

FOREWORD

*Susan Edwards**

ABSTRACT

Speech delivered by the Editor, Susan Edwards, at the reception hosted by Lord Slynn, the Chairman of the Editorial Advisory Board, to celebrate the re-launch of the Journal in the Attlee Room at the House of Lords Thursday 1 February 2007.

I would like also to extend a warm welcome to you for being with us this evening to celebrate the relaunch of the Denning Law Journal.

I would like to begin by thanking Lord Slynn the Chairman of our Editorial Advisory Board. We are very honoured that Lord Slynn has agreed to accept this responsibility. Lord Slynn is an honorary Professor of Law at the University of Buckingham and we are especially proud of this connection. When he joined One Essex Court as an international arbitrator, in 2005 upon retirement after fifteen years as Law Lord it was described as a “coup.”

We think so too, when he accepted our invitation to chair the Denning Editorial Advisory Board. Lord Slynn is well known amongst lawyers for so many important developments in the law, and for his defence of freedom amongst other inviolable rights. Dr Jocelyne Scutt (Barrister and Human Rights Lawyer) one of our International Editorial Advisory Board members who in an email sending her best wishes to us for this evening related to me the many other important issues with which Lord Slynn is engaged and for which he is clearly revered internationally. For example, Lord Slynn has been one of several MPs, Lords and lawyers who have been calling for removal of the People's Mojahedin Organisation of Iran from Britain's list of terrorist organisations.

It is true as Dr Martin Luther King said, ‘Our lives begin to end the day we become silent about things that matter.’ We thank you Lord Slynn.

I would also like to thank our Editorial Advisory Board members and also our Assistant Editors for making this relaunch possible. Further thanks are also due to the publishing Manager of the University of Buckingham Press, Christopher Woodhead.

* Professor Susan Edwards BA, MA, PhD, LL.M Professor in Law University of Buckingham, Barrister. Door Tenant, Clarendon Chambers.

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I want also thank all those who could not join with us tonight in celebrating this relaunch but have sent us their good wishes, amongst them, His Hon Justice Kirby, High Court of Australia, Sydney.

In the very first edition of the journal in 1986 Lord Denning said this, "I am most embarrassed that they should have called it the Denning Law Journal. I cannot think why, except that my judgements have often given rise to controversy and given the commentators something to write about."

The spirit of controversy we promised to keep alive. We promised to continue the debate and discussion about common law issues, and we hoped that our academic engagement will have practical effects and consequence on the development of legal policy. We want to continue Lord Denning's common sense approach to law, being tethered neither by precedent nor parliamentary interference.

We have extended the remit of our journal, as indeed we must in a world where we have a responsibility for what happens in every corner of it. The new aim of the Denning Law Journal is to reflect that social and legal responsibility. It aims to publish articles from the UK, the common law world; articles on domestic as well as international and comparative law. And of course the rapidly developing area of Human Rights law.

We want also to tell the human rights stories and histories across the world to a generation of younger readers.

As Lord Denning wrote in that first foreword:

"Since my retirement, I have spoken in the House of Lords on legal subjects: such as abortion, diplomatic immunity, terrorism, police powers, judicial review, telephone-tapping, kerb-crawling, test-tube babies, surrogate motherhood, and pay rises. All these may be thought fit for discussion in the pages of this *Journal*. Our legislators would welcome all the help they can get."

Perhaps we can bear that in mind.

In our journal's publications we want to honour Lord Denning's example of clear accessible communicative style in his judgements in our writings. And to write in a language that is intelligible to all. Lord Denning was renowned for his clarity of expression: simple words and short sentences.

The Denning Law Journal will be true to the art of communication. The simplicity and clarity of his language played a major role in making the common law more accessible to the layman; we want to do the same.

Lord Denning also believed that people will not be disposed to obey the law unless they are convinced that it is, on the whole, just and justly applied. This will be one of our key themes. Lord Denning in a later contribution to the

journal when referring to Runnymede quoted a previous Master of the Rolls, Archbishop Langton who drafted Magna Carta:

“No freeman shall be taken, imprisoned, be disseized, outlawed, banished, or in any wise destroyed. Nor will we proceed against him or prosecute him, except by the lawful judgment of his peers, and by the law of the land.”

and the guarantee of the due administration of justice:

“To none will we sell, to no-one will we delay or deny right or justice.”

Those are the words which have come down through the centuries. And he would expect those principles to live on in eternity.

Lord Denning also saw the danger of treating logic as the only basis for law. The Denning Law Journal will continue to interrogate law within its socio-politico and historical context.

And like so many of his judgements we want the Denning Law Journal to be Groundbreaking.

We want to develop the journal in strength and we are particularly grateful to the Denning Law Society chaired by Sir Martin Nourse (who was not able to join us tonight) for offering to us their Annual lecture for publication in the Denning Law Journal. The Denning Law Society is a strong society with many members and provides studentships each year. We are looking forward to developing closer links with the Denning Law Society. Tonight we welcome from the Denning Law Society, Robin Hollington QC. Robin is also a Visiting Professor of the University of Buckingham and a member of our Advisory Board.

The current volume and the whole archive back to the first volume published in 1986 is online and available to subscribers. We also plan an annual conference the proceedings of which will also be published in special issues of the journal. The first of which will take place in 2007 and will include among its speakers the noted human rights barrister Edward Fitzgerald QC; who could not be with us tonight as he is in Paris at a conference.

We would like to increase its frequency and make the journal a biannual publication. And we can do this with the support of our friends and colleagues.

I have neither welcomed nor thanked our contributors. I have deliberately left that tribute until the end. Probably they in fact are the most important

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because if it were not for the contributions past, present and future we would not have a journal to publish.

Last years, the 2006, volume we were particularly grateful to Michael Beloff QC, Sir Ivan Lawrence QC, The Hon Justice Michael Kirby, (who is published in both the first and latest issue), Lord Lloyd of Berwick, Daniel Machover and Kate Maynard, Ademun Odeke, Ellia Ciammaichella, visiting Professor Dr Mary Welstead, Judith Bray, Olga Thomas, Frances Burton and Dr James Slater.

We want to continue to publish the important pieces but we also want to help nurture the gifted writers of the future by providing a forum in which first writers and student writers can publish.

My message to you is simply this. The Denning Law Journal is free to publish what it wishes; doctrinal, theoretical, empirical, comparative, historical. Lord Denning again in writing for the first issue of the journal quoted Kipling:

“Whenever mob or monarch lays
Too rude a hand on English Ways
A whisper wakes, a shudder plays
Across the reeds at Runnymede.”

As an academic journal we are free, and as Lord Denning himself said in the foreword to the first edition, “it is of the first importance that there should be free and open discussions of the issues of the day”. Buckingham is free from government funding which means we are also free from the tether of the Research Assessment Exercise. This means that we can devise our own markers, assessment and criteria for scholarship. And this means I believe that we can publish the best arguments from academia and from practice and from politics. And that we can achieve a synergy between the law as conceptualised and the law as practiced.

It means too that we can take a position about the law.

To that end we encourage practitioners, the judiciary and academia to write for us in the Denning. Talk to us tonight, tomorrow by emails, letters or telephone about your ideas for articles and contributions.

The Denning has survived since 1986 we want it to be engaged in the debates of ten years, twenty years, one hundred years from now.

Please help us to continue to embarrass, in this sense to embarrass those who need to made an example of, help us to continue to court controversy - for then we know we are relevant, help us to always create more of a whisper and a shudder far beyond the reeds of Runnymede.

I would now like to ask Lord Slynn to propose a toast.