

Obligations V: Rights and Private Law Conference Programme

WEDNESDAY 14 JULY

8.00-9.25 **Registration and coffee** (St Anne's marquee)

9.30-9.35 **Welcome** (Mary Ogilvie Lecture Theatre)

Timothy Endicott, Dean of the Oxford Law Faculty

9.35-10.35 **Plenary Session** (Mary Ogilvie Lecture Theatre)

Chair: Timothy Endicott
Peter Cane (ANU), *Rights in Private Law*

10.35-11.00 **Coffee** (marquee)

11.00-12.30 **Parallel Session 1**

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Benjamin C Zipursky
Gregory C Keating (Southern California), *Is Tort a Remedial Institution?*
Nicholas J McBride (Cambridge), *Rights and the Basis of Tort Law*

Panel B (Seminar Room 7)

Chair: Matthew Harding
Lusina Ho (HKU), *The Nature of Trusts*
William Swadling (Oxford), *Trusts and Obligations*

Panel C (Seminar Room 8)

Chair: Sarah Green
Lee Pey Woan (Singapore Management), *Causing Loss by Unlawful Means*
James Goudkamp (Oxford), *Insanity as a Tort Defence*

12.30-2.00 **Lunch** (marquee)

2.00-3.30 **Parallel Session 2**

Panel A (Mary Ogilvie Lecture Theatre)

Chair: John Murphy
Donal Nolan (Oxford), *'A Tort Against Land': Private Nuisance as a Rights-Based Tort*
Richard W Wright (Chicago-Kent), *Private Nuisance Law: A Window on Substantive Justice*

Panel B (Seminar Room 7)

Chair: Andrew Burrows
Graham Virgo (Cambridge), *Quantum Meruit: Right or Remedy?*
Duncan Sheehan (East Anglia), *The Property Principle and the Structure of Unjust Enrichment*

Panel C (Seminar Room 8)

Chair: Charlie Webb

Peter Jaffey (Brunel), *Three Themes in the Corrective Justice Approach to Private Law*

Andrew Gold (De Paul), *Private Law, Civil Recourse, and Corrective Justice*

3.30-4.00 **Tea** (marquee)

4.00-5.30 **Parallel Session 3**

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Jane Stapleton

Andrew Robertson (Melbourne), *Rights, Pluralism and the Duty of Care*

Jenny Steele (York), *Fair Just and Reasonable*

Panel B (Seminar Room 7)

Chair: Erika Chamberlain

Helen Scott (Cape Town), *Police Liability for Failure to Prevent Crime and the Right to Life in English and South African Law*

Alistair Price (Cambridge), *The Impact of the Bill of Rights on State Delictual Liability for Negligence in South Africa*

Panel C (Seminar Room 8)

Chair: Lionel Smith

James Edelman (Oxford), *Money Awards to Secure Performance at Common Law and in Equity*

Kelvin Low (Singapore Management), *Nonfeasance in Equity*

6.30 **Drinks, St Anne's marquee (sponsored by Cambridge University Press)**

7.15 **BBQ dinner, St Anne's marquee (sponsored by Cambridge University Press)**

THURSDAY 15 JULY

9.30-10.30 **Plenary Session** (Mary Ogilvie Lecture Theatre)

Chair: Andrew Robertson

Andrew Burrows (Oxford), *Damages and Rights*

10.30-11.00 **Coffee** (marquee)

11.00-12.30 **Parallel Session 1**

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Stephen Waddams

Stephen Smith (McGill), *Rule-Based Rights and Court-Ordered Rights*

Charlie Webb (LSE), *Duties and Damages*

Panel B (Seminar Room 7)

Chair: Geoff McLay

Joshua Getzler (Oxford), *Disciplining the Corporation through Tort Liability and Disability*

Christine Beuermann (Tasmania), *In Defence of the Non-Delegable Duty of Care*

Panel C (Seminar Room 8)

Chair: William Lucy

Helge Dedek (McGill), *Of 'Subjective' and 'Superstructural' Rights: Some Comparative Remarks on the Development of Rights-Based Accounts of Private Law*

TT Arvind (York), *Beyond 'Rights' and 'Responsibility': Lundstedt's Theory of Obligations*

12.30-2.00 Lunch (marquee)

2.00-3.30 Parallel Session 2

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Helen Scott

Ken Oliphant (Bristol), *Comparative Reflections on Tort Law and Rights*

Roderick Bagshaw (Oxford), *Non-Contractual Protection of Possessions, Property, etc*

Panel B (Seminar Room 7)

Chair: Mindy Chen-Wishart

Jeannie Paterson (Melbourne), *The Reasonable Person in Contract Law*

David McLauchlan (Wellington), *Common Intention and the Interpretation of Contractual Rights*

Panel C (Seminar Room 8)

Chair: Peter Cane

Lionel Smith (McGill), *Corrective Justice and Public Law*

Erika Chamberlain (Western Ontario), *Misfeasance in a Public Office: A Justifiable Anomaly to the Rights Based Approach?*

3.30-4.00 Tea (marquee)

4.00-5.30 Parallel Session 3

Panel A (Mary Ogilvie Lecture Theatre)

Chair: John Goldberg

James Lee (Birmingham), *Deus ex Machina: Judging Rights in Private Law*

Chaim Saiman (Villanova), *Faith in Legal Doctrine: An Anglo-American Comparison*

Panel B (Seminar Room 7)

Chair: Nicholas J McBride

Sarah Green (Birmingham), *Rights and Wrongs: A Rights-Based Approach to the Wrongful Interference Actions*

Amy Goymour (Cambridge) and Stephen Watterson (LSE), *Crime, Tort and Intangible Property*

Panel C (Seminar Room 8)

Chair: Jane Wright

Matthew Harding (Melbourne), *Testamentary Freedom to Discriminate: The Case Against*

Gavin Phillipson (Durham), *Horizontal Effect: Clearing the Academic Ground, Interrogating Judicial Ambivalence*

6.30 Drinks at Divinity School (sponsored by Hart Publishing)

8.00 Conference Dinner at Exeter College (sponsored by Hart Publishing)

FRIDAY 16 JULY

9.30-10.30 Plenary Session 1 (Mary Ogilvie Lecture Theatre)

Chair: Donal Nolan

Robert Stevens (UCL), *Rights and Other Things*

10.30-11.00 Coffee (marquee)

11.00-12.30 Parallel Session 1

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Charles Mitchell

Ben McFarlane (Oxford), *Unjust Enrichment, Rights and Value*

Elise Bant (Melbourne), *Rights and Value in Rescission: Some Implications for Unjust Enrichment*

Panel B (Seminar Room 7)

Chair: Roderick Bagshaw

Jane Wright (Essex), *What Have Human Rights got to do with Private Law?*

Ken Cooper-Stephenson (Saskatchewan), *The Common Idea of Tort Law and Human Rights*

Panel C (Seminar Room 8)

Chair: Kelvin Low

Robyn Carroll (Western Australia), *Rights and Private Law: Apology as a Remedy*

Jason Neyers (Western Ontario), *Abuse of Rights in the Common law?*

12.30-1.30 Lunch (marquee)

1.30-3.00 Parallel Session 2

Panel A (Mary Ogilvie Lecture Theatre)

Chair: Stephen Smith

Stephen Waddams (Toronto), *Principle and Policy in Contract Law: Private and Public Dimensions*

Jonathan Morgan (Oxford), *Why Contract?*

Panel B (Seminar Room 7)

Chair: Richard Wright

Harold Luntz (Melbourne), *Medical Negligence: Loss of Chance*

Dorota Leczykiewicz (Oxford), *Rights in English Tort Law: Shifting from the Factual to the Legal*

Panel C (Seminar Room 8)

Chair: Laura Hoyano

Geoff McLay (Wellington), *Constitutional Rights – A Matter for Tort Law?*

Eoin O'Dell (Trinity College Dublin), *Common Law Doctrines in the Age of Constitutions*

3.00-3.30 Tea (marquee)

3.30-5.00 **Plenary Session 2** (Mary Ogilvie Lecture Theatre)

Chair: Jenny Steele

John CP Goldberg (Harvard) & Benjamin C Zipursky (Fordham), *Civil Recourse, Human Rights and the Structure of Tort Law*

John Gardner (Oxford), *What is Tort Law For? Part 2. The Place of Distributive Justice*

5.00 **Closing Drinks** (marquee)