

Land Reform: Legal, Historical and Policy Perspectives

Hosted at the University of Aberdeen,
with thanks to Terra Firma Chambers for its support
Friday 26 August 2016

09:30 Registration (King's College Conference Centre, Old Aberdeen)

- 10.00** Welcome from **Malcolm Combe (University of Aberdeen, School of Law)** and **Professor Sir Ian Diamond (Principal of the University of Aberdeen)**
- 10.05** **Some Scottish land questions: What has happened? Why was change needed? What is happening now? What is happening next?**
Professor Ewen Cameron (Sir William Fraser Professor of Scottish History and Palaeography at the University of Edinburgh) offers a historical perspective on Scotland's land.
Robert Sutherland (Advocate, Terra Firma Chambers) considers the legal and moral case for land reform in Scotland.
Katy Dickson from Scottish Land & Estates explains how the first practical challenge of the Land Reform (Scotland) Act 2016, the reintroduction of rates to deer and shooting estates, is being addressed in practice.
Fiona Taylor from the Scottish Government provides an update on implementation of Parts 1-5 and Part 10 of the 2016 Act.
This session will be chaired by **Malcolm Combe**.
- 11.30** **Scottish perspectives on land reform**
Peter Peacock from Community Land Scotland, Sarah-Jane Laing from Scottish Land & Estates and **Andrew McCornick from NFU Scotland** will offer a few words on their experiences of land reform in Scotland. A short film (18 minutes long) by **Pam van de Brug from Edinburgh Napier University** will then be aired and discussion will follow on from that. This session will be chaired by **Dr. Rob Mc Morran from Scotland's Rural College**.

12:30 Lunch

- 13:30** **Landlord and tenant – perspectives from legal practice**
This panel, chaired by **Dr. Douglas Bain (University of Aberdeen, School of Law)** will consider three specialist areas of the law of leasing.
Catherine Bury (Ledingham Chalmers LLP) will consider the residential sector in the wake of the Private Housing (Tenancies) (Scotland) Act 2016.
Hamish Lean (Stronachs LLP) will consider what Part 10 of the Land Reform (Scotland) Act 2016 means for agricultural holdings.
Eilidh Ross MacLellan (Anderson Shaw & Gilbert) will look at crofting law, a heavily regulated form of leasing found in the Scottish Highlands and Islands.

14.15 International perspectives on land reform

This panel offers comparative insights from Norway, America and Australia, with the following presentations.

Dr. Annie McKee (James Hutton Institute): The Promised Land? The Norwegian agricultural model and insights for Scottish land reform.

Dr. Nick Prince (Scotland's Rural College): Issues of agricultural land - different approaches, same old problems.

Professor Tina Hunter (University of Aberdeen, School of Law): 'Shoehorning land reform into long established land systems: some lessons from indigenous Australian land reform'.

The panel will be chaired by **Catriona Knapman (LLB (Edinburgh) LLM (SOAS, London))**, who has worked on land rights and land reform in Latin America, Africa and Asia. She currently works in Myanmar, focussing on smallholder farmers' and especially women farmers' right to land.

15.15 Coffee Break

15.45 Land reform: unintended consequences? Succession and servitudes.

This panel, chaired by **Dr. Jill Robbie (School of Law, University of Glasgow)**, addresses areas of law that might be thought of as tangential to the land reform debate, namely: inheritance; and access to land.

Malcolm Rudd (a recent law graduate from the University of Aberdeen), will consider what the proposed reform to the treatment of a deceased person's land might mean for agricultural holdings.

Roddy MacLeod (Advocate, Terra Firma Chambers) considers whether rights in succession can defeat interest in land (and vice versa).

Professor Roddy Paisley (Professor of Scots Law at the University of Aberdeen, School of Law) will then look at the interaction of rights of access under Part 1 of the Land Reform (Scotland) Act 2003 and the acquisition of servitudes by the law of prescription.

16.30 Policy perspectives on land reform

The closing plenary, chaired by **Dr. Jayne Glass (Centre for Mountain Studies, Perth College, University of the Highlands and Islands)**, will focus on contemporary Scottish land reform policy issues, with the following presentations.

Dr. Rob Mc Morran (Scotland's Rural College): 'A diverse landownership future? A review of key findings from recent research on landownership outcomes in Scotland'.

Alasdair Sutherland (Advocate, Terra Firma Chambers): "Land Reform and the jurisdiction of the Court" (considering the role of the judiciary when it is asked to intervene in matters of policy).

Bob Reid (Halliday Fraser Munro): "Does Land Reform hold the key to the Housing Crisis?" (touching on matters of planning, including the current planning reform agenda).

17:30 Drinks reception and close (James MacKay Hall)

Students and unwaged delegates can attend for £10. Other delegates may attend for a fee of £50. Some waivers may be available for those unable to afford those fees. Please email m.m.combe@abdn.ac.uk for further information, or book [here](#). The organisers of the conference may need to change content in the lead up to and on the day. Such changes will be advertised in advance if possible.

For those in or near Aberdeen the previous day, there is also a public lecture (sponsored by Stronachs LLP) on land reform and the environment at 18:00 at the University of Aberdeen. Details of that event are [online](#).

