriage of goods, sale of goods, international trade risk insurance and international commercial transactions.

Mohd Hwaidi has a PhD in the area of international financial law, entitled ‘An Evaluation of the Efficacy of UCP 600 within English and Jordanian Legal Orders and Jordanian Commercial Practices’. He uses a hybrid methodology of doctrinal and empirical research and he has a track record of publication in relation to documentary credits / letters of credit and other areas of commercial law.

Alexandra Kastrinou researches on international and comparative corporate insolvency laws, with a particular focus on the European Union.

Professor Paul Omar is a Professor of International and Comparative Insolvency Law and teaches on Cross-Border Insolvency Law and Comparative Corporate Rescue. Professor Omar is secretary of the INSOL Europe Academic Forum and has been appointed as a consultant to the International Finance Corporation (IFC), a division of the World Bank.
Paula Moffatt specialises in insolvency, banking and business law. She has published a number of articles on banking law.

Professor Rebecca Parry’s main research interests lie in the area of insolvency Law and, in particular, international and comparative insolvency law with a focus on the UK, the USA, the EU and China.

Gary Wilson’s research interests cover the broad field of corporate law, with a particular interest in corporate personality and in historical and contemporary approaches to the theorisation and regulation of the corporate entity. Current projects are focused around an investigation into various facets of corporate personality and corporate accountability in an inter-disciplinary context. In a similar vein Gary is also interested in the relationship between business, law and society more generally and recent work examines these issues in the specific context of banking and securities regulation.

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