

2021-2022



That's All, YOUR HONOUR

MDX MOOTING SOCIETY LEGAL NEWSLETTER



**Middlesex
University
Dubai**

TABLE OF CONTENTS

01 MEET OUR FEATURED
LAWYER

02 MEET OUR
FEATURED FUTURE
TRAINEE SOLICITOR

03 ALL ABOUT THE
SQE

04 HANDBOOK FOR
ASPIRING LEGAL
PROFESSIONALS

05 UAE'S NEW DATA
PROTECTION LAW

06 UK'S NEW
ENVIRONMENTAL
LAW

07 NFT: BOOM OR
BUST?

08 CONTROVERSY IN
THE COURTROOM

09 WHO WILL YOU
SAVE?

10 MOOTING SOCIETY:
EVENTS OVERVIEW



MEET OUR FEATURED LAWYER THENJI MOYO

Venturing into the legal world is not always the glamorous task that it is portrayed to be on TV. What better way to become aware of it than to learn about it from a solicitor! Read ahead to find out what Thenji Moyo, legal director and head of employment at Gateley LLP, has to say to aspiring lawyers. She shares all the challenges she faced, along with tips and tricks for aspiring lawyers to follow.

Every individual's journey towards working in the legal field is unique. In terms of Thenji's career, she revealed that it took a lot of hard work, especially during her A levels. Thenji comes from a family of academics. Her mother, being a dean of students at a university, provided her with a lot of exposure. Making it possible for Thenji to understand what was required of her to become a lawyer—allowing her to consider a career in law seriously.

Once Thenji was sure that being a lawyer was what she wanted, she explored the different sectors within the legal profession. The beauty of being a lawyer is that you don't have to stay pigeon-holed in one field and to get as much knowledge as possible about the different sectors available. Multiple times during the interview, Thenji highlights the importance of internships and work experiences. Her view is that grades are important, but only to get you through the door to meet the right people. However, in the present times, grades are not everything. Firms prefer all-rounded individuals, along with work experience. She encourages students to stay committed to their grades whilst undertaking as many internships as possible. She added that students need to find innovative ways to make themselves stand out from the crowd.

Thenji noted that it is crucial to get experience early. She recommends undertaking internships in other industries since it's all about transferrable skills which you would be able to use throughout your career. When she was younger, Thenji worked in a call centre, where she collected accounts for a TV network.

Through this experience, she developed the essential transferable skills required to become a successful lawyer, such as navigating difficult situations and dealing with conflict. As a lawyer your skills are always transferrable once you have learned the basics. Skills such as drafting contracts, negotiation, and legal research are needed irrespective of the sector. However, soft skills should not be underestimated as they will aid you when working with diverse people from diverse backgrounds.

A lawyer's daily routine is not easy. As an employment lawyer, Thenji prefers working at a firm with a wide client base, which enables her to get exposure in multiple areas, making her days vary. For her corporate clients, she drafts employment contracts, gives senior management training on bullying and harassment, discrimination cases, terminations and induction processes. For individual clients she deals with termination and discrimination issues but from a completely different stand point.

Thenji always wanted to pursue a career in an industry that deals with people, as she is very much a people's person. She noted that employment law is a fantastic area of law as 'the law is constantly changing and being updated, making it an area of law that impacts everyone'. Employment law is very client-based: one day she may be speaking to a Fortune 500 company dealing with global mobility by moving employees from one jurisdiction to another, and on the next day, she may be dealing with an individual who has been harassed in the workplace. Without employment law, there may be issues of exploitation and modern-day slavery; this is what employment law is gatekeeping.

Thenji also believes that lawyers should give back to the community. She has been appointed as the employee representative on the DIFC 'employee workplace savings scheme' to protect the rights of the employees. Whilst also working with the DIFC Pro Bono clinic and the DMCC Dispute centre because she believes everyone should have access to legal protection.

Thenji makes it clear that while the path to becoming a lawyer is not a simple one, it can certainly be an enjoyable one. It is important to try and gain as much experience in any job you can find, in order to develop valuable transferable skills. With the right mindset and guidance, you can become a very successful lawyer.

Author: Neha Shajudeen
Interviewer: Sana Khan

MEET OUR FEATURED FUTURE TRAINEE SOLICITOR

Meshkat Babiker



We spoke to Meshkat Babiker, a First-Class graduate of Middlesex University Dubai, and a Future Trainee Solicitor at Trowers and Hamlin, Birmingham. As an outperforming student and a diligent legal professional in the making, Meshkat shares her journey through the application process of competitive firms in the UK and imparts invaluable advice to our fellow readers. Find out what she has to say!

How did you shortlist the firms you wanted to apply to?

I had to be very strategic with the firms I was applying to, as a considerable amount of prestigious UK Law firms that interested me. It was quite an overwhelming list, but I chose a firm located in Birmingham. My reasoning for this was so I could be based closer to my family, and mainly, I wanted a firm that had established an office or had close ties with the UAE. I sought out firms with a strong foundation in real estate, commercial, corporate and construction. I used my experience as a legal executive intern at various law firms such as Al Tamimi & Company to decide my areas of interest.

Aside from the proximity and field of expertise, I looked into the diversity and inclusion policies of the law firms I was applying to. As a person of colour and a woman, these values were important because I wanted a firm that celebrated and acknowledged my race and gender.

What difficulties did you encounter while applying to these firms?

The hardest part was learning how to apply for example how to effectively answer application forms and pass intelligence tests. It was also difficult to stay motivated. I had a list of 13-14 firms I had applied to and got rejected by them.

There were instances where I went all the way to the assessment centre but still did not make it. It is a highly competitive field, that teaches you how to stay resilient, which I had struggled with but overcame through continued exposure. There were days where I was so devastated because I would make it to the final stage and get rejected. But I would wipe my tears off and start again. I would continue to reassess my strategy and ask for feedback so I could do better next time.

What made you stand out and allowed you to reach the last stage of an application process with certain firms?

As a graduate student from Middlesex University Dubai, you're often competing with students based in the UK or who are very connected to that jurisdiction, and as such, the playing field is very saturated and sometimes feels uneven. However, the key was to try and use my differences as an advantage, and my experience in Dubai as an asset. I believe my dual jurisdiction understanding set me apart from the other candidates in the process. I also believe my experiences in extra circular projects such as the university debating society as well as my legal and non-legal work placements were valuable in shaping my identity. Importantly learning how to market my experiences and unique selling points, I think, helped me become more successful in the application process.

How did the experiences at university help you develop the skills that carried you forth in your career?

I was actively involved in various co-circulars such as the university newsletter, which allowed me to demonstrate my skills in collaboration and leadership. For example, working as part of a newsletter, I managed a team, coordinated roles, and communicated with different professionals while conducting interviews. As a result, during interviews I was able to confidently say that I would be able to collaborate with fellow trainees, stick to a strict deadline, shortlist relevant information and effectively research questions, whilst planning and working with the larger team at the law firm.

In what other ways could you make yourself a stronger applicant?

- a) Develop commercial awareness.
- b) Read daily or weekly legal newsletters.
 - Corporate Law Academy and Watson Daily are excellent sources of digestible news.
- c) Identify what you are passionate about and what you can do outside of the university to cultivate skills such as innovative thinking or problem solving
- d) Find firms that specialise in something you have a genuine interest in and learn about their business strategy and culture

What was the best part of the whole process?

The best part of this whole process was getting to the end and seeing how much you grow as a person. You're constantly challenged to do better, becoming resilient over time. Seeing how motivated you can be and how attached you are to your goal really tests your drive.

What advice could you offer to students who are in the midst of cultivating their legal career?

- Recognise your strengths and weakness to help you establish and market your personal brand.
- Speak to different legal professionals and hear what their journey was like to help you plan your own journey and build your network.
- See rejection as an opportunity to obtain feedback/reflect to help you cultivate a growth mindset

EVERYTHING YOU NEED TO KNOW

SQE Edition

The Solicitors Qualifying Examination, or SQE, is a new and easily accessible path towards becoming a solicitor for anyone that holds a qualified bachelor's degree. Until 2021, the most common route to becoming a solicitor in the UK was to study the Legal Practice Course and then secure a two-year training contract with a legal firm or group. Simply put, the LPC demonstrated your academic knowledge, whereas the training contract demonstrated your abilities and competence to practice law successfully.

That being said, current law students also have the option of still taking the LPC due to an ongoing transition that will only proceed to halt in 2032. Notwithstanding, it is important to note that most law firms do not want to accept graduates under two separate courses, and therefore want to reduce hires only through the newly introduced SQE.

Since the SQE is still relatively new and LPC applications are being accepted, ULaw has established a quiz to help decide which course personally suits you.

What are the main components of the SQE?

The three main parts of the SQE are the SQE1, SQE2 and QWE. SQE1:

The first stage, SQE1, is focused on "practical legal knowledge". It assesses not just your legal knowledge but also how you would use it in real-life circumstances as a lawyer.



The first 180-question MCQ exam consist of:

1. Business Law and Practice;
2. Dispute Resolution;
3. Contract;
4. Tort;
5. Legal System of England and Wales; and
6. Constitutional and Administrative Law, EU Law and Legal Services.

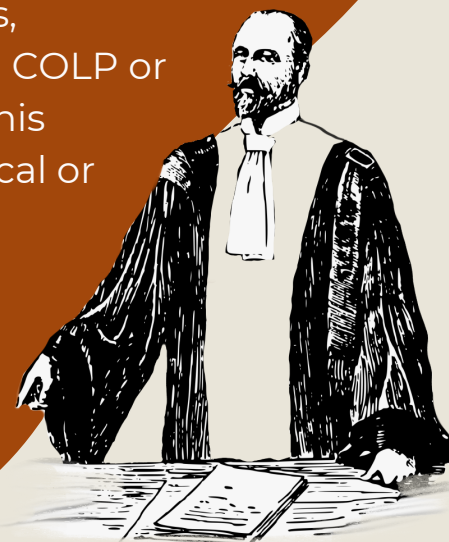
What is QWE?

Another requirement of the SQE is two years of Qualifying Work Experience (QWE). This may be taken up under 4 work experiences at qualified legal workspaces such as law firms, pro bono legal clinics, or law centers. Work experience may be performed before, during, or even after the SQE1 and SQE2. The two years of experience need not be done at a stretch but can also be done in breaks according to individual company employment periods. It is noteworthy to mention that the performed work needs to be verified by the following :

The COLP (Compliance Officer for Legal Practice), if the organisation has one a solicitor of England and Wales in the organisation who is willing to sign off on the work experience.

Another nominated solicitor of England and Wales outside the organisation but with direct knowledge of the candidate's work.
The solicitor does not have to be practicing.

Since the SQE only qualifies solicitors in England and Wales, international work can only be verified if it is signed off by a COLP or a UK solicitor. Middlesex Dubai students should note that this includes any legal work done in the MENA region, be it a local or international law firm.



How much does the SQE assessments cost?

The total cost of taking the SQE is £3,980. This is broken down into:

- SQE1 - £1,558; and
- SQE2 - £2,422

These costs exclude the price of training courses to aid in exam preparation. While you don't need to take these preparation courses, they will likely prove to be beneficial when it comes to skill building for the exams. Individual practice courses are provided by various organisations, for example:

- BARBRI - The 40-week (10 and 20-week options are also available) SQE1 preparation course starts at £2,999. Their 12-week SQE2 programme also starts from £2,999 for BARBRI SQE1 alumni. Alternatively, it starts at £3,999.
- The College of Legal Practice (CLP) - Preparation for the SQE1 costs £1,800 and is offered as a 13-week full-time or 20-week part-time option, while the SQE2 preparation course costs £2,300 and is offered as a 10-week full-time or 20-week part-time option.

Like the LPC, several firms are announcing their willingness to sponsor applicants and fund for the SQE qualification costs.

While their decision may be vague (as some details are still to be confirmed), the SRA has concluded that funding options such as student loans would be provided with regard to degree and training courses in order to prepare candidates well for the exam.



A mini handbook for **ASPIRING LEGAL PROFESSIONALS**

When embarking upon the daunting yet exciting journey of a law degree and a successful future in the legal industry, perhaps the one thing that boggles our minds the most is figuring out how to start developing the co-curricular skillset and knowledge that a career in law requires. This article aims to save you the trouble of cluelessly ploughing through the internet and give you a nudge towards the right direction.

I cannot emphasize enough on the fact that a top-notch academic standing, and well-rounded academic skills, as crucial as they may be, are simply not sufficient in today's legal industry. People skills, commercial awareness, and fundamental professional knowledge and competency are also among the important factors that dictate success in the legal sphere. As overwhelming as it may seem, having a proactive attitude towards enhancing these factors within ourselves will go a long way in shaping our professional personalities in the right manner.

As the legal sector is primarily a client-facing industry, a legal professional's role is fairly people oriented. This means stepping out of our comfort zones and polishing our social and communication skills from day one (this goes for the introverts too!). However, it does not mean that one must transform into a social butterfly to thrive in law but must possess the ability to build and maintain professional relationships and understand the importance of social interactions.

At MDX Dubai, the law faculty's 'Law Career Clinic' and 'Future Lawyers' Network' are invaluable initiatives that provide us with a platform to connect and network with established industry practitioners, and immensely benefit from their vast experience and career guidance.

Additionally, the online law fairs and vacation schemes regularly conducted by the Legal Cheek are remarkable platforms that connect law students and prestigious law firms from all over the world, creating an excellent networking and knowledge sharing environment.

Being based in the UAE, we should also be on the lookout for Middle East insight programmes regularly conducted by international law firms such as Linklaters and Allen & Overy. These webinars are quite helpful in connecting us with UK qualified lawyers practicing in the Middle East and obtaining an insider's perspective and guidance on qualifying and thriving as a legal professional in the UK and Middle East.

For those not keen about the conventional route, and have set their sights on Alternative Dispute Resolution, the Young International Arbitration Group (YIAG) is a professional association that exposes its members to a vast plethora of networking and learning opportunities and resources. Last but not the least, an initiative that one must definitely take advantage of in order to network and enhance knowledge and skills is the Bright Network's 'Internship Experience UK'. This bi-yearly virtual internship provides the opportunity to network with law students who share similar career aspirations and collectively work on practical legal issues under the valuable guidance of the biggest names in the legal industry.

With regards to enhancing our co-curricular knowledge, commercial awareness and professional skillset, having a pro-active learning attitude is key. Unlike our essays and exam preparations, these are not things that can be mastered in a single night ahead of a job/internship interview. Building up on these aspects is a gradual process that must take place along with our academic growth, for us to graduate with well-rounded professional personalities. Listed below are resources that are priceless in terms of what they have to offer in terms of the above mentioned aspects. Regular utilization of these resources is bound to bear fruit in the long run.

Make sure to follow Gordon Chung, Simranjeet Kaur Mann and Gordon Chung on Instagram/YouTube/LinkedIn. These are among the amazing content creators and legal personalities who have documented in detail, every step of their journey towards graduating and qualifying as lawyers. They have loads of content on every aspect of succeeding in the industry, so be sure to utilize it!

- The Corporate Law Academy, an online learning and networking platform which provides you with all the mentorship and guidance you require to secure the elusive training contract.

- The Commercial Law Academy, an e-learning platform that provides short courses on all the aspects required to succeed in the industry.
- Follow @whatthelawyer to gain the practical, co-curricular legal knowledge that is not taught in classrooms.
- The Commercial Awareness with Watson's Daily podcast that you can hear on the way to classes or during your morning walk, to keep you up to date with financial news and developments, and maintain your commercial awareness. Alternatively, the old schoolers should have the Financial Times bookmarked in their browsers for daily headlines on global business and politics.
- Follow @relawding on Instagram, another commercial awareness resource that will regularly update your feed with bite-sized global business and finance headlines.
- Keep up to date with the latest news and developments in the MENA region with Al Tamimi & Company's Law Update, boosting your region-specific commercial awareness.

On a final note, the pointers mentioned in the article are not a clear-cut formula for success, and everyone goes through a different learning process. However, they are aspects of building a legal career in current times that cannot be ignored. The sooner we begin working on them, the better!



UAE LEGAL UPDATE

‘UAE’S FIRST FEDERAL DATA PROTECTION LAW’

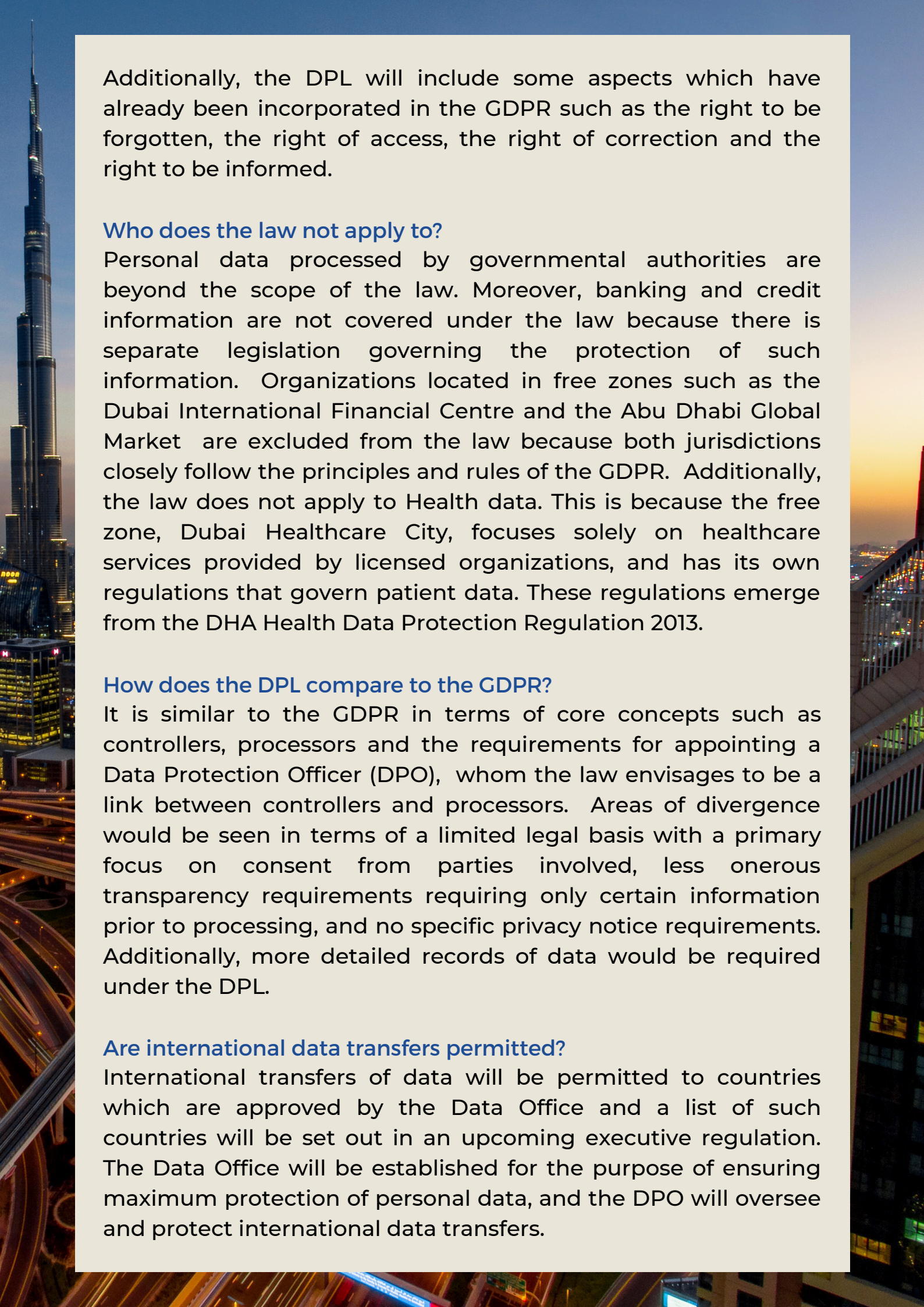
As university students, all would be familiar with the concept of providing personal information, either by filling out digital forms or by speaking at an interview. Certainly, the question that would have emerged in your minds would be – “is this personal data protected?” Well, this question has now finally been addressed. As part of the Projects of the 50, the UAE has recently issued its new Federal Decree Law No. 45/2021 on the Protection of Personal Data, more commonly known as the ‘Data Protection Law’ (DPL). The new law follows a comprehensive trend of data protection and privacy laws that came into force on 2 January, 2022. Being the first of its kind, it is said to be a significant step towards UAE’s development and growth.

To gain an understanding of the new law, the aim of the article will be to address certain essential questions.

To whom and what does the law apply to?

The law is designed to protect personal data which is defined as “any data related to a specific natural person that can be identified directly or indirectly by linking the data.” For example, an individual’s name, image and voice. The law applies to the processing of all personal data by controllers and processors located in the UAE and those located outside the UAE. Controllers and processors can be individuals or private or public business organizations that process information. Since the law also applies to organizations located outside the UAE who are processing personal data of data subjects within the UAE, its application has extraterritorial effect. This makes it similar to the General Data Protection Regulation (GDPR), which is an EU specific set of data protection laws.

Moreover, the DPL aims to be a ‘global law’ by providing international companies with a smooth mechanism for cross border transfers as well as provide Small and Medium Enterprises (SME’s) with the benefit of low cost of compliance.

A background image of the Dubai skyline at night, featuring the Burj Khalifa and other illuminated skyscrapers.

Additionally, the DPL will include some aspects which have already been incorporated in the GDPR such as the right to be forgotten, the right of access, the right of correction and the right to be informed.

Who does the law not apply to?

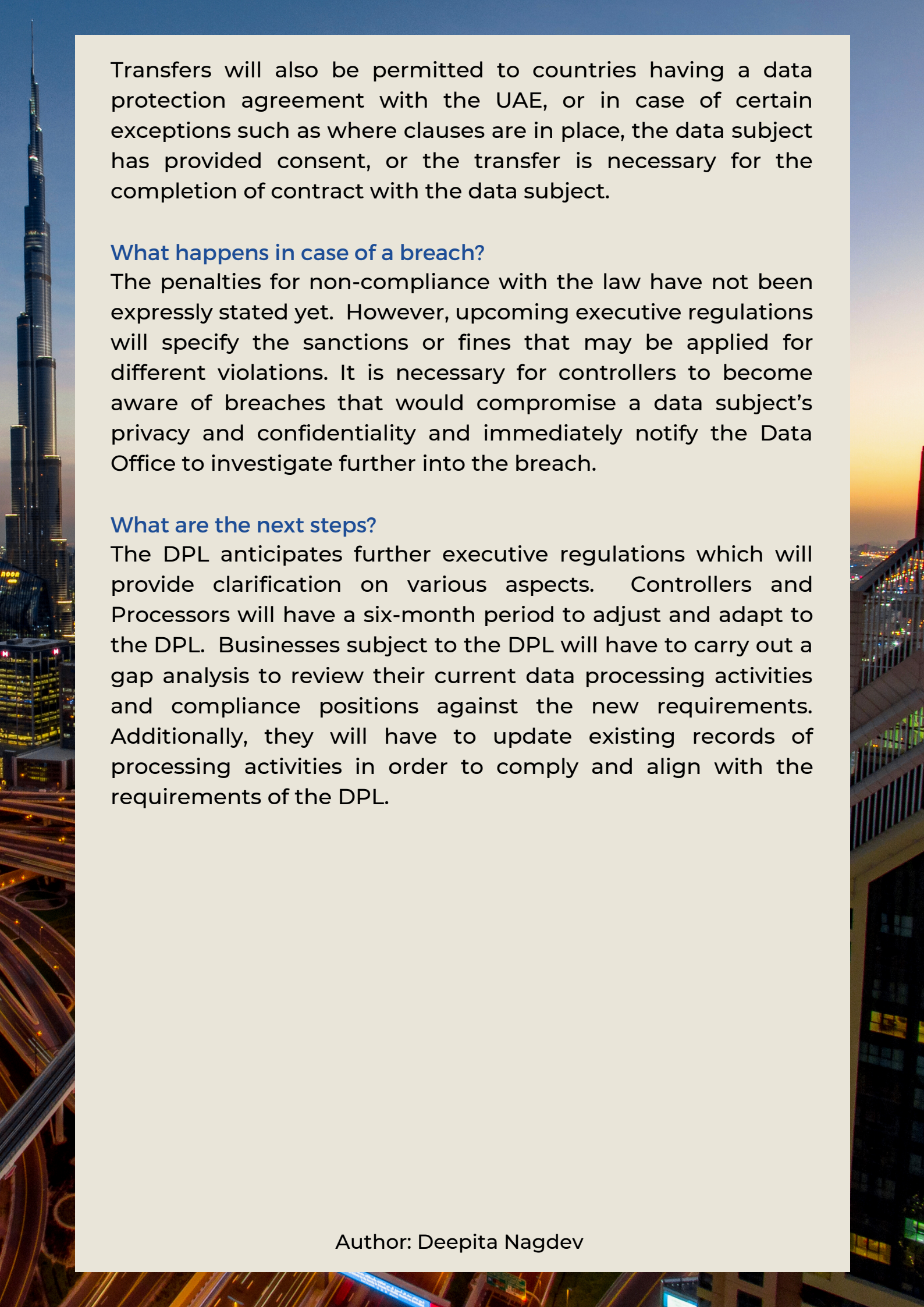
Personal data processed by governmental authorities are beyond the scope of the law. Moreover, banking and credit information are not covered under the law because there is separate legislation governing the protection of such information. Organizations located in free zones such as the Dubai International Financial Centre and the Abu Dhabi Global Market are excluded from the law because both jurisdictions closely follow the principles and rules of the GDPR. Additionally, the law does not apply to Health data. This is because the free zone, Dubai Healthcare City, focuses solely on healthcare services provided by licensed organizations, and has its own regulations that govern patient data. These regulations emerge from the DHA Health Data Protection Regulation 2013.

How does the DPL compare to the GDPR?

It is similar to the GDPR in terms of core concepts such as controllers, processors and the requirements for appointing a Data Protection Officer (DPO), whom the law envisages to be a link between controllers and processors. Areas of divergence would be seen in terms of a limited legal basis with a primary focus on consent from parties involved, less onerous transparency requirements requiring only certain information prior to processing, and no specific privacy notice requirements. Additionally, more detailed records of data would be required under the DPL.

Are international data transfers permitted?

International transfers of data will be permitted to countries which are approved by the Data Office and a list of such countries will be set out in an upcoming executive regulation. The Data Office will be established for the purpose of ensuring maximum protection of personal data, and the DPO will oversee and protect international data transfers.



Transfers will also be permitted to countries having a data protection agreement with the UAE, or in case of certain exceptions such as where clauses are in place, the data subject has provided consent, or the transfer is necessary for the completion of contract with the data subject.

What happens in case of a breach?

The penalties for non-compliance with the law have not been expressly stated yet. However, upcoming executive regulations will specify the sanctions or fines that may be applied for different violations. It is necessary for controllers to become aware of breaches that would compromise a data subject's privacy and confidentiality and immediately notify the Data Office to investigate further into the breach.

What are the next steps?

The DPL anticipates further executive regulations which will provide clarification on various aspects. Controllers and Processors will have a six-month period to adjust and adapt to the DPL. Businesses subject to the DPL will have to carry out a gap analysis to review their current data processing activities and compliance positions against the new requirements. Additionally, they will have to update existing records of processing activities in order to comply and align with the requirements of the DPL.

WILL THE UK'S NEW LAW SAVE THE ENVIRONMENT?

The Environment Bill was enacted into law almost two years after its first reading, becoming the Environment Act 2021. November 2021 will be remembered in the future as a critical moment in human connection with nature. By regulating air and water quality, combating waste, encouraging recycling, and improving the environment, the Act attempts to safeguard and improve the UK's environment.

The Act is an important legislation since the introduction of the Environmental Impact Assessment in 1988. It is created in a peculiar nature that contains specific provisions for review and change that will demand evaluation overtime.

The Government's 25 Year Environment Plan made in 2018 which includes the goal to enhance the natural environment, has finally materialised. The plan's aims have now been formalized into legal standards that require action to be taken under the supervision of the newly established Office for Environmental Protection (OEP). A long-term objective must be established for at least one item in each priority area by the Secretary of State using the power given.

The following are the priority areas:

- air quality;
- water;
- biodiversity;
- resource efficiency and waste reduction

Changes brought by the plan:

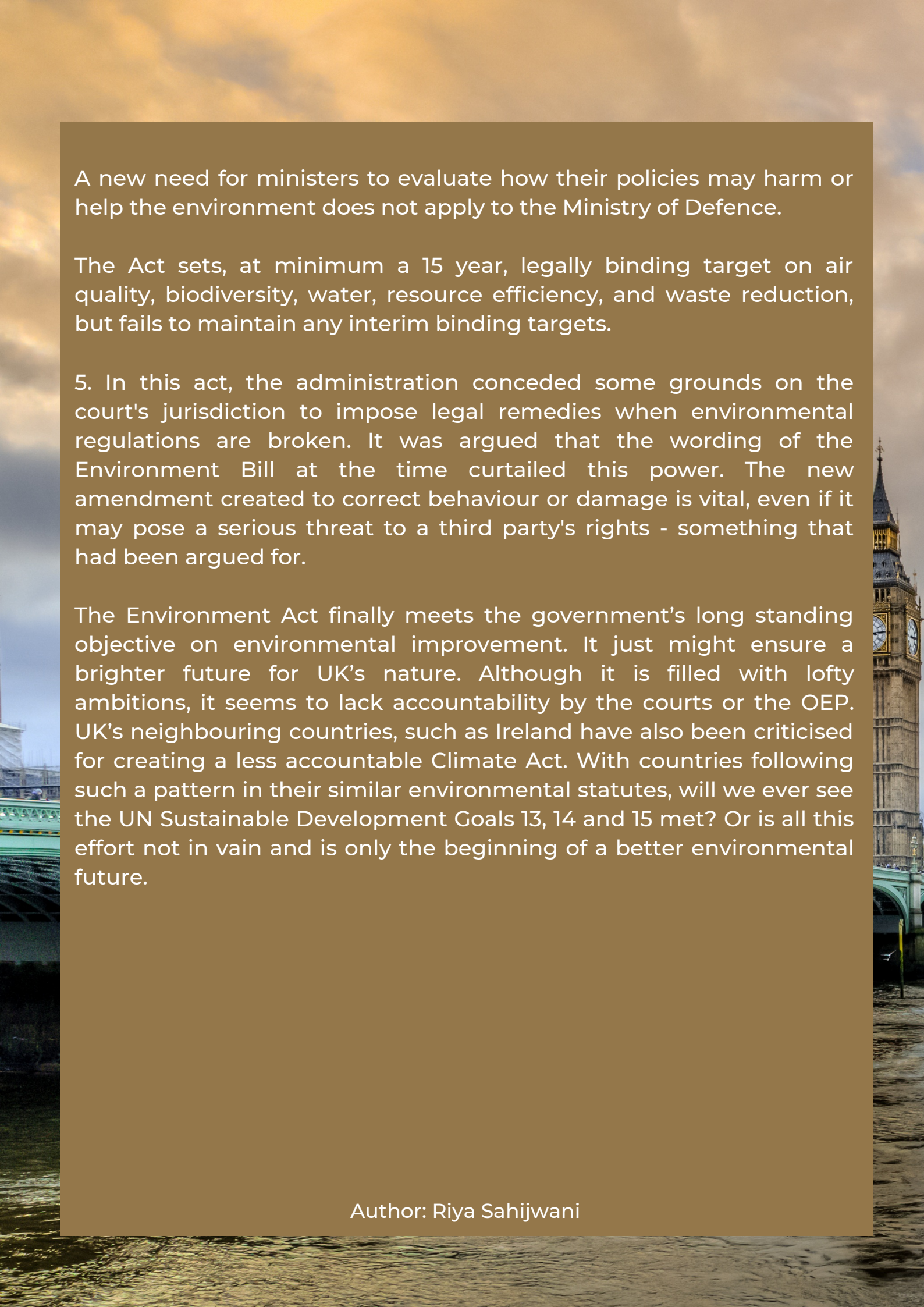
For the first time, this Act would set explicit legislative goals for the natural world's recovery. It creates new tools that Natural England, the UK Government's adviser on the natural environment, and others may use to achieve those goals, bringing the grim graphs of species extinction closer to a Nature-positive 2030.

With such transformative potential, it will completely change the way we operate, allowing the 25 Year Environment Plan to go from vision to reality.

Natural England also warmly welcomes the foundation of the new OEP. They are already establishing an open, collaborative working relationship to enhance the shared aims of environmental preservation. Following public input, the Act will also modify the Habitats Regulations. It will be involved in this process and ensure any new regimes go beyond protection and encourage Nature's restoration.

Where has the Act failed?

1. The Act fails to create a truly independent OEP despite it being an integral element to the protection of nature. The OEP was created to watch over and convict those who misuse the environment and with Government's close look and budgetary control, it is hard to say how much will be achieved.
2. The law implements England's Resources and Waste Strategy to eradicate avoidable waste by 2050. The Strategy focuses on recycling and addresses other hazardous types of garbage, such as polymers. The Act falls short by failing to target all forms of plastic pollution, specifically less apparent ones like microplastics.
3. The Act addresses the issue of air quality. Yet, it has been criticised for being late with an added problem of a potential failure to meet such targets. This could mean more young lungs will suffer from harmful air and places young adults at risk of heart attacks, strokes, and lung cancer.
4. The Act is also filled with loopholes: A new mandate for firms to avoid deforestation in their supply chains solely targets those who chop down trees illegally, not those who contribute to our rainforests' legal destruction.

The background of the slide features a scenic view of a river, likely the River Thames in London, with the iconic Big Ben clock tower visible on the right side. The sky is filled with soft, golden clouds, suggesting a sunset or sunrise. The text is overlaid on a semi-transparent brown rectangular box.

A new need for ministers to evaluate how their policies may harm or help the environment does not apply to the Ministry of Defence.

The Act sets, at minimum a 15 year, legally binding target on air quality, biodiversity, water, resource efficiency, and waste reduction, but fails to maintain any interim binding targets.

5. In this act, the administration conceded some grounds on the court's jurisdiction to impose legal remedies when environmental regulations are broken. It was argued that the wording of the Environment Bill at the time curtailed this power. The new amendment created to correct behaviour or damage is vital, even if it may pose a serious threat to a third party's rights - something that had been argued for.

The Environment Act finally meets the government's long standing objective on environmental improvement. It just might ensure a brighter future for UK's nature. Although it is filled with lofty ambitions, it seems to lack accountability by the courts or the OEP. UK's neighbouring countries, such as Ireland have also been criticised for creating a less accountable Climate Act. With countries following such a pattern in their similar environmental statutes, will we ever see the UN Sustainable Development Goals 13, 14 and 15 met? Or is all this effort not in vain and is only the beginning of a better environmental future.

Author: Riya Sahijwani

NFTS BEYOND 2021

BOOM or BUST?

Collins dictionary experts have named crypto, Metaverse, and NFT as part of their top ten words, after crowning NFT as word of the year in 2021. The term NFT has become more apparent in regular conversations and a buzzword thrown around by people who want to feel among the new trend. For the newcomers to this space, NFT stands for Non-Fungible Token and is defined by the Collins dictionary as “a unique digital certificate, registered in a blockchain, that is used to record ownership of an asset such as an artwork or a collectible”. It seems like everyone is familiar with the new buzzword given its massive hype in 2021; thus, it would be more interesting to focus on what it may become in the future.

As you may or may not know, the crypto markets move in cycles, introducing a new niche to the ecosystem almost every year. 2021 was most certainly the year of NFTs, not just in the crypto space but also in mainstream media. Although I must warn you, 2021 was only a teaser of what the NFT space can become, evidenced by the fact that the total market capitalization of the NFT space is only a few billion dollars above the 2 biggest meme coins in the space (Dogecoin & Shiba Inu).

Why should I concern myself with NFTs?

Why NFTs one may ask, the answer is simple; because it's FUN. From its inception, blockchain technology was established to rectify the shortcomings of the global financial regime, and the addition of Decentralized Finance (DeFi) has only elevated this purpose. To the average joe, this financial world may appear boring and crowded with a lot of technical jargon. Lucky for you, NFTs have introduced a new chapter to the space, one that will attract artists, gamers, collectors, community builders, the METAVERSE, and much more. All this scream's FUN!!! And if you cannot hear the screams, you might want to get your ears checked.

Artists

Pablo Picasso, Leonardo Da Vinci, Vincent Van Gogh are some of the

most famous artists in the world, but quite frankly put, they are outdated. The rise of digital technology has ushered in a new wave of digital artists that produce the art we see every day within the entertainment or marketing industries. Unfortunately, we have not fully appreciated and recognized the real artist behind these works. Enter... NFTs, a technology that has allowed digital artists such as Beeple to go from selling digital art for a max price of \$100 to holding the title for the highest-grossing NFT sale at \$69.3 million in a span of 5 months.

Blockchain technology has enabled the creation of smart contracts in which tokens can be minted to represent tangible or intangible assets. Artists can rely on the immutable structure of the blockchain and a record of transactions on a public ledger to provide proof of ownership and scarcity of a token. Thus, 1 of 1 artwork will not be a selling point limited to traditional artists but also available to digital artists. Moreover, traditional artists have not been neglected, as they have found ways to merge their skills with technology to benefit from the NFT industry. Banksy's "Love Is in the Air" is just one example of a traditional art piece being sold in 10,000 fractionalized pieces as an NFT.

NFTs will also benefit another group of artists, that is, musicians. Gary Vee is well known for accurately pointing out emerging social trends, evidenced by his various successful business ventures. In an Instagram video, Gary pointed out how musicians can take advantage of NFTs to directly connect with their fans and eliminate intermediaries that often leech on the artist for their profits. The future will see more digital artists and musicians be fairly compensated for their creativity. It will also allow artists to connect directly with their fans, while fans will identify their fellow community members. Additionally, we will see more auction houses continue to embrace this new wave of artists and NFTs, as Sotheby and Christie's have already done.

Community building

Building a community around NFTs was among the popular themes of this year's NFT run.

The Bored Ape Yacht Club (BAYC) is not just an NFT collection but also the story of a community that turned into an empire in less than a year, all built around a meme; "Apes together strong." Even though it started as a meme, the BAYC has gained traction by providing immense profits to its "hodlers" and even got celebrities to join their community, which supercharged the value of their NFTs. To see just how serious this community is, the BAYC recently secured partnerships with Adidas and Animoca brands!!!

Nike quickly realised that it could not allow its most prominent competitor to outperform them, and in less than a month, they announced the acquisition of RTFKT (an NFT project focused on creating products such as sneakers for the Metaverse). The battles between Nike v Adidas, Twitter v Instagram, Coca-Cola v Pepsi are only a few competing brands that have joined the NFT space, bringing with them their already established communities. The people within these communities will have a greater incentive to join the NFT space than ever before, given that they can now receive a return on the time they have invested into supporting the growth of these brands.

Gaming

The BAYC had an inspirational quote and movement to form their community, but this is not enough to retain members in the long run. Thus, in partnership with Animoca brands, BAYC announced their plans to produce a Play-2-Earn game made possible through blockchain technology. With the ability to trade digital items through NFTs, blockchain-based gaming is now a reality that allows gamers to trade in-game characters and currencies, which can then be exchanged for real-life money. This provides an opportunity to gamers that are not as popular as Ninja or PewDiePie to earn through gaming and turn their gaming time into monetary value. This is not an imagination but already a reality for the Philippines' citizens that have adopted the Ethereum based game Axie Infinity to make a living.

Additionally, other smart contract blockchains such as Avalanche, Polygon, and Solana have developed or are in the process of acquiring funds to support their projects in building Play-2-Earn games on their native platforms.

Despite the potential for blockchain gaming, major gaming companies such as Valve have been reluctant to enter the space in order to protect their reputation. This is understandable given the lack of regulation, high volatility, and negative public perception about the blockchain space due to frequent scams. Moreover, the quality of blockchain gaming is yet to improve.

Nevertheless, the gaming industry is a self-contained world that hinges on people's emotional connection towards a game and a growing sector of the entertainment industry. Thus, adding a Play-2-Earn feature is a catalyst that will invite more gamers into the space. Even though the quality of these games has vast room for improvement, those who disregard this space are just denying themselves the future of gaming and NFTs.

The Metaverse

Furthermore, blockchain gaming and NFTs have made it possible to literally create a whole new world. The Metaverse is a concept many know little about, yet we are already experiencing aspects of it in our daily lives. The best Metaverse experience is currently offered through online games such as Fortnite, Minecraft, Runescape, and more accurately depicted in the Sci-Fi film Ready Player One.

Major projects such as the Sandbox (\$SAND) and Decentraland (\$MANA) have already adopted blockchain technology to create this utopian world. We most certainly cannot forget Facebook's announcement to change its name to "Meta," which was followed by Mark Zuckerberg's announcement that Facebook (now Meta) plans to create its version of a metaverse. Given Facebook's experience in building social platforms, the success of a functional Metaverse is more probable than ever before. Maybe distance learning and working could be done in a 3D virtual room rather than a 2D video call in the future.

Although, Facebook's history of negligent customer data protection and selling data for profit will place scepticism within the community on sharing more personal data through the Metaverse. Fortunately, with blockchain technology we can rely on a more decentralized version of a Metaverse that is open-source and censorship resistant

like the one being developed by the Winklevoss Twins (Zuckerberg's arch nemeses); this will not be the first time that Zuckerberg is following the Winklevoss twins into an industry that they identified first. Moreover, a decentralized Metaverse will challenge a centralized version that risks profiting from user data.

Furthermore, several researchers have illustrated the harmful effects of social media platforms on the society's mental health. What was thought will be an innovation that brings people together is now tearing people apart and being used as a weapon of mass destruction. Unfortunately, the Metaverse may become an upgraded version of the existing social platforms that offers a way of escaping and disconnecting oneself from reality. Regardless of these issues, social media platforms have continued to thrive in the hopes that the positive outcomes will prevail over the short-term negatives.

Regulation versus Growth

Despite the great potential for the NFT space, we must be objective by recognizing the dark side of this industry. One of the biggest issues in the NFT space is a lack of regulation that has enabled projects with no underlying value to thrive on hype and "FOMO," which is even promoted by celebrities. The NFT space is already growing into its own market, evidenced by the various investment vehicles available such as NFT staking, NFT index funds, fractionalized NFTs, and artist royalties. Clear regulation will support the growth and adoption of these investment vehicles. Thus, regulatory intervention remains foreseeable in the future, and it is not a question of "if?" but "when?". However, the right balance between clear regulation and growth of the industry needs to be achieved, as this will be the on-ramp for more mainstream adoption.

Closing Thoughts

The NFT space is still in its infancy; thus, it remains highly speculative and volatile. Despite the exponential growth and high interest seen in 2021, there is still room for improvement. Lastly, it is essential to note that nothing mentioned herein is financial, investment, legal, or any other form of advice. This is for educational and entertainment purposes only. Therefore, make sure to "DYOR" because it's good for your health.

CONTROVERSY IN THE COURTROOM

Legally speaking, should an underage school shooter be tried as a child or an adult?

Since 2018, the United States of America has faced a total of 92 school shootings out of which 34 were recorded this year alone, with 68 people either killed or injured. One of the most recent cases of school gun violence was *The State of Michigan v Crumbley*. This case hit the news channels on an international scale; but this article will address one question that sparks controversy within the case: Legally speaking, should an underaged school shooter be tried as a child or an adult? On the 30th of November 2021, Ethan Crumbley (aged 15 years) shot and killed four students of Oxford High School, injuring seven others. Currently, he has been charged as an adult with one count of terrorism, four counts of first-degree premeditated murder, seven counts of assault with intent to murder and 12 counts of possessing a firearm that committed the felony. Crumbley had pleaded 'not guilty' on all charges.

There have been varied and conflicting opinions over whether it is right for Ethan Crumbley to be tried as an adult; but an equally important question is - what does Michigan State law say about this matter? Section 712A.2(a)(1) of the Michigan Compiled Laws (MCL) states that "The court has jurisdiction over a juvenile 14 years of age or older who is charged with a specified juvenile violation."



This means that if a child (14 years or older) is charged with a violation listed out in section 712A.2(a)(5), the adult criminal court may decide on the case rather than the juvenile court. Therefore, jurisdiction may be given up from the juvenile court to the adult criminal justice system. In this case, two of Ethan Crumbley's offences - assault with intent to murder, and murder in the first degree

are both considered a “specified juvenile violation”, thus allowing his case to be tried by the adult criminal justice system which, in turn, results in adult sentencing.

Another question comes up with regards to Ethan Crumbley’s terrorism charge. Are school shootings deemed to be terrorism in law? According to the MCL, an “act of terrorism” means a wilful and deliberate act that: (i) would be a violent felony under State laws; (ii) the offender knows or reasonably ought to know is dangerous to human life; (iii) is intended to intimidate or coerce civilians or influence or affect the conduct of government or a unit of government through intimidation or coercion.

If death was caused by the act of terrorism, it is punishable by “imprisonment for life, without eligibility for parole”. The complaint against Ethan Crumbley was based on the third condition, stating that he had committed the act against the Oxford High School community. However, not all school shooters face a terrorism charge. In 2018, Nikolas Cruz, a 19-year-old student at Marjory Stoneman Douglas Highschool in Florida, shot more than 30 people, of which there were 17 fatalities. He was not charged with terrorism. On the contrary, there was another case almost two months after the Marjory Highschool incident where 19-year-old Sky Bouche shot through a door and injured a student. He was charged with terrorism among other charges for the same reason Ethan Crumbley is being charged.



These decisions show the vagueness of the definition of ‘terrorism’ within legislation and when someone is to be labelled a ‘terrorist’. This brings into perspective an important question to be considered in the legal sphere: Is it fair and just to provide a child school shooter whose actions have negatively impacted not only school children, but the nation, with an adult sentence? There have been different answers to this question.

Public opinion is divided between the need to “lock-up” juvenile offenders, while others find this punishment to be “damaging and inappropriate” to juveniles. Another issue pointed out by Powers is that of mandatory sentencing when a child is being tried as an adult.

This scheme does not allow a judge to exercise their discretion based on the child offender’s age, background or any factor that may make a more appropriate sentence. Such a scheme can account for an Eighth Amendment violation in which no “cruel and unusual punishment” should be inflicted on an offender. It is understandable that the criminal justice system aims at providing well-deserved justice to the innocent lives that have been lost in school shootings and to their families.

However, it is important to remember that justice is not a one-way road. As much as they belong to the victim, rights belong to the offender as well. “All are equal before the law and are entitled without any discrimination to equal protection of the law.”

This applies to everyone, the innocent and the guilty. So, should Ethan Crumbley be charged as an adult? Should he be confined in an Open County Jail as his trial continues? The answer remains debatable.

WHO WILL YOU SAVE?

Imagine this situation. You are the chief surgeon in a hospital, and in it is an individual in a comatose state who has a slight chance of waking up. There are also three other patients who need a vital organ surgery to survive. The first patient is an army veteran in need of a lung, the second being a renowned surgeon in need of a heart, and the third patient is a best-selling author who needs a liver. Without immediate surgery, all three of these patients will die, and due to a clerical error, there are no organs available for transplant. However, you do have the option to extract the vital organs from the comatose patient for the surgeries, but taking more than one organ will kill the patient in the process. There is a slight chance the comatose patient could wake up, and that could become a reality if you do nothing. Another added issue is that the comatose patient has no next of kin or relatives, so consent cannot be obtained.

This is an ethical dilemma. Ethical dilemmas are those situations in which there is a decision to be made between two or more options, of which neither of them ethically resolves the problem. The medical profession is one profession in society that faces multiple ethical dilemmas, of which some dictate the future of the patients.

Conducting the organ extraction and transplant would break numerous medical ethics laws, but you would be doing so to save the lives of people who otherwise would be completely healthy. Does this noble cause justify the massive breach of human rights and ethical guidelines? And if you choose to save only one, which of the three (or all) would you save and why? This is the dilemma the question poses.

The theory of utilitarianism is responsible for this form of moral reasoning. Proposed by British philosophers Jeremy Bentham and John Stuart Mill, the philosophy is all about maximising 'utility' and 'happiness'.

WHOWOULD YOU SAVE?

Three healthy adults offer more utility than one comatose patient. They could contribute more to society and the economy and impact the world if their lives were saved. On the other hand, the comatose patient is a liability on society, using hospital resources to keep him alive for the slight chance that he would wake up. Furthermore, to analyse what outcome would provide the most happiness, we need to look beyond just the three patients; by failing to save their lives, we are affecting not one but potentially three families whose happiness would take a drastic hit. Moreover, their specific occupations (army veteran, surgeon, writer) would provide further happiness for society if they haven't already.

Utilitarianism has no qualms about placing a value on human life. They are not concerned with the means, somewhat the consequence of an action. If that consequence leads to a net good, they have no issues with how that end was reached. But two fundamental questions start to poke holes in what seems like a 'seamless argument'. Firstly, who has the authority to place value on human life, and secondly, who decides and defines 'happiness', a subjective term? These two questions are ones that even Bentham himself could not answer.

Utilitarianism is like the Thanos of the philosophy world; while the intentions are arguably good, the way in which these intentions are carried out are extremely flawed. On the other hand, we have libertarianism and deontology falling under the 'non-consequentialism' school of thought, which means that the consequence is not essential when deeming whether an action is moral.

Let's investigate libertarianism first. Libertarianism's key principles are freedom of choice, anti-government intervention, and capitalism. John Locke is widely regarded as the father of liberalism, and in the organ transplant scenario above, he would be exuberantly against extracting the organs from the comatose patient.

WHOWHOLLY YOU SAVE?

He would argue that it is an infringement of the patient's fundamental freedoms, and no one has the authority to make that choice for him, no matter how good the outcome. Immanuel Kant, the father of deontology, heartily agrees by expressing that what is morally wrong cannot become ethically sound in any circumstance. Our ethics are based on principle rather than context. Even if you are robbing a bank to feed the poor, you are still committing a morally dubious act, and therefore, no matter the outcome, it is still wrong.

Non-consequentialist philosophy attempts to answer the two questions that utilitarianism left hanging. They believe that no one should have the authority to dictate the actions, supporting their anti-government interventionist views. Secondly, they state that if we allow our definitions of what is morally good to change depending on the context, we will be creating a slippery slope. Our laws, policies, and regulations will fall apart. By allowing yourself to extract the organs from this one patient, even to save three other people, the line between good and evil becomes blurry. Deontology argues that that is too high a price to pay for many lives.

Though the situation above is made up, it is loosely based on the Holy Grail of moral dilemmas, the Trolley Problem. In that scenario, the same question stands. How far can you justify an immoral act as wholly good? And would you knowingly murder someone to save another stranger, or even your family?

You now find the scalpel in your hand, with the comatose patient right in front of you. Do you make the incision and take the organs, saving three but murdering this innocent patient, or do you do nothing, breaking no guidelines, but killing three individuals in the process?

RESPONSES FROM YOU

We do not play god and take away the life we have no right to take. Nevertheless, I would promptly extract the heart out of the comatose patient and transplant it into the renowned surgeon. The veteran has surely experienced traumatic events and has probably felt lucky to be alive after his service, so he will die having experienced life and seen the absurdities it entails. As for the author it is statistically proven that authors works peak in popularity directly after their death, so his popularity will certainly be materialized in history and I would be doing his family a favor in some way.

- Hashim R, Media, Year 3

My opinion (and job) would be to save as many lives as possible. Therefore, I would provide the veteran with a lung, as people can live with only one lung as well.

- Anonymous

There may appear excuses for doctors to terminate lives of their patients. There may also arise similar situations outside the hospital where all will be needed to kill someone to find a "greater good" excuse. I, therefore, would not take the life of the said person even to save ten others.

- Anonymous

RESPONSES FROM YOU

Well to be frank with you, I think the right thing to do in this situation is to extract the needed parts from the comatose patient and give it to the others that are in need of it and are evidently more successful.

- Yousif Mohammed, Law, Year 1

I will not kill anyone to save anyone. Reason is that no one is more important before the law. They all have equal right to life. And I don't have any right to take anyone's life without consent. Therefore I will simply not kill anyone to save anyone.

- Daniel Osas Aigbosa, Law, Year 1

As a chief surgeon I will consult other hospitals for organs or try to save the person in requirement of the liver as it will not risk the comatose patient's life.

- Asma Abbas
Kothambawala, Law, Year 2

I would save the army veteran. The rest two can choose other hospitals. The comatose patient cannot give consent and has been this way for a while, the organs can be taken from the comatose patient with the consent of the hospital head.

- Iqrah Islam, Law, Year 2

MOOTING SOCIETY EVENTS OVERVIEW



1. Introduction to Mooting

An introductory session on mooting best practices and an overview of the upcoming events organized by the Mooting Society for the academic year.

2. Willem C. Vis Moot Workshop

An informative and educative session on the prestigious Willem C. Vis Moot Workshop where previous Vis-Mooties shared their experiences and the challenges they faced. Students also get acquainted with the competition itself and the expectations that come with it.

3. Guest Speaker Edward Armitage

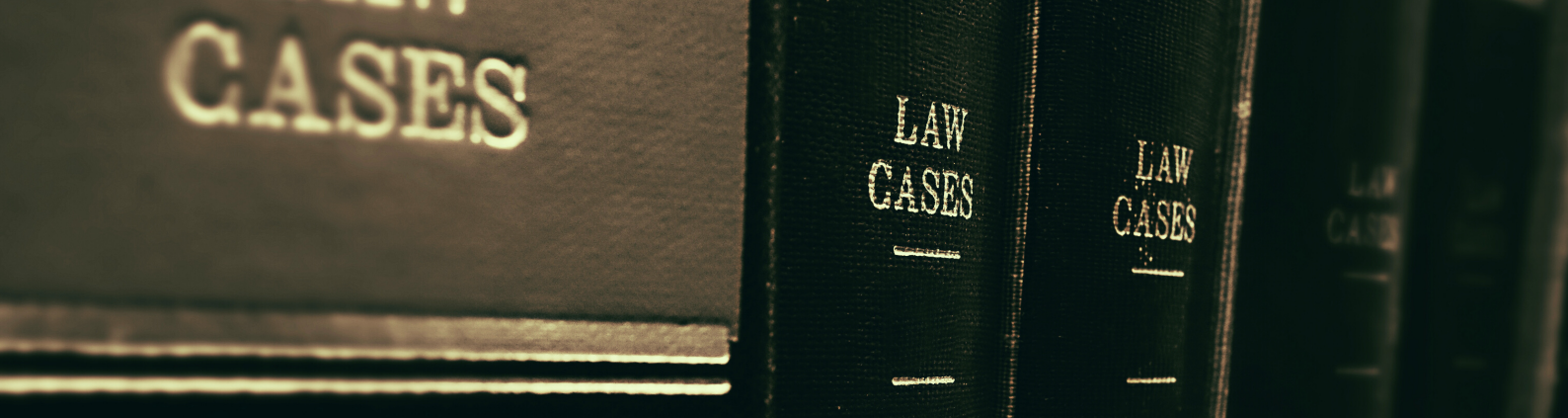
A Legal CV writing workshop lead by Edward Armitage of Cooper Fitch aimed at improving the quality of CVs by outlining the essentials. This workshop was open to all members and will help them in drafting their CVs so as to stand out to future employers.

4. Mooting Week

Every year the Mooting Society organises a week dedicated solely to internal moot competitions. The topics this year were: Medical Law, Criminal Law, Child Custody, Human Rights Law and International Law. This event was open to all law students and provides a fun opportunity for students to moot on interesting areas in law as well as network with other competing students.

5. That's All, Your Honour - Legal Newsletter

An exciting new venture created by the Mooting Society! 'That's All, Your Honour' contains a range of articles as well as an interesting ethical dilemma question for readers to ponder on. This Newsletter provides the opportunity for students to showcase their talent and also gain valuable experience by working with a team.



7. Mooting Panel

The session comprised of five panellists from both the second and third year who performed exceptionally well in their academic moots. The panellists provided advice on preparing for and presenting the Legal Method and EU Moots. At the end of the session, there was an opportunity for students to ask the panellists any queries they had regarding the academic moots.



8. Formative Moots

The Mooting Society annually organizes formative moots for both Year 1 (Legal Method) and Year 2 (European Union Law) students. These moots provide students with the opportunity to practice their relevant moot question (from their summative), answer judge questions and receive feedback and comments on areas to improve upon.

International Competitions

Philip C. Jessup International Law Moot Court Competition

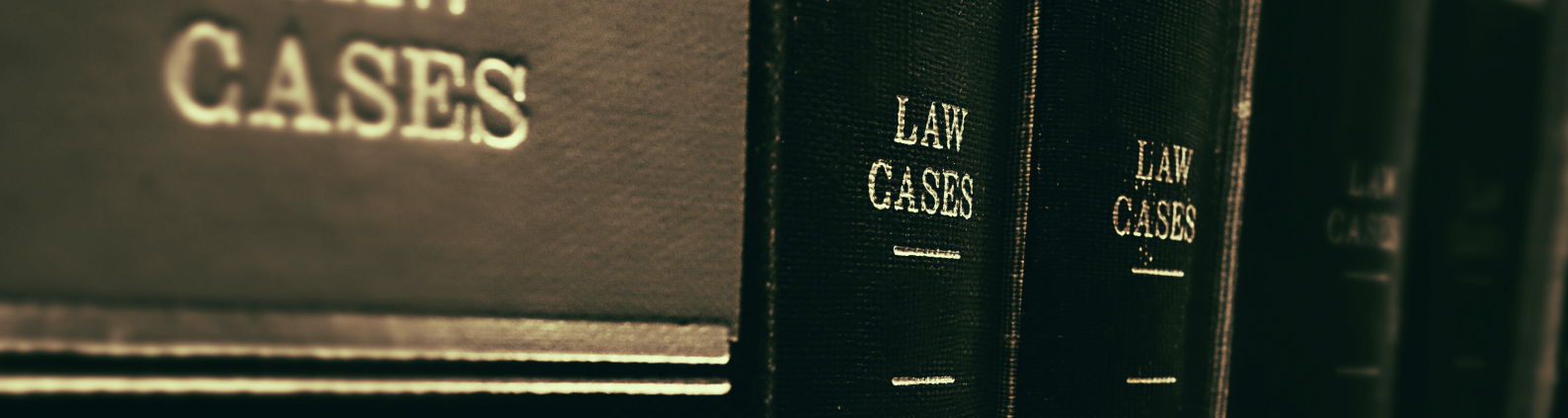
A prestigious international moot competition usually hosted in Washington DC, USA. This year's topic revolves around the following themes: diplomatic relations, admissibility of evidence into the court, human rights, and international botnet mitigation. The title of the 2022 problem is 'The Suthan Referendum' and this year's team is led by three students from both second and third-year. Students have the opportunity to network with judges as well as build connections with other members on their team.



Willem C. Vis International Commercial Arbitration Moot Competition

A prestigious international moot competition usually hosted in Vienna, Austria where students have the opportunity to learn about international commercial arbitration while also networking with many legal professionals in the field. Students also build strong connections with their team members.





This year's Vis team is the biggest the university has ever had (at 9 people!). The topic concerns a dispute between two parties regarding important issues under arbitration, such as the existence of a contract and whether an arbitration agreement exists under it.

International Negotiation Competition

A one of a kind opportunity that allows students to partake in a negotiation competition where they network with different people from all around the world. This event was also a fun and educative way to learn about negotiation. Students also had a trip to a desert safari as part of one of their negotiation rounds. The Middlesex University Dubai Team secured a gold medal!

ICC Mediation Competition

A prestigious international mediation competition attended by four of our third-year students. The participating students have previously taken Alternative Dispute Resolution and Legal Ethics as their second-year module and used the skills learned from the module in the competition. The students also had the opportunity to network with law students and professional mediators from all around the world.

Amity University Dubai International Client-Counselling Competition

This competition is organised by law faculty of Amity University Dubai and involves students acting as lawyers in attempts to advise a fictional client. Students develop a range of skills such as interviewing, planning, and analytical skills in a lawyer-client like setting. Two students represented the university, for the first time, this academic year and they got the opportunity to meet with lawyers and also foster future relationships with them. The Team also made it to the semi-finals round!



EDITORIAL TEAM:

Nida Shareef - President

Noorah Suhaib Mohamed - Vice President

Zakia Mohamed - Mistress of Moots

Haajarah Ifthikhar - Treasurer

Simran Kaur Bhoee - Secretary

Iqrah Islam - Marketing and Social Media Content Manager

ARTICLE AUTHORS:

Abdulhaleem Brandon Mabisi

Aryaan Asad Lalani

Deepita Nagdev

Devika Ramesh

Fazlullah Mohammad

Hena Babu

Kacey Sequeira

Neha Shajudeen

Riya Sahijwani

Srita Kuruvada

INTERVIEWERS:

Sana Khan

Aaya Osman

GRAPHIC DESIGN TEAM:

Iqrah Islam

Fathima Zahra Isak

Ruham Mustafa

Noorah Suhaib Mohamed

Haajarah Ifthikhar

Nida Shareef