UK, EU AND GLOBAL ADMINISTRATIVE LAW

Paul Craig’s analysis of UK, EU and global administrative law examines the challenges facing each system and reveals the commonalities in and differences between their foundational assumptions. The challenges which they face may be particular to that legal order, endemic to any legal system of administrative law or the result of interaction between the three systems. The inter-relationship between the three levels is important. The legal and practical reality is that developments at one level can have an impact on the other two. Legal doctrine fashioned at the national level may therefore inform developments in EU and global administrative law. The doctrine thus created may then function symbiotically, shaping developments within a domestic legal order. The inter-relationship is equally marked from the regulatory perspective, since many such provisions originate at the global or EU level.

Paul Craig is Professor of English Law at the University of Oxford and a Fellow of St John’s College. He specialises in administrative and EU law, and has authored leading works in these areas.
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The Hamlyn Trust

The Hamlyn Trust owes its existence today to the will of the late Miss Emma Warburton Hamlyn of Torquay, who died in 1941 at the age of eighty. She came of an old and well-known Devon family. Her father, William Bussell Hamlyn, practised in Torquay as a solicitor and JP for many years, and it seems likely that Miss Hamlyn founded the trust in his memory. Emma Hamlyn was a woman of strong character, intelligent and cultured; well-versed in literature, music and art; and a lover of her country. She travelled extensively in Europe and Egypt, and apparently took considerable interest in the law and ethnology of the countries and cultures that she visited. An account of Miss Hamlyn by Professor Chantal Stebbings of the University of Exeter may be found, under the title ‘The Hamlyn Legacy’, in Volume 42 of the published lectures.

Miss Hamlyn bequeathed the residue of her estate on trust in terms which, it seems, were her own. The wording was thought to be vague, and the will was taken to the Chancery Division of the High Court, which in November 1948 approved a Scheme for the administration of the trust. Paragraph 3 of the Scheme, which follows Miss Hamlyn’s own wording, is as follows:

The object of the charity is the furtherance by lectures or otherwise among the Common People of the United Kingdom of Great Britain and Northern Ireland of the
The Hamlyn Trust

knowledge of the Comparative Jurisprudence and Ethnology of the Chief European countries including the United Kingdom, and the circumstances of the growth of such jurisprudence to the Intent that the Common People of the United Kingdom may realise the privileges which in law and custom they enjoy in comparison with other European Peoples and realising and appreciating such privileges may recognise the responsibilities and obligations attaching to them.

The Trustees are to include the vice-chancellor of the University of Exeter; representatives of the Universities of London, Leeds, Glasgow, Belfast and Wales; and persons co-opted. At present there are eight Trustees:

Professor Rosa Greaves, the University of Glasgow
Professor I.R. Davies, Swansea University
Ms Clare Dyer
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The Rt Hon. Lord Justice Sedley
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From the outset it was decided that the objects of the Trust could be best achieved by means of an annual course of public lectures of outstanding interest and quality by eminent lecturers, and by their subsequent publication and distribution to a wider audience. The first of the Lectures were delivered by the Rt Hon. Lord Justice Denning (as he then was) in 1949. Since then there has been an unbroken series of annual
THE HAMLYN TRUST

Lectures published until 2005 by Sweet & Maxwell and from 2006 by Cambridge University Press. A complete list of the Lectures may be found on pages ix to xiii. In 2005 the Trustees decided to supplement the Lectures with an annual Hamlyn Seminar, normally held at the Institute of Advanced Legal Studies in the University of London, to mark the publication of the Lectures in printed book form. The Trustees have also, from time to time, provided financial support for a variety of projects which, in various ways, have disseminated knowledge or have promoted to a wider public understanding of the law.

This, the sixty-sixth series of lectures, was delivered by Paul Craig at the University of Oxford, the Queen’s University of Belfast and Gray’s Inn Hall, London. The Board of Trustees would like to record its appreciation to Paul Craig and also the three venues which generously hosted these Lectures.

AVROM SHERR
Chair of the Trustees
## The Hamlyn Lectures

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1964  Law and Lawyers in the United States by Dean Erwin N. Griswold
1965  New Law for a New World? by the Rt Hon. Lord Tangley
1966  Other People’s Law by the Rt Hon. Lord Kilbrandon
1967  The Contribution of English Law to South African Law: And the Rule of Law in South Africa by the Hon. O.D. Schreiner
1968  Justice in the Welfare State by Professor H. Street
1969  The British Tradition in Canadian Law by the Hon. Bora Laskin
1970  The English Judge by Henry Cecil
1971  Punishment, Prison and the Public by Professor Sir Rupert Cross
1972  Labour and the Law by Professor Sir Otto Kahn-Freund
1973  Maladministration and Its Remedies by Sir Kenneth Wheare
1974  English Law: The New Dimension by the Rt Hon. Lord Scarman
1975  The Land and the Development; or, The Turmoil and the Torment by Sir Desmond Heap
1976  The National Insurance Commissioners by Sir Robert Micklethwait
1977  The European Communities and the Rule of Law by Lord Mackenzie Stuart
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1978 Liberty, Law and Justice by Professor Sir Norman Anderson
1979 Social History and Law Reform by Professor Lord McGregor of Durris
1980 Constitutional Fundamentals by Professor Sir William Wade
1982 The Quest for Security: Employees, Tenants, Wives by Professor Tony Honoré
1983 Hamlyn Revisited: The British Legal System Today by Lord Hailsham of St Marylebone
1985 Law and Order by Professor Ralf Dahrendorf
1986 The Fabric of English Civil Justice by Sir Jack Jacob
1987 Pragmatism and Theory in English Law by Professor P.S. Atiyah
1988 Justification and Excuse in the Criminal Law by Professor J.C. Smith
1989 Protection of the Public: A New Challenge by the Rt Hon. Lord Justice Woolf
1990 The United Kingdom and Human Rights by Dr Claire Palley
1991 Introducing a European Legal Order by Gordon Slynn
1992 Speech and Respect by Professor Richard Abel
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1993  The Administration of Justice by Lord Mackay of Clashfern
1994  Blackstone’s Tower: The English Law School by Professor William Twining
1995  From the Test Tube to the Coffin: Choice and Regulation in Private Life by the Hon. Mrs Justice Hale
1996  Turning Points of the Common Law by the Rt Hon. the Lord Cooke of Thorndon
1997  Commercial Law in the Next Millennium by Professor Roy Goode
1998  Freedom, Law and Justice by the Rt Hon. Lord Justice Sedley
1999  The State of Justice by Professor Michael Zander QC
2000  Does the United Kingdom still have a Constitution? by Professor Anthony King
2001  Human Rights, Serious Crime and Criminal Procedure by Professor Andrew Ashworth QC
2002  Legal Conundrums in Our Brave New World by Baroness Kennedy of the Shaws
2003  Judicial Activism by the Hon. Justice Michael Kirby AC CMG
2004  Rights at Work: Global, European and British Perspectives by Sir Bob Hepple QC, FBA
2005  Can Human Rights Survive? by Professor Conor Gearty
2006  The Sovereignty of Law: The European Way by Sir Francis Jacobs KCMG, QC
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