

## **CURRICULUM VITAE**

### **JANE BALL**

#### **SUMMARY**

- I have been a lecturer at Sheffield University School of Law since 2003 and I teach property law, contract law, tort law, and French law (in French).
- I obtained a scholarship to study for a Ph.D as a general teaching assistant at Sheffield in 1997.
- Before then I had been in practice as a solicitor between 1978 and 1993 (when I started lecturing at Manchester Metropolitan University).
- I passed my Ph.D viva in February 2008 with an excellent report from examiners. The thesis covered a wide range of public and private law in France to answer the question as to whether the poor and disadvantaged are housed in social housing. The thesis included a qualitative field study in three regions of France and drew on an economic theory, insider-outsider theory to find failures to house the most disadvantaged.
- I have published articles and book chapters on French, English and other European comparisons in the UK, France, Spain, the US and on the net (see publications below) as well as giving papers at many international conferences and participating in collaborative projects.
- I also participate in a number of international networks and projects, including founding and leading the Legal Aspects of Housing Land and Planning stream of the European Network for Housing Research since 2004. Recent activities include representing England, at a symposium on flat ownership at the French Senate, and guest editing the papers from my the "Legal Aspects ..." group for a US periodical

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## CURRICULUM VITAE

### 1 PERSONAL DETAILS

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### 2. EDUCATION AFTER SCHOOL and QUALIFICATIONS

Institution	From	To	Qualification
Orme Girls' School, Newcastle-under- Lyme, England	1963	1970	Obtained A-levels in French, German and Latin all at grade A
Liverpool University	1970	1971	Successfully completed the 1 <sup>st</sup> year of a joint honours <b>French and German degree</b> before taking a sabbatical year and transferring to law
Liverpool University	1972	1975	Obtained a <b>Law degree</b> LL.B (Hons.) Class 2(ii) (N.B. I was seriously ill during the degree)
The College of Law Chester	June 1975 And	Jan. 1976 Jan. 1977	Passed all 7 Heads of the <b>Solicitors' Part II Professional Exams</b> (at the 1 <sup>st</sup> attempt) with distinctions in family law and accountancy
Manchester University	1996	1998	Obtained the <b>Final Diploma of the Institute of Linguists in French</b> (equivalent at pass level to a 2 <sup>nd</sup> class degree in French) with a distinction in oral French
University of Sheffield	1998	2000	Obtained the <b>Postgraduate Certificate of Higher Education</b> including writing two papers on problems with large study groups and with Erasmus students
University of Sheffield	1997 and 2001	1999  2008	Obtaining a scholarship to study for a <b>Ph.D.</b> on how France houses people on a low income– a mix of rights, public law and regulation, the law of institutions, tax, property, finance, local

		<p>government, as well as politics and economics. This was submitted in September 2003, examined in December 2004.</p> <p>(Continued)</p> <p>This was to be resubmitted without examination after interviewing housing actors in 3 French Regions (in the week after the 2005 riots). The practice departed considerably from the legal requirements so that a further viva exam was held in February 2008, which was passed with minor corrections. My examiners were the Joseph Rowntree professor in housing from York and Professor Renard, an economist from the Ecole Polytechnique and director of the CNRS, the French National research funding body.</p> <p>The study found a tendency for actors to favour people already in place for social housing allocation, groups with bargaining power such as local people, employees and existing tenants. There was a tendency to exclude the most disadvantaged partly due to funding constraints but there was also corruption and race discrimination.</p> <p>My research training includes quantitative and qualitative analysis and European economics</p>
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**FURTHER NON- ACADEMIC QUALIFICATIONS:**

**April 1978** – Admitted to the Roll of Solicitors

**3. CURRENT AND PREVIOUS EMPLOYMENT**

<b>Name and address of employer</b>	<b>Dates employed</b>	<b>Position and outline of duties and responsibilities</b>
<i><b>i) Current Employment</b></i>		
<p><b>The School of Law, University of Sheffield</b> Bartolomé House Winter Street, Sheffield SF3 7NDL</p>	<p>1997 to 2003  and September 2003 to now</p>	<p><b>Graduate Teaching Assistant and Lecturer in Law</b> See the remainder of this c.v. generally for details of responsibilities and experience</p>

<b><i>ii) Previous Employment</i></b>		
<p><b>The Open University</b> Law Department Milton Keynes</p>	<p>Feb. 2002 to Sept. 2003</p>	<p><b>Associate lecturer</b> teaching the law of obligations at level 3 part-time</p>
<p><b>School of Oriental and African Studies</b> London</p>	<p>Jan. 2001</p>	<p>Temporarily teaching comparative French and English company law for undergraduate and masters' students</p>
<p><b>Manchester Metropolitan University</b> Elizabeth Gaskell Campus Manchester</p>	<p>Jan. 1994 to June 1998</p>	<p><b>Part-time lecturer</b> teaching contract law, remedies, French legal conversation, law for public administrators and for accountants</p>
		<p>(Continued)</p>
<p><b>Rowe and Cohen Solicitors</b> 7 the Square Hyde Tameside</p>	<p>Jan. 1993 to June 1994</p>	<p><b>Solicitor</b> – handling a variety of litigation – commercial actions, debts, private disputes, personal injury and some domestic violence. This included all work from taking instructions, instructing counsel, progressing pleadings and advocacy (Continued)</p>
<p><b>Pricketts , Solicitors,</b> 12 Hardwick Street, Buxton</p>	<p>June 1990 to Aug. 1993</p>	<p><b>Solicitor</b> – dealing with all litigation arising in the branches first in Marple then Buxton - a mix of personal injury, matrimonial, and commercial litigation with some crime in the magistrates, (part-time)</p>
<p><b>Beardsell, Nichols and Waring, Solicitors,</b> 281 Wellington Road South Stockport</p>	<p>Oct. 1989 to May 1990</p>	<p><b>Junior partner</b> – Large-scale personal injury litigation and some remedial conveyancing for work mistakenly taken on by a former partner. The firm specialised in the quickest possible turnaround of road-traffic cases and was generally feared by insurance companies (part-time). I progressed computerisation of the process</p>
<p><b>Manchester City Council,</b> Town Hall Albert Square Manchester</p>	<p>Mar. 1989 to Oct. 1989</p>	<p><b>Senior Housing Solicitor</b> – extremely varied work in the policy department, including housing policy advice, advising on supply agreements, housing benefit and planning appeals, commercial, civil, and nuisance claims against the Council and local authority prosecutions arousing my interest in housing law (part-time).</p>
<p>Temporary retirement on the</p>	<p>Mar. 1987 to</p>	

<p>birth of my 2<sup>nd</sup> daughter</p>	<p>Oct. 1989</p>	
<p><b>Daniel, Ashworth and Booth, Solicitors</b> 8 West Street Congleton</p>	<p>Aug. 1986 to Mar. 1987</p>	<p><b>Solicitor</b> - foreseeing the crash in the conveyancing market and loss of fees with competition, I switched to litigation (a very minor part of my work previously to relieve others). I was responsible for all the work associated with any litigation in the branch, mostly commercial, personal injury, and divorce with a small amount of employment and crime</p>
<p><b>Rigby Stringer and Holmes, solicitors</b> Sandbach Cheshire</p>	<p>May 1985 to Aug. 1986</p>	<p>(Continued)</p>
<p>During this time I assisted various solicitors firms on a part-time and/or temporary basis</p>	<p>1983 to 1985</p>	<p><b>Solicitor</b> – conveyancing, probate, commercial landlord and tenant, tax and company work</p>
<p>Temporary retirement due to the birth of my 1<sup>st</sup> daughter</p>	<p>Apr. 1981 to 1983</p>	
<p><b>Poole Alcock and Co, Solicitors</b>, (now) 6 Middlewich Road, Sandbach Cheshire</p>	<p>Apr. 1978 to Apr. 1981</p>	
<p><b>Knight and Sons,</b> Barclays Bank Chambers Newcastle-under-Lyme Staffordshire</p>	<p>Feb. 1976 to Apr. 1978</p>	<p><b>Solicitor</b> – This heavy non-contentious workload included conveyancing, trusts, probate, landlord and tenant, tax and business advice. Assisting the litigation partner with advocacy on occasion.</p> <p><b>Articled Clerk</b> – a varied training in an old established firm but with heavy emphasis on drafting trusts documentation and unusual conveyancing</p>

**4. RESEARCH**

## **4.1. Research areas**

My research is very loosely based around problems in property and related elements of private law, housing and administrative law, particularly the public law framework in rights. My international comparisons and European work show that there are substantial unexplored conceptual differences and differences of scope between England and most other European systems. A functional approach to problems such as housing and financial services means crossing a considerable number of legal and other disciplines:

My comparative work requires understanding and researching the English and French law on an *ad hoc* basis concerning property and trusts, contract, financial services, company, debt and eviction, divorce law, race discrimination, debt, constitutional and administrative law, rights, homelessness and housing difficulty, social landlords, local government, construction and planning, tax, finance, decentralization (for France) and contractualization, EU law and the European Convention of Human Rights (ECHR) and the European Social Charter. The empirical work necessarily involves sociology (theoretical and practical for qualitative study and interviewing), economics (insider-outsider theory and transparency) and politics.

I am frequently called upon to do full comparisons between England and France or wider European work through invitations to speak or collaborate on publication. Some of this is also detailed under "Esteem Factors and Professional Activities"

My collaboration with the Society of Trust and Estate Practitioners (STEP -below) is intended to help their lobby office in Brussels to explain trusts to other Europeans with a view to mitigating some recently damaging European measures (see below). (They also assist me locally by coming to speak to students about careers in wealth management.) The lack of a developed law of equity underlies many of the fundamental differences in property concepts from Europe giving rise to serious misunderstanding.

## **4.2. Thesis content and future publications**

My summary above as already briefly described my thesis but its extensive information and the analysis within it will provide a starting point for more work, so more detail should be given.

My Ph.D. thesis is "The limitations to the right to housing in France: Insiders and outsiders in social housing allocation 2005-6" (Sheffield University), and was successfully examined on 18<sup>th</sup> March 2008. The examiners said the thesis was "impressive" and "excellent." The minor corrections to the thesis have been approved and I await the award of a Ph.D.

My supervisors were originally David Townend and Professor Graham Battersby. When Professor Battersby, a distinguished property lawyer, retired it was apparent that my work was predominantly in the public rather than the private sphere. For this reason, Professor David Hughes was appointed to replace him because of his expertise in public housing law. My thesis was submitted in 2003 and examined in December 2004 by an economist, Professor Vincent Renard of the Institut d'Econométrie in the Ecole Polytechnique and director of the Conseil national de la recherche scientifique (the body responsible for funding French academic research) and Professor Suzanne Fitzpatrick, the Joseph Rowntree Professor of York University.

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My initial research question asked, "How do they house people on a low income in France?" Answering this required a thorough knowledge of French public and private law, including the conflicting constitutional rights; government institutions and working arrangements with agencies; regulation of social landlords with financing, benefits and taxation; tenures, eviction and debt; contractualization and voluntary bodies, within a framework of European Union law, the European Convention on Human Rights and the revised European Social Charter. A 2008 decision against France from the European Social Committee for breach of article 31 of the European Social Charter shows the correctness of my thesis conclusions. France is undergoing rapid decentralisation, developing housing rights, re-structuring general planning mechanisms and recently facing the prospect of restrictions on aid to social landlords because of EU competition law. There is a constant sense of housing crisis despite the fact that their housing supply is probably better than ours.

Today the housing of the poor in France takes place within the context of the right to housing which permits positive discrimination, departing from basic equality. The relevant law clearly states the right of disadvantaged people to be housed. Thus a further question for empirical study was "Do they house people on a low income?" and "Why the constant sense of crisis?" Studying social housing allocation could help explain this.

The French National Housing Information Agency (ANIL) was a suitable research partner because of their duty of political neutrality. They were able to introduce me to senior figures within housing in Paris, and to put me in touch with well-informed public and private social landlords, political figures, civil servants up to 5 layers of local government and voluntary bodies working with people in difficulty who see the consequences of the housing crisis.

The process of housing allocation in France in fact departs from the legal texts to a much greater extent than would be expected within an equivalent UK study, so that new housing applicants who are very poor or otherwise undesirable are increasingly not housed. An accumulation of law and existing rights is unhelpful. A tendency to ignore rigid national rules is widespread, with no real equivalent of judicial review of discretion in allocations. . This finding required a re-casting of the thesis structure. There is a distressing lack of accommodation, exacerbated by the large-scale reconstruction to demolish larger homes suitable for ethnic minorities, and construction of replacements designed for higher-income families in the interests of social mix, a concept which can be used to limit the number ethnic minority inhabitants in an area. Social landlords tend to re-house existing tenants so that both parties to a divorce each obtain family-sized homes to provide shared access for children. Mayors have a large influence on allocation preferring to house only locals, often for political reasons, sometimes to the point of clientelism and corruption.

The latter two factors lead to the conclusion that there are housing insiders and outsiders. Social landlords prefer existing tenants because they pay the rent and have known behaviour, over outsiders in greater need, in circumstances where bad tenants are difficult to evict. Mayors' illegal exclusion of non-locals from social housing makes it inadvisable to move far from a home commune to work, with adverse economic and human consequences.

The insider/outside thesis by Snower and Lindbeck in economics relates to protective approaches in employment law. In French thought, including Marxist thought, tenancy law is often considered a parallel to employment law, so extension of Snower and Lindbeck's theory to social housing seems appropriate, in a two-speed society where rigid markets make the full protection of the law unavailable to outsiders. At the extremes, there is outright clientelism by mayors and discrimination against black people. The French riots become understandable where ethnic minorities, which are sufficiently

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integrated to obtain social housing, suffer discrimination in unemployment, police harassment, scarce accommodation and overcrowding in their traditional areas, and cannot obtain credit or housing elsewhere. Their integration into traditional socialist and communist areas is illustrated by their self-expression by demonstration. Legal prohibitions on collection of ethnic and religious data prevent academic or journalistic enquiry into this aspect of their situation.

The private sector housing market also presents difficulties for ethnic minorities, divorcing or separating couples with a mortgage, women suffering domestic violence and people in debt. A further exacerbating factor in the French crisis is a heavy and stigmatising law on debt, creating a risk-averse culture with requirements for rent guarantees for all lettings. With a 42% divorce rate, one of the highest unemployment rates in Europe and increasing private rents and house prices, people are being forced out of the private sector and trying to access social housing and greater numbers than can be housed.

The study found a great deal of goodwill amongst all actors to help house those in difficulties, frustrated by inappropriate funding and rigid fragmented governance. This is a very English analysis in that it looks particularly to suggest improvements to procedure and, as a socio-legal study of housing is unique in France. There is a real distributional problem, which is dealt with by considerably divergent institutions in France, affected by politics, geography, and local traditions. This study also illustrates important differences in the perceptions of rights, the use of administrative discretion, and the cultural bases for welfare, which in France are politically based around a traditional struggle between left and right, even though there is essentially a consensus to deal with housing. The difficulties were confirmed by a 2008 decision of the European Social Committee against France for breach of article 31 of the European Social Charter (the right to housing). My work is not so much about failures to house the poor as about the accumulation of legal mechanisms that permit this, thus how they are excluded.

There is more than enough original material to publish a book in this area, although development of the work can also lead to many articles developing different themes. The traditional subject grouping of English housing law in the future will often have to be reconfigured to European specialisms in the interests of exchange and explanation. I see myself publishing more work pursuing such reconfigured themes:

- **A continuing comparison of property** (trusts, contracts, securities, tenures, and the uses of fragmentation of rights for financial services) including English socio-legal approaches and using parallels in company, family and contract law: Paradoxically defending UK trusts means calling in public law support through, for example competition regulation and rights to property under the European Convention on Human Rights as well as European Union law
- **"Urbanisme"** a European subject grouping including housing, town planning, construction, the environment and sustainable communities; and
- A continuing debate on **the nature and implementation of rights** whether national constitutional rights, the European Convention on Human Rights and the European Social Charter where European Union competition law may limit national subsidy.

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- There are also themes of **regulation and governance** particularly in companies and local government, and of the **economic, social and political theory** arising from my thesis.

My insights into the place of English law in Europe can be used a view to collaborative and individual research, supervision in cognate areas and for teaching informed by a view of the subjects taught embedded in wider interdisciplinary and practical contexts.

### 4.3. Publications

#### 4.3.1. *Book chapters*

Jane Ball (2008) "Property, Altruism and Welfare: how national legal conceptions affect allocation of social housing to the disadvantaged," pp. 63-82 in *Social Housing in Europe II, A Review of Policies and Outcomes*, London, London School of Economics (also to be published in France)

Jane Ball (2007) "Les Systèmes de 'logement vestibulaire': étude comparée du mal-logement en France et au Royaume-Uni (Vestibular Housing Systems – A Comparative Study of Poor Housing in France and the UK)", pp.169-190 in Laflamme, Valérie, Lévy-Vroelant, Claire, Robertson, Douglas, and Smyth, Jim (eds.), *Le logement précaire en Europe – Aux marges du palais*, Paris, l'Harmattan.

Also

"Regard britannique sur le logement étudiant en France" pp.147-151 in the same publication

Nicolas HD Foster and Jane Ball (2006) "Imperialism and Accountability in Corporate Law: the Limitations of Incorporation law as a Regulatory Mechanism", pp. 93-108 in MacLeod, Sorcha (ed.), (2006) *Global Governance and the Quest for Justice: Volume II Corporate Governance*, Oxford, Hart Publishing,

Jane Ball (2006) "Los derechos a la vivienda en el Reino Unido: La gestión por desahucio, si realojamiento y la possible incompatibilidad con los derechos continentales," pp.155-177 in Julio (ed.)(2006) *Derecho urbanístico, vivienda y cohesión social y territorial*, Madrid, Marcial Pons,

The above chapter is published in the USA as:

Jane Ball (2006) "UK Housing Rights: Management by Eviction, Re-housing and Possible Incompatibility with Continental Rights" in Julio Ponce Sole (ed.) (2006) pp. 65-79 in *Land Use Law, Housing and Social and Territorial Cohesion*, Denver, the Rocky Mountain Land Use Institute,

Jane Ball, Jean-Phillipe Brouant and Julio Ponce Sole (2006) "Le Droit au logement, est-il soluble dans la territorialisation? Réflexions comparatives, (The Right to Housing, Can the Problem be Solved by Decentralisation?)," pp.105-117 in François Piret ed. (2006) *Mélanges en l'honneur du Professeur Henri Jacquot*, Orléans, Presses Universitaires d'Orléans

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Jane Ball and Thomas Knorr-Siedow (2004) "Housing and Urban Affairs", pp.322-330 in Hugh Compston (ed.) *Handbook of Public Policy in Europe: Britain, France and Germany*, Basingstoke, Palgrave

#### **4.3.2.        *Refereed Journals***

Jane Ball (2006) "The Boundaries of Property Rights in English Law", (UK Reports to the XVIIIth International Congress of Comparative Law -Utrecht, the Netherlands), 16-22 July 2006) vol. 10.3, *Electronic Journal of Comparative Law*, December 2006 at <http://www.ejcl.org/103/art103-1.pdf>

Jane Ball (2005) "Why Are Houses More Affordable in France?" p. 67-81 in *the Political Quarterly*, Vol. 76, No. 1, January-March 2005

Jane Ball (2003) "Renting Homes: Status and Security in the UK and France - A Comparison in the Light of the Law Commission's Proposals", pp. 36-58 in *the Conveyancer and Property Lawyer* (2003), Vol. 67, January/February,

#### **4.3.3.        *Non-refereed reports and publications***

Jane Ball (2007)"Massive Doctrinal Dislocation? The Prospect of a European Civil Code for England?", pp. 19-25 in *Trusts Quarterly Review*, Vol. 5, Issue 2, 2007, written at the request of the Society of Trust and Estate Practitioners

Jane Ball and Thomas Knorr-Siedow (2004) a report on *Housing Rights in Germany* was prepared for FEANTSA and circulated in September 2004, online at <http://www.feantsa.org/code/en/theme.asp?ID=5>). I produced a further report in February 2005 on the difficulties in creating a database of national housing rights case reports in Europe.

Jane Ball (2003) "Down and Out in London and Paris? Rights and Remedies for the Homeless" in *Homeless in Europe*, autumn 2003, p.18, published by FEANTSA online at <http://www.feantsa.org>

Jane Ball (2000) "Single Minded" (commenting on French legal measures to secure the position of mortgage holders with the introduction of the Euro), p.9 in *Roof* January/February 2000, London, Shelter

#### **4.4.        *Recent conference papers***

**15<sup>th</sup>-18<sup>th</sup> September 2008** – Two papers given at the Society of Legal Scholars Conference at the LSE: *The Challenge of Empiricism: The Problems and Promise of Comparative Empirical Study in Law* (In the comparative law stream) and *Selling Equity and Trusts: The Need for Explanation to Europe* (in the Property Stream)

**4<sup>th</sup>-5<sup>th</sup> September 2008** – Presenting a paper to COBRA, the RICs Construction and Building Research Conference in Dublin: *Comparative Housing Rights- Disconnected Concepts: a Problem of Chronology*

**5<sup>th</sup>-9<sup>th</sup> July 2008** – Conference paper – *Housing Law is Dead. Long Live European housing law at the ENHR Conference in Dublin 5<sup>th</sup>-9<sup>th</sup> July 2008*

**21<sup>st</sup> September 2007** – Representing England in a comparative law seminar in the French Senate concerning condominium law (see esteem factors)

**30<sup>th</sup> March 2007** - Invited speaker presenting a seminar paper *Housing Rights in UK and Remedies Available for Homeless People* at a seminar in Barcelona, primarily designed to launch the books published in Spain and the US arising from the December 2004 seminar (above), the product of the Spanish-based network (described below). This session was a successful promotion of the book, since the session was twice reported in the national newspaper, *El Pais*

**18<sup>th</sup>-19<sup>th</sup> January 2007** - Presenting a seminar paper - *Comparing the Law of Social Landlords: Property, Altruism and Welfare*, to the European Network for Housing Research (ENHR) special project on social landlords in Berlin.

**July 2<sup>nd</sup>-5<sup>th</sup> 2006** – Conference paper: *The Insider-Outsider Thesis and its Extension to Social Housing* at the at the ENHR conference in Ljubljana, presenting some of the results of my empirical study in France. This is available online at [http://enhr2006-ljubljana.uirs.si/publish/W19\\_Ball.pdf](http://enhr2006-ljubljana.uirs.si/publish/W19_Ball.pdf)

**12<sup>th</sup> May 2006** – Seminar paper: - *A Crisis Which is Not the Fault of Social Landlords? Debate, Fragmentation and the Myth of Security in Social Housing Allocation in France*, in Paris as part of the ENHR special project on social landlords.

**8<sup>th</sup> March 2006** – Seminar paper for the Sheffield research group on Law in the International Context: *Social Housing Allocation in France – Rights, Pragmatism and Facing the Flood*

**1<sup>st</sup> February 2006** – Seminar paper at the 1<sup>st</sup> half-day seminar of the new Sheffield Interdisciplinary Housing Group on *Administering a Crisis – the Multiple Types of Social Housing Allocation in France* in the Law School

**29<sup>th</sup>-30<sup>th</sup> September 2005** – Conference paper: *Vestibular Housing Systems: the Comparative Legal Topography of Transitional and Substandard Housing* delivered at the conference *Mobility, Poverty, Insecurity and Hospitality - The Past and Future of Precarious Housing in Europe* in Paris

Contributing to a further paper at the same conference *The Housing of Students: Legal & Structural Implications of Changing Patterns of Housing Provision in England, and a Comparison with Experience in France* in collaboration with David Hughes, Martin Davis and Rachel Houghton of De Montfort University

## **5. ESTEEM FACTORS and PROFESSIONAL ACTIVITIES**

### **5.1. Invitations to speak and commissioned work**

**21<sup>st</sup> September 2007** - Invited to speak in the Senate in Paris. I reported on English commonholds (the new law on flat ownership), participating in various round table debates with strong French comparative elements concerning the *co-propriété* (French flat ownership), at a conference organized the *Association des responsables de co-propriétés*, for the Senate, in Paris. This was at the request of Bernard Vorms, the head of the French National Housing Information Agency. A comparative guide to flat ownership will be produced.

**July 12-17<sup>th</sup> 2006** - Presenting the English report on property law to the quadrennial XVIIth Congress of the Academy of Comparative Law on *The Boundaries of Property Law* in Utrecht (held since 1901)

**17<sup>th</sup> December 2004 and 30<sup>th</sup> March 2007** - Invited speaker at the University of Barcelona, at a conference funded by the Spanish Ministry of the Interior concerning: *UK Housing Rights, Management by Eviction, Re-housing and Possible Incompatibility with Continental Rights* - the second paper as *Housing Rights in the UK and Remedies Available for Homeless People* was to launch the book published in Spain and the US from the earlier seminar. This session was mentioned twice in the national paper, *El Pais*.

**30<sup>th</sup> March 2007** - Invited speaker presenting a seminar paper *Housing Rights in UK and Remedies Available for Homeless People* at a seminar in Barcelona, primarily designed to launch the books published in Spain and the US arising from the December 2004 seminar (above), the product of the Spanish-based network (described below). This session was a successful promotion of the book, since the session was twice reported in the national newspaper, *El Pais*

**15<sup>th</sup> January 2004** - Asked to speak at the Sorbonne at a seminar for GRIDAUH (le Groupement de recherche sur les institutions et le droit de l'aménagement, l'urbanisme et l'habitat – The Research Grouping on the Institutions and the Law of Development, Urbanism and the Habitat) on *The Right to Housing in the UK*

## 5.2. Collaborations and networks

I collaborate with the **STEP (Society of Trust and Estate Practitioners)**, a global organization with some 12,000

members and internationally recognized professional standards. They invite me to their conferences and local professional seminars. Most recently, I was asked to their policy committee to put together a strategy for research into means to improve the profile of trusts in Europe and to help their Brussels lobbyists. The device has had success in other jurisdictions in contractual form without equity to attract financial services business. Trusts are consequently thought to be purely a tax avoidance device, for the more dishonest members of society. This has resulted in apparently deliberately adverse impacts in legislative proposals for, for example, money laundering and compulsory inheritance. I can assist with explanations and comparisons to improve European and UK knowledge and can use of public law frameworks where dangers threaten damage to financial services and the legal system generally to assist. I also negotiated free access for Sheffield law students to professional talks at the Manchester branch. That branch has also asked me to speak to local solicitors in their continuing education programme.

Since 2005 – I have been an invited member of the **European Network for Housing Research special project on social landlords**

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(Also supported by the French network, the GIS socio-économie de l'habitat), including multi-disciplinary academic and professional contributors from many European Countries (including Christine Whitehead from the London School of Economics and Mark Stephens from York in the UK). The status of social landlords within the services directives and in competition law is in a state of flux with prohibitions on anti-competitive state aids. The continuing project contributes to this consideration with CECHODHAS, the organisation representing European social landlords. There have been meetings in various European cities every 6 months and there will be a book. I gave two seminar papers (above) at part of this.

In 2004, I co-founded a **working group of the European Network for Housing Research: "Legal aspects of housing, land and planning"** with

Professor Julio Ponce and Dr. Wolfgang Amman, which I organize. This runs an active annual conference stream for the large ENHR conference, which in Slovenia had 20 papers. The working groups has nearly 60 members from Sweden to Turkey, from Singapore and Australia to the USA – more than 20 countries, the first international forum for housing law globally, and there is contact and collaboration between members

Two new international land and planning networks have been set up, one based in Israel and the other run by Paul Chynoweth at Salford University. Paul and Julie Adshead (from the Law department in Salford) presented papers at the ENHR Rotterdam conference in 2007 and Paul has asked me to head up the housing stream at the COBRA conference in the Autumn. Paul has also agreed to let me use his BEL-NET distribution list so that information can be passed to all three groups, some 300 people.

Since February 2004 – I have been part of a **Spanish-based comparative law network** for a project on

comparative administrative law and sustainable communities. This includes Julio Ponce Sole (Barcelona University) Ed Ziegler (Denver) and Jean-Philippe Brouant (Sorbonne). This is funded to 2009, and has already produced publications, seminars described above and a frequent exchange of information

I continue to exchange information with the **French National Housing Information Agency (ANIL)**.

ANIL put its departmental offices at my disposal in three regions for my Ph.D empirical study. I have been supplying Bernard Vorms, an economist and the director there, with information on the law of commonholds, on credit, insolvency, evictions, mortgages and trusts for about 3 years. He has also introduced me to senior people concerned with housing to help me with information. In January 2007, they funded my visit to London to seek advice on the London policies to deal with the homeless, in the light of the new French opposable right to housing.

I have collaborated with **Jean-Philippe Brouant of the Sorbonne** in a variety of ways since 2004–

Speaking at GRIDAUH seminars at the Sorbonne, joint writing (see above) and other projects, and general exchange of information. He provided very critical French studies of social housing allocation and assisted in the preparation of questionnaires in French for my thesis. Most recently I supplied information and improved the English translation of the website of le GRIDAUH

I also collaborate with **Professor Claire Lévy-Vroelant** of the Université Paris X, a sociologist and

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housing historian, in the various European Network for Housing Research projects and conferences already reported (transitory housing and social housing).

I have also **collaborated** with Nick Foster at the School of Oriental and African Studies concerning comparative company law and with Professor Hughes, Martin Davis and Rachel Houghton at Leicester University concerning comparative collective rights and students' accommodation (shown in the list of publications and papers respectively). I also co-wrote a chapter concerning housing policy in France, the UK and Germany with Thomas Knorr-Siedow and urban studies expert from Berlin. Christian Tutin and Benoit Filippi, statisticians, from the GIS – Réseau socio-économie de l'habitat (a French interdisciplinary housing network also based at the Sorbonne) have supplied statistics and maps for my thesis.

### 5.3. Other esteem factors

In July 2008, I was asked to be a **member of the editorial board** of a new periodical, *the International Journal of the Law of the Built Environment* from Emerald Publishing.

In the **spring of 2008**, I was approached by an editor from the American Society of Civil Engineers (which has 170,000 members) **to edit a guest issue** of another new legal periodical, from the *Journal of Legal Affairs and Dispute Resolution in Engineering and Construction*. This will happen, co-edited by Alice Christudason from Singapore University, with an editorial, and around 7 articles from members of my ENHR working group (including one from me) around the theme "Realizing Rights."

In **April 2008** was asked to be **rapporteur** for the results of an **Economic and social Research Council project** on social housing allocation in the UK, because of my expertise in the field. In 2009 I also refereed a grant application for the same body.

During the last two years I have **reviewed book proposals** for the Oxford University Press and for Pearson Educational in the areas of property law and French law.

In February 2007, I **refereed a Dutch article** on planning and property for *Structural Survey Magazine* and I also occasionally referee for *The International Journal of the Law of the Built Environment* (above)

Although reducing my commitment to speak in order to complete my doctorate last year, I have attended a number of recent **invitation-only seminars** (as well as those already mentioned):

**January 9<sup>th</sup> 2008** – The policy committee meeting of the global Society of Trust and Estate Practitioners for a day in London to discuss strategy to combat adverse impression of trusts in the European Union.

**March 12<sup>th</sup> 2007** - a Franco-English seminar organised by Professor Simon Whittaker at Oxford Concerning the proposed reform of the law of obligations in the French Civil Code, including the judges and drafters of this first major change since 1804. All expenses were paid by Clifford Chance

**September 17<sup>th</sup>-18<sup>th</sup> 2006** – a European housing Rights conference in Helsinki, funded by the Finnish Ministry of the Environment, the EU and the Y-Foundation

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From **March 2002 to July 2005**, I was one of four members of an **Expert Group on Housing Rights for h FEANTSA** (The European Federation of National Organisations Working with the Homeless)

This involved funded trips to various European cities every six months for 3 days to meet with the FEANTSA housing committee to work on collecting information on housing rights and promoting these. We also met with various other actors such as COHRE (The Centre for Housing Rights and Evictions), and FAPIL (Fédération des associations pour la promotion et l'insertion par le logement). I arranged a visit from Professor Tom Mullen from Glasgow to present the Scottish homelessness legislation.

I left the group (on amicable terms) because I felt there was a conflict of interests. I could not ask senior French civil servants to talk frankly about their work whilst belonging to an organisation, which planned to help prepare a collective complaint against the French government for breaches of housing rights. A complaint for breach of article 31 of the right to housing in the European Social Charter has now been issued.

In **summer 2005** (already mentioned above in 1.2.) I was invited to assist students at the **Ecole nationale d'administration**. This illustrates esteem although mentioned elsewhere. This prestigious postgraduate school has produced 86% of all top civil servants and leaders of industry as well as most prime ministers and presidents.

#### **5.4. Professional memberships**

I am a member of the the European Network for Housing Research, Housing Studies Association, the Law Society, the Socio-Legal Studies Association, the Society of Legal Scholars, and the GIS Socio-économie de l'habitat (French interdisciplinary housing network)

## **6.. TEACHING**

My teaching experience follows.

### **6.1 Undergraduate teaching**

#### **6.1.1. *Current teaching***

##### **Autumn semester 2007**

- **Lecturing:** around 300 Property Law I students (2<sup>nd</sup> year) for 5 hours on trusts generally, and the family home i.e. resulting and constructive trusts and proprietary estoppel
- **Seminar teaching:** 5 Torts I groups (3 one hour tutorials) and 4 Property I groups (6 one hour tutorials) – property seminars cover the history of equity, equitable principles and remedies, creation and constitution of trusts, fiduciary duties, and the family home (as above)

##### **Spring semester to June 2008**

- **Lecturing:** around 20 French Law and Legal Systems students (2<sup>nd</sup> year) for 10 lectures in French concerning the whole French law course: basic legal concepts,

constitutional and administrative law, courts system, and private law (contract, commercial and company) with an introduction to French legal method

- **Seminar teaching:** 7 groups for Torts II (3 seminars), 4 groups for Contract II (3 seminars) and one group for French Law and Legal Systems (20 seminars) and 6 groups for Property II (6 seminars) – property seminars will include introductory history, the doctrine of estates, trusts of land, co-ownership, formalities, third party rights, registered and unregistered land, and easements

### 6.1.2. *Previous undergraduate teaching*

- I have taught the above subjects on and off all the time at Sheffield, lecturing in property and French law since 2003. In property I have also lectured on constructive, resulting and I have had less lecturing and more seminar teaching, with seminars weighted to the second semester to make time for thesis preparation. This year's new property courses were developed to teach equity before land law and reduce course content. Reduced teaching hours in the current year also meant omitting previous property topics: mortgages, much on unregistered land, charities, and trustee investment. I taught a higher proportion of property law in previous years, and less tort, and, prior to 2003, considerably more contract.
- At the **Open University (in collaboration with the College of Law)**. I taught the Law of Obligations for two courses in 2002 and 2003 for undergraduates. This is a distance-learning course at 3<sup>rd</sup> year level, with 30 hours of student seminar contact time. It includes six 3,000-word assignments as well as an exam. Tutors have only 20 students to get to know them and support them well. It is a very detailed course including a wide area of contract law and all nine torts.
- At **Manchester Metropolitan University** I taught contract law and other courses ranging from one hour per week initially to twelve and a half hours when my work was better known between 1994 and 1998:
  - **Contract law classes** included part time classes (around 20 students), distance learning classes and seminar groups of 1<sup>st</sup> year undergraduates for contract law. I also taught the contract law element of the Common Professional Exam. This was the greatest part of my work.
  - **Remedies:** I taught this to small groups of 2<sup>nd</sup> year students
  - **French legal conversation:** This required discussion in French of legal, social and political issues with explanations for 1<sup>st</sup> year Law and French students in groups of around 10 (two hours per week).
  - I also taught seminars on wide ranging courses on law (including EU law) **law for accountants** and **law for public administration students**, to large undergraduate classes of 1<sup>st</sup> years (up to 36 students).
- At the **School of Oriental and African Studies:** In January 2001, I was contracted for two lectures of two hours to 3<sup>rd</sup> year undergraduates (and postgraduates) on French company law (in English). This was possible from my previous commercial UK practice experience and a realization that French companies are a species of contract whilst UK companies owe their fiduciary duties to trusts. Looking for the trust in France or functional

equivalents was like hunting the mythical Snark. I also teach basic French company law in the French law module.

## 6.2. Postgraduate teaching experience

I do not teach postgraduates regular courses at Sheffield (except that property lectures are attended by taught masters' students), but I am supervising my first research project for a masters' student and quite often asked to help postgraduates outside the university, for example:

- **March 2006 and March 2009:** I have been asked to receive Spanish Ph.D. students from Zaragoza University this summer, spending time in Sheffield, to access my unusual expertise as well as Sheffield's academic resources, studying urbanism, administrative law and housing. I arranged for the student in 2006 to work with Stockport Borough's planning department
- **Summer 2005:** At the request of Patrick Doutreligne, the *délégué général* of the Fondation Abbé Pierre (France's largest homelessness charity) I assisted his postgraduate students at the Ecole nationale d'administration in producing their report on the housing crisis as part of a course arising from the promotion Simone Veil. Their final report is online at [http://www.ena.fr/index.php?page=ressources/rapports/seminaire\\_logement](http://www.ena.fr/index.php?page=ressources/rapports/seminaire_logement)
- **7<sup>th</sup> July 2005:** At the request of Professor Barry Goodchild taking a seminar on the rights of the homeless and of tenants in England and France, for French masters students visiting the UK for a trip funded by PUCA (the Policy unit of the French Ministère d'équipement)
- I have incidentally advised master's students from France and Luxembourg concerning administrative law and the general economic interest respectively.

## 6.3 Teaching innovation and development

- As module co-ordinator for French law I have additionally altered the course design, updated the official course documentation, looked after the website, co-ordinated course content with the French department, and carried out other normal duties such as communicating with the external examiner. I do role play and simulated negotiation within particular topics
- I have a diagrammatic system for teaching in property law lectures, also using cartoons – I would like to develop this into an online teaching system – particularly designed to help overseas students.
- **In 2003** I acted as consultant to the Open University to pilot and evaluate the introduction of First Class intranet software to the law courses as a conduit for communication with and between students. For this I trained in e-moderating.

## 6.4. Teaching skills

I obtained the Postgraduate Certificate of Higher Education to improve my knowledge of teaching skills and theory. The course was accredited by the Higher Education Academy after I completed the course, to give registered practitioner status to its graduates.

