Preface

After my law degree, I spent almost a decade (full-time and part-time) working as a solicitor in the City of London for two of the world’s largest law firms, advising multinational clients on environmental risks. During that time, REACH was either very much on the horizon or very much front and present. Advising clients during that time allowed me to see both how complex and unwieldy the EU’s flagship chemicals regime was, and how it was underpinned (and needed much more underpinning) by guidance issued both by the EU chemicals regulator ECHA and by a number of industry associations and representative bodies. I loved being a solicitor, but had always wanted to undertake doctoral study, inspired by Liz Fisher who had taught me as an undergraduate student at Oxford and who would go on to be a constant source of inspiration and encouragement in the years that followed. I met Bob Lee on a Master’s degree in international environmental law offered by my first law firm. He was one of the professors in charge of the course. Over a coffee in 2007, he suggested that I move to Cardiff and undertake a PhD with him, while still working in practice part time. REACH was not necessarily my first choice for PhD topic. It is fair to say that chemicals regulation is not one of the ‘hot’ subjects in environmental law. It does not have quite the same cachet as, say, climate change or environmental justice. But the more I thought about a suitable topic for my PhD, the more convinced I became that REACH offered the breadth and depth to do something really interesting. At the same time, in the back of my head was a fascinating article written by Laurence Etherington on ‘mandatory guidance’, hierarchies in post-legislative norms and the regulation of contaminated land.¹ My doctoral research was part-funded by an ESRC 1+3 Scholarship (grant ES/F033826/1). I am very grateful for the financial support and training this offered. My PhD examiners, Joanne Scott and Veerle Heyvaert, were appropriately critical of the thesis I had submitted. With their detailed written comments, and in the viva, they enabled me to see, better than I

could for myself at the time, what I had done and where I could take my ideas. This book is of an order of magnitude more interesting and more robust for their feedback. Since my viva, Joanne has been an incredibly warm and generous source of support, and I am so very grateful for that.

Since completing my PhD, I have become increasingly interested in the practicalities of what guidance EU agencies publish, what these documents are called and what form they take, the extent to which they contain statements about their purpose or remit and the lack of consistency on these matters. While I have been publishing on REACH and chemicals regulation for a number of years as an academic, this book has allowed me the space to further develop and push my ideas on EU norms, post-legislative guidance and ‘new governance’, underpinned by a careful, rigorous review of REACH.

There are a number of people who have supported and inspired me with this book, and whom I would like to thank. While in practice, Julie Hatcher, J.P. Poitras, Gary Gengel and Uli Börger from Latham & Watkins LLP were excellent mentors and partners. They opened me up to the interesting, complex and challenging space of chemicals regulation in general and REACH in particular, and were incredibly supportive of me doing a PhD. At Cardiff University, where I undertook my PhD, Elen Stokes was a wonderful source of encouragement and a scholar whose brilliance makes me want to be a better academic. Her advice on parts of this book has been invaluable. Leanne Smith and Richard Moorhead, one of academia’s power couples, and former colleagues at Cardiff, have also been incredibly kind with their time and their advice on the work in this book. Since joining the University of Birmingham, I have found a research environment that is warm, welcoming and supportive. I am incredibly grateful for comments on various parts of this book from my colleagues Marie Fox, Tony Arnull and Graham Gee. Bob has been an exceptional mentor, on this project and in many other matters. I know that I would not be where I am today without him.

I should also thank my family. My father was always worried about me

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working too hard in the City and was so pleased when I started the PhD. Sadly, he passed away before I had finished. Were he still around, I know that this book would have had a proud place on his bookcase, alongside every single school report I received from the age of four and every piece of university feedback, each carefully preserved by him. My husband Digby is a man of science, a GP, and finds it amusing that someone for whom toxicology is somewhat of an upwards struggle would choose chemicals as one of his primary sites of academic interest. It was his inspired idea for the chimera, a hybrid creature from Greek mythology, on the front cover.

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