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Defending Access to Hope

Rose Firth discusses the legal, social and emotional issues involved with trafficking, and the current pitfalls in the very system designed to protect victims of sexual discrimination and violence.

I remember seeing the image of a white candle surrounded by barbed wire at a very young age, and understanding that it represented the hope of people enduring unfair punishment. It wasn't until university that I became involved with Amnesty International activism and began getting to grips with the concept of human rights around the world. As a young female student I had great opportunities to learn and live in a safe, encouraging and peaceful environment. I'd learnt about the women's liberation movement at my all girls, female empowering High School and knew how lucky I was to be where I was. I suppose it was natural that the human rights issues I became most drawn to were those of other young women- unlucky women, who were being punished unfairly just because of their sex.

"Discrimination against women continues to manifest itself at varying levels in a number of ways including in access to resources and opportunities such as education, employment and political involvement."

Discrimination against women continues to manifest itself at varying levels in a number of ways including in access to resources and opportunities such as education, employment and political involvement. For example, women do two-thirds of the world's work and produce 50 percent of the world's food, but they only earn 10 percent of the world's income and only own one percent of the world's property.[1] Of the 1.2 billion people living in poverty worldwide, 70% are women and 80% of the world's 27 million refugees are women.[2] Women are also affected disproportionately by violence. At least one out of every three women has been beaten, coerced into sex, or otherwise abused in her lifetime.[3] The World Health Organisation has reported that up to 70% of female murder victims are killed by their male partners.[4] Violence against women is rooted in the historically unequal power relations between men and women. Violence directed specifically at women and girls becomes particularly prevalent in times of conflict including wars, civil wars, violent unrest, genocide, terrorism etc. where these power relations are intensified. Former U.N. peacekeeping commander Major-General Patrick Cammaert now holds that, "It has probably become more dangerous to be a woman than a soldier in an armed conflict".[5] Since graduating, I have worked in the UK with charities including Amnesty International, Refugee and Migrant Justice, The Poppy Project and Liberty. I have come face to face with the cruel consequences of sex discrimination and violence against women. I have met and worked on behalf of women from situations of conflict around the world including from the Dominican Republic of Congo, Sri Lanka and Zimbabwe. Most of the women I've met have survived numerous human rights abuses including political activists who have been detained and tortured, women who have experienced rape as a weapon of war, and girls whose families have been killed or disappeared in conflicts and women who have survived conflict situations only to be trafficked into this country for purposes of sexual exploitation. This last group of women have the stories which shock, upset and anger me the most; for these women, the unfair treatment they suffer does not stop once they leave their countries, nor once they manage to escape from traffickers. Shockingly, I've learnt that it does not stop even once they have sought hope and help from the British authorities.

Trafficking is defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation. In my experience, women who are trafficked into the UK are often deceived by false promises of employment made by supposed friends, lovers or relatives. Reasons for choosing this artificial option of employment often include an element of desperation due to poverty and/or the need to provide for children, siblings or parents. In the alternative women may simply be abducted or sold.

Situations of conflict cause an escalation of the factors and conditions that contribute to a risk of trafficking. They also lead to specific forms of war-related trafficking. Often in situations of

1 Richard H. Robbins, Global Problems and the Culture of Capitalism, (Allyn and Bacon, 1999)

2 United Nations Department of Public Information, Women at a Glance, (DPI/1862/Rev.2 - May 1997), http://www.un.org/ecosocdev/geninfo/women/women96.htm

3 United Nations General Assembly, In-Depth Study on All Forms of Violence against Women: Report of the Secretary General, (A/61/122/Add.1. - July 2006), http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php

4 Amnesty International, It's in our hands – Stop Violence against Women, 2004, http://www.amnesty.org/en/library/info/ACT77/001/2004

5 Worsnip P. U.N. categorizes rape as a war tactic. Reuters, 2008 June 20, http://africa.reuters.com/world/news/usnN19485901.html

conflict a country's economy can become destabilized and social patterns may be disturbed. Conflict situations often increase displacement and loss of employment. Women find themselves the targets of violence, frequently sexual, even as non-combatants. Conflict and militarization of or within a community can emphasize sexist stereotyping of gender roles [6] The violence women suffer in conflict is arguably an extreme manifestation of the discrimination and abuse women face in peacetime, and the unequal power relations between men and women in most societies. Often an emphasis on female biological and traditional cultural roles in society places them at a higher risk of attack than men, but it will also increase the duration and intensity of the consequences of an attack. The safety and economic situation of many women in conflicts declines so considerably that the offer of safety and paid employment in another country may become impossible to refuse. Traffickers will therefore often target women made vulnerable through displacement and fear. Of course, for many it is not a matter of choice but force; as the use of rape as a weapon of war increases, many find themselves forced into prostitution by combatant groups. Lack of infrastructure can cause high levels of corruption in conflict zones where fighting parties may make money from kidnapping, drugs trading and trafficking in people. In some cases, traffickers may even be assisted by governments, police, and the military. Disturbingly, in December 2001 the police working for the United Nations itself were investigated for directly participating in the trafficking of women for forced prostitution in Bosnia.[7] In all cases, forceful tactics such as deception, emotional intimidation, isolation, threat and use of physical violence, or debt bondage are used to control the trafficked women once they have been caught and transferred to the UK.

Sadly, the users of prostitutes in the UK do not seem particularly concerned with identifying and reporting women they believe may have been trafficked. One lady I worked with informed "clients" every day that she was there against her will and repeatedly asked them to help her; it was nearly a year before one of them did. When the Poppy Project, an organisation that provides expert evidence and housing for women who have been trafficked into prostitution, interviewed a sample of 103 men in London who used prostitutes, many reported that they were aware of pimping, trafficking and other coercive control over those in massage parlours, brothels, and escort services. These men were frequently aware of the vulnerability and risk factors for entry into prostitution including childhood abuse, lack of alternative job choices, coercive control and homelessness. Fifty per cent of interviewees said that they had willingly used a woman in prostitution who they knew was under the control of a pimp.[8]

Occasionally, women do manage to escape, and you may well have seen the congratulatory reports of police identifying and rescuing victims of trafficking, and of course this is to be applauded and encouraged. But what happens to them after this point? These women have been displaced from zones of conflict and violence, smuggled illegally into the UK against their will and without the intervention of our Border Agency or police until it is too late. We would like to think that the British authorities would treat women who have been subject to repeated abuses of the worst kind with sensitivity and generosity. Certainly, the UK has signed and ratified the Council of Europe's Convention against Trafficking in Human Beings, which promises to treat victims primarily in the context of protection and assistance including legal assistance and compensation. Unjustifiably however, the reality of the reception trafficked women receive from the British authorities is hostile, scary, inexpert and often negligent. Specifically, women who seek help are frequently treated with suspicion, imprisoned in immigration detention centres in poor conditions, subject to unfairly fast decision processes, without access to adequate legal advice and without the opportunity to appeal unfair decisions.

The very nature of the trafficking process means that many victims will be in the UK without having navigated through official routes and are therefore often residing here illegally. Whether or not this is a situation the women have chosen for themselves, once they come into contact with immigration officials and the police they are likely to be treated primarily as illegal immigrants and not, as they should be, victims of human rights abuses. The Poppy Project identified many women who were met with serious impediments in seeking assistance from the police. Notably: not being able to talk to police officers alone; not having access to adequate interpreting facilities; and being treated as a criminal. One woman supported by the Poppy project and subject to police raids on four separate occasions during her time working in prostitution explains her experience in the following way: "…you feel threatened by them [the police], they don't act like they want to help you, they act like they want to deport you. They first ask are you legal, for your papers. They don't ask if you are okay".[9] The UK has promised to treat these women in the context of protection and it is crucial that police responses should be effective, not only in identifying situations of trafficking, but in terms of defending safety for victims.

People who do not enter the UK legally are liable to be detained in immigration detention and are likely to face prosecution for the criminal offences associated with illegal entry. However, detention of trafficking victims can intensify pre-existing physical and psychological harm caused by prior periods of imprisonment and enslavement. This includes mental distress of a severe nature such as depression, suicidal intention, flash backs, insomnia and post traumatic stress syndrome. Results from a Poppy Project analysis demonstrate that women trafficked into the UK are routinely held in immigration detention centres or prison despite the UK's promises to provide assistance to victims.[10]

Of most concern is the extensive use by the UK Home Office of the detained fast track (DFT) procedure once women find themselves in detention. The DFT is an accelerated process for assessing asylum claims, wholly unsuitable for cases involving trafficked women. After a woman is referred into the process, her claim is decided within two or three days. If she is refused at the first instance, and in 2008 96% of claims were, she has two working days to appeal the decision. If her appeal fails she will be automatically deported. Even the Home Office's own quality team conceded that the DFT procedure is not sufficiently "robust" or substantive to enable it to identify complex gender-related claims.[11] Yet trafficked women are still frequently found among those in the Detained Fast Track procedure. In May 2009 the House of Commons Home Affairs Committee stated, "We are concerned that the Government's laudable aims of deterring fraudulent applications for asylum and speeding up the decision processes for genuine asylum seekers may disadvantage the often severely traumatised victims of trafficking.... removing people from the Fast Track does not mean that their cases would be examined less rigorously; it just means that there would be more time in which evidence of trafficking might be adduced".[12]

> "Women who have been trafficked but who do not get the chance to obtain adequate legal advice are not receiving the protection they need and which the UK has promised to provide"

This focus on the immigration and criminal elements of the victims' status means that early access to reliable, high quality legal advice and representation is essential. Yet this is another area where the UK fails victims of trafficking. 80% of women's cases that were initially refused, were successful at the appeal stage with the support of legal advice made available through the Poppy Project.[13] These supported women, when compared to other asylum seekers, were also six times as likely to succeed at the appeal stage, suggesting that support and proper legal advice really does make all the difference. Without access to adequate legal advice, many women would have been given an incorrect decision and deported to their country of origin. The problem is compounded for women trafficked from countries considered to be generally safe by the Home Office. The list of countries considered to be safe include Albania, Jamaica and the Ukraine, major countries of origin and transit for women and girls trafficked for the purposes of sexual exploitation.[14] Claims from these countries are also subject to the 'non-suspensive appeals' (NSA or 'white list') procedure. This means that if a claim is refused at initial decision-making stage, there is no in-country right of appeal and the claimant will be removed from the UK. This clearly has particular implications for victims of trafficking from "safe countries" who are unsuccessful at the initial stage of an asylum claim. The only way that these women may appeal is to return to the home country where there are likely to be high risks of reprisal, violence, further exploitation and/or re-trafficking. An initial decision for one of these women can therefore be a matter of life or death. With such a high number of initial asylum decisions being overturned as incorrect at the appeal stage, the denial of early adequate legal advice or of an in-country appeal to victims of trafficking is simply appalling. Once more, the importance of good quality legal representation and support from the very first stages for all trafficked women can not be overstated. It is the most important practical safeguard to ensure women are not lost in the system and sent back without an opportunity to fully argue their case.

My experience is, and the further evidence shows that the emphasis on physical safety, practical support, legal advice and time for preparation of cases is unjustifiably lacking for many victims of trafficking in the UK leading to the most unacceptable of consequences. Women who have been trafficked but who do not get the chance to obtain adequate legal advice are not receiving the protection they need and which the UK has promised to provide. "Violence against women is perhaps the most shameful human rights violation. And it is perhaps the most pervasive. It knows no boundaries of geography, culture, or wealth. As long as it continues, we cannot claim to be making real progress towards equality, development, and peace".[15] Despite promising to protect victims of trafficking, the UK is complicit in their continued marginalisation and unfair treatment. Surely with Britain's capabilities and claims of leadership in this area, we should be able to stick to our promises and ensure that trafficked women do not face a continuation of unfair punishment once they seek help, and protection? It is crucial that we provide competent legal representation to those who need it most but can afford it least. For this, we need a good system of legal aid and competent legal representatives that are willing to carry out this most important work to the highest of standards at the earliest of stages. I remain hopeful that this can be achieved.

6 Amnesty International, Lives Blown Apart, 2004, http://www.amnesty.org/en/library/info/ACT77/075/2004

7 Women's Aid, U.N. Halted Probe of Officers' Alleged Role in Sex Trafficking, 26 December 2001, http://www.womenaid.org/press/releases/pr4.html

8 POPPY at Eaves for Women, Men Who Buy Sex, December 2009, http://www.eaves4women.co.uk/Documents/Recent_Reports/MenWhoBuySex.pdf

9 POPPY at Eaves for Women, Routes in, routes out: Quantifying the Gendered Experience of Trafficking to the UK, August 2008, http://www.eaves4women.co.uk/Documents/Recent_Reports/Routes_In_Routes_Out.pdf

10 POPPY at Eaves for Women, Detained: Prisoners with no Crime, 2008, http://www.eaves4women.co.uk/Documents/Recent_Reports/Detained.pdf

11 Human Rights Watch, Fast Tracked Unfairness, 2010, http://www.hrw.org/en/reports/2010/02/24/fast-tracked-unfairness-0

12 The Trade in Human Beings: Human Trafficking in the UK - Home Affairs Committee sixth report, 6 May 2009, http://www.publications.parliament.uk/pa/cm200809/cmselect/cmhaff/23/2302.htm

13 POPPY at Eaves for Woman together with Asylum Aid, Hope Betrayed: An analysis of women victims of trafficking and their claims for asylum, 2006, http://www.eaves4women.co.uk/Documents/Recent_Reports/Hope%20Betrayed.pdf

14 Asylum Aid, Safe for Whom? - Women's human rights abuses and protection in "safe list" countries: Albania, Jamaica and Ukraine, June 2004, http://www.unhcr.org/refworld/docid/478e3c70d.html

15 Former UN Secretary General, Kofi Annan 8 March 1999 http://www.un.org/News/Press/docs/1999/19990308.sgsm6919.html

Angels Dancing on a Pin Head v Devil Hiding in the Details

The epilogue of the Binyam Mohamed case, by **Napoleon Xanthoulis**.

It was a cold Monday evening in London on February 8th 2010 when at 19.03 the clerk of the Masters of the Roll received an e-mail from Mr Jonathan Sumption QC[1], counsel for the Foreign Secretary, addressing 'an important matter of substance'.

The same evening I imagine the Master of the Rolls, Lord Neuberger, the second most senior judge in the UK, was clouded by feelings of relief and agony. Relief because after two years of endless hearings, six judgments, thousands of classified documents, media pressure and political frustration the 'Binyam Mohamed case' was about to come to an end. However, Lord Neuberger, a judge with a great sense of humour, who has admitted that *'the Lords are human not divine so [they] may err from time to time'*[2], this time had reasons to believe that he might had gone too far with his judgment.

But let's go back in time and through this remarkable legal story.

How did all begin?

On 6th May 2008, Mr Binyam Mohamed[3], an Ethiopian national, and UK resident, issued proceedings in the High Court for an order that the UK Government should supply certain documents on a confidential basis to his lawyers in the United States. At that time he was detained in Guantanamo Bay, and claimed that the documents would be vital for his defense against charges that would be soon filed by the US government.

His predictions eventually came true, since on 28th May 2008 Binyam was accused of war crimes and specifically of being involved in terrorist activities, which if established could have carried the death penalty. The US charges claimed that in 2002 Binyam travelled to Afghanistan and other countries, was offered training in Taliban combat camps in weapons and use of explosives, and planned a terrorist act to be carried out on US soil.[4] Binyam was arrested in Pakistan around April 10th 2002 attempting to return to London using a forged passport.

Today there is clear proof[5] for the truth of the following facts relating to Binyam Mohamed's case, between April 2002 and 2004. More specifically that between April and June 2002, Binyam Mohamed was detained by US authorities in Pakistan, without access to a lawyer where he was interrogated. During that period he was beaten, threatened with a gun, and tortured by Pakistani and US authorities[6]. In July 2002, he was sent to Morocco where he was interrogated once more, beaten, subject to sleep deprivation and cut on his genitals with a scalpel. In January 2004, he was transferred to Afghanistan, tortured again and detained in dark cells before he was transported in September 2004 to Guantanamo Bay.

He was then charged by the US authorities, but the charges were dropped as the procedure involved was condemned as unconstitutional by the US Supreme Court[7]. It then became apparent that Binyam was about to be charged again so his lawyers decided to seek documentation and information from the UK government in order to prove that all Binyam's confessions has been obtained as a result of torture. The UK government refused to comply with the request on the grounds of national security, and Mr Mohamed accordingly brought an application for disclosure of documentation in May 2008.

The foreign secretary voluntarily put written material before the Court, much of which was provided on a confidential basis; including 42 documents which comprised information that had been given by the US intelligence services to the UK Security Services (SyS) and Secret Intelligence Services (SIS). Such information was given under the condition of the so called "the control principle", which meant that the information would not be disclosed without the consent of the Government which had provided it. Six judgments from the High Court's Civil Division and one judgment of the Court of Appeal were delivered on this issue, producing different decisions under very controversial reasoning. In these judgments the main issue was whether seven redacted paragraphs from the reasoning of the first judgment should be made public. These paragraphs were

1 For a summary profile of the well known lawyer see Tom Whitehead, 'Profile of QC at centre of Binyam case', 10th February 2010, Telegraph, http://www.telegraph.co.uk/news/newstopics/politics/lawandorder/7207378/Profile-of-QC-at-centre-of-Binyam-case.html

2 'David Neuberger: the Human Face of the law', Afua Hirsh, The Guardian, Sunday 14th 2010

3 For more details on the Binyam Mohamed's profile and his background see for ex. 'Biography of plaintiff Binyam Mohamed', American Civil Service Union http://www.aclu.org/national-security/biography-plaintiff-binyam-mohamed

4 For further details of the charges see United States of America v. Binyam Ahmed Muhammad, Charge: Conspiracy documents http://www.defense.gov/news/Nov2005/d20051104muhammad.pdf

5 See the reasoning at the following open judgments by the Divisional Court (especially the 1st): 21st August 2008 [2008] EWHC 2048 (Admin); 29th August 2008 [2008] EWHC 2100 (Admin); 22nd October 2008 [2008] EWHC 2519 (Admin); 4th February 2009 [2009] EWHC 152 (Admin); 31st July 2009 [2009] EWHC 2048 (Admin); 16th October 2009 [2009] EWHC 2549 (Admin); 19th November 2009 [2009] EWHC 2973 (Admin) and the judgment of the Court of Appeal 10th February 2010 [2010] EWHC Civ 65.

6 For details on Binyam Mohamed's period in detention see for ex. David Rose, "How MI5 colluded in my torture…', 8th March 2009, Daily Mail, http://www.dailymail.co.uk/news/article-1160238/How-MI5-colluded-torture-Binyam-Mohamed-claims-British-agents-fed-Moroccan-torturers-questions--WORLD-EXCLUSIVE.html

7 Hamdan v Ramsfeld (2006 548 US 757

related to evidence of the UK intelligence services involvement in the torture of Binyam Mohamed and created tension among UK and US authorities as well as the members of the court. Finally, on February 10th 2010 the judgment of the Court of Appeal ruled in favor of publishing these paragraphs. The above mentioned CA judgment of 10th February 2010 raised inevitably a broader debate on the work and ethics of the UK intelligence services[8] and was strongly criticized by the UK government[9].

The Cause

At this point the reader would reasonably expect that the case would have been closed, unless the Foreign Secretary decided to appeal further to the Supreme Court. However, that was not the case. As it will be shown, several facts took place that forced the court to deliver an additional final judgment[10]. On February 5th, the three Court of Appeal judges, one of which was Lord Neuberger, having finished writing their judgments, agreed to send them to the parties of the case (Binyam Mohamed's lawyers and the counsel of the Foreign Minister) on a confidential basis in order to make their final comments before they were read in public on Wednesday 10th February 2010. As mentioned by the Lord Chief Justice of England and Wales these judgments were and remained draft judgments, and the judges were not to be bound in any way.

Having said that we arrive eventually to this cold Monday evening on 8th February 2010 when Lord Neuberger was notified that a letter had been sent to him by the counsel for the Foreign Secretary. Someone who has followed the facts of this case since the very beginning in 2008 could easily guess that the judge must have known what this letter was about before he even opened it. After all, he might have been expecting it, and this was probably the reason he could not fully enjoy the closure of this case; simply because it wasn't about to end so easily.

In his letter[11] the counsel requested the exclusion of one paragraph of Lord Neuberger's judgment, and particularly, para. 168. As it will be understood, Lord Neuberger decided initially to amend his judgment by watering down the court's condemnation of the security services, which had been described by Mr Sumption as containing "exceptionally

8 Jonathan Evans, 'Conspiracy theories aid Britain's enemies', 11th February 2010, Telegraph http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/7217438/Jonathan-Evans-conspiracy-theories-aid-Britains-enemies.html

9 see for ex. The letters of David Miliband(Foreign Secretary) and Alan Johnson (Home Secretary) to the Guardian on 12th February 2010 http://www.guardian.co.uk/world/2010/feb/12/intelligence-torture-and-the-courts the official statement of David Miliband http://www.fco.gov.uk/en/news/latest-news/?id=21722320&view=News and his statement to the House of Commons on 10th February 2010 http://www.fco.gov.uk/en/news/latest-news/?view=PressS&id=21735910

10 Court of Appeal 26th February 2010, [2010] EWCA Civ. 158. An electronic version can be found at http://www.onebrickcourt.com/files/cases/mohammed_38741.pdf

11 Since the letter was leaked to the press it can be found in the following link: http://www.guardian.co.uk/world/2010/feb/10/binyam-mohamed-torture-letter

damaging criticism". "The Master of the Rolls' observations… will be read as statements by the court that the security service does not in fact operate a culture that respects human rights or abjures participation in coercive interrogation techniques", says Mr Sumption in his letter. However, this decision attracted great publicity and led to a number of unforeseen events which forced the judge to finally amend it again towards the wording of his first draft. The relevant events that took place raise questions on two different areas. Firstly, regarding the procedures that were followed and the overall behavior of the Court, and secondly regarding the wording, the interpretation and the overall analysis of the content of para. 168 of Lord Neuberger's judgment. In this article there will be no consideration on the second issue since it requires an amount of space which extends the limits and scope of this article.

Let us then go through the events and the court's thoughts as they took place.

The three assumptions

Lord Justice in his judgment claimed that when they (the judges) received the letter, they "assumed that Mr Sumption's letter was also copied to those who had been provided with copies of the draft judgments". This assumption was made on the basis that this was the formal procedure that was always followed in such cases. However, as the same judge admitted, Binyam's solicitors had eventually, received the letter only the following morning (9th February).

In same framework, the court, made a second assumption, that the parties ought to address the issues raised by the letter as a matter of urgency on 9th February, in view of the fact that the court intended to make its judgment public the next day.

Finally, the court's third assumption was that since Binyam's solicitors had not sent any response to the letter by lunchtime on 9th February, then no further objections should be expected. Therefore Lord Neuberger could amend para. 168 (with minor amendments to par 169 and 170), considering his own thoughts and Mr Sumption's observations. The amended judgment (or second draft judgment) was circulated to the parties on Tuesday 9th February around lunch time. However during the afternoon session, as the court admits it "gradually became apparent that something may have gone awry with the arrangements for the delivery of Mr Sumption's letter and that there were indeed objections [a:] to the course taken by Mr Sumption and [b:] to his proposals for possible reconsideration of the original draft of para. 168. Such objections were probably related to the fact that para. 168 was amended in such way so as to exclude any sensitive wording, as was requested by the counsel. More than four fifths of the content was redacted from the original text.

The leak

Nevertheless, the Court decided to read the judgments in open court on Wednesday 10th February 2010. Following the publishing of the judgments the court made clear that para. 168 had been published in a draft form, since Mr Sumption's objections stated in a letter had been received by the court, and that its final version would be read in public following the hearing of the parties submissions.

Unexpectedly, within a short time of the court adjourning, it became apparent that the letter from the Mr Sumption, but not any part of the first drafting of para. 168 was already published to the press by one of Binyam's lawyers. Inevitably, this fact resulted in drawing the attention of public opinion to a possible 'secret communication' between the UK government and the judiciary and in questions on the independence of the judiciary[12].

Such allegation and the overall "circumstances of this particular case, which is exceptional in so many aspects", as the court admitted, required the latter to address whether the original first draft of para. 168 should be made available. Such action, consequently, would be regarded as an exception to the application of the principle of confidentiality which normally applies to all draft judgments. In order to address this issue, Lord Justice initially discussed the benefits of circulating the draft judgments. He argued that this practice "has produced greater efficiency in the administration of justice and improved convenience for the parties involved".

He further argued in support of publishing the first draft of para. 168 by developing the following two arguments. Firstly, following the unofficial publication of Mr Sumption's letter and his observations about the first draft of par 168, serious allegations have been raised on the independence of this court. The publication resulted in public comment based on Mr Sumption's observations about paragraph 168 in its first draft, rather than on the actual text of the first draft itself. As the first draft was not made publicly available, any comment on the finalized form of paragraph 168 of the judgment , and any comparison between the first draft and the final judgment, will continue to be based on Mr Sumption's letter.
Secondly, the need to publish the original draft was raised from the stark fact that since the publication of the seven redacted paragraphs, part at least of the discussion has understandably focused on the events narrated in this judgment and the amendment to paragraph 168 following receipt of Mr Sumption's letter. This may lead to the develop of the misconception that in this case a Minister of the Crown, or counsel acting for him, was somehow permitted to interfere with the judicial process. This did not happen, and it is critical to the integrity of the administration of justice that if any such misconception may be taking root it should be eradicated.

12 Richard Norton-Taylor, 'Top judge: Binyam Mohamed case shows MI5 to be devious, dishonest and complicit in torture', 10th February 2010, the Guardian
http://www.guardian.co.uk/world/2010/feb/10/binyam-mohamed-torture-mi5

Having stated the above arguments, Lord Justice included in his judgment the first draft of para. 168 of Lord Neuberger's decision and repeated again: "the circumstances here, are, we believe, unique. They will not be repeated". Lord Neuberger, then explained in his judgment the reasons that forced him to accept initially Mr Sumption's concerns and amend para. 168, as well as the reasons he decided to amend it again, and how his final wording should be interpreted. These facts have been given in order for the reader to have a deep and holistic view of the broader circumstances which lead to this judgment.

Discussion

The decision of the Court of Appeal was extremely significant since the public interest was bombarding with numerous allegations the court and was questioning the impartiality and independence of the judiciary itself. It is the author's opinion that this judgment, although it successfully responded to the majority of allegations, at the same time it inevitably raised a number of questions:

1. **Why didn't the court make any investigation so as to assure that the letter had also been sent to Binyam's solicitors?**

Lord Chief Justice said in his judgment that "it is an elementary principle of justice that none of the parties to civil litigation may communicate with the court without simultaneously alerting the other parties to that act". Following this statement he claimed that the court "assumed the Mr Sumption's letter was also copied to those who had been provided with copies of the draft judgments.[Binyam's solicitors]". Nevertheless, what Lord Chief Justice didn't address sufficiently is why the court did not take any action so as to secure that "this elementary principle of justice" was actually respected, meaning that Mr Sumption had actually copied his letter to Binyam's solicitors.

2. **Why didn't the court make any formal complaint for the fact that the counsel's letter was not sent simultaneously to Binyam's solicitors on 8th February evening?**

Lord Chief Justice mentioned in several paragraphs of his judgment the importance of the circulation of draft judgments and its contribution in delivering justice. According to him, it is a "well understood practice" so as to offer an "opportunity for correction". Such opportunity can be taken either by one of the parties or by the judge him/herself in cases he/she considers appropriate to do so. The primary purpose of this practice is to enable any typographical or similar errors in the judgments to be notified to the court in order to be corrected. Secondly, on "rare occasions, and in exceptional circumstances", the court may be invited to reconsider part of the terms of its draft"[13]. In the second exceptional case it is a fundamental requirement that the other party should be immediately informed not only at the time of the corrections, but also for any written communication between the court, and the parties as well so as to enable them to make objections to the proposals if there are any.

In addition he argued that any response by the parties and generally every communication conducted between a party and the court should also be forwarded simultaneously to the other party. In order to maintain the principle of transparency, there should not be any dealings kept secret by any party within a case. In the principle of conducting a fair trial every party should be offered the opportunity to make any comments or objections if it considers it appropriate. It is made apparent that the Lord Chief Justice made no reference to any actions taken by the court following the allegation and the actual admittance by the courts that the letter was not forwarded to the other party according to the principles mentioned.

3. **Why didn't the court decide to offer a reasonable period for Binyam's solicitor to respond to the letter but instead decided to read the judgment in public, even when it was apparent that Binyam's solicitors intended to make objections related to the amended para. 168?**

In order to decide if there was an urgent need to read this decision in public Lord Chief Justice took the following test. As he explained, since in the morning of 10th February, before the public reading of the judgments, the Foreign Secretary notified the court that he would not be seeking to leave to appeal to the Supreme Court this meant that this would be the final judgment on this issue. Therefore, as the judge said "there was not any particular hurry for the judgment to be given" and bearing in mind that the whole judicial battle had taken more than 18 months, "additional delay of two weeks or so…was not of major importance" especially since there was a need to give the opportunity to both sides to submit their comments for the final draft of para. 168. On the other hand, these "long withered redacted paragraphs demanded immediate publication, not only in the interests of Binyam Mohamed himself, but also because of the broad public interest considerations to which each of… [the] judgments referred". Eventually, as Lord Chief Justice wrote "[they] decided that publication of the redacted paragraphs should take place immediately". The test that the Lord Chief Justice took, as the author understands it, was to balance Binyam Mohamed's interest of having the appropriate time to submit his objections on the amendment of para. 168 with the public interest on the publication of the 7 redacted paragraphs. We should not forget that during the period of the case there were serious allegations against the judiciary and the executive from a significant part of political community and civil society. On the one hand, it was the Foreign Secretary's counsel fault, as it was proved, that Binyam Mohamed's lawyers were informed with delay about the letter sent to the court. Therefore, there was no reason why Binyam Mohamed should suffer the damage

13 The Lord Chief Justice cited two authorities in which such action was taken: Robinson v Fearsby [2003] EWCA Civ 1820 and R (Edwards) v The Environment Agency [2008] 1 WLR 1587.

for a mistake for which he was not responsible. It was Binyam Mohamed's right not only to have these redacted paragraphs published but also to have access to the full reasoning of this decision. Consequently, the opportunity to have the appropriate time to submit his objections on the amendment of para. 168 constituted a vital procedural part of the final reasoning of the court and of delivering justice, since the reasoning of the court is what justifies, after all the judgment itself.

In general, it could be easily understood by a reader of the newspapers that the public media had drawn all their attention to the content of the redacted paragraphs. In fact, each day that their publishing was delayed it caused additional damage to the UK government, and more specific to the Foreign Minister and the UK intelligence services.[14] In the same context, the extraordinary pressure exercised on the judges themselves not only by the public media[15] but also from the UK Government, each for different reasons, should not be underestimated. In the end, the decision to publish the judgments immediately without prior finalizing the reasoning behind the decision seemed to benefit the UK Government as the public media could not support any further scenarios for any secret communication between the court and the Foreign Minister. However, this meant that Binyam, had to suffer the damage of an "over-hasty" decision to amend par 168 without giving the other parties the opportunity to reply"[16], as was described by Lord Neuberger, while the UK Foreign Secretary, even if it was up to a certain limit responsible for the non finalization of the reasoning, was about to gain the benefit of the closure of the case. However, explained above, the leak of Mr Sumption's letter to the public media resulted in unexpected further damage on the reputation of the UK government and the judiciary, which eventually lead to the present judgment.

4. Why did the Court ask Binyam's lawyer to apologize for giving to the press a document which was referred to an open court?[17]

According to CPR 31.22, entitled 'Subsequent use of disclosed documents[18] and particularly s.(1)(a) "a party to whom a document has been disclosed may use the document only for the purpose of the proceedings in which it is disclosed except where the document has been read to or by the court, or referred to, at a hearing which has been held in public;". Additionally, s.(2) gives the right to the court to make an order restricting or prohibiting the use of a document which has been disclosed, even where the document has been read to or by the court, or referred to, at a hearing which has been held in public [s.(3)] following an application made by a party; or by any person to whom the document belongs. In our case, as it was mentioned above, the letter was referred by the court on a public hearing on 10th February but there was no order for further restriction or prohibition to the use of it and no relevant application by Mr Sumption on behalf of the Foreign Secretary, as it is required by s.2 and 3.

Nevertheless, the court concluded that these principles are "not directed to submissions and discussions about draft judgments which take place in open court and that the observations on the draft by any of the parties continue to be covered by the same confidentiality principles that govern the circulation of draft judgments". In other words the rules mentioned above are not applied in this case. In response to why the court did not consider ordering some form of prohibition on publication of the discussions held on February 10th during the public reading of judgments, the judges claimed that this "would have been inconsistent with the principles of open justice". Finally, the court added that "the minimum requirement before wider circulation is permissible must be an application to the court". However, bearing in mind that the court did not support these arguments by any authority and considering the arguments stated on the application of CPR 31.22. it is the author's opinion that it is still a matter of question if the court had sufficient reasons for concluding that Binyam's counsel broke the confidentiality principle.

Epilogue

The final judgment of the Court of Appeal was welcomed with different reactions[19]. On the one hand, for the majority of the media commentators it was seen as an impressive victory for open justice and the rule of law, since the court decided to publish all three versions of para. 168 while the last and binding one was highly critical of the UK intelligence services involvement in Binyam's torture. On the other hand, for a significant minority, the decision was understood as being harmful for the UK national interests since it revealed facts that may give rise to further breach of trust to the UK government, its intelligence services and their compatibility of their actions with fundamental human rights. In addition, it became the cause for initiating an investigation of the overall functioning of UK intelligence services[20] and a broader discussion on the effectiveness of the existing national security policy[21].

14 See for ex. Richard Norton-Taylor, 'Lawyers urge court of appeal to publish key part of Binyam Mohamed draft ruling', the Guardian, Saturday 13th February 2010 http://www.guardian.co.uk/world/2010/feb/13/binyam-mohamed-appeal-court-judgment

15 "Binyam Mohamed case: Torture and a question of Judgment", editorial, Saturday 13th February 2010, the Guardian http://www.guardian.co.uk/commentisfree/2010/feb/13/binyam-mohamed-judges-ruling-editorial

16 Afua Hirsch, 'How 400 ears of legal history were cast aside in the Ninyam Mohamed case', 10th February 2010, the Guardian http://www.guardian.co.uk/world/libertycentral/2010/feb/10/binyam-mohamed-legal-principle-representations

17 http://www.thelawyer.com/dinah-rose-qc-apologises-to-court-for-handing-sumption-letter-to-press/1003432.article

18 Part 31 of Civil Procedure rules, 'Disclosure and Inspection of Documents' can be found at http://www.justice.gov.uk/civil/procrules_fin/contents/parts/part31.htm

19 'Criticism on MI5 to be restored to Binyam Mohamed judgment', 26th February 2010, the Guardian http://www.guardian.co.uk/world/blog/2010/feb/26/binyam-mohamed-torture

20 Richard Norton Taylor and Ian Cobain, 'MP steps up demanding inquiry into MI5 torture claims', Monday 15th March 2010, the Guardian, http://www.guardian.co.uk/uk/2010/mar/15/inquiry-calls-mi5-torture-row

21 Allegra Stratton and Richard Norton-Taylor, 'MPs demand reform security oversight', 14th February 2010, the Guardian http://www.guardian.co.uk/politics/2010/feb/14/mi5-security-services-binyam-mohamed and Robert Booth and Ian Cobain, 'Human Rights groups call reform of government's

Overall, the publication of the total three versions of para. 168 and Lord Neuberger's decision to include after all his criticism for the UK intelligence services should without doubt be considered as a remarkable proof that the judiciary has managed to secure its independence and deliver a fair judgment without considering the unusual pressure which was exercised by many interests, but primarily by the UK and US governments.

Someone could say that since there is a strong and fair judgment it is a waste of time with no practical value to discuss the process through this ruling was delivered, in other words, "angels are dancing on a pinhead[22]". However, as it was shown, such victory has been shadowed by a series of events that raise serious questions whether justice and rule of law would have prevailed if it wasn't for such enormous public media pressure. The overall procedural behavior followed by the court but mainly its justification, as was analyzed by the judges themselves cannot fully erase serious doubts, in the author's opinion. However, this is without question a case with a great political character, and the line between delivering justice and exercising public policy through evaluating national security interests is very thin. The judges had to address a very rare balance of interests in an extremely difficult situation.

The persistent investigation of procedural matters within a case may seem sometimes as angels dancing on a pinhead, but it is likely that this will enlighten the grey area; and everyone knows that often the devil hides in the details.

security committee', 26th February 2010, the Guardian, http://www.guardian.co.uk/uk/2010/feb/26/m15-torture-security-service-committee

22 The expression was used by Sir Anthony May in his judgment (para. 295), 10th February 2010, Court of Appeal (see above).

Pro Bono Cost Orders: Levelling the playing field?

Tom Stoate examines the way in which pro bono work is shaping and developing legal access, and suggests possibilities for the future.

Last November, £25,000 was distributed across England and Wales to organisations providing free legal help to those in need. This money came from pro bono costs orders, enabled by Section 194 of the Legal Services Act 2007, allowing a court to order the 'losing' party in a case to make a payment to the Access to Justice Foundation equivalent to legal costs, where the 'winning' party is supported by pro bono lawyers.

What a wonderfully simple, progressive idea. At last year's National Pro Bono Conference, the Foundation Chair, Lord Goldsmith, summed up the rationale perfectly: "Pro bono work was never intended to help the well-off or big corporations save money". Whereas a losing party previously escaped costs liability simply because the winning party had been assisted pro bono, Section 194 now makes for a fairer fight – closing the gap in resources and expertise at the disposal of each side.

The mission of improving access to justice, however, is not just to level the playing field in the courtroom, important though that is. I want to offer a challenge to the Foundation in how these grants are spent in the future, as it continues its vital role in bringing in and distributing funding.

As I read through the list of the Foundation's inaugural grants, I was struck by the fact that they are aimed at strengthening the existing legal advice network. Many will be spent on modernising law centres, like paying for new IT systems at Gloucester, Trafford and Bournemouth. This will be hugely beneficial. As well as increasing casework capacity, a well-resourced infrastructure is an integral part of good case management (as a volunteer in a law centre which is heavily reliant on paper filing and handwritten case notes, I know this from experience).

Other grants provide for recruiting professional staff to train advisers and share best practice, like at Birmingham, Devon and Carmarthen law centres, which increases effectiveness and enhances cooperation between pro bono lawyers. This, again, is essential. Faced with the challenges of the recession – which, according to the Citizens Advice Bureau, has caused a substantial increase in demand for free legal advice on debt, mortgage repossessions, rent arrears and welfare benefits – sharing knowledge, strategy and experience is vital.

But the real gem nestling among these grants – that awarded to the Law Centres' Federation Young People's Project – is doing something different. By reaching out to people who might never ordinarily walk through the door of a local law centre, it is levelling the legal playing field in a more fundamental way.

According to Youth Access, 16–24-year-olds in Britain experience some 2.3 million rights-related problems requiring advice each year. As many as 200,000 of these cases result in young people trying, but failing, to obtain advice – often because there is no service available to help them. Fewer than half of all young people with serious social welfare problems manage to find advice, and a least a million are left to cope with legal problems on their own.

A young homeless man who came to Toynbee Hall Free Legal Advice Centre made the reasons depressingly clear to me. Mistrust of adults, lack of rights awareness, confusion and frustration at the system: all play their part in a serious access to justice problem. Indeed, young people are seven times likelier than other groups to experience homelessness, but eleven times less likely to get legal advice about it.

> **"The most important stage in accessing justice is the very earliest of all: someone's understanding that they have a legal issue."**

By delivering advice in places young people already trust and use in their everyday lives, and by training lawyers to work specifically with young people at dedicated services like Streetwise in South London and StreetLegal in Islington, the Young People's Project is engaged in some groundbreaking work, and is starting to transform young people's experience of, and participation in, our legal system.

It has been shown that targeting access to good advice and legal advocacy to an 'excluded' group may have a disproportionately beneficial impact. It is an effective way of fighting poverty, by ensuring and expanding rights to critical benefits and services. It gives people a voice for their grievances. It can also empower others: findings from the recent Civil and Social Justice Survey suggest that when someone obtains legal advice, others in their family are far likelier to do so too.

The most important stage in accessing justice is the very earliest of all: someone's understanding that they have a legal issue. It is here that the legal playing field must be levelled, by extending targeted projects to other groups for whom it still remains desperately barren terrain on which to seek redress for the injustices they suffer. People with mental health problems who struggle to articulate often highly complex problems. Victims of domestic violence, or people seeking asylum, often too scared to seek help. These groups are the least likely to seek legal help, yet the likeliest to suffer the consequences of not knowing their rights: stress and ill-health, or a sense of fatalism towards the whole system – leading in turn to further problems. The answer is not more lawyers, or even better lawyers: it is dedicated services, and – crucially – outreach.

The current focus on individual pro bono cases, while important, might not do enough to address problems created by systemic inequalities in our legal system. It helps those who already seek advice, but does not search out those who most need help. By joining forces with anti-poverty, social inclusion and community outreach initiatives, the pro bono legal movement could bring into its view people who – like the young homeless – might never consider seeking help at the local law centre.

> **"By joining forces with anti-poverty, social inclusion and community outreach initiatives, the pro bono legal movement could bring into its view people who – like the young homeless – might never consider seeking help at the local law centre."**

If the recession has anything like a silver lining, it has been to show much more widely the civic value of pro bono services. The Access to Justice Foundation will play a major role in meeting the pro bono needs the recession has caused. But doing so might mean digging up the playing field and starting again. The effects could be transformational.

Tom Stoate is studying an LLM at UCL, and is a Residential Volunteer at Toynbee Hall Free Legal Advice Centre in East London.

Twelve Angry Men

The English jury trial has provided fodder for many a UCL debate, and **Cerise Stevens** puts her own perspective on the age-old question: are juries fair?

Jurors perform a vital function in our criminal justice system, deciding whether or not defendants are guilty in some of the most serious criminal cases. A jury's verdict can result in imprisonment - one of the greatest possible restrictions on an individual's liberty. However, despite the possibility of such a dreadful consequence, little has been known about the jury decision-making process until now.

A recently published report entitled 'Are Juries Fair?' by Professor Cheryl Thomas of our Law Faculty has examined many aspects of the jury decision-making process for the first time. The report, part of research for the Ministry of Justice, explores issues such as whether juries understand a judge's legal directions and whether they are influenced by media coverage on the internet. Although little evidence of unfairness was found in the present jury system, the report provides a valuable insight into the jury's decision-making process and makes several remarkable findings.

> "Two thirds of jurors do not fully understand what a judge has told them."

One of the most striking findings of the report is that two thirds of jurors do not fully understand what a judge has told them. The research team visited the Crown Court of Winchester and asked jurors to identify two specific questions the judge had posed to them which determined whether or not the defendant was guilty. Only 31% of jurors were able to recall both questions.

The importance for jurors to understand a judge's legal directions is highlighted by the fact that many defendants have successfully appealed against their conviction on the ground that a properly directed jury might have acquitted them. Currently, in most cases, jurors receive their legal directions in the form of an oral presentation by the judge at the end of the trial. However, as the report has uncovered, many jurors struggle to remember the specific language contained in the judge's instructions. Thomas has suggested that the use of written legal instructions may make the task of the jury easier. Indeed, some senior judges have already anticipated changes in this direction in the jury system. Speaking to the BBC, Judge Keith Cutler, a senior circuit judge at Winchester Crown Court, has said, "I think that the judges will learn that they must give more written direction in nearly all cases, which is something we already do in murder and fraud cases."

The rise in internet usage and advances in technology have meant that information is now more accessible than ever, and the report discovered that this has had an impact on the jury decision-making process. The study found that some jurors search for information concerning their case online, despite being told not to do so. At the start of a trial, jurors are ordered by the judge not to look for any information on their case. Nevertheless, the report found that, particularly in high profile cases, some jurors either do not understand or ignore these instructions. In those cases receiving high levels of media coverage, 12% of jurors actively searched for information online, whilst a higher percentage (26%) came across information on the trial while online. Even in criminal cases, which receive much less media coverage, 5% of jurors were tempted to look up the case online.

The jury trial has its origins in the Magna Carta 1215, a statute passed during an age when people could not even begin to contemplate the technological revolutions that would take place nearly 800 years later. So, is the jury trial out of place in contemporary England and Wales? In June 2009, the Court of Appeal, in a ground-breaking ruling, held that a criminal trial can take place without a jury. The case concerned four men standing trial for an armed robbery at Heathrow Airport, in which £1.75m had been stolen. The Lord Chief Justice Lord Judge, giving the judgment of the court, explained that though trial by jury is "a hallowed principle of the administration of criminal justice", there was a real risk of jury-tampering taking place in that case which justified a trial by a judge alone. However, despite his Lordship's explanation, many lawyers and civil liberties groups have expressed concern that this historic decision will open the floodgates for non-jury trials in less serious cases. Isabella Sankey, director of policy at Liberty, has remarked that the decision could create a "dangerous precedent".

It remains to be seen what the future will be for the jury trial. For the time being, however, it can be sure that the majority of people regard the jury trial to be, as Lord Denning put it, the "bulwark of our civil liberties".

Features

Don’t Ask, Don’t Tell - Gay people in the legal profession

David Kirton and Yuvraj Joshi expose the established conservatism within the legal professional, while shedding light on the narrow social environment of Bentham House.

In the US Armed Forces, gay people are permitted to serve so long as their sexual orientation remains secret. They can’t attend gay establishments or speak about their partners, let alone speak out against discrimination. This is ‘don’t ask, don’t tell’: a policy which requires gays to completely separate their ‘private’ and professional lives. While it sounds very distant from these egalitarian shores, it is the reality for many legal professionals in the UK.

“Gays and the law have never been the most likely of bedfellows.”

Gays and the law have never been the most likely of bedfellows. Lawyers tend to be a conservative group, and the law has been used to persecute sexual minorities. It is hardly surprising, then, that gay people are under-represented in the legal profession. According to a recent Law Society report, a mere 2.25 per cent of solicitors identify as non-heterosexual, despite any credible study citing the nationwide average between five and ten per cent.

There is a saying that if every gay person turned blue, you would be surprised at how many blue people there are. While there are probably many more lawyers attracted to members of the same sex, they largely remain invisible. This invisibility typically takes one of two forms: either people feel compelled to lead closeted heterosexual lives, or they are openly gay to their friends but not their colleagues.

Why should this be? Despite the legal battle for equality for gays and lesbians, discrimination and hostility are not uncommon. The firmly held perceptions of heterosexuality as ‘normal’ and homosexuality as ‘perverse’ are difficult to overturn.

Sir Adrian Fulford is an openly gay judge of the International Criminal Court. During a judicial appointment interview, he was asked if he was a “sado-masochist or had some kind of unspeakable sexual interest”. Out of 38 Lords Justice of Appeal, one is gay. There have only ever been two openly gay High Court judges, both male; there are currently none.

There is a tangible fear of the consequences of coming out for many legal professionals. A Law Society report about the career aspirations of gay and lesbian solicitors reveals that very few respondents were openly gay at their first firm: “rather, they became increasingly open about their sexual orientation as their career progressed, with many deciding to reveal their sexual orientation only when they had reached an aspired position within their career”.

Of course, creating a gay-friendly environment at work makes immense business sense. One lesbian solicitor commented that “while my sexuality in no way impinges upon the job I do, my efforts to be discrete about it definitely take their toll”. Stonewall estimates that an employee can be up to 30 per cent more productive when they are not hiding their sexuality.

Increasingly, corporations that channel millions of pounds into the legal profession express a preference for firms that promote equality of opportunity. JPMorgan Chase, for instance, has said that a firm’s commitment to equality for gay people will be a factor in deciding where to direct its business.

Too many legal institutions are missing out on opportunities by failing to push for real changes in policies and attitudes. In Stonewall’s latest ‘Equality Index’ of the top 100 gay-friendly employers, only four law firms made the cut (Simmons & Simmons was the first among them at 31st). This pales in comparison to 21 local authorities and 17 police forces.

Solicitor firms are clearly lacking an adequate support network for their gay employees; most don’t even monitor sexual orientation as part of their equal opportunities policies. Partners who regard heterosexual masculinity as a self-standing legal qualification accentuate this problem. One trainee commented on the penchant of his City firm for trips to Spearmint Rhino, charging these visits as expenses.

Barristers’ chambers fare no better. The tough-knuckle machismo perpetuates an atmosphere of intolerance. One gay barrister commented that “the criminal bar in particular is a pretty male bullish place; even the women posture in an overtly masculine way to be noticed”. Across many practice fields, certain types of client are “seemingly more reluctant to be represented by someone they see as a ‘poof’”.

But this problem begins in our own backyard. Openly gay people are even more underrepresented at UCL Laws than they are generally in the legal profession. To our knowledge, there is one openly gay fresher and one openly gay law professor. In North America, every leading law faculty, including those at Toronto and Yale, has a dedicated gay student and faculty support network. This helps create greater visibility for gay issues in legal teaching and provides links with gay professional organisations. UCL Laws has nothing of this sort.

One gay UCL law student commented that “the gay community in Bentham House is non-existent; it’s much harder to be open about your sexuality when you feel you’re the only one”. This experience follows gay students into their legal careers. Rather than finding a supportive community at university, they are met with invisibility. Rather than being a part of the solution, legal education becomes a part of the problem.

“While considerable progress has been made in legal equality for sexual, gender and ethnic minorities and people with disabilities, substantive equality remains a distant reality.”

The law is lagging behind comparable professions in its commitment to gay equality, when it should be taking the lead. While considerable progress has been made in legal equality for sexual, gender and ethnic minorities and people with disabilities, substantive equality remains a distant reality. There is a need for talented lawyers—gay and otherwise—who will commit to fighting for justice within the legal profession. As the UK’s leading liberal university, UCL should mould students into lawyers who will remove obstacles from the paths of those who are seen as being different. Currently, we could be doing a lot more.

Man o Man: A Female Perspective

Shiva Riahi flips the coin on sexual objectification, and shares her opinion on what appears to be a double standard between the sexes at Bentham House

After 'Bentham's Most Eligible Bachelors' came out, the equivalent for girls was attempted but immediately crushed. When 'Man o Man' was announced, an equivalent for girls was called for, and was ignored. My question has always been: why?

Some boys have cited the unfairness of it. Some have even it called it male objectification. Part of me is tempted to say it's hardly unfair. Anyone that has ever watched the Victoria Secret Fashion show/ any commercial they have ever made will tell you that they are not meant for women. A little objectification going the other way seems only fair. Especially when it is harmless things like a most eligible bachelor list and an auction for charity that can hardly be called demeaning. While part of me loves to see some one-sided objectification at the expense of men, it is (perhaps surprising to some) the feminist side of me that finds it all a bit unjust.

I actually agree with the boys that if there is going to be a 'Man o Man', it's only fair that there also be a 'Woman o Woman'. And while I don't agree that it should have been named 'Bentham's Most Bangable Babes', I do think there should be a bachelorette version. If boys are expected to be subjected to things like this, then girls undoubtedly should expect the same.

"After 'Bentham's Most Eligible Bachelors' came out, the equivalent for girls was attempted but immediately crushed. When 'Man o Man' was announced, an equivalent for girls was called for, and was ignored. My question has always been: why?"

The argument was that if they made a female version of the list, girls would take it too seriously and get upset, and presumably boys would not. Perhaps it is true that girls would be more likely to react badly than boys. Girls might get more catty and competitive about it, or be too sensitive to deal with the joke. However, I would like to give female-kind the benefit of the doubt. I think we are either not giving enough credit to the women of Bentham or we are giving too much credit to boys. It hardly seems fair to say that girls who didn't make the top five would be absolutely devastated, and I don't think you can say that you couldn't find a couple of guys whose egos weren't at least slightly bruised by being left out of the voting.

However, if it is indeed the case that a girl version of the list could not have gone ahead for fear of hurting girls' feelings, I would say to the girls - suck it up! In the case of a 'most eligible list', I think there are two important life lessons that should always be remembered. One: Beauty is in the eye of the beholder. Two: Direct democracy can be a bit crap at deciding the best candidate, but that is perhaps beside the point. The point is that it is hardly something to take too seriously.

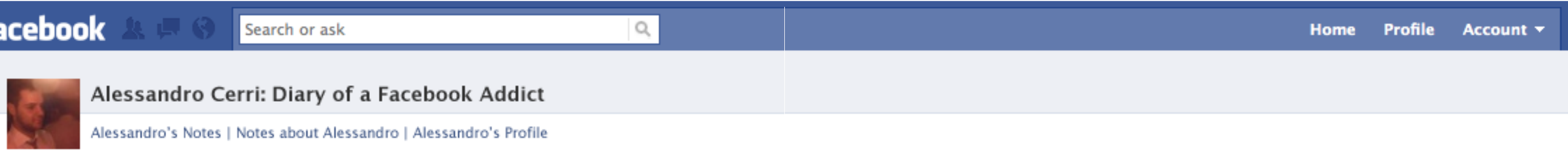
I think most girls in the law faculty would agree that they should have the same rights and opportunities as men, and that double standards should not be allowed. I think a lot of girls are annoyed by the common double standard that men are much less likely to be labelled as 'whores' than girls, among countless others. Nevertheless, by allowing 'Man o Man' and 'Bentham's Most Eligible' without allowing their counterparts, are we not just creating another double standard? One that just reflects poorly on women as being overly sensitive and unable to take a joke? And ultimately, that's what these things are. Jokes. If we can ask men to be the subject of jokes and banter, then should we not in our demand for equality expect the same of ourselves?

"Asking for equal treatment should go both ways, for both the good and the bad."

Asking for equal treatment should go both ways, for both the good and the bad. Exceptions for the sake of 'feminine qualities' hardly help any woman. While it is important to acknowledge that there are fundamental differences, too often we simply extend into stereotypes which are bad for both women and men.

At times , the level to which these stereotypes permeate our lives is overwhelming. We see these stereotypes reflected in how the men and women of Bentham are expected to react to the list and auctions. It was seen as a given that women would complain. Yet there were male complaints to the eligible bachelor list as well. It would seem to me that though it might have been a small group from both sexes, the voice of the female complaints are given much more weight than the complaint of the males. I struggle with whether or not this is a good thing. Perhaps this comes back to the idea of expectations. Men were expected not to complain, women are. Women are expected to be much more easily hurt by a list, men are not. I think the question is what good do these expectations do either gender?

While I hardly mean for this to be a feminist rant, I think it is important to say that the term "feminism" is too often misunderstood. I do not really know what people seem to think feminism is that makes them shy away from it so quickly. I think it is important for people to know that ultimately, at the heart of it, feminism is about equality, not exceptions.



Diary of a Facebook Addict

Today at 19:27

Share

There's no shame in admitting that, in 5 to 10 years from now, I will probably find myself seated in a circular arrangement, surrounded by the blank whitewashed walls of a Social Networking Rehab Centre, about to introduce myself to the rest of the group. I might begin with something along the lines of "Hi, I'm Alessandro, and I've kept my account deactivated for three weeks now...", followed by a round of half-hearted applause, and a consolatory pat on the back. Actually, the chances are that a fair portion of you reading this article might be in the same position, as more and more people find themselves 'addicted' to social networking, more specifically to popular sites such as Facebook and Twitter.

Common symptoms include:

a) Uploading pictures of yourself at a party... whilst you're still at the party.

b) Changing your status more than twice a day, so as to ensure that your friends/ acquaintances / complete strangers are fully up-to-date with all your daily activities.

c) Joining more than 50 groups, including 'Join this group if you're in a group', and 'Join this group because it's a group.

d) Having Facebook as your homepage.

e) Not having Facebook as your homepage, even though it might as well be.

Of course there are many more minor indicators of Facebook addict, but it is safe to say that the existence of any of those above is evidence enough. Caution goes to those to whom each symptom applies- if you've considered setting Facebook as your homepage, but purposefully didn't, you are still regrettably in the phase of denial. The question is, why are we so obsessed with social networking? What is it that makes it so appealing for the modern-day youth (and I use the word loosely) to spend countless hours in front of their computer, updating favourite quotes that no one will ever read, or playing ridiculous 2D games that would otherwise have long been extinct?

Examining the true nature of social networking requires some thought. At the beginning, most sites justify their existence on the somewhat cheesy premise of 'keeping in touch with friends', or 'reuniting with high-school classmates', but surely the former is rendered redundant by the existence of phones/emails, whilst the latter defeats the main reason for being happy to graduate from school- the benefit of selection.

So why do it? No single generalisation can be made over the reason why so many people are involved in social networking, but it might help to break things down into profiles, which may overlap:

1. The Brag - Any Facebook user at some stage will, whilst nonchalantly perusing his/her News Feed, come across a status which appears to be endowed with excessive information or detail. An example would run something along the lines of "Crack open the pink Moet, I need a drink" (you know who you are). An independent observer might at first glance realise that a simple 'I need a drink', would have sufficed in order to convey the underlying emotion, whilst the individual at hand preferred to mention not only the type of drink, i.e. champagne, but the precise brand as well. The same applies to claims to fame, such as celebrity spotting, tales of shopping excursions or trips abroad.

2. The MH - Characterised by excessive profile 'grooming'. That means; censoring wall posts, de-tagging unflattering photos, or generally indulging in more 'image control' than the Prime Minister. Why? The answer must lie somewhere between delusions of grandeur, or acute paranoia; the belief that his/her vast fan-base is incessantly scouring his/her profile in search for that rare incriminating evidence of un-coolness, to be auctioned off to Hello! or The Sun.

3. The Stalker - Knows what you're doing in photo 562.

4. The Enthusiast - Changes status about 26 times a day. Won't let any photo go un-uploaded. Comments on your status. Likes your status. Likes everyone's status. Etcetera.

5. The 'Chextrovert' - Similar to 'textrovert', this term is a concoction of the words 'Facebook Chat', and, obviously 'extrovert'. Whilst in all likeliness a subdued, softly-spoken individual in real life, when unleashed over the internet this person becomes a modern-day online Casanova, spreading webs of seduction anywhere Facebook Chat (the rare times that it actually works) will allow.

"Essentially, we have turned Facebook into another limb of our personality, in the same way as we treat clothes, accessories, and cars."

Now, what common interest can we distinguish in all of these profiles? Why do we indulge ourselves so frenetically in each of these activities? Why is one of our more pressing daily urges reminding others to 'upload those photos from last night'? One factor that seems to surface above the rest is that all consequences seem to be either directly, or indirectly, to one's image; that is to say, the impression of oneself conveyed through this 'networking module' to others, or even to ourselves. Essentially, we have turned Facebook into another limb of our personality, in the same way as we treat clothes, accessories, and cars. All of these are merged, compressed and regurgitated through social networking, where they appear in their final form, as a supplementary indicator of who we are; it's no wonder that nowadays you might get criticised for 'changing your status too often', or 'excessively like-ing other people's statuses', or adding someone you don't quite know. People expect others to care about the information displayed on these sites, judge them by it, and are critical towards those who act in a contrary fashion.

A few weeks ago, my Dad had shared with me one of his usual pearls of wisdom, claiming that people of our generation don't talk to each other as much as 'back in the day', or at least not about anything of essence. Naturally, I proceeded to rapidly dismiss the point with something along the lines of 'that's because we actually have TV, nowadays', but after some thought it occurred to me that perhaps the old dude with the beard has a point (no, not Gandalf). I, for one, seem to be blessed with bountiful trivial knowledge about friends and acquaintances, about matters such as their favourite football team, or their infatuation for Justin Bieber, even though he's twelve, but in matters of greater substance or importance, such as what they're actually planning on doing when they leave University, I can mostly only venture to guess.

What does this mean, then? That essentially society has slowly evolved to a point where we are content with expressing ourselves and communicating by means of the superficial and inconclusive? Has genuine soul-searching has been replaced by a spurious, self-designated representation of who we are, just as traditional Sunday Roast has been replaced by the 'nouvelle cuisine' travesty of large plates and very little food; impressive display, but very little substance. This is the essence of Facebook.

However, the true question is, do we really care? A benefit of social networking over the 'real world' is that life is plagued with problems; economic crisis, the end of the world in 2012 (for all you eschatologists out there), the new guard at Bentham...What does it matter if we can derive a little joy in our Guinness World record-breaking accomplishment of 'Biggest Group in the World', the crops we grew with pain-staking effort in Farmville, or how good I look in that red bow-tie I wore for New Year's? Social networking allows us not only to pretend that we are the person we would like to be, but in essence, to become that person.

Life Lesson Number 1: Going Dutch

Rachael Earle considers dating etiquette, and questions whether chivalrous convention can really be justified in the modern day.

When arriving in London as a fresher, I expected that I would meet new people who would broaden my outlook on life, but little did I realise quite how much.

After the fun and games of freshers' week were over, I met a nice (older) boy. He went to UCL as well, and had also found London a little overwhelming when he first arrived; he therefore seemed to understand how I felt, and took it upon himself to show me around. He taught me certain things, like that you really can walk to Oxford Street from Gower Street, and that you may regret pre-drinking too heavily before Moonies. However, one thing I wish that he had not made me aware of was going Dutch.

"He taught me certain things, like that you really can walk to Oxford Street from Gower Street, and that you may regret pre-drinking too heavily before Moonies. However, one thing I wish that he had not made me aware of was going Dutch."

It was date number four, and we had just finished dinner when the bill came. Naturally, I glanced away politely, as a lady does, and waited for him to hand over his card. That was when he hit me with: "'Want to go halfsies?". After some confusion, I was soon made aware by him that this meant splitting the bill. I looked at him, truly baffled. How could it be that a boy who had seemed so lovely, had made such a grave faux pas? Why on earth would I want to pay half? Next came an action that I can only justify as being out of sheer embarrassment at the waiter hovering over us impatiently - I actually agreed, and paid half.

This got me thinking. Can we, as women of the 21st century, refuse to go Dutch? Are we justified in feeling outraged when a man treats us as an equal? For the next year and a half after this event I have been trying to get this boy, now my boyfriend, to understand that women just should not pay - half, quarter, or anything!

As females, do we not deserve to be treated to dinner or the cinema or cocktails? It's our right... right? We are under pressure to wear a different dress to every date, to look good every time the opposite sex sees us. Therefore is this, the non-payment of dates, not our reward for such tireless work?

I cannot believe I am about to type this, perhaps asinine, remark, but actually, I do not think it is. I used to think that men had to pay for most dates, if not every single one. There was no method or theory behind this - it was simply what I had grown to expect, and I thought there to be nothing exorbitant about it. But, when somebody really makes you think about it, it's very hard to justify.

"I used to think that men had to pay for most dates, if not every single one. There was no method or theory behind this - it was simply what I had grown to expect."

Looking to the past, the suffragettes took off their bras and stormed the streets with banners so that we could pick and choose our rights. As an extract from Wikipedia (the most essential tool for any degree course) states:

Feminism has altered predominant perspectives in a wide range of areas within Western society, ranging from culture to law. Feminist activists have campaigned for women's legal rights (rights of contract, property rights, voting rights); for women's right to bodily integrity and autonomy, for abortion rights, and for reproductive rights (including access to contraception and quality prenatal care); for protection of women and girls from , domestic violence, sexual harassment and rape; for workplace rights, including maternity leave and equal pay.

Looking to the future - are we not the next solicitors, barristers, investment bankers of this world? Will we, as women, not strive to be held to the same mark as men? We despise the very idea of glass ceilings and love nothing more than proving that we are better than, or equal to, men in the workplace. How then can it be that we choose to opt out of going Dutch, which is technically equal treatment? How would it be if tomorrow the men of this world decided that they would 'treat' us women and remove the hassle of voting from us? When you start to look at things from this angle, our ideology of men paying looks slightly naïve.

Valentine's day is supposed to be a day where you let the one you love know about it. However, commercialisation has now taught us that this is a day where men shower women with flowers, chocolates and dinner all out of love and respect. But where is the boys' love and respect from us? Although I hate to sound as though I am backing the blue corner all the way here, there is something rather odd about this patriarchal view still being accepted in our Western society when we have the money to pay. Men paying comes from the days when women were housewives and therefore did not earn in order to be able to pay for the expenses of courting. However, when you are both students, and both trying to get by on a student loan, an overdraft, and parental handouts, it is difficult to see why the boy should pay for it all.

Of course I am not just aiming this question at the girls. The trouble, very often, is that it doesn't matter about the passage of time; there is still male ego to cater to. A man may not want to pay, but his ego will struggle to comprehend and cope with the idea of a girl paying because many perceive paying for dates as an act of chivalry and something that defines their ability to provide and be that alpha male. Take away the option of him paying and most boys would feel, well, like a girl.

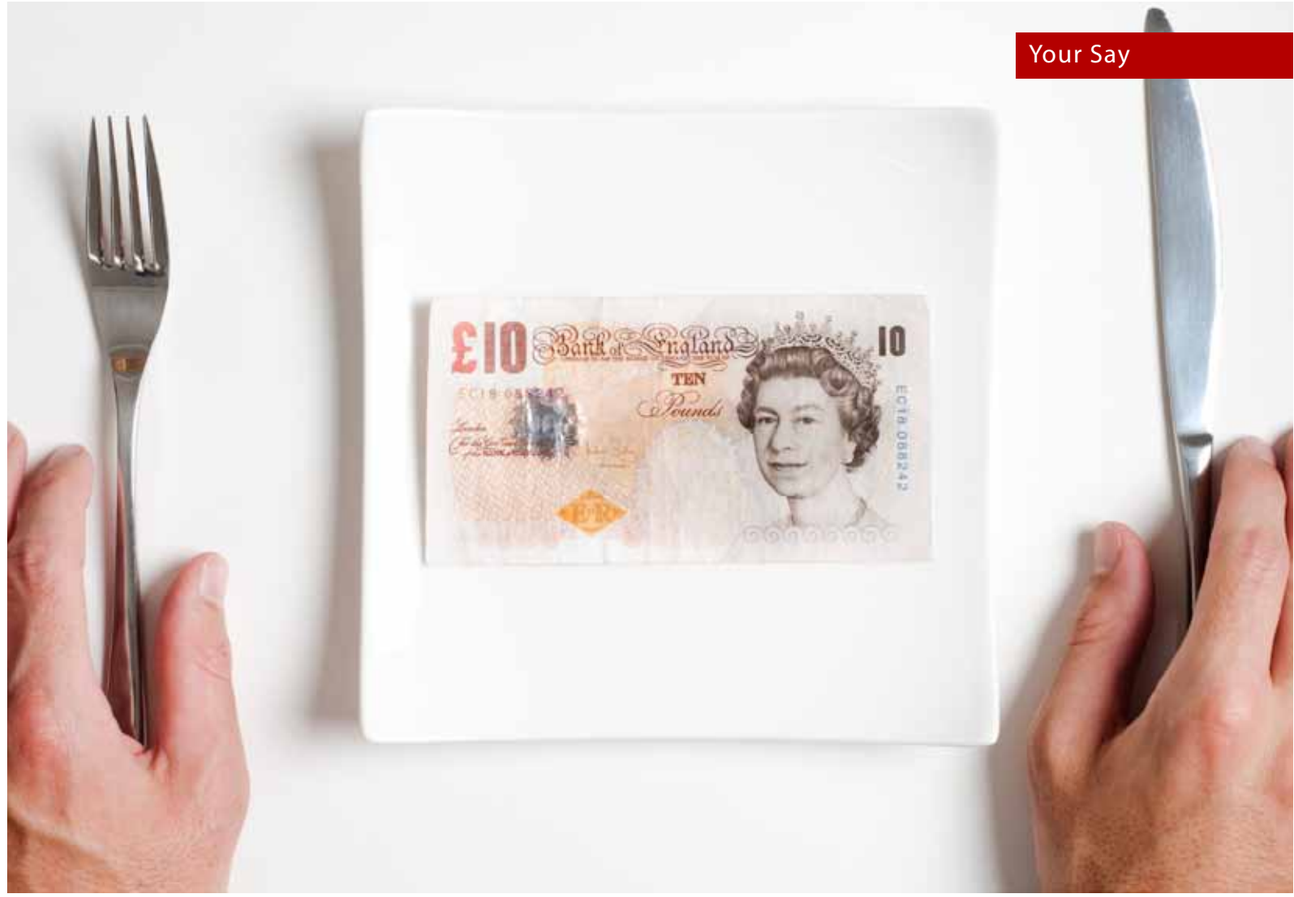
"Expecting the bill to be paid on your birthday or anniversary is not the end of the world and our rights as we know them."

To bring things back into perspective (and so I do not come across as a raging feminist), there is an obvious equilibrium that needs to be met. Expecting the bill to be paid on your birthday or anniversary is not the end of the world and our rights as we know them. Moreover, men are generally stronger than women, and generally they do eat more and generally they do observe the right to release gas in public and enjoy talking about their toilet habits and sexual feats. So, if you ask a boy to carry your bag, or you order a medium pizza whilst he gets a large and you and your friends do not deliberate in great detail over your most bizarre sexual experience - this is not a blow to feminism. Instead, we must simply think about our reasons more.

"If you know you're dating a millionaire, then perhaps it's okay to sit back and let him keep opening his wallet. But if you're dating a student and you know he is going to be counting his last pennies to pay for the meal, then you need to cough up."

I don't think it is fair for men to always pay for dates, but I do think that you should gauge every situation differently. If you know you're dating a millionaire, then perhaps it's okay to sit back and let him keep opening his wallet. But if you're dating a student and you know he is going to be counting his last pennies to pay for the meal, then you need to cough up. Overall, never leave the house without your tube fare home and at least some cash so that you can make a genuine offer.

To try to give this never ending debate some kind of conclusion, I will say this- Emily Davison did not die at the Epsom Derby so that you could tell your boyfriend to get the bill because you spent all your money getting your nails done for him.



Kate Potts' Cultural Review

Looking for an astute cultural critique jam-packed with transcendental insight? Try Lonely Planet. Otherwise, here's **Kate Potts**.

Kate Potts on Metamorphis
"No, I'm not reading any books."
"There's no point buying it, I'm not going to read it."

Kate Potts on Foreign Films
"It was all in foreign. What's the point of watching a film when you have to read the screen? I want to relax when I'm watching a film."

Kate Potts on Chinese Food
"Three thumbs up."

Kate Potts on Moroccan Food
"Disgusting. Eating with your fingers is disgusting. Eating with your fingers while sitting on the floor is just horrendous."

Kate Potts on American Food
"Delicious."

Kate Potts on Brick Lane
"It's just like being abroad."

Kate Potts on Caviar
"I'm not eating any fish."

Kate Potts on Going Abroad
"I've been to America four times."
"Take your own tea bags."
"Only go where you know that they speak English."

Kate Potts on Space Exploration
"All I know is, they're not doing it this year."

Written by ***Kate Potts***, ***James Clee*** & ***Gruff Owain***.

Parlez, Professeur!

Ever wondered what goes on in the fantastic minds of UCL Laws' Professors? Well read on! **Nicola Conway** reveals all you could ever want to know about one of the best known and wittiest members of the Faculty - **Profesor Robert Chambers**!

What's your best quality?
Being nice.

What's your worst quality?
Being nice. Or maybe it's indecision.

What's your favourite song?
There are so many to choose from, but I suppose it is Bob Dylan's Not Dark Yet. The choice of song depends on the occasion. The contents of my iPod are a well-kept secret.

What's your favourite movie?
My list of top five movies (an homage to High Fidelity) extends to about 25. Family and friends shake their head at my bad taste in movies, or the number of times I say, "greatest movie ever made". I suppose Casablanca tops the list, but there is Lost in Translation, The Matrix, Philadelphia, and of course, the movie that every law student must see: The Castle (Australia, 1997). The Big Lebowski, The Blues Brothers, Dr Strangelove, Groundhog Day, Kissing Jessica Stein, Leon, V for Vendetta, Wonder Boys...

What's your favourite book?
The Razor's Edge, or The Hitchhiker's Guide the Galaxy.

What's your favourite meal/food?
Sushi or risotto.

More importantly, what's your favourite flavour ice cream?
Vanilla (although green tea makes a nice change). When I was growing up, we had only three flavours: chocolate, strawberry, and vanilla. Once on vacation, we went to an ice cream shop with 40 flavours, and my parents told us we could choose any two. I had two scoops of vanilla.

What job did you want to do when you were a child?
I think I spent most of my childhood avoiding work. I'm lucky enough to be doing my ideal job.

How do you like to spend your days off?
Theoretically, it would involve lots of walking, seeing something remarkable, and a good pub.

Do you have any talents/hobbies?
I thought I did once, but it requires time and effort to be good at something, and my job requires most of that. I am always so impressed to discover someone's hidden talents, but that's not me.

What really irritates you?
Nothing really irritates me, but pointless bureaucracy is annoying, and so are people who text on crowded stairs and paths, and people who describe dreams they have had.

Did you ever have an imaginary friend?
I imagine that I have a lot of friends.

What's the most embarrassing thing you've ever done?
Far too many to mention, but cycling into the back of a parked car is near the top of the list.

Name something you are scared of.
Birds. I love watching them, but up close and personal? No thanks. Alfred Hitchcock's The Birds was my first horror movie.

If you could have any super power, what would it be?
A first thought is flying, but it would be awfully cold up there, and there are the birds. I suppose the ability to stop time so I could get caught up on some work.

If you could ask God one question, what would it be?
Can you see the future?

If you had a time machine, when would you go back to and why?
As long as I could return to this time, I would love to meet people I know now when they were young.

If you had to be transformed into an animal, which animal would you choose and why?
Whichever is least likely to die in a horrible way.

In your opinion, who's a better teacher: you or James Penner?!
Unfair question! I've never seen myself teach anything. There is no one like James to challenge your beliefs and get you thinking deeply about an issue.

What's your life motto?
I waiver between "What's the worst that could happen?" and "Well, that could have been worse". "It will be better next year, I promise" is also a contender. For words to live by: "Be honest, patient, and kind, and ask for directions."

The Awakening Process of a Clueless Fresher

In between Moonies and mooting, hall corridor etiquette, navigating around the UCL campus and ingesting as much alcohol as possible, freshers are meant to learn a thing or two about law. **Lidia Aicardi** reflects upon her year at the faculty, and, undoubtedly the most educational part of a UCL Law degree, Freshers' Fortnight.

1 At the beginning of the year, you will soon discover that the Law Society has come up with an interesting variation of the process of natural selection, also known as Freshers' Fortnight. These two weeks have the sole aim and purpose of establishing who are the fittest to survive. In other words, if you made it out alive, consider yourself lucky, because it means that you have enough resistance to hangovers and sleep deprivation to get through Law School!

2 Tuesday mornings are the absolute worst part of your week. Contract at 9AM made me regret having picked this degree every time, especially if I was in Moonies the night before (which was 9 times out of 10). At the beginning of the year, I hoped that, as time passed by, I was going to get used to this weekly torture. Well, I didn't. If anything, it got worse, because the material became more confusing and the work started to pile up. Bottom line: if I were remotely interested in passing Contract I would have seriously considered giving up Moonies on Monday a long time ago.

3 At some point during the year, someone will mention the Ramsay Rapist. What renders this character unique is that no matter how many people you ask, you will never be able to get your story straight. Someone will tell you hes been caught and expelled, someone else will tell you hes been caught but he wasnt expelled because it turned out that the victim was consenting and therefore it wasnt really rape, and others will tell you that they never caught him, thus leaving him free to haunt the halls of Ramsay. After months of investigation, you will finally bump into someone else who will tell you that the story started out as a false rumour and quickly turned into an urban myth with a life of its own. In other words, none of it actually happened and you were probably the last person to find out!

4 Bentham House is a hybrid cross between George Orwell's 1984 and I Know What You Did Last Term. In other words, you are constantly being watched and whatever you do, say or think, the other lawyers will find out. You can try to keep things quiet; you can tell your friends not to tell anyone, but it will be of no use: if one lawyer knows you can be sure that the others will be informed within hours. A secret being kept around Bentham is about as likely as Prince Charles becoming King. In other words, the chances go from slim to none. In addition, since the lawyers are nice upfront people, you will be the object of merciless banter from the lads as soon as the piece of information reaches their ears.

5 Referring to point 4: What happens in the Roxy never stays in the Roxy. Even if apparently everyone is too drunk to care what you do or don't do, there is always that sober twat who remembers it all. More often than not, his\her memories are waymore detailed than yours too.

6 It is a widely accepted truth that no matter when your mid-term essay is assigned, you will end up doing it the day it's due. You will not have enough time to proofread it and you will end up making the silliest spelling and grammar mistakes, like spelling "compensation" with an 'n' instead of an 'm'. This is why most of my tutors think I have a brain the size of a peanut.

7 Being called a LAD is the ultimate compliment among the lawyers even, and especially, if you are a girl.

8 Never scream something to someone you think you know from across the road: it's never them.

9 Sleeping is strictly for lecture hours only, and is not a fundamental aspect of your life. It can easily be substituted by vodka and Pro-Plus.

10 The bowling alley will become your second home, and the lawyers will become your family. You will end up lurking around Bentham even if you don't have any tutorials, because you can't be bothered to get up from the really comfortable sofas. The only people you will hang out with will be the lawyers. Your old friends will not be seeing you anymore. This is why they will think you have fallen off the face of the earth, or joined some dodgy sect, or become an active member of Al-Qaeda. Therefore, don't be surprised if you walk in on the MI6 going through your trash.

11 Every class has that one annoying person who always puts his/her hand up in lectures, contradicts the tutor whenever the occasion presents itself, and basically thinks he/she is smarter than everyone else in the room, including the lecturer. After a year of enduring such a character, I have reached the conclusion that the only possible way of dealing with these people is through plain brutal violence.

12 Another character you are bound to meet is the sleaze-ball. This particular individual will hit on anything that moves, making no discrimination of sex or age. The sleaze-ball will continue to pursue the object of his very volatile interest until the victim gives in, won over by exhaustion. If that doesn't happen the sleaze-ball can often, but not always, only be discouraged by using merciless banter combined with physical violence. If these means are not sufficient, the only way to get rid of the sleaze-ball is to change name and move to Timbuktu.

13 Being a law student, you will be introduced to the obscure concept of mooting. Don't be fooled by the lovely Moots officers, mooting is an incredible amount of work and stress! I was personally never enough of a masochist to sign up for it but, from my friends' experiences, I can tell that feelings about mooting are very mixed, confused, and often antithetical. Those who took part hated it and complained about it till the very end, but at the same time, once they started mooting they couldn't seem to stop. Apparently, it gives you a "buzz" that is different from anything else. In other words, mooting is like a drug: even though it harms you in every possible way (just think about the fact that you are CHOOSING to work more when you could work less), you get a high from it that nothing else can emulate. So, the bottom line is: stay away from mooting. Once you start, you won't be able to quit, and it WILL destroy you!

14 Any event that includes free food and/or alcohol will be very much appreciated by the law students. It doesn't matter whether it's debating, mooting, careers or applied science of professional baking: as long as you provide a couple of bottles of wine and a few sandwiches, the lawyers will be there.

15 Finally, the last thing I've learned as a UCL Law Fresher is that no matter how rough things get, the lawyers are a very caring and generous bunch, and if you get on their good side, they'll stand by you through pretty much anything. As many of you know, I've seen it all this year: from a family crisis to disastrous love scenarios, from stomach flu to technology rebelling on me, and I was lucky enough to meet a bunch of really great people who helped get through all of it. So, at the risk of sounding corny, I want to take the chance to tell them all how glad I am to have met them. Even if I'm always complaining about this degree (because, let's face it, most subjects are boring as death), I wouldn't have had it any other way!

“I mentioned it once but I think I got away with it!”

My Year abroad in Germany.

Jack Davies swaps Moonies for Moon-ich, Oxford Street for Ox-toberfest, and Canary Wharf for Andy Wharf-hol. Erasmus Orgasmus!

I remember one year ago, chilling in London, thinking about moving to Germany. I was pretty scared; actually, I was ‘effing terrified. What if nobody understands me? What if I’m living with loads of people who don’t speak English and have never heard of Pink Floyd? Woe betide! What if the university work, which was all in German, would be impossible, and I’d fail and end up cleaning toilets for the rest of my days? Well, six months into my year abroad, my only worry now is that I’m going to have to leave Munich in a few months. The Erasmus year is really an amazing experience, and it’s been one of the best times of my life.

I arrived in Munich during the height of Oktoberfest, so the place was packed. Thankfully, I’d arranged to meet my mentor (an older student in LMU, Ludwig Maximilians University) at the airport. She gave me my keys, we had a coffee and then I trekked through a bustling Munich with my bags to my halls of residence near Olympiapark . Not half an hour had passed before I met another Erasmus student I’d befriended on Facebook a couple of weeks beforehand, in a group which was set up for people living in my hall of residence. What to do? Oktoberfest! I financially and biologically pissed away a considerable percentage of my loan in 4 days. It’s the best party ever, and I urge anybody to go there; I’m going back this year, next year, and every year until it kills me.

Making friends is easy. The guy I met in my halls on that first day is now my best friend over here (AND he’s French; who’d have thought it, being British and all that!); actually, I know loads of really nice French people out here...as well as Italians, Scandinavians, Germans, Spaniards, Japanese, Turks, Americans..the list is endless! The point is that YOU are now the international student, and in that respect you end up meeting loads of other internationals, making some amazing friends. It’s like Freshers’ all over again... just with a bit of German (and Bavarian) thrown into the mix.

I still had my reservations about how difficult the work was going to be. After the first few weeks of lectures, however, I realised it is actually just as manageable, probably even more so, than the work here in London. There are fewer tutorials to prepare for and all my professors know that I’m Erasmus and compensate for that (apart from maybe my Public Law professor, who I had an argument with about how the British Empire was not like a Federal State, as he claimed). However, my first batch of exams went well (well, I passed, so that’s all that matters during Erasmus) and everyone I know now has passed through to the second semester without any bother- is gut ja!

On that spuriously German note, I have also realised now that my German has definitely improved. In terms of reading and writing, it’s only really improved in terms of vocabulary, but the main improvement this year is regarding speaking. Previously I spoke very little German, however, this year I’ve learnt a fair amount of slang, idioms, and generally a tone that doesn’t sound like a stuffy old man/foreigner. I hope that by the time July arrives, my German will be pretty much “fluent” (though people always bloody know I’m English when I speak)- ich hoff’ mal!

Apart from the odd lecture (I missed the ones that began at 8am; that’s like attending a 9am after Moonies) and learning a bit of German, the rest of the year is literally one big party. Anyone that is lucky enough to have me as a friend on Facebook can see that all I’ve been doing is going to beer halls, parties and, I’m ashamed to say it, the odd Irish Pub (the only place to watch football). Unfortunately, however, this year has not made me any less of a girl when it comes to drinking- I’ll still be out of Moonies by 2am next year, no doubt. But coming back from a party at 5am with your mates and walking over a frozen over lake in the middle of Munich is hard to beat. Even if it is -18 degrees, it’s incredible.

Bentham

A FEW YEAR ABROAD TIPS

FACEBOOK
Get on Facebook, try and find some groups concerning your course or halls in the new city, make some friends before you go; it’s nice to have someone you can expect to bump into. Get some phone numbers, meet up and have a laugh.

MENTOR
If your uni offers it, ask for a mentor to meet you when you arrive or soon after. You will no doubt have a load of questions and they should be able to answer them. If not, slap them.

BRUSH UP
On your language beforehand a little bit. If you want to...

BANK ACCOUNT
I think some banks offer cards that charge very little or nothing to withdraw money abroad. I use a Fairfx card, but there are cheaper ones around.

BE NICE
There are always loads of Erasmus people around who want to make friends. Be their friend. It will be the beginning of something beautiful.

“As a wise Marxist (oxymoron?) once told me, this year’s full title is ”Erasmus Orgasmus”. Another wise Irishman (oxymoron?) also said it’s “great craic”. They are both on their year abroad at the moment - enough said.”

Munich itself is a great “city”; I use quotation marks because it is like a huge village, especially compared to London. There are some pretty cool buildings if you like all that, and a load of museums, art galleries (there’s one full of Andy Warhol’s works which is pretty awesome) etc. The shopping is a bit expensive but there are trusty H&Ms everywhere, which is grand. Compared to London, it obviously isn’t as crowded or bustling, but I don’t really think that’s a bad thing. Oxford Street makes me want to kill people- lots of people. The tram system runs all night which is much appreciated,

but not really necessary, as nights out tend to end at around 6 or 7am.

In all honesty, the first few days are quite stressful, but how did you feel when you came to London? I was pretty terrified, but after a few days I was loving it. Erasmus is the same, except you are in a different country, speaking a different language, drinking better beer, and having a real blast. As a wise Marxist (oxymoron?) once told me, this year’s full title is ”Erasmus Orgasmus”. Another wise Irishman (oxymoron?) also said it’s “great craic”. They are both on their year abroad at the moment- enough said.

NOTE If you don’t understand the title, you need to wise up on the comedy you watch. And, also, mentioning the war is hit and miss...kind of like the German Artillery in 1943

Photos courtesy of **Victor Beckert**, he will be so happy his name is in Silk v Brief.

Copenhagen, Denmark

A city that changed my life.
A journey of adventure.
A chance encounter that will shape me.
A mouth organ.
A beer too many.
A worrying man.

James Clee tells tales of Bentham's travels, and relives the madness for Silk v Brief.

There are some people who transcend being mere mortals, and become legends; they move from being mere flesh and blood, and their names become synonymous with greatness. People are compared to them, and they are held up as bastions of excellence, representing a standard that many of us can only dream of achieving.

Those few who are lucky enough to briefly enter the fleeting lives of these people will remember it for always, just as those who met Winston Churchill, Thomas Edison and Leonardo Da Vinci will remember the encounter in their darkest hour, and feel uplifted again.

"Any bearded, deep-voiced, thoroughly terrifying man who stands outside a 24-hour shop at 4 in the morning playing a mouth harp and smoking soggy dog-ends, whilst approaching drunk, scared, British girls is truly a man amongst Gods."

I am one of the lucky few, the brave, who have had the honour, the privilege and the luck to meet one of these world-shaping, life-changing goliaths, and I shall remember it for always.

Quantarbus? That is the question that was asked several times that fateful night, and it is a question that is its own answer. It requires no more explanation.

Any bearded, deep-voiced, thoroughly terrifying man who stands outside a 24-hour shop at 4 in the morning playing a mouth harp and smoking soggy dog-ends, whilst approaching drunk, scared, British girls is truly a man amongst Gods. Quantarbus is a man who lives on the edge. Who is he? I don't know. Where did he come from? Again, I am clueless. Where is he going? Wherever the wind takes him. How do you find him? Any time you are drunk in an unfamiliar country, and need to be made to cry with laughter, and yet be in complete and total fear for your life at the same time, Quantarbus will be there.

A word of warning though; he does not suffer fools gladly: "Of course I have done a sick on my face!". A man who is positively angry at the suggestion that he hadn't vomited over his own face is a man to be taken seriously. Of course he had done a sick on his own face; the very idea that he hadn't outraged him to his core, and I felt positively ashamed that we had had the audacity to ask him.

If you are lucky enough to meet Monsieur Quantarbus, and should you be foolish enough to ask him such questions, or if he finds out that "You guys aren't even Norwegian, are you?", then take heed. Should Quantarbus begin to approach you: run away, run as fast as you can, for woe betide you if he should catch you. There is only one thing Quantarbus is afraid of: seals. So, whilst running away, try whelping madly like a seal stuck in a gate in order to confuse him, although even this is no guarantee.

"A man can be at the same time, the funniest person I've ever encountered, and also the most terrifying and genuinely frightening person since John Wayne Gacy."

So what did I learn from Copenhagen? I learnt that one man can be so funny that a full twelve hours after the incident I could remember it and collapse, crying with laughter in an airport; one man can make me laugh so hard that I've feared for my own personal well-being. A man can be at the same time, the funniest person I've ever encountered, and also the most terrifying and genuinely frightening person since John Wayne Gacy. An incident can be so funny, and so memorable that every time I hear Kimeya say the man's name, I laugh. I still laugh now, despite the fact that it's been almost a month, and I've heard it probably a thousand times. That's how funny it was.

Kings and Emperors come and go, and leave nothing but statues in the desert. Quantarbus met me once, and I don't really remember it properly, but he changed my life. Forever.

We went to a brewery as well. Long live Quantarbus!

James P Clee.

The Taylor Wessing Cup

James Chandler reports on a day of mixed results as the UCL Law boys and girls went head to head with their Strand Poly counterparts.

I jetted back from the land of revolution, Audrey Tatou, surrender and Astroturf rugby pitches, enduring air traffic controller strikes and Ryanair's customer service, for one reason and one reason only: the Taylor Wessing cup. Now, I have the luxury of playing rugby week in week out, but getting dressed up in an ill-fitting kit, marching out onto an almost waterlogged pitch in front of a horde of around 12 cold-looking supporters and sticking it to a KCL laws team whose only legal experience is with the police, will always hold a special place in my heart. This was to be my third encounter with KCL in this cup, under its various names, and it was shaping up to be a good one.

With Dylan Kennett having taken over from me as captain after a woeful defeat last year, I was looking forward to meeting the motley crew of hard-headed warriors he had put together to wreak vengeance on the team from the Strand who had bullied us so badly the year before. I got my chance on the eve of the big day at Pizza Express, where seven of us got together for a pre-game meal. Yes, I know that there are a lot more than seven players on a rugby team but with Carwyn, Dane, Gruffudd, Nick, Fez and Dylan at the table I was sure that us seven alone could beat Kings. We retired to the Rocket to watch Wales lose and learn some lessons from their misfortune. There, we were joined by the hero of this story, Will Green. Dylan enforced the two-pint limit for the evening with an iron fist; in the end we only exceeded it by three pints each. I was sure that if Dylan and I had the sheer drive to keep our drinking to less than 6 pints, no force on this earth would be able to stop us winning the match the next day.

"I donned the flea-ridden, brown linen suit of Gibley Manor, a borrowed shirt, the collar of which would have fitted round my waste and headed to Waterloo station tasting imminent victory."

The big day arrived. I donned the flea-ridden, brown linen suit of Gibley Manor, a borrowed shirt, the collar of which would have fitted round my waste and headed to Waterloo station tasting imminent victory. At the station we were joined by the aspiring advocates that made up the remainder of our team and, fighting the urge to crack into the several cans of Carlsberg's finest lager that were weighing down my kit bag, we made our way to Berrylands.

In the changing room we got our first sight of the kits. I had been promised pink, and I was not disappointed. They were a little on the tight side but the fact that we each felt like we were wearing an anaconda was more than made up for by the fact that we knew we looked amazing. Having done a bit of a run around and finding a selection of shorts and socks for most people (thanks to Charlotte for her donation), we headed to the pitch.

Throughout the first half we had the better of the game, and if it wasn't for the fairly terrible misjudgement under the high ball which earned me the title of Wanker of the Match, we would have come out for the second half with a decent lead. Ows Davies, captain of the UCL laws rugby team in 2007 – 2008, scored a brilliant solo try, ignoring the support and showing that there's nothing more intimidating than an angry Welshman at inside centre. Will Green's kicking was flawless and we went in for half time one point ahead.

"Our forwards fought hard, and seeing Anthony Chung steam-rolling people twice his size was a pleasure to watch."

Unfortunately, the second half was a different story. Despite Dylan's best efforts to take him out, the Kings number 8 and captain, a man of considerable size, returned from injury and led an impressive display from the Kings pack. Our forwards fought hard, and seeing Anthony Chung steam-rolling people twice his size was a pleasure to watch. However, our patience wore thin under the pressure and we started to give away penalties, which would lead to our downfall. The Kings fly half was no Will Green but he did have a massive boot which kept sending us back into our corner. That said, it wasn't all so depressing. There were some good breaks from the UCL boys. Nick Wood covered half the pitch faster than any hooker should be able to, and Ows' compatriot in the centres, Gruffudd Williams, managed a couple of dangerous looking breaks into their half. Sadly, we couldn't deliver the coup de grace and none of those chances became trys. Will kept us in the game with his boot and was deservedly rewarded with the title of Man of the Match.

The final result was 29-19 to Kings. It was a great game and, though we didn't win we regained a lot of the pride we had lost the year before in a 64–0 hammering. Dylan summed it up in the post match huddle: "I was proud to play alongside every one of the guys out there today".

Beaten, but with our heads held high, we retired to the Club house to watch England suffer a similar fate and enjoy a few light refreshments. Those few light refreshments may have turned into a lot of slightly heavier refreshments, and I won't trouble the readers with my hazy memories of the rest of the night.

All in all, a great day and a great game. All of our players can take solace, safe in the knowledge that, while they might not have won, they do still have a bright pink, skin-tight rugby shirt which is guaranteed to have the ladies of UCL going mad for them. Bring on next year!

Holga: Life through a plastic lens

The Holga camera: the only time you'll ever buy a camera for its defects. **Helen Huang** explains.

All good things come in small (plastic) packages, and the Holga camera – lightweight, cheap, unassuming – perfectly encapsulates this old adage. By all accounts, this toy-like device captures photos with a clear lack of any sophistication, and yet its inherent defects make it stand out like a breath of fresh air among today's torrent of high-resolution digital images. The Holga lacks all but two simple functions: a choice between 'sunny' and 'cloudy' mode, and an equally dubious 'blur' or 'normal' option. Images are developed on medium format film – little square pictures with an exquisite, Polaroid-like charm.

Despite its ancient, almost clumsy manner of operation, fans of the Holga have found it a tantalising piece of old photography equipment. Technical blemishes are wholly embraced from a creative angle, and light leakages suddenly become celebrated as little dashes of artistic surprise. Because of its flawed production – poor quality of parts, cheap plastic lenses – Holga photos are highly susceptible to sharp image distortions and other surreal exaggerations. At times, it is almost like having the recreation of Dali works carried out on film. Originally manufactured in the 1980's as an inexpensive camera for the Chinese mass market, the Holga has come a long way since then, and now finds its firm footing on a pedestal revered by photography junkies.

"Technical blemishes are wholly embraced from a creative angle, and light leakages suddenly become celebrated as little dashes of artistic surprise."

Being unconvinced myself of the massive hoo-ha web communities have been giving the Holga camera, I decided to give it a go myself and purchased my first clunky camera at a flea market last year. Admittedly, as I ran my fingers over the almost-comical plastic lens, I was skeptical that such a modest remnant of the past could be capable of producing anything outstanding. For a fleeting moment, I did wonder whether I was allowing myself to become misguided by the allures of finding novelty in antiquity. I was absolutely right, at least for the first two rolls, which turned out to be mini-disasters. Needless to say, I was disappointed at how my photos looked – dark, blurry, pointless – pretty much every reason that fuelled the rapid expansion of photography into digital technology. I soon began to realise, however cliché it may sound, the significance of establishing a proper rapport with your own camera. There were little Holga traits to be understood and practiced, such as proper focusing with a manual lens, shuffling close enough to the subject matter in order to get a desirable shot, and experiencing different types of lighting to appreciate which will produce the best exposure. Through this excavation of long-lost methods of photo-taking, it became apparent to me how spoilt our generation has been with the comfort and ease of a digital camera.

"The temperament of every Holga is unpredictable, creating an exciting kind of uncertainty that makes every trip to the processing centre feel like the eager opening of a Christmas present all over again."

The first decent Holga shot that I managed to develop was taken on Prague's Vltava River on a sunny summer's day. The colours turned out bright and exaggerated, and yet there was a curious dream-like quality that pervaded the whole image. Somehow, I knew I was hooked. It has been declared that no two Holgas are alike – each bears its own unique flaws, and therein lies the fascinating character of the camera, because no one will be able to wield full control over the end product. When images are captured through that thick, plastic lens, it almost seems as if they fall through a looking glass and are transformed, as if from another world. The temperament of every Holga is unpredictable, creating an exciting kind of uncertainty that makes every trip to the processing centre feel like the eager opening of a Christmas present all over again. Experimenting with the Holga makes for an inspiring process of establishing a relationship with one's own camera. Over the months, I have developed many, many rolls of film – some stunning, others merely mediocre – but one thing remains certain: from just an unassuming little plastic camera, the possibilities are literally endless. For the brave, the bored, the befuddled – anyone really, curious and adventurous enough to take a break from digital photos- the Holga camera will be the perfect holiday package to book this summer.

Gaga for Gaga

Becca McKenzie shines a light on the First Lady of Unconventional Pop, and invites us to bask in her weird and wonderful world.

It's Saturday, 27th February. I have plastered my face with garish purple eyeshadow, bright pink lipstick and stick-on diamantes. I have glued on my eyelashes. I am wearing a silver sequin blazer with lamè leggings. "Where are you going?", I hear you cry! It may surprise you to learn that I do not dress like a drag queen every night, but tonight I have made an exception. It's the most wondrous night of the year: it's Gaga night!

"It may surprise you to learn that I do not dress like a drag queen every night, but tonight I have made an exception. It's the most wondrous night of the year; it's Gaga night!"

I collected my date and, in a mess of eyeliner and glitter, we made our merry way to the O2 Arena in North Greenwich and took our place in the crowd, amongst really normal-looking people, and really well, not normal-looking people. Support bands come and go. We endure what seems like an hour of Michael Jackson hits as we wait for Gaga (thank the Lord there was no 'Earth Song'). From the crowd in front of us emerged a couple holding full pints of beer, and they were shuffling towards us. They stopped, and became wedged next to us, with no hand covering the plastic cup of beer. "Oh HELL no! Do you know how much this blazer cost me?" I created a makeshift barrier between us with an unsuspecting tall man wearing an unimpressive t-shirt that could be cleaned using a washing machine at 40 degrees. Thank you, tall man.

Boy George was also there. When he came in, everybody got all paparazzi-happy and started snapping away. He was wearing a large orange hat. The young girls in front of us were a bit confused: "Is he that guy? From that old band? That sings that song? You know...". However, they took pictures anyway.

The lights dimmed, the screen came down, and a Haus of Gaga production was projected onto the screen. Then a silhouette of Gaga on a purple background. The curtain falls. "EEEEEE!". Oh God, I love this woman. She explains that her and her friends (her dancers, and us) are trying to get to the Monster Ball, a place where we are free to be ourselves, and we lock the freaks outside. Thank God for that. Who let Boy George in though?

The show begins with the stage set up to resemble a New York street, with a green pick-up truck in the middle. She dances around it for a bit, and lifts the hood to reveal a piano. Oh Gaga, you absolute beauty. Sing to me some more. Apparently it's broken down, which is why she can't use it to take her friends to the Monster Ball. I'm surprised it worked at all, with a piano for an engine. We have no time to ask her that, because she launches into one of my favourite Gaga tracks, 'Vanity'. "We're covered in sequins, diamonds, we're happy 'cos we're shining," a lyric from one of the verses, may be adopted as one of my life's mottos. Maybe.

"Gaga's truck has broken down, so she decides to take us all on the New York subway to get to the Monster Ball. Brilliant idea if you ask me- using public transport for this large amount of people will really help cut our carbon footprint."

Anyway. Gaga's truck has broken down, so she decides to take us all on the New York subway to get to the Monster Ball. Brilliant idea if you ask me- using public transport for this large amount of people will really help cut our carbon footprint. Plus, it's an EXCELLENT place to dress up as a nun and launch into some more songs. "This one is for all my gay boys," she drawls, and 'Boys, Boys, Boys' begins. Her dancers are literally just in their pants. My (gay) date screams loudly in my ear, and afterwards swears blind that he had an intense eye contact-related moment with one of the dancers during the number.

Gaga's strongest moments lie with her interaction with the crowd. I have never been in a room where so much love was directed solely at one person. She has dubbed us her 'Little Monsters', a title she uses with affection. She often seems as if she is in disbelief that all these people love her enough to spend their Saturday night watching her with adoring eyes. When she sits down at her flaming piano (yes, her piano is on fire) and begins to tell us the story behind 'Speechless', all eyes are on her. We wait patiently while she tells us that she wrote the song for her father. Any Little Monster worth their salt would have known this already, and also the reason why she wrote it for her father, but we are silent and appreciative regardless.

After 'Speechless', something unfortunate happens. "It's a twister!", Gaga exclaims. Oh bloody hell, a tornado? What next? Well, a light show surrounds Gaga, representing the tornado, and she emerges in all her glory, wearing a 'living dress' inspired by fashioner designer Hussein Chalayan. It's 'living' because it moves while she is entirely still. She stands, statuesque, as she sings 'So Happy I Could Die.' Her dress moves as if it is a living, breathing entity around her. The platform she is standing on rises about the crowd, and the dress is still moving. If I wasn't entirely in awe, I would have been very afraid.

And Another Thing...

Sadly, the 'living dress' only lasts one song because the tornado is now over, it seems, and has placed us in a scary-looking forest. We are not in a nice place, Gaga informs us. This is definitely not the Monster Ball. There is however, the biggest animatronic monster lurking behind her, with yellow glaring eyes and terrifying tentacles. She hasn't noticed it yet. How can she not have noticed it yet? She sings 'Paparazzi', and halfway through, she notices it. We all breathe a sigh of relief, but we can't relax for too long, because she tells us we have to help her slay the monster. I didn't sign up for this- plus , I got my nails done about two hours ago. Thankfully, all we have to do is take pictures of the monster to help kill it, she informs us, while she defeats it. After the monster is slain, she stands triumphantly in her pyrotechnic bra, surveying her loving subjects.

The curtain falls to absolute uproar. She hasn't even done 'Bad Romance' yet. The chant begins somewhere in the crowd and fills the room like a Mexican wave- "Ga Ga, ooh la la...". Gaga wastes no time in responding. The curtain rises, and she stands in a metal sphere. Her dancers unfasten her and she walks forward. "Guys! We're here! This is the Monster Ball". Thank goodness for that. It has been a bit of a journey. 'Bad Romance' begins and us Little Monsters raise our monster claws. The song rings through the O2 in all of it's anthemic glory.

When it finishes and Gaga and her dancers take their final bow, I begin to feel empty inside. Will there be another year long gap until my next Gaga day? Fortunately for me, she has announced another London date for the end of May. See you at the front, my Little Monsters.

That was 'Onix'-pected: A Tale of Frustration, Confusion, and Zubats.

"Becca McKenzie - I choose you!"

I HATE ZUBATS. Two of the most annoying phrases in a Pokémon trainer's life are:

1. "A wild Zubat appeared!"
2. "<Pokémon> is confused! It hurt itself in its confusion!"

The worst part is that the two phrases often occur together. So, I will repeat: **I HATE ZUBATS**.

It's enough to make me want to throw my Nintendo DS out of the window. There you are, making your way through some tedious cave. BAM! A Zubat. I don't even like catching them for my Pokédex. At a push, I'll get one at the last minute, nickname it 'Shithead' and transfer it straight to the PC. You know you do it too. They don't even have eyes.

My Pokédex entry for a Zubat reads, "disliking sunlight, it sleeps deep in forests and caves until sundown." Apparently sunlight is bad for their horrible blue skin; how unfortunate for them. So averse am I to this 2'07", 16.5lbs bat vermin, that even if it's a level 6 and my Pokémon are pushing the 40s, I'll attempt to run away. I don't even want to risk the fact that it might not faint from my Machoke's Karate Chop, and come at me with its God-awful Confuse Ray; which leads me onto the second point...

Confused Pokémon. I'm not going to lie, this is slightly infuriating. A wild Zubat will appear. I'll make a rookie mistake, try and one-hit K.O it with a ground-type Pokémon, there'll be no effect, he'll Confuse Ray me; I'll then have to wait while my Sandshrew whacks himself round the head repeatedly for being confused, and Zubat slowly eats away at my health, 1 HP at a time, with its pathetic Leech Seed.

> "I've flown Air India, I've sat Property I exams, I've watched Clee try to chat up a girl, but nothing compares to the anxiety of waiting for the text box after, "Your Pokémon is confused!"."

I've flown Air India, I've sat Property I exams, I've watched Clee try to chat up a girl, but nothing compares to the anxiety of waiting for the text box after, "Your Pokémon is confused!". You wait... you wait... as soon as you see the 'It..' scroll across the screen from, "It hurt itself in it's confusion!", you want to cry and wonder why God has cursed you so. If you see your Pokémon's name first, you punch the air repeatedly and just hope it's about to lay the smacketh down; "Pikachu used thundershock!". Ooooh, super-effective you flappy, blue, eye-less bat. Let's see how badass you are when you've fainted. Oh wait, you're not. WHAT?! Only 39 EXP points? It's a SHAME, blood.

> "At level 22, a Zubat evolves into a Golbat, and somehow magically acquires eyes. Would you trust a person who, up to the age of 22, had no eyes?"

At level 22, a Zubat evolves into a Golbat, and somehow magically acquires eyes. Would you trust a person who, up to the age of 22, had no eyes? No. You'd run away in terror, claiming some sort of witchcraft. Apparently, after a Golbat, the next evolution is a Crobat via happiness. Happiness? I can assure you that a Crobat is the only Pokémon missing from my Pokédex, because there is no way on this Earth that I'd ever let my Zubat be happy. I'm pretty sure happiness points aren't gained by rotting away in those odd 'boxes' in the Pokémon Centre's PCs anyway.

A lesser known fact about Zubats is that they are the last Pokémon when placed in alphabetical order by name. Last, and most definitely least. I'll end this delicious article with the first entry for a definition of a Zubat courtesy of urbandictionary.com:

"1. Zubat: some stupid annoying bat Pokémon that appears every time you're in a cave. It sucks like ass, but it wants to pwn your lv 100 Pokémonz." Why yes, hby6, valued internet community member. Zubat does indeed suck like ass.

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