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March 2017

Mark Hatcher, 'Westminster Watch: With the triggering of Art 50 imminent, Mark Hatcher examines preparations in Westminster and Whitehall, with a white paper providing some comfort to the Bar [March 2017] Counsel 8–9.

Mark Elliott, '*Miller* and the modern British constitution. *Miller* reveals the malleability of the parliamentary sovereignty doctrine, argues Professor Mark Elliott, who examines the tensions at the heart of the majority judgment [March 2017] Counsel 24–26.

Aidan O'Neill QC, '*Miller*, BrEXIT and BreUK-up. The Supreme Court's treatment of the devolution issues in *Miller* is troubling, argues Aidan O'Neill QC, who examines the UK's complex multi-national constitutional history and potential impact on the devolved political constitution' [March 2017] Counsel 27–29.

Marija Bartl, 'Contesting Austerity: On the Limits of EU Knowledge Governance' (1 March 2017) 44 (1) 150–168.

[Lacking robust democratic foundations, EU authority is founded on output legitimacy – delivery of (economic) prosperity through rational governance. Yet current austerity policies are the epitome of irrational governance. While this volume highlights the EU's limited ability to deliver rational output through law and legal rationality, I argue that, without democracy, the EU cannot deliver the desired output through knowledge and technical rationality either. In fact, embedding expert institutions in democratic institutional settings plays a crucial epistemic role, contributing to the production of more reflective, socially inclusive knowledge. Lack of such democratic input in the EU's knowledge production is one of the root causes of its crumbling output legitimacy and the creation of many disenfranchised (internal) peripheries. Three recent challenges of Brexit TTPI, and austerity may be seen as attempts to reclaim the democratic responsiveness of EU technocratic rule. However, the strategies of exit and voice have not been available in all these cases: in the Greek tragedy, contesting austerity ended in subjugation: a mirror image of 'rational' governance if unaided by inclusive democratic proves.]

'Peers vote down post-Brexit single market amendment' (3 March 2017) 167 (7736) NLJ 5.

'Building after Brexit. GCs tell how the EU referendum is affecting infrastructure in the short and long term and how they are managing risk, plus the growing use of smart materials and collaborative contracts' (6 March 2017) 8 The Lawyer 16–19.

Karl Tomusk, 'Brexit uncertainty prompts bridging loan boom' (4 March 2017) 1709 E.G. 36.

Paula Giliker, 'The Consumer Rights Act 2015 – a bastion of European consumer rights? (2017) 37 (1) Legal Studies 78–102.

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[The Consumer Rights Act 2015 seeks to consolidate in one place key consumer rights covering contracts for goods, services and digital content, and the law relating to unfair terms in consumer contracts. These are areas where there has been considerable activity at both a national and an EU level. In particular, the Consumer Sales Directive 99/44/EC, the Unfair Terms in Consumer Contracts Directive 93/13/EEC and the Consumer Rights Directive 2011/83/EU have all made significant changes to Member State law, promoting the idea of the 'informed consumer', able to assert his or her rights in entering consumer contracts. This paper will examine the extent to which the Act promotes the objectives of these Directives and the implications of the result of the June 2016 referendum that the UK should leave the EU. Does the Consumer Rights Act 2015 represent a valuable consolidation of EU and UK consumer policy, or are EU rights being absorbed into a distinctive national framework of consumer rights?]

Jemma O'Neill and Edward Nicklin, 'Brexit and Brussels IIA' (March 2017) 47 Fam Law 272–273.

'Peers offer some cheer to Brexiteers. Lords back amendments to Brexit Bill & warn government about taking legal shortcuts' (10 March 2017) 167 (7737) N.L.J. 4.

Robert Bell, 'Happy families. Robert Bell delivers the prognosis for public procurement rules after Brexit' (March/April 2017) 35 P. & O.J. 8–10.

Chris Hoyle, 'The green green grass of home. Chris Hoyle reflects on the potential for economic efficiency in the years ahead' (March/April 2017) 35 P. & O.J. 16–19.

Samar Shams, 'Farewell to free movement. Samar Shams considers how employers and their advisers should prepare for Brexit, possible restrictions on travel to the US and higher fees to sponsor migrant workers' (March 2017) 178 Emp.L.J. 13–15.

Charles Ward, 'Riders on the storm. AI, Brexit, cyber crime – it's all piling pressure on the professional indemnity insurance market, so how are things looking for law firms?' (13 March 2017) 31 (9) The Lawyer 16–17.

Marialuisa Taddia, 'Coq of the walk. Brexit looms and even 'Frexit' cannot be ruled out but international law firms remain sanguine about doing business in France' [20 March 2017] LSG 14–17.

Sara Masters QC and Belinda McRae, 'What next for the Brussels I Regulation (Recast)? Three steps the UK Government should take to assuage fears of upheaval in the system of commercial dispute resolution after Brexit' (20 March 2017) 31 (10) The Lawyer 15.

Michael Cross, 'Brexit: cross-border legal practice rights a priority' [27 March 2017] L.S.G. 4.

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Louisa Clarence-Smith, 'What impact will Article 50 have on us?' (25 March 2017) 1712 E.G. 30.

'Could Art 50 notice be revoked? Barrister argues notice to exit from EU could be cancelled if not in national interest' (24 March 2017) 167 (7739) NLJ 4.

'MPs urge cross-border rights post-Brexit' (24 March 2017) 167 (7739) NLJ 4.

'Limits of Great Repeal Bill. Peers warn access to justice across EU will be at risk post-Brexit' (24 March 2017) 167 (7739) NLJ 5.

"'Cautious optimism" about litigation future post-Brexit' (24 March 2017) 167 (7739) NLJ 5.

Annabel Chadwick, 'What effect will Brexit have on health and safety?' (28 March 2017) 161 (12) S.J. 14–15.

'Brexit: Art 50 is triggered. Complex process of UK's withdrawal from the European Union has commenced' (31 March 2017) 167 NLJ (7740) 4.

David Greene, 'Art 50: a wish list for lawyers. Triggering Art 50 is not quite the road to nowhere but the profession & our clients need certainty' (31 March 2017) 167 NLJ (7740) 6.