







Jun 2021 • £49.99

Jul 2021 • £49.99

Jul 2021 • £23.99







Jul 2021 • £19.99

Jul 2021 • £75

Jul 2021 • £12.99

## Order online at www.hartpublishing.co.uk

**E-mail** mail@hartpub.co.uk **Tel** +44 (0)1865 598648





#### NOTES FOR CONTRIBUTORS

Editor-in-Chief: Professor Lionel Bently (cli@law.cam.ac.uk)

General Editors: Dr John Allison and Professor Louise Gullifer (clj@law.cam.ac.uk)

Case Note Editor: Professor David Ibbetson (clj.notes@law.cam.ac.uk) Book Review Editor: Dr Stelios Tofaris (clj.reviews@law.cam.ac.uk)

Postal address for the Journal:

Cambridge Law Journal, Faculty of Law, University of Cambridge, The David Williams Building, 10 West Road, Cambridge CB3 9DZ.

The Cambridge Law Journal accepts the following categories of publication: articles (between 10,000 and 13,000 words *including* footnotes); shorter articles (between 3,000 and 5,000 words *including* footnotes); case notes (no longer than 1,500 words, *without* footnotes); and book reviews (no longer than 2,000 words, *without* footnotes).

Article submissions should be made via our ScholarOne Platform: https://mc.manuscriptcentral.com/tclj Authors wishing to submit case notes or book reviews should contact the case note and book review editors directly via the email addresses listed above. General enquiries concerning submissions should be submitted to: clj@law.cam.ac.uk

A full list of instructions for contributors can be found in the information section of the Cambridge Law Journal webpage: www.cambridge.org/core/journals/cambridge-law-journal

Copying. This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923. Organisations in the USA who are also registered with CCC may therefore copy material (beyond the limits permitted by sections 107 and 108 of US Copyright law) subject to payment to CCC of the per-copy fee of \$15.00. This consent does not extend to multiple copying for promotional or commercial purposes. Code 0008–1973/2018/5/\$15.00.

ISI Tear Sheet Service, 3501 Market Street, Philadelphia, PA 19104, USA, is authorised to supply single copies of separate articles for private use only.

For all other use, permission should be sought from Cambridge or the American Branch of Cambridge University Press.

Internet access. The Cambridge Law Journal is included in the Cambridge Journals Online service which can be found at cambridge.org/.

The Cambridge Law Journal is included in the Thomson Reuters Social Sciences Citation Index® and Journal Citation Reports.

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world's forests. Please see www.fsc.org for information.

#### BOOK REVIEWS

EMILY HUDSON: Drafting Copyright Exceptions:		VICTOR P. GOLDBERG: Rethinking the Law of	
From the Law in Books to the Law in Action.	397	Contract Damages.	411
JOANNA BELL: The Anatomy of Administrative Law.	399	ELISE BANT, KIT BARKER, AND SIMONE DEGELING (eds):	
MARK HILL QC, NORMAN DOE, R.H. HELMHOLZ,		Research Handbook on Unjust Enrichment and	
AND JOHN WITTE JR. (eds): Christianity and		Restitution.	414
Criminal Law.	403	SARAH BROWN: The Regulation of Consumer Credit:	
BEATRICE KREBS (ed): Accessorial Liability After Jogee.	404	A Transatlantic Analysis.	416
MICHAEL J.R. CRAWFORD: An Expressive Theory of		MARTIN WILSON: Art Law and the Business of Art.	420
Possession	407		

### CAMBRIDGE UNIVERSITY PRESS

University Printing House, Shaftesbury Road, Cambridge CB2 8BS, UK 1 Liberty Plaza, Floor 20, New York, NY 10006, USA 477 Williamstown Road, Port Melbourne, VIC 3207, Australia

# THE CAMBRIDGE LAW JOURNAL

July 2021

### CASE AND COMMENT

Public law – Deference – Immigration	R (On the Application of Begum) v Special		
	Immigration Appeals Commission	209	
Criminal Law – Homicide – Causation	R v Field	213	
Tort – Public Policy – Illegality	Stoffel & Co v Grondona; Henderson v Dorset		
, ,	Health University NHS Foundation Trust	215	
Employment Law – Definition of worker	Uber v Aslam	221	
Copyright – Internet links	VG Bild-Kunst v Stiftung Preußischer Kulturbesitz	225	
EU Law – Right to Silence	DB v Commissione Nazionale per le Società e la		
	Borsa (Consob)	228	
Inheritance Tax – Transfer – Omission	Revenue and Customs Commissioners v Parry	232	
Contract – Variation – Consideration	Ma Hongjin v SCP Holdings Pte Ltd	235	
Arbitration – Proper law	Enka Insaat ve Sanayi AS v OOO 'Insurance		
	Company Chubb	238	
Expert witness – fiduciary – contract	Secretariat Consulting PTE Ltd v A Company	241	
A	RTICLES		
From Best Interests to Better Interests? Value	s, Unwisdom, and Objectivity in		
Mental Capacity Law: JOHN COGGON AND CAMILLIA KONG			
Liberalisation and the Legal Profession in England and Wales: NIAMH DUNNE			
The Anticipatory Reasonable Adjustment Du	ity: Removing the Blockages?:		
ANNA LAWSON AND MARIA ORCHARD			
Human Inventorship in European Patent Law: EVA STANKOVÁ			
Analogy Reversed: SHIVPRASAD SWAMINATHAN			

[continued on p. 3 of cover]



