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public law issues when a claim is brought under the private law of unjust enrichment, or vice versa. In order to achieve this a hybrid approach is outlined which would allow the law access to both the public and private law aspects of such cases. Since there has been much discussion, particularly in the context of public body cases, of the relationship between the common law and civilian approaches to unjust enrichment, or enrichment without cause, Part 2 considers the French approach in order to ascertain what lessons it holds for England and Wales. And finally, as the *Metallgesellschaft* case itself makes clear, no understanding of such cases can be complete without an examination

of the relevant EU law. Thus Part 3 investigates the principle of unjust enrichment in the European Union and the division of labour between the European and the domestic courts in the ECJ's so-called 'remedies jurisprudence'. In particular it examines the extent to which the two relevant issues, public law and unjust enrichment, are defined in EU law, and to what extent this remains a task for the domestic courts. Cited with approval in the Court of Appeal by Beatson, LJ in *Hemming and others v The Lord Mayor and Citizens of Westminster*, [2013] EWCA Civ 5912 Cited with approval in the Supreme Court by Lord Walker, in *Test*

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