



ISSUE 3  
FEBRUARY 2024



## INSIDE THIS ISSUE

PAGE 1

**Commercial Awareness Segment**  
by Angus McGuinness

PAGE 2

**Charting Legislative Changes**  
by Hannah Mann

PAGE 3

**Bar Digest**  
by Nayah Kelly

PAGE 4

**Careers Advice**  
by Mary Francis

## COMMERCIAL AWARENESS SEGMENT

BY ANGUS MCGUINNESS | 1ST YEAR LLB LAW

### HOOVERING UP TRUST: AMAZON'S BLOCKED MERGER

Carrying on our theme of antitrust from last week, this deal just sucked the air out of the room.

Last week, Amazon announced that it's calling off its plans to acquire iRobot, creators of the infamous Roomba. The merger would have been a \$1.4 billion deal. In July 2023, the European Commission (EC) opened an in-depth investigation into the merger, signalling concerns about market competition that Amazon is no stranger to. Just the previous year, Amazon was placed under investigation by the Competition and Market Authority (CMA) for anti-competitive practices, and the charge, similar. The e-commerce giant was being accused of abusing its dominant market position. The EC findings this time around suggested that should the acquisition take place, Amazon would be able to unfairly promote iRobot's products over other competitors in the market. All this, coupled with a current investigation by the Federal Trade Commission (FTC), makes it safe to say that Amazon is being watched closely.

### THE BIGGER PICTURE ON THIS STORY?

Whilst in line with the Biden administration's commitment to antitrust laws, the scrutiny demonstrated in cases such as Amazon's indicates an even greater global shift towards stricter antitrust regulations. Even the biggest tyre manufacturers in the EU saw their offices raided just this month.

Perhaps the root cause of these recent developments is the FTC's introduction of new guidance on Mergers and Acquisitions (M&A) deals; the new guidelines are a nearly 50-page document that lists several red flags associated with mergers, including when mergers "Increase the Risk of Coordination", "Create a Firm That May Limit Access to Products or Services That Its Rivals Use to Compete", and "Significantly Increase Concentration in a Highly Concentrated Market". As the most recent guidance on M&As from the FTC since 1968, the new directions could signpost a new era of stricter antitrust regulations. However, we may find that the response to M&A regulation is cyclical and just like before the guidance, when corporations like Facebook could scoop up companies like Instagram and face almost no regulatory scrutiny, all the drama following the new guidance could pass.

One thing about greater regulatory scrutiny that's certain is the aftermath. When JetBlue and Spirit announced that their merger would not lift off, Spirit Airlines was sent into a restructuring spiral that quickly saw them addressing their \$1 Billion in debt. iRobot was no different, with their CEO resigning immediately and the company moving towards a restructuring plan that involves laying off 31% of its workers.

Whilst a strict regulatory landscape is far from current, it could be imminent. In the short term, M&As are likely to be relatively unattractive to corporations with regulators remaining strict for now. Nonetheless, they are sure to remain a contentious topic.

BY HANNAH MANN | 2ND YEAR LLB LAW

## FIRST, WHAT IS THE PUBLIC ORDER BILL?

This Public Order bill, passed in May 2023, updates the powers of the Public Order Act 1986, which enables the police to impose conditions on a protest, provide for a statutory offence of intentionally or recklessly causing a public nuisance, and increases the maximum penalty for the offence of wilful obstruction of a highway.

Whilst the bill paves the way for the UK government to introduce a range of new powers to prevent behaviours at protests which are violent or distressing to the public, how far do these powers restrict demonstrations and erode protest rights?



## WHAT DOES IT CHANGE?

In short, this Public Order legislation grants the Police greater power to criminalise protest activities through the following:

- Lowering the threshold to define disruptive protest
- Giving police significant new discretion to prevent protests from occurring outside of major transport networks, and oil and gas energy-suppliers
- Making “locking on” (a protest tactic which involves attaching oneself to other people or surfaces) a new criminal offence
- Extending the use of stop-and-search powers, including suspicionless stop-and-search, to protests
- Introducing new protest-banning orders that would prevent individuals from attending protests at all

## AND WHAT ARE THE CONCERNS?

One looming concern for the new stop-and-search powers is the potential for misuse, particularly considering historical patterns of overuse against ethnic minorities in the UK. The assertion of institutional racism within the policing and criminal justice systems is underlined by statistics indicating a disproportionate targeting of black people, who are 6 or 7 times more likely to be subjected to stop-and-search compared to their white counterparts, according to Amnesty International. Critics argue that these powers may not effectively deter crime and do more harm than good on the whole. Additionally, by discouraging individuals from overpoliced communities from exercising their right to engage in peaceful protest, the legislation is seen as a threat to the exercise of fundamental rights, further straining the relationship between the authorities and the communities they serve.

## BAR DIGEST

BY NAYAH KELLY | 3RD YEAR LLB LAW

1. Explaining South Africa v. Israel
2. Who Is At the Bar? 2023 Diversity Report

### EXPLAINING SOUTH AFRICA V. ISRAEL

In a recent development at The International Court of Justice (ICJ) in The Hague, the Netherlands, Israel has been directed to take specific measures aimed at preventing genocide in Gaza. This ruling followed South Africa's accusations of Israel violating international laws on genocide during the conflict in the region.

The ICJ's decision rejected Israel's plea to dismiss the case but did not explicitly order a ceasefire, as requested by South Africa. Instead, the court indirectly called for a halt to hostilities through a series of orders:

- a. Israel must take all possible measures to prevent genocidal acts against Palestine.
- b. Israel is required to ensure that its military refrains from committing any genocidal acts.
- c. Israel is obligated to prevent and punish any instances of incitement to commit genocide against Palestinians.
- d. Israel must guarantee the provision of urgently needed basic services and humanitarian aid to Palestinians in Gaza.
- e. Israel is instructed to preserve evidence related to South Africa's allegations.
- f. Israel is to submit a compliance report within one month.

While the orders found a judicial majority in favour, the absence of the term "ceasefire" raises questions. Despite these prohibitions being viewed as a positive development for Palestine, it's crucial to note that Friday's measures are only interim, with the ICJ still deliberating on whether Israel has violated the Genocide Convention – a decision that may take several years.

The reaction in Israel has been mixed, with some expressing relief at the outcome. Robbie Sabel, professor of international law at the Hebrew University of Jerusalem remarked, "I would not call it a win, but I would say it could have been worse.". However, this relief might be short-lived, as Indonesia gears up for a legal challenge to Israel's occupation of Palestine at the ICJ, and both Chile and Mexico offer support for investigations into potential war crimes.

Looking ahead, uncertainty looms. Will Israel comply with the ICJ's orders? Did the ICJ fall short by not implementing an explicit ceasefire? How will the U.S. and U.K. be held accountable for their alleged role in genocidal crimes? These are questions that await answers in the evolving narrative of the Israel-Palestine conflict.

### WHO IS AT THE BAR? BSB'S 2023 DIVERSITY REPORT

The Bar Standards Board (BSB) has released [a summary of the latest available diversity data for the Bar](#). The 2023 Diversity at the Bar report highlights several ongoing trends. The proportion of women, individuals from minority ethnic backgrounds, those with primary care responsibilities for a child, and those aged 55 or over among practising barristers has continued to increase. In particular, there was a significant rise in individuals undertaking pupillage– reaching 572 in December 2023, the highest number recorded since reports began in 2015.

Notably, the proportion of women KCs (King's Counsel) increased from 19.2% in 2022 to 20.3% in 2023. Although there remains a considerable gap between the overall proportion of women in the Bar (40.6%) and women KCs (20.3%).

Meanwhile, the percentage of barristers from minority ethnic backgrounds rose by 0.6 percentage points to 16.9% in December 2023. This compares to an estimated 16.7% of the working-age population in England and Wales as of June 2023.

Another positive trend the report identified is the 3.2 percentage point increase in the proportion of pupils with a declared disability from December 2022 to December 2023, rising from 12.5% to 15.7%.

As we can see, the backgrounds we see represented at the bar are slowly, but surely, expanding. Your learned friend is more likely to be from an ethnic minority background, a woman, and/or a child carer. The demographics once excluded from the world of law are gradually being embraced and we can be optimistic that it's only a matter of time before the public's perception of what it means to be a barrister follows.

# 5 WAYS TO STAND OUT TO TOP LAW FIRMS

BY MARY FRANCIS | 3RD YEAR LLB LAW

## 01 *"First things first,* GOOD GRADES!"

Whilst everyone knows grades aren't everything, most employers require a 2:1 minimum. These grades are evidence of comprehensive written communication skills as well as your ability to understand and navigate the law.

## 02 EXTRACURRICULARS *"Law firms aren't just looking for academic weapons,"*

Your future employers will want to see that you're a well-rounded individual, as well as your ability to develop and excel in areas other than academics. An easy way to get involved is to join a university society, join a sports team or volunteer at your local soup kitchen.

## 03 *"All skills are transferable (even the ones you learnt working at McDonald's)"* PART-TIME WORK

Most university students work to make a little money on the side, but what they might fail to realise is how much of that experience can be applied to their law careers. Part-time work can develop your commercial awareness, and be evidence that you are personable and can work effectively under pressure.

*"Make the most of your resources,"*

## 04 STAYING IN THE LOOP

We live in a world where we have access to so much information, so use this to learn. Whether it's listening to a business podcast for 10 minutes every day or watching the news. The knowledge you will gain from taking advantage of the resources around you will make you stand out in interviews and when networking. I've linked some of my top recommendations below!



*"Last but certainly not least,"*

## 05 NETWORK NETWORK NETWORK!"

Networking can provide you with the opportunity to learn about a firm's culture and day-to-day work life, gain invaluable advice, and even gain a friend or mentor!

After all, there's no one better to gain legal career advice from than a lawyer.

### RECOMMENDED RESOURCES FOR FUTURE LAWYERS :

What are you waiting for? Click the links and get started!

[Bright Network](#)

Networking Portal & Career Advice

[LawCareers.Net](#)

Careers Materials

[The Lawyer Portal](#)

Guides & Resources

[Law Pod UK Podcast](#)

by 1 Crown Office Row Barristers

[Legal Cheek](#)

British Legal News Website

[upReach](#)

Networking Portal with a focus on Social Mobility

[Law in Action Podcast](#)

by BBC Radio 4

[The Law Society Gazette](#)

Legal Magazine aimed at British Solicitors

[Vantage](#)

Networking Portal

