
EDITOR'S INTRODUCTION

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Welcome to the first issue of the fifth volume of the new series of *Amicus Curiae*. We are grateful to contributors, readers and others for supporting the progress that the new series of the journal is making.

Daniel Newman and Roxanna Dehaghani in their article “Court Closures: Experiences from Wales” contribute an essay that examines the nature and impact of downsizing of courts over the past decade or so. England and Wales have implemented court modernization programmes since 2010, resulting in the closure of nearly half of all courts. However, the impact of these closures has been

disproportionately felt in Wales, where the rate of court closures surpasses that of England. This article examines the implications of court closures, with a specific focus on the experiences in south Wales. By conducting interviews with solicitors and barristers practising in the region, this article aims to gain insight into the impact of court closures on the communities they serve and the individuals who rely on the courts. The findings reveal that court closures pose significant challenges to access to justice, highlighting the need for further research on the effects of court closures in Wales and across the jurisdiction.

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If you would like to contribute an Article or short Note to a future issue, please visit the [Amicus Curiae webpages](#) to view the [Style Guide](#) and [submission information](#).

“Restorative Justice as a New (Sustainable) Paradigm of Justice” is contributed by Pierre de Gioia Carabellese and Camilla Della Giustina. Restorative justice is a growing topic of both scholarly debate and legislative progress. This article explores the history and evolution of restorative justice, as well as its recent applications, including resolving family conflicts. The process of restorative justice offers an alternative model for the judicial system, particularly in scenarios where traditional legal proceedings can incur high economic costs. Practical solutions are sought to meet the demands for justice and many such solutions are in due course codified within statutes. A particular concern at the present time is how artificial intelligence (AI) developments will impact on liability.

The paper by Luca Siliquini-Cinelli, entitled “Aristotle, Contract Law, and Justice in Transactions”, critically examines Peter Benson’s theory of transactional justice in relation to Aristotle’s conception of voluntary corrective justice. While Benson claims to engage with Aristotle’s ideas, this article argues that his theory fails to establish a meaningful connection and does not provide new insights into Aristotle’s thoughts on justice. Despite this, the article acknowledges Benson’s intriguing and logically consistent contract law theory. It also highlights the enduring influence of Aristotle’s

works on Western jurisprudence, particularly in the study and practice of law, despite the fact that the relevant recent literature has somewhat neglected Aristotle’s ideas on *nomos*.

“Jury Reform and Live Deliberation Research” by Lewis Ross examines the important issue of empirical research into the work of juries. Researchers studying live jury deliberation face significant challenges due to various legal and institutional barriers. This hampers the academic and legal communities’ ability to reach a consensus on important legal reform issues related to jury trials. Current limitations prevent the study of real juries in action or even the analysis of live jury deliberation transcripts. In the absence of such research, alternative methods have been attempted but vary in their effectiveness. These challenges highlight the need to remove legal and institutional barriers and promote real jury research for a better understanding of the jury system.

Amy Kellam’s essay “From Rope to River: Symbolic Executions, Colonial Dynamics and Trade Governance in the Golden Age of Piracy” delves into the symbolic elements of Captain William Kidd’s execution during the Golden Age of Piracy, primarily focusing on the visual messages conveyed. By examining the social and cultural context of the gallows in 1700s

England, the paper explores the unique aspects of Kidd's execution and its implications for colonial dynamics and trade governance. Through an examination of intended audiences and the multifaceted messages behind these executions, the article sheds light on the intertwined dynamics of piracy, colonialism and trade governance, and their impact on the evolving global order.

Two further essays contribute to the ongoing series of papers on issues of AI and its regulation.

The article "Copyright Protection for AI-generated Works: Solutions to Further Challenges from Generative AI" by Faye F Wang considers the complex issue of intellectual property rights protection for AI-generated works. It investigates existing regulations in the United Kingdom (UK), European Union, United States (US) and China, exploring whether AI technologies should be considered copyright or patent owners. The author advocates for the collective management of copyright for AI-created works via copyright management organizations, arguing that it could foster a well-functioning market. A comparative study of existing legislation and their interpretations for AI-generated works protection is presented, with a call for global policymakers and stakeholders to unify their efforts to achieve international harmonization

on intellectual property rights protection for AI-generated works.

"More Speed, Less Haste: Finding an Approach to AI Regulation that Works for the UK", an essay contributed by Simon McDougall, discusses the challenges of regulating AI as a separate activity and proposes utilizing the existing data protection framework in the UK for effective regulation. By expanding the scope and powers of the Information Commissioner's Office, the article suggests focusing on the risks of automated decision-making rather than defining AI itself. It emphasizes the need for ongoing agility in digital regulation and highlights the potential of the Digital Regulation Cooperation Forum to support member regulators. AI's constant evolution is a significant challenge, and means that we must approach regulations with flexibility, avoiding hasty legislation on the one hand while planning effectively for the future on the other. Expanding organizations like the Information Commissioner's Office and aligning with the General Data Protection Regulation in the UK can support responsible AI innovation and reassure the public.

Maria Federica Moscati's essay on "Diversity, Equality and Inclusion in Mediation for Family Relations" is a further contribution to our series of essays in the Special Section: ADR—Issues and Developments. Her paper explores

the manner in which diversity influences mediation in resolving family disputes. It considers the need for more inclusive mediation practices that accommodate diversity and promote equality. The author proposes a contextualized and integrated approach—including use of intersectionality as a principle and as a working tool—that takes into account the various manifestations of diversity within families. The article emphasizes the importance of understanding and respecting diversity in order to achieve fair outcomes that enhance inclusion and equality in family disputes.

In his Note entitled “An American Legal Scholar Returns to China” Neysun Mahboubi, an expert in Chinese law, shares his reflections on returning to the People’s Republic of China for a study and exchange visit after a four-year absence. He highlights the negative impact of, in particular, the Covid-19 pandemic on scholarly exchange, especially between the US and China. However, following his visit he now expresses cautious optimism for the future. Despite ongoing tensions between the two governments, he calls for renewed efforts to restart on-the-ground research and exchange between the US and China. This resumption of scholarly exchange could not only benefit academic work but also contribute to stabilizing US–China relations and pushing back against

restrictive political boundaries in China.

In the Review section, Patrick Birkinshaw contributes an examination of the new study *Sceptical Perspectives on the Changing Constitution of the United Kingdom*, edited by Richard Johnson and Yuanyi Zhu. This book of edited essays explores the topic of the Human Rights Act 1998 and the UK Supreme Court. He concludes that overall the book fails to deliver on its promise. The editors present arguments against shifting from a “political constitution” to a “legal one” and express scepticism towards legalistic solutions for political issues. While some contributors criticize the British constitution and propose a more legally determined system, others take the view that the current political constitution is sufficient. The book includes discussions on legislation, the role of courts, and the potential consequences of certain acts. The book contains essays that express nostalgia for a powerful and unrestricted executive authority, which contrasts with the more compassionate contributions made by this country and its people to global order, including the European Convention on Human Rights. However, this critique only applies to a minority of the contributors. The majority of the essays are well-written and substantial, offering a critical and nuanced approach rather than the

sceptical perspective proclaimed in the book's title.

In the Visual Law section, "Judging a Book by its Cover: Women, Legal Landmarks and Other Frontiers", Rosemary Auchmuty and Erika Rackley encourage us to see book covers as more than just packaging for the text; they serve as a window into the world of the book. They provide the first impression and interpretation of the text, representing and conveying what the book is about. A well-designed cover can go beyond the content of the book and offer an opportunity to explore new territories. In the case of the two volumes of *Women's Legal Landmarks* authored by the contributors, the cover images

combine symbols of women's freedom and progress in the context of English law, with the first book giving more attention to specific landmarks than the second. The images represent the slow but steady progress of justice for women and their liberation from patriarchal control.

The Editor also thanks Eliza Boudier, Amy Kellam, Narayana Harave, Patricia Ng, Maria Federica Moscati, Simon Palmer and Marie Selwood for their kind efforts in making this issue possible.

Note: all intending contributors to *Amicus Curiae* are reminded that their final submission should be fully consistent with the journal's [Guidelines for Authors](#).