

Socio-Legal NEWSLETTER No 80 SLSA

THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION AUTUMN/WINTER 2016

SLSA 2017: NEWCASTLE

The SLSA's Annual Conference next year will be held at Newcastle University from 5–7 April 2017.

The university's city campus is located in the heart of Newcastle-upon-Tyne, with hotels, shops and restaurants within walking distance. The conference hub and the seminar rooms for each session are centrally located on campus, near the University Quadrangle's World War memorial garden.

The conference theme is 'Visions of Law': exploring, on the one hand, the visual representations and the relationship between law and the visual and, on the other, encompassing the myriad ways of 'seeing' law made possible by socio-legal studies. We are delighted to announce the plenary panel, whose members will speak to this theme:

- Dr Thomas Giddens, whose work explores the intersections and interactions between comics and legal theory (co-convenor of the 'Graphic justice' stream);
- Professor Linda Mulcahy, winner of this year's prestigious SLSA Annual Prize (see right), who has published extensively on dispute resolution, courtroom architecture, and visual representations of justice;
- Professor Amanda Perry-Kessaris, whose current research focuses on the consequences of design processes and outcomes on econo-legal change (co-convenor of 'The pop-up museum of legal objects' theme at SLSA 2017); and
- Leonora Saunders, Athena Project photographer – the Athena Project is a portrait exhibition developed with, and commissioned by, CMS Cameron McKenna to highlight the importance of female role models, mentors and leaders in law. Linking to SLSA 2017, it will be displayed at the on-campus Long Gallery from 5–18 April for delegates to view.

A wine reception will be held on the first evening at the Great North Museum, Hancock, where the competition posters will be displayed – in the 'Living Planet' exhibition space where delegates can enjoy natural history alongside their socio-legal studies. The conference dinner, on the second evening, will be served in the beautiful Great Hall of the Discovery Museum, a fascinating museum of industry, science and technology. Presentation of SLSA annual prizes takes place at the dinner.

Newcastle has good train, plane and road connections and the city and campus are easily accessible via walking, bus, or metro routes. Newcastle and its neighbour Gateshead boast a cultural infrastructure few cities can match, including the BALTIC Centre for Contemporary Art, the Literary and Philosophical Society and the tilting Gateshead Millennium Bridge. Short journeys outside the city lead to beautiful countryside, coastal scenery and two UNESCO World Heritage Sites – Hadrian's Wall and Durham Castle and Cathedral.

Call for papers

The call for papers and posters is now open. Please see pages 4–5 of this issue for details or visit the conference website. Closing date: **6pm Monday 16 January 2017.**

Contacts

For more information, see the conference website www.slsa2017.com. If you have any queries, contact organisers, Kevin Crosby and Nikki Godden-Rasul at slsa@ncl.ac.uk.

LINDA MULCAHY AWARDED SLSA 2016 ANNUAL PRIZE

The 2016 Prize for Contributions to the Socio-Legal Community has been awarded to Professor Linda Mulcahy.

Linda is Professor of Law, Director of the PhD Academy and Director of the ESRC Doctoral Training Centre at the LSE. Her contributions to the socio-legal community have been many and varied over the last 25 years. She has produced ground-breaking interdisciplinary work on dispute resolution, particularly in the area of medical mishaps, and on law and architecture. She was a member of the SLSA Executive Committee for over 12 years, serving as chair of the association from 1999–2002, and two terms as treasurer, from 1991–1993 and 2010–2013. She has also helped to develop the field of socio-legal studies through her role as co-ordinating editor of *Social and Legal Studies* for over 10 years and through her tireless support for postgraduate research students, as an examiner of many socio-legal PhD theses, as a co-organiser of the highly successful SLSA postgraduate conference since its inception, and most recently as organiser of an inter-Doctoral Training Centre initiative to bring ESRC-funded PhD students in socio-legal studies together in a Masterclass with experienced scholars in the field.

She is truly a leading citizen of the socio-legal community and has played a very important role in helping socio-legal studies become the dynamic and thriving field it is today.

Rosemary Hunter, SLSA chair

TWO SOCIO-LEGAL SCHOLARS CONFERRED AS ACSS FELLOWS

We are delighted to announce that two of our eminent members have become fellows of the Academy of Social Sciences (AcSS).

- Professor Gillian Douglas, Professor of Law, Cardiff University – Gillian is a leading legal and socio-legal scholar with a strong reputation for her work in family law and justice, particularly on the experience of parental divorce on children.
- Professor Vanessa Munro, Professor of Law, Warwick University – Vanessa is the leading scholar of her generation in the socio-legal study of sexual offences.

SLSA

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2016–2017

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Newsletter sponsorship

The *Socio-Legal Newsletter* is sponsored by a consortium of law schools interested in promoting socio-legal studies in the UK. If your institution would like to become involved in this initiative, please contact SLSA chair Rosemary Hunter e rosemary.hunter@qmul.ac.uk.

Newsletter academic sponsors 2013–2016 are: Birkbeck; Cardiff Law School; Centre for Socio-Legal Studies, Oxford; University of Exeter; Kent University; University of Liverpool; the LSE; Newcastle University; Northumbria University Newcastle; University of Nottingham; QMUL; Queen's University Belfast; University of Leicester; University of Sheffield; University of Strathclyde; University College London; University of Warwick; University of Westminster; and University of York.

The newsletter is also sponsored by the *Journal of Law and Society*.



MEET YOUR EXEC

In the latest in this occasional series, Sharon Cowan describes her socio-legal journey.

When I first studied law I had no idea I would become a law professor. I did not enjoy the first two years, as I struggled to adapt to what I saw as the eccentric, yet rigid and technical rules and conventions demanded of me by a legal education. But, by the time I reached the third and fourth years of my LLB at Strathclyde University, I had discovered I was allowed to ask questions about the impact of law, not just reiterate the content of the law. I also discovered feminism, legal theory and criminology, which together convinced me that there might be life beyond legal practice (and I have my two mentors, Pete Robson and Neil Hutton to thank for that). Funded by the long-lost student grant (and my best friend Anne), and mainly through feminist analysis, I had inadvertently come to love studying law, or critiquing it, at least. From there I went on to study an MPhil in criminology at the Institute in Cambridge and then to a two-year research post at the LSE, working, with Judith Rungay, on a project about probation orders for those with drug and alcohol misuse problems, before beginning a PhD at Brunel University, with Betsy Stanko (one of my feminist icons). It was there that I managed to reunite my interest in law with criminology, ultimately completing a PhD with Alison Diduck (another icon), on sex, gender, sexuality and the law (and thanks to Philip Rawlings for enabling that journey).

Having taught at Warwick for three years, I've now been at Edinburgh for 12 years – longer than I thought I would ever stay in one place – teaching criminal, medical and asylum law. I am the Professor of Feminist and Queer Legal Studies, a title that, frankly, I thought I would never see at such a traditional university. I've suffered from self-doubt and imposter syndrome along the way, of course. Sometimes I feel like I don't fit anywhere: I am a lapsed criminologist; I am not really a lawyer; I don't know enough about theory; I haven't had enough empirical experience; am I socio-legal enough, queer enough, feminist enough? But you can make an intellectual home for yourself anywhere, if you have the energy to seek out those who are like-minded. They may not be in your own department, school, or even university. But it's up to us to make our own intellectual communities more open, more critical, and more reflective. There have been times when I've wondered what my life would look like if I had never studied law, if I had gone on to music college as planned, run off to New Orleans to be a jazz singer, or done something else entirely. And what if I hadn't been born white, or cisgender, or if I had been born in a place or time when I would not have been allowed to study, or could not have afforded it? It makes me reflect on how much I love what I do (even when I am gritting my teeth marking) and the privilege that the academy gives me in life generally. I still have my critical gender perspective – and that has been enriched over time by conversations, not just with other scholars – and an appreciation of many other critical analyses of power and oppression. I want to enable these critical conversations with my own students, as my teachers did before me.

people . . .

Professor **DIAMOND ASHIAGBOR** has moved from SOAS University of London to take up the post of Professor of Law and Director of Research at the Institute of Advanced Legal Studies, School of Advanced Study, University of London.

Dr **RUTH DUKES** has been promoted to Professor of Labour Law at University of Glasgow School of Law.

Dr **IYIOLA SOLANKE** has been promoted to Professor of EU Law and Social Justice at the Leeds School of Law.

SLSA PG REP

Our SLSA pg rep, Natalie Corbett, Exeter University, has recently stepped down. We would like to thank her for her hard work and enthusiasm while in the post. Our new pg rep is Jessica Mant, Leeds University. You are welcome to contact her about any postgraduate-related issues. In particular, you should contact her if you would like to be added to the SLSA postgraduate JISCmail email list. [e j.l.mant@leeds.ac.uk](mailto:e.j.l.mant@leeds.ac.uk)

SLSA ONE-DAY CONFERENCES

One-day conferences have always been a key part of the SLSA's work. Recent conference topics have included: sources and methods in criminology and criminal justice; exploring the comparative in socio-legal studies; law, gender and sexuality – sources and methods in socio-legal research; legal biographies workshop; exploring the legal in socio-legal studies. If you have an idea for organising a one-day conference, please contact e admin@slsa.ac.uk. The next one-day conference is 'Socio-legal sources and methods in international law' on **25 November 2016**. Please see the events section for details.

Full details of all past one-day conferences can be found on the website. [w www.slsa.ac.uk/index.php/conferences/one-day-conferences](http://www.slsa.ac.uk/index.php/conferences/one-day-conferences)

SLSA BLOG

The SLSA blog went live on **15 June 2016**. The blogeditors are inviting contributions for future issues. If you have an idea for a short article (maximum 1000 words) on a hot topic of interest to your SLSA colleagues and others, please email e blogeditors@slsa.ac.uk.

Future SLSA Annual Conferences

In **2017** the SLSA Annual Conference will be hosted by the University of Newcastle from **5–7 April** and in **2018** we will be gathering at the University of Bristol from **27–29 March**. In **2019**, we will be going to Leeds University from **3–5 April**. Save the dates.

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SLSA admin

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Disclaimer

The opinions expressed in articles in the *Socio-Legal Newsletter* are those of the authors and not necessarily those of the SLSA.

SLSA 2017: CALL FOR PAPERS

The call for papers for SLSA 2017 is now open. Abstracts of 300 words are invited for the streams and themes listed below. Abstracts must be submitted via the EasyChair system [w https://easychair.org/conferences/?conf=slsa2017](https://easychair.org/conferences/?conf=slsa2017). The full call text for the streams and themes is available at [w www.slsa2017.com](http://www.slsa2017.com). The deadline for submissions is **6pm on Monday 16 January 2017**. If you have any questions about the suitability of your paper, please contact the relevant convenor.

Streams

Administrative justice

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Richard Kirkham [e r.m.kirkham@sheffield.ac.uk](mailto:r.m.kirkham@sheffield.ac.uk)

Apologies, abuses and dealing with the past

Anna Bryson [e a.bryson@qub.ac.uk](mailto:a.bryson@qub.ac.uk)

Kieran McEvoy [e k.mcevoy@qub.ac.uk](mailto:k.mcevoy@qub.ac.uk)

Art, culture and heritage

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Sophie Vigneron [e s.vigneron@kent.ac.uk](mailto:s.vigneron@kent.ac.uk)

Banking and finance

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Steve Cairns

Children's rights

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Civil procedure and alternatives to litigation

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Criminal law and criminal justice

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Exploring legal borderlands

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Family law and policy

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Annika Newnham [e a.newnham@reading.ac.uk](mailto:a.newnham@reading.ac.uk)

Gender, sexuality and law

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Graphic justice: law, comics, and related visual media

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International economic law in context

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Interrogating the corporation

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Law's empire, empire's law: justice, law and colonialism

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Property, people, power and place

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Themes

Access to justice in context

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Conflict-related destruction of cultural property

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Courtroom ethnography: doing justice in everyday legal praxis

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Critical perspectives on security and migration

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Is equality and human rights law capable of tackling twenty-first-century crises?

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Law and the circular economy

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The pop-up museum of legal objects

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Posters

Send to e slsa@newcastle.ac.uk with 'Poster proposal' in the subject line.

SLSA GRANT SCHEMES

The SLSA offers two types of grants from its £15,000 annual pot: Research Grants and PhD Fieldwork Grants. Here, four grantholders report on completed projects.

Victims, professionalisation and international justice: a critical examination of the civil party system in the ECCC

Rachel Killean, Queen's University Belfast, £700

Victims are increasingly acknowledged as having various 'rights' within international criminal courts. However, while the symbolic victim has developed as a key figure in legitimating practices, the ability of international criminal courts to deliver 'justice to victims' remains contested amongst practitioners and academics alike. My PhD sought to contribute to this debate through an examination of the role of victims as civil parties within the Extraordinary Chambers in the Courts of Cambodia (ECCC).

The field research partially funded by the SLSA involved a series of interviews conducted with practitioners at the ECCC, civil society actors and victims participating as civil parties. Drawing from this, my thesis: (1) explored how both the ECCC and the role of victims within it were shaped by specific political, economic and legal contexts; (2) provided an empirical contribution to the discussion surrounding the perceived 'gap' between the legitimising value of the abstract 'imagined victim' and the actual victims of international crime; (3) explored the extent to which victims can further their interests within international criminal courts; and (4) analysed the impact, if any, that victim participation has had on the ECCC's ability to deliver 'justice' and garner legitimacy in the eyes of civil parties.

Findings and conclusions

My thesis found that in the ECCC context, as in other contexts, terms such as 'victim' and 'victimisation' were contested and open to manipulation. Responses to victimisation were shown to be deeply entrenched in specific political, legal and economic contexts. This resulted in the exclusion of broader forms of truth recovery, limitations being placed on the court's jurisdiction and the creation of a court structure which allowed political agendas to hinder the prosecution of certain perpetrators. The creation of the civil party system was found to be attributable to an act of judicial activism, which created a victim participation system susceptible to frequent amendment and without the sufficient funding and support needed for its effective functioning. My thesis also acknowledged the various roles played by civil society in providing representation, information and reparations, and highlighted the important role civil society had

played in challenging the court's failure to prosecute sexual and gender-based violence. The first conclusion was therefore that there is a need for greater acknowledgment of the role of actors and contexts in shaping responses to victimisation. Such responses are sites of contestation, which can lead to restrictions being placed on victims' access to justice, but can also lead to innovative processes and an enhancement of that same access. Thus, contest is not to be avoided, but acknowledged, an acknowledgment that may contribute to greater humility and honesty in the discourse surrounding transitional justice.

In relation to the 'gap' between the 'imagined victim' and the 'actual victims' of international crime, my research demonstrated that justice for the 'imagined victim' had been utilised as a legitimising tool throughout the court's inception and work, with practitioners frequently citing 'the victims' as a primary motivation for their work. In relation to the rights of actual victims, it found that, while there had been a small normative progression from the Nuremberg trials and the desire to keep victims out of the courtroom, there remained a desire amongst court practitioners to hear the victims' voice directed and controlled to suit the other goals of the trial. Thus, while victims were a welcome 'human face' of suffering, there appears to be a continued preference for the primacy of the lawyer within the courtroom. The second conclusion of my thesis was therefore that the theoretical 'gap' between the 'imagined victim' and the actual victims of atrocity found support within the data collected for this study.

Finally, my thesis considered the impact, if any, that victim participation had on the ECCC's ability to deliver 'justice' and garner legitimacy in the eyes of civil parties. An analysis of the perspectives of civil parties demonstrated that aspects of the civil party system were viewed with satisfaction. The ability to express themselves and to address the accused was valued, as was access to legal representatives. However, issues such as the time the court has taken to deliver judgments, its inability to grant monetary reparations, and the lack of information provided to civil parties arose as particularly important to the civil parties interviewed. The third conclusion of my thesis was that if international criminal courts are to pursue a system of victim participation, there is a need to, first, fully consider the implications of such a process for trial management and, second, to ensure adequate resources are made available in order to implement the system effectively. The raised expectations of victim communities, if left unfulfilled, can lead to secondary victimisation and disenchantment. Yet my study suggested that, with greater engagement and an acknowledgment of the specific interests and needs of victim groups, much can be done to address the harms experienced by these populations.

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Exploring differing legal constructions of intersex

Fae Garland, University of Manchester, and Mitchell Travis, University of Leeds, £1875

In 2014, the SLSA awarded £1875 for us to conduct a small-scale empirical study that examined Australia's legal response to intersex. Australia, unlike England and Wales, recognises intersex as an identity and offers specific rights through its anti-discrimination law. We initially planned to interview representatives of intersex organisations alongside intersex 'lay' people from Australia. However, recruiting 'lay' participants proved to be extremely challenging, perhaps unsurprising given the societal stigma and trauma that typically accompanies an intersex 'diagnosis' and its subsequent medical 'treatment'. This difficulty was exacerbated by the limited time scale and funding of the project. Consequently, we changed our approach and recruited 17 international intersex organisation representatives to examine the international community's response to Australia's approach and evaluate the different legal responses to intersex that have emerged over the last 20 years. Broadly, these responses fall into three themes:

- non-responsive – states do not recognise intersex at all;
- status-based – states recognise intersex in terms of status and identity through the use of such mechanisms as third markers on official documents and anti-discrimination law;
- holistic – states adopt an all-encompassing approach that protects the bodily integrity of intersex children by prohibiting unnecessary surgeries, as well as extending anti-discrimination and hate crime laws to protect intersex individuals.

While the movement towards legal regulation is gaining significant momentum, there has yet to be a critical evaluation of these different legal approaches in the academic literature. Consequently, it is unclear how far, if at all, these different approaches have actually responded to the needs of the intersex community. Our respondents came from a wide range of states with varied legal approaches to intersex, including non-responsive states (UK, Denmark, USA and Sweden); status-based states (Australia and Germany); and holistic states (Malta and soon-to-be Iceland). While these individuals were from different cultural and legal backgrounds, the interconnectedness of the international intersex community meant participants were well informed about legal developments in other countries.

After thematically analysing the data, some of our key recommendations (which are not just limited to England and Wales) include:

- Non-therapeutic surgeries on the bodies of intersex children must be prohibited until the children are able to provide informed consent. Malta's approach was heralded a success by nearly all our respondents.
- In the medium term, children should continue to be raised as male or female, but with greater fluidity built into the legal categorisations of sex and attention paid to their wishes and desires. To achieve this, reform of the Births and Deaths Registration Act 1953 is necessary.
- Anti-discrimination law can be a useful tool, but only when used in conjunction with bodily integrity. If bodily integrity is not prioritised, anti-discrimination law risks being symbolic and, worse, potentially entrenches intersex embodied persons into systems of marginalisation. Consequently, where states like Germany and Australia have begun to introduce status-based reforms, these must be accompanied by more holistic measures to offer any real resilience to intersex embodied people.
- Third gender markers (on passports and birth certificates) are largely unhelpful to the intersex community. Mandatory third gender markers on birth certificates for children

actually lower the resilience of intersex embodied children and as such should not be an area of legislative reform. Third gender markers could be an option for interested adults.

Alongside these legislative changes, we would also recommend education reform to combat binary understandings of sex and gender. This reform is needed not only for medical personnel but should be built into the education system from a young age.

We would both like to express our thanks to the SLSA for making this project possible. We are currently writing an article based on our study and have been approached by a number of national organisations who wish to enhance the resilience of intersex embodied people in their respective states.

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Kosovo: from traditional to transitional justice (and back again)

James Sweeney, Lancaster University, £1991.60

This project began as an examination into the resort to 'traditional' justice within the Kosovan post-conflict context. There is evidence that the 'Kanun of Lekë Dukagjini', a medieval code, has had a resurgence in Kosovo in relation to the resolution of disputes, as some people have become disenchanted with the UN and EU-led efforts at instilling the rule of law after the conflict of 1999 and the declaration of independence in 2008. The project examines this phenomenon through the related but distinct prisms of transitional justice and rule-of-law-reconstruction.

Initial, ethically approved fieldwork was carried out in late 2013, which in turn led to my recruitment as an expert advisor to a series of workshops for the judges of the Kosovo Constitutional Court and Supreme Court throughout 2014 (via Agencia Consulting and the British Embassy in Pristina). At the same time, I was also recruited to assist the Kosovo Judicial Institute to develop training materials for new judges and prosecutors. The expert work does not form part of the evidence base for the project, but has opened up a new direction to the research.

The project has identified and characterised simultaneous and competing centrifugal forces in the direction of traditional justice; and centripetal forces in the direction of internationalised elements of justice, displaying characteristics of a complex and occasionally reluctant cosmopolitanism (in which, via my work with the Kosovo judicial system, I have myself been complicit).

This project was originally conceived of as an empirical socio-legal enquiry. With its examination now not only of the turn to traditional justice, but also the cosmopolitan element, it remains rooted in an examination of law-in-action, but the methodology has been amended somewhat.

The findings of the research were presented at SLSA 2016 and will be written up into a journal article.

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- 'Review of a field': comparative law – Robert Leckey
- Narrative, space and atmosphere: a nomospheric inquiry into Hong Kong's pro-democracy 'umbrella movement' – Daniel Matthews
- Marwan Barghout in Tel Aviv: occupation, terrorism, and resistance in the courtroom – Awol Allo
- The constructed truth: the making of police dossiers in China – Yu Mou
- Teaching British values in our schools but why not human rights values? – Alison E C Struthers

Excavating the organ trade: an Egyptian case study

Seán Columb, University of Liverpool, £1100

My research in Cairo was part of a project examining how the organ trade fits into the anti-trafficking framework (as established under the UN Trafficking Protocol); its link to organised crime and the wider political economy. Numerous accounts of organ 'trafficking' are found in news media, captured in documentary films, featured on NGO websites and published in international government reports. However, the majority of such cases do not fall within the scope of the UN Trafficking Protocol and are, in fact, instances of commercial organ sales. The 'moral panic' generated by the organ-trafficking discourse has led to the introduction of criminal measures which fail to identify actual 'offenders' and/or assist 'victims'. This oversight ignores important intersections of agency, identity, culture and politics.

The SLSA Fieldwork Grant afforded me the opportunity to travel to a country identified as having an active trade in organs and to speak with individuals who have experienced first-hand the different dynamics at play in organ markets.

The purpose of this study was twofold: (1) to empirically test/confirm whether the experiences of organ sellers correlate with the legal elements of organ trafficking as defined under Article 3(1) of the UN Trafficking Protocol; and (2) to identify some of the conditions and circumstances that compel people to sell one or more of their organs in a context identified as having an active trade in organs.

Egypt was chosen as the key research site for this study due to its reputation as a 'hotspot' of organ-trafficking. Political

instability, a deteriorating economic situation, divergent social and cultural norms and the fact that Egypt is a popular tourist destination made it an ideal location to test various assumptions about the organ trade. Furthermore, conducting research in Cairo provided an opportunity to assess the implications of criminalisation, following the introduction of the Transplantation of Human Organs and Tissues Act 2010 which prohibits the sale or purchase of organs. Travelling to Egypt made it possible to talk to key persons involved in the organ trade and to access information that would not have been acquired through literature or desk-based research.

In total, 27 in-depth interviews were carried out between the months of May and July 2014. The interview respondents consisted of 13 organ sellers, 4 organ brokers, 3 medical professionals and 7 NGO staff. The findings provide new insight into organ-trading networks and the conditions that drive them. The data suggests that prohibition has pushed the organ trade further underground, increasing the role of organ brokers and reducing the bargaining position of organ sellers. This leaves them exposed to greater levels of exploitation. The experiences of respondents illustrate how processes of legal marginalisation and social exclusion leave people vulnerable to exploitation in organ markets. The prevailing law enforcement position cannot respond to these dynamics.

Some of the research findings are presented in a 2016 article, 'Excavating the organ trade: an empirical study of organ trading networks in Cairo, Egypt' *British Journal of Criminology* [w http://bjc.oxfordjournals.org/content/early/2016/08/27/bjc.azw068.abstract](http://bjc.oxfordjournals.org/content/early/2016/08/27/bjc.azw068.abstract).

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SLSA ANNUAL SEMINAR COMPETITION

This year's Seminar Competition is now open for applications. The total prize fund is a maximum of £10,000.

The money can be used to support the delivery of an individual seminar or short conference, or a series of events. There are no restrictions on subject matter, provided that applicants can show relevance to the socio-legal community. Applicants must be SLSA members. Applications will not be considered where the amount of support required is less than £500, or where the event is targeted at staff or students of a single institution. The fund has so far supported 21 successful events.

If you are considering an application, please ensure that your proposal accords with the published guidance, downloadable from the SLSA website [w www.slsa.ac.uk/index.php/funding-schemes/seminar-competition](http://www.slsa.ac.uk/index.php/funding-schemes/seminar-competition). If you have any queries, please contact Rosie Harding [e r.j.harding@bham.ac.uk](mailto:r.j.harding@bham.ac.uk). Closing date: **12 December 2016**.

Reports of five SLSA seminars held this year follow.

Lost in translation: from science to regulation

Aleksandra Cavoski reports on a one-day conference held at the University of Birmingham on 19 January 2016.

The interface of science and law has gained prominence in recent years. This is partly due to the impressive pace of scientific and technological development that necessitates a different and more responsive regulatory culture both in the EU and in member states. Likewise, the right to a healthy and decent environment imposes a legal duty on government to ensure high levels of

environmental and health protection. Despite this common trend, the intersection of law and science is often an uneasy relationship where both the scientists and lawyers struggle to find a common language. As this interface of science and law involves experts from different areas, this conference was an interdisciplinary occasion that brought together scientists from different fields, lawyers, policy-makers and practitioners. All the presentations were germane to a wider research agenda on the science-law interface and provided a valuable contribution to further understanding of law and science.

The conference was organised around several main themes: how the regulators and policy-makers at the national, EU and international levels use scientific evidence to inform policy-making; provision of a regulatory environment that mitigates risk in an accountable, transparent, open and participative manner; effective use of scientific knowledge; and what constitutes scientific expertise and how time impacts the decision-making process. The conference ended with a discussion on best practices in using scientific evidence in the policy-making process.

The conference included a keynote lecture from Ian Boyd, Department of Environment, Food and Rural Affairs (DEFRA) chief scientific adviser, who spoke about how science informs policy-making at DEFRA, followed by Bjorn Hansen, head of the Chemicals Unit from the European Commission/DG Environment. The conference brought together leading academics from law and science backgrounds (Robert Lee, Liz Fisher, Mark Viant, Elen Stokes and Jo Hawkins). Postgraduate students also presented their work (Olivia Hamlyn) and actively participated at the conference.

In addition to the SLSA funds of £876, the conference was supported by the University of Birmingham.

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Imagining the state for progressive politics

Davina Cooper reports on a workshop supported by the SLSA (with the University of Kent and the Society of Legal Scholars) and hosted by Social Critiques of Law, Kent Law School.

The workshop on 'Reimagining the state', which took place in Kent on 19–20 May 2016 (with £3618 of SLSA funding), addressed the questions: how might we reimagine the state for progressive politics; and is this endeavour a worthwhile one? Twelve academics from different disciplines submitted short thought-pieces in advance and then gave brief 15-minute presentations, allowing plenty of time for discussion among the approximately 50 academics, students and others who participated.

Five key issues were foregrounded in our discussion.

- 1 What does reimagining entail? There is much talk currently about the progressive reimagining and so retrieving of core concepts, but how can it be done? Is reimagining a mental exercise, performed in front of a computer, or does it involve other kinds of social and material practices, particularly collaborative ones?
- 2 How available is the state for reimagining? Discussion focused here on two issues: the plasticity of state form – particularly the capacity of states to remain meaningfully states, while taking radically different forms or being redirected to other ends; and the material practices, including art displays and play, through which not only reimagining states, but also their re-enactment, can take place.
- 3 What are the main challenges in thinking about progressive forms of statehood? Institutional practices of state coercion and territorial boundaries provided the focus for this part of the discussion. Can states operate without territory; is coercion necessary and, if so, can it be performed in radically different ways? These are hard questions. There is a huge amount of powerful critical literature on these aspects of state practice. While more liberal state perspectives apply frames of legitimacy to both coercion and territorial boundaries, rethinking the state more substantially requires new engagements with these thorny issues.
- 4 What is wrong with an anti-state perspective? Anarchists and many others on the left have a trenchant critique of the state. From this perspective, any attempt to retrieve the state is misguided; the challenge for radical politics is rather to create new, *non-state* modes of governing. Speakers at the workshop explored anti-state politics from perspectives that were both supportive and critical. However, a strong current of opinion saw the state as a structural formation that was both productive and problematic (medicine and poison); thus one challenge posed by some speakers was how to mobilise the more productive aspects of public forms of governing, with an emphasis on new participative democratic forms and social justice, and how to avoid being state-phobic with its risk of re-inscribing a reductionist or reified state imaginary.
- 5 Can states be ethical? If states are complex, contradictory formations, can they be reimagined in ways that foreground and accentuate their ethical aspects? Does reimagining states in this way risk abandoning the tensions and contradictions that are currently recognised as being part of, and integral to, state practice?

Participants commented afterwards that the workshop had provided an open, friendly space in which to explore questions about the state from angles that had received little attention in recent years. Since the workshop, we have started work on a collection of papers, building on workshop presentations, for a journal special issue. Plans are also afoot for a collaborative book project on reimagining the state.

The speakers were Gianpaolo Baiocchi (NYU), Chiara De Cesari (Amsterdam), John Clarke (OU), Davina Cooper (Kent), Nikita Dhawan (Innsbruck), Luis Eslava (Kent), Nick Gill (Exeter), Ruth Kinna (Loughborough), Janet Newman (OU), Joe Painter (Durham), Shirin Rai (Warwick), Maria do Mar Castro Varela (Alice Salomon University Berlin).

Attendee Tom Kemp wrote up the event for the Kent blog at [w https://blogs.kent.ac.uk/countercurrents/2016/06/01/can-states-be-progressive-on-re-imagining-the-state](https://blogs.kent.ac.uk/countercurrents/2016/06/01/can-states-be-progressive-on-re-imagining-the-state). His blog post provides a good flavour of the discussions that took place.

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Rethinking international investment law: civic advocacy, representation and participation in the international investment regime

Celine Tan, director of the Centre for the Law, Regulation and Governance of the Global Economy (GLOBE) at Warwick Law School, organised the first workshop in the International Economic Law (IEL) in Context Workshop Series on 3–4 May 2016 at the University of Warwick.

The IEL in Context Workshop Series is being organised by the GLOBE Centre and is aimed at exploring the interdisciplinary and contextual nature of contemporary scholarship in international economic law, broadly defined.

This first workshop on 'Rethinking international investment law: civic advocacy, representation and participation in the international investment regime' was co-organised by the GLOBE Centre, the International Institute for Environment and Development (IIED) and the School of Law, University of Keele. The workshop was attended by over 30 national and international delegates and included a public session on the Transatlantic Trade and Investment Partnership (TTIP) Agreement currently being negotiated between the EU and the USA. The objective of the workshop was to bring together a range of academic and practitioner perspectives on the emergence of a new space of advocacy and citizenship in relation to the international investment regime and the implications for the contemporary legal architecture governing international investment flows and on sustainable development.

The workshop was funded by the SLSA Seminar Competition fund (£2400), the Society of Legal Scholars (SLS) Legal Scholarship Fund, IIED, Warwick Law School, the University of Warwick's Global Research Priorities on Global Governance, Keele Law School and the ERSC's Impact Acceleration Account.

A unique aspect of our workshop was our collaboration with IIED, a research and advocacy NGO, and our objective of bringing together academics with practitioners and other stakeholders, including representatives from civil society groups and intergovernmental organisations, lawyers and politicians, to enrich our discussion beyond substantive academic perspectives. Among others, we managed to secure the participation of Manuel Montes, advisor with the South Centre, an intergovernmental organisation in Geneva, and former economist with the UN Financing for Development Office; Mahnaz Malik, barrister and arbitrator from 20 Essex Street; Wong Chen, an MP from Malaysia; and Jane Nlunga, country director of advocacy organisation, SEATINI, in Uganda. All the representatives greatly enriched the academic discussions at the workshop. Also joining us at the workshop were Ruth Bergan, co-ordinator of the UK Trade Justice Movement, Matt Grady from the NGO Traidcraft and Ruth Kelly from ActionAid UK.

The workshop was convened over two days, organised around thematic plenary sessions which addressed various

aspects of civic advocacy, representation and participation in the international investment regime. This included the introductory panel framing the various discussions – academic and policy – surrounding the role of participation in the legal architecture for international investment, as well as panels on government and parliamentary involvement in investment treaty-making; public participation in international investment arbitration; and stakeholder engagement and channels of citizenry action in the investment regime.

We also organised a public session on ‘TTIP friend or foe? Facing the facts and fiction on the Transatlantic Trade Investment Partnership and other investment agreements’ which was chaired by James Harrison, from Warwick Law School, and featured Manuel Montes, Wong Chen, Ruth Bergan and Lorenzo Cotula, our co-organiser from IIED who is also currently a visiting research fellow with the GLOBE Centre. The public session was attended by a good crowd of people from the university, as well as from our local community in Coventry and Warwickshire, including local councillors. This public session was well received and some participants from the local community expressed interest in similar events to be held in the future.

Feedback from the workshop itself also indicated that delegates very much welcomed the approach of the workshop and the workshop series as a whole – which is to introduce and develop contextual methodologies, including socio-legal methodologies, to scholars of international economic law, and to increase the profile of socio-legal and other contextual approaches to scholarship in international economic law – and welcome further workshops developed along these lines. There was a clear consensus among academic delegates at least that there is a gap in the current spaces for academic scholarship and engagement on international economic law for discussions of this nature. Consequently, this bodes very well for the workshop series as a whole.

More information on this event can be found at www2.warwick.ac.uk/fac/soc/law/research/centres/globe/events/iel_seminars/investment_workshop.

Another workshop in the series, on climate change and environmental governance, took place on **3 November 2016**. The speakers were Evadne Grant (Bristol University), Duncan French (University of Lincoln) and Louis Kotzé (North-West University, South Africa). See www2.warwick.ac.uk/fac/soc/law/research/centres/globe/events/iel_seminars.

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SLSA membership benefits

Benefits of SLSA membership include:

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 - discounted SLSA Annual Conference fees;
 - weekly ebulletin;
 - eligibility for grants (research, fieldwork and training)
 - eligibility for funding schemes (Seminar Competition, Research Training Grants and Mentoring Awards)
 - eligibility for SLSA prizes
 - members’ priority in newsletter publications pages;
 - discounted student membership (with first year free);
 - free annual postgraduate conference;
 - student bursaries for SLSA Annual Conference;
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 - 20 per cent discount on Ashgate, Hart, Palgrave Macmillan and Routledge books bought online;
 - special membership category for retired members
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Reproductive futures: reproductive choices?

Natasha Hammond-Browning and Claire Lougarre, lecturers in law at Southampton Law School, received £3392 from the SLSA to run this two-day workshop on 4–5 July 2016 at the Jury’s Inn, Southampton (with additional funding from the Centre for Health Ethics and Law (HEAL) and Southampton Law School).

There were 35 participants over the two days, including a number of postgraduate researchers, and we were fortunate to be able to award a total of six postgraduate bursaries of up to £100 to facilitate their attendance.

The workshop was designed to bring together academics working in the field of human reproduction, from a legal and ethical perspective, to examine the new challenges in this area, as well as engaging with the traditional debates. We were pleased to have a number of speakers from both legal and philosophical backgrounds, speaking on a wide range of topics.

The first session, ‘New technologies and techniques’, saw speakers engage with the new technologies of uterus donation, artificial wombs and *in vitro* gametogenesis (artificial gametes). In their papers, Nicola Williams, Natasha Hammond-Browning and César Palacios-González highlighted the need to continue to engage with the traditional debates, including the ethics of donation of organs, the welfare of children and equality. Session two, on reproductive rights, brought together representatives from Southampton Law and Philosophy departments, Claire Lougarre and Iselijn Kingma, to consider if the Council of Europe recognises a right to sexual and reproductive health and to discuss prenatal harms and obligations.

Day two started with a session on surrogacy. International and domestic perspectives of surrogacy were presented, with detailed information on the findings of research into case files on international surrogacy by Rita D’Alton-Harrison. Kirsty Horsey reported on the findings of her recent report with Surrogacy UK and Julie McCandless discussed the importance of legal parenthood. Session four brought together Ruth Fletcher and Jonathan Ives who discussed two different ends of the reproductive spectrum, the abortion trail and assisted reproductive technologies. Ruth reported on findings of her research regarding experiences of women travelling from Ireland to England, Wales and Scotland, in order to access termination services, and Jonathan presented arguments around possible decommissioning of assisted reproductive services.

In the final session, Marie Fox gave us her insights on the topics that we had been discussing over the two days.

On the evening of 4 July we organised a dinner and networking event at a local restaurant – a successful evening with 28 guests. It allowed participants to mix, discuss their research and make connections with others working in the area of human reproduction.

This workshop was also the launch of REPROLAW, a group dedicated to those working in reproduction, ethics, policy, regulation, obstetrics and law. This is now set up under HEAL at Southampton Law School and is designed to bring together those working in these areas from a legal and ethical perspective. A mailing list has been set up with the details of those who attended the workshop, as well as others who had shown an interest but were unable to attend. This mailing list is currently being used to distribute information about workshops and conferences within this field, but we hope to help progress research and collaborations amongst those who are members of REPROLAW. A dedicated website is under construction.

Finally, the journal *Contemporary Issues in Law* has agreed to the publication of a special issue based on papers presented during this workshop. Natasha Hammond-Browning and Claire Lougarre will be editing the special issue (publication due in 2017).

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Labour law for a warming world? Exploring the intersections of work regulation and environmental sustainability

Organiser *Ania Zbyszewska* reports on this seminar which took place at the Institute for Advanced Study, University of Warwick, on 12 September 2016.

The event brought together scholars interested in exploring the relationship between work and nature and possibilities of work regulation that is attuned to contemporary social and environmental sustainability challenges. One of our intentions was to address the current gap in the debate on the future of labour law in which the subjects of environmental sustainability have been nearly absent. With this in mind, the seminar participants discussed whether there are potential synergies between labour and environmental law – their underlying normative projects, regulatory frameworks, and activism in each area.

Individual contributions ranged from conceptual to empirically informed explorations. Grounding his reflections in classical labour law doctrines, Niklas Selberg (Faculty of Law, Lund University, Sweden) suggested better alignment of labour law with sustainability objectives can be achieved if we redefine the basic entities that are exchanged in the employment relationship. Seeking also to expand the scope of labour law, Supriya Routh's (University of Victoria Faculty of Law, Canada) and Ania Zbyszewska's (Warwick Law School) contributions both proposed a post-productivist approach to labour law as the one most compatible with socio-environmental sustainability, grounding it, respectively, in the notion of public good and feminist theory. Feminist theory was also the starting point for Ann Stewart's (Warwick Law School) reflections on the labour implications, and the social and environmental sustainability, of the social-care model currently promoted in the UK. Sam Adelman's (Warwick Law School) conceptual contribution examined how the Marxian notion of alienation can help us understand the conditions faced by agricultural migrant workers.

Focusing on regulatory aspects, Tonia Novitz (Law School, Bristol University) discussed sustainability chapters of international trade agreements as a key regulatory area wherein environmental and labour standards intersect. Miriam Kullmann (Maastricht University Faculty of Law, Netherlands) considered whether public procurement, as currently regulated at the EU level, could be used to advance environmental objectives. Paolo Tomassetti (University of Modena and Reggio Emilia, ADAPT, Italy) drew on the example of Italy to show how employment law, collective bargaining and company codes of conduct are already placing environmental matters on the agenda.

Issues involved in the 'transition' to a greener economy were also the subject of comments by Chelo Chacartegui (Universitat Pompeu Fabra Faculty of Law, Spain), who examined how workers' participation is shaping environmental governance in Spain. Alice Mah (University of Warwick, Sociology) drew on her fieldwork on environmental justice activism to talk about the 'false' tensions between the workers' rights and environmental protection objectives. Finally, green skills, a necessary component of a shift to green jobs and sustainable economies, were the subject of Nicholas Sofroniou's (Warwick Institute for Employment Research) contribution.

We would like to thank the SLSA (£2500) and the University of Warwick Faculty of Social Sciences for their generous funding. For more information about the seminar and future publication plans, please contact Ania Zbyszewska.

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Law and Global Justice, Cardiff University

Law and Global Justice is a research group within the Centre for Law and Society at Cardiff University established in 2016. It fosters scholarship and teaching on legal and constitutional change in the Global South, building on comparative, critical and socio-legal traditions of scholarship. The group's current thematic focus is on: law and accountability for development aid; global health law; African postcolonial theory; and education and the legal professions in Africa. Recent events include: 'Mobility and modernity: connections in legal education between East Africa and the UK', a workshop co-hosted with the Institute for Advanced Legal Studies, London (December 2015); 'Transnational constitutionalism and new forms of democracy: perspectives from the Global South', a colloquium led by political theorist Professor Chris Thornhill (Manchester) (June 2016); 'Law, legal professionalism and political change in Africa: history, practice, agency', a panel at the biennial conference of the African Studies Association UK (September 2016); and the fifth annual lecture of the Welsh Centre for International Affairs on 'World trade law and African deindustrialization', given by Professor James Gathii (Loyola, Chicago) (November 2016).

Guest lecturers have included: Professor Upendra Baxi (University of Delhi) on 'Climate change justice'; Dr Prabha Kotiswaran (King's College London) on 'Human trafficking in transnational law'; and Dr Grace Musila (Stellenbosch University) on 'Rumour and truth in Kenyan politics'.

The group's thematic priorities are also reflected in its teaching on: global problems and legal theory; law and world literature; and land law and development. Its pioneering law clinic programme on global justice sees students working under academic guidance with UK lawyers and international NGOs on securing accountability for human rights violations infringements in East Africa.

The group has partnerships with the Katiba Institute for Constitutional Law and the British Institute in Eastern Africa (both Nairobi), the Hingorani Foundation for Public Interest Litigation (New Delhi) and Deighton Pierce Glynn, solicitors (London and Bristol), as well as the Africa Research Institute (London), Amnesty International (London, Nairobi) and Rights and Accountability in Development (Oxford). Through the Centre for Law and Society, it funds the involvement of selected doctoral and post-doctoral researchers from around the UK in its programme. Current PhD theses supervised by group members focus on health law and devolution in Kenya and the regulation of surrogacy in India.

Members are drawn from Law, Politics and International Relations at Cardiff and include Professor John Harrington (group co-ordinator); Professor Ambreena Manji (ASA Executive Council); Dr Sara Dezalay; and Dr Branwen Gruffydd Jones. For further information, contact John Harrington.

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LSB consultation on diversity

The Legal Services Board (LSB) has published its consultation on proposed changes to its guidance for legal services regulations and their work encouraging a diverse profession. Delivery of the objectives in the Legal Services Act 2007 requires a diverse profession which reflects the society that it serves. The scope of diversity covers: age; gender; disability; ethnic group; religion or belief; sexual orientation; socio-economic background; and caring responsibilities.

To read the full consultation and find out how to respond, please visit www.legalservicesboard.org.uk/what_we_do/consultations/open. Closing date: **2 December 2016**.

ESRC opportunities

2017 Celebrating Impact Prize

The ESRC Celebrating Impact Prize is an annual opportunity to recognise and reward the successes of ESRC-affiliated researchers and other ESRC associates who have achieved, or are currently achieving, outstanding economic or societal impacts. The competition is open to all researchers supported by the ESRC and associates (ie individuals and organisations other than universities that are carrying out strategic ESRC-commissioned work). A prize of £10,000 is awarded to the winners of each outstanding category and a prize of £10,000 is awarded to the winner of the impact champion category. The 2017 prize is now open for applications. Closing date: **4pm on 1 December 2016**.

New investigator grants

New Investigator Grants are specifically aimed at supporting those looking to make the transition to an independent researcher through managing their first major research project. Grants ranging from £100,000 to £300,000 can be awarded and proposals are welcomed across the full disciplinary range of the social sciences and at the interface with the wider sciences. This is an open call with no closing date.

See the ESRC website for details of both schemes.
 w www.esrc.ac.uk/funding/funding-opportunities

AHRC leadership fellowships

The AHRC's leadership fellows scheme provides time for research leaders, or potential future research leaders, to undertake focused individual research alongside collaborative activities which have the potential to generate a transformative impact on their subject area and beyond. In addition to demonstrating support for high quality, world-leading research and associated outputs, proposals must include collaborative activities to support the development of the fellow's capacity for research leadership in the arts and humanities.

Applications are welcomed for research in any subject area within the AHRC's remit. The scheme provides funding for a period of between 6 and 18 months for projects with a full economic cost of between £50,000 and £250,000. Please see website for details. w www.ahrc.ac.uk/funding/opportunities/current/leadershipfellows

Sentencing Council consultations

The Sentencing Council is seeking feedback on two sets of proposed new guidelines for sentencing: on offences involving knives and other offensive weapons (closing date **6 January 2017**); and on breach of court order offences (closing date **25 January 2017**). Full details can be found on the website. w www.sentencingcouncil.org.uk/consultations

Exploring access to and experiences of restorative justice for BAME children and young people who offend

The Restorative Justice Council (RJC) is working on a research project to gain a better understanding of the access to and experiences of restorative justice for BAME (black, Asian and minority ethnic) young people who have offended. The objective of the project is to increase the number of BAME young people in the youth justice system accessing restorative justice and improve the experiences of those that do. This will include developing practical solutions for the restorative practice field and making recommendations for future policy development.

Currently, there is a lack of information in relation to BAME young people in the youth justice system.¹ It is, however, well established that there is an over-representation of BAME young people in the youth justice system, particularly in London and, to a lesser degree, the West Midlands. In addition, the experiences of some BAME groups in the criminal justice system have also been highlighted. For example, some BAME groups have experienced negative stereotyping during their time in the justice system,² while a study carried out by the Black Training and Enterprise Group (BTEG) shows not only an over-representation of BAME offenders but also that their distinct needs are not being addressed.³ Moreover, a greater proportion of BAME young people receive custodial sentences and a smaller proportion receive community sentences compared with white young people.⁴

Within this broader issue, restorative practitioners have suggested that there are specific challenges in engaging BAME young people who offend in restorative justice and in delivering restorative interventions with this group.⁵ Restorative justice can be used in many forms throughout the youth justice system to reduce reoffending and help reintegrate the young person back into the community. If there are barriers to accessing restorative justice for BAME young people who have offended, then this group will not access the well-evidenced benefits of taking part.

The findings of this research project will highlight the barriers there are to BAME young people accessing restorative

practice in the youth justice system and what can be done to address them. This work will contribute to the current focus on BAME defendants in the criminal justice system.⁶

At present, there is a worrying lack of information on the take-up of restorative justice among BAME young people who have offended. The forthcoming RJC report will therefore provide a valuable contribution to knowledge in this area.

Please see the RCJ's website for further details of this project and the RCJ's work in general.
 w www.restorativejustice.org.uk

Muna Sabbagh

- 1 *The Young Review: Improving outcomes for young black and/or Muslim men in the criminal justice system* w www.youngreview.org.uk/sites/default/files/clinks_young-review_report_dec2014.pdf, 11
- 2 BTEG and Clinks (2014) *The Young Review: Improving outcomes for young black and/or Muslim men in the Criminal Justice System* [Online] w www.youngreview.org.uk
- 3 BTEG (2103) *How to Improve Outcomes for BAME Offenders: A guide for commissioners and providers*
- 4 Youth Justice Statistics 2014/15 England and Wales (2015) *Youth Justice Board/Ministry of Justice, Statistical Bulletin*
- 5 RJC meeting with restorative practitioners, March 2015
- 6 *Lammy Review of BAME Representation in the Criminal Justice System: Call for evidence* (March 2016) w <https://consult.justice.gov.uk/digital-communications/lammy-review-of-bame-representation-in-cjs>

The newsletter needs you

The next copy deadline is **30 January 2017**. Please send your

- news
- publications
- research
- new jobs/promotions/awards
- articles
- events and
- ... anything else of interest to socio-legal colleagues

to Marie Selwood e marieselwood@btinternet.com or t 01227 770189.

- **WHAT'S WRONG WITH HUMAN RIGHTS?**
22 November 2016: ArtsOne Building, Queen Mary University of London, Mile End Road, London
Speaker: Joshua Rozenberg QC (hon). Please see website for details.
w www.eventbrite.co.uk/e/human-rights-collegium-lecture-whats-wrong-with-human-rights-tickets-27430921625
- **SLSA/IALS/BL NATIONAL TRAINING DAY: SOCIO-LEGAL SOURCES AND METHODS IN INTERNATIONAL LAW**
25 November 2016: Institute of Advanced Legal Studies, Russell Square, London
Enquiries to e ials.events@sas.ac.uk or see website for details.
w <http://bit.ly/21D9qnt>.
- **LSAANZ ANNUAL CONFERENCE: DISRUPTION, TEMPORALITY, LAW – THE FUTURE OF LAW AND SOCIETY SCHOLARSHIP**
30 November–3 December 2016: Griffith Law School, Brisbane
Please see website for details. w www.lsaanz.org
- **THE CIRCULAR ECONOMY IN POST-BREXIT UK**
1 December 2016: Westminster Forum, London
Please see website for details of this free event chaired by Andreas Philippopoulos-Mihalopoulos. w www.westminster.ac.uk/events/circular-economy-in-a-post-brexit-uk
- **SOCIETY, LAW AND LEGAL CULTURE**
1–2 December 2016: Zagreb, Croatia
Please see website for details. w <http://soclawzagreb.pravo.hr>
- **SCIENCE AND JUSTICE: THE FAMILY COURTS**
3 December 2016: Gordon Museum of Pathology, Guy's Campus, King's College, London
Please see website for details. w www.bafs.org.uk
- **POLICING OF/THROUGH FLOWS**
5–6 December 2016: Museum of London
Please see website for details. w www.law.qmul.ac.uk/events/items/185080.html
- **MAKING THE LINKS: NEW DIRECTIONS FOR SOCIAL RESEARCHERS**
6 December 2016: British Library, London
Social Research Association conference. Please see website for details.
w <http://the-sra.org.uk/events>
- **CONSTITUTIONALISM IN A POST-LIBERAL, POST-DEMOCRATIC SOCIETY**
9 December 2016: Wolfson College, Oxford
See website for details. w www.fljs.org/post-democratic-society
- **LASSNET CONFERENCE 2016: 4TH EDITION**
10–12 December 2016: Jawaharlal Nehru, Delhi, India
Please see website for details. w www.lassnet.org/lass2016call-for-papers.html

- **LAW, HUMAN RIGHTS AND RELIGION: FLASHPOINTS**
12 December 2016: Nottingham Law School, Nottingham Trent University
Please see website for details. w www.ntu.ac.uk/apps/events/3/home.aspx/event/187305/default/Law_Human_Rights_and_Religion_Flashpoints
- **THEORISING LABOUR LAW IN A CHANGING WORLD: NEW PERSPECTIVES AND APPROACHES**
13–14 December 2016: Maastricht University, Netherlands
Please see website for details. w www.labourlawresearch.net/events/theorising-labour-law-changing-world-new-perspectives-and-approaches
- **TRACKING PEOPLE: SCOPING THE LANDSCAPE AND DEBATES ACROSS DOMAINS**
14 December 2016: University of Leeds
This is the first in a series of events relating to electronic tracking / monitoring; for a full list of events visit the website.
w <http://trackingpeople.leeds.ac.uk>
- **CULTURAL EXPERTISE IN SOCIO-LEGAL STUDIES AND HISTORY**
15–16 December 2016: Centre for Socio-Legal Studies and Maison Française, Oxford
Please see flyer for details. w www/slsa.ac.uk/images/2016summer/CFP-CE-23.07.16-1.pdf
- **THE ROLE OF TAXATION AND OTHER ECONOMIC INCENTIVES IN PROMOTING HEALTHIER LIFESTYLES: A FOCUS ON TOBACCO, ALCOHOL AND UNHEALTHY DIETS**
16–17 January 2017: University of Liverpool, London Campus
Organisers: Professor Amandine Garde and Professor Alberto Alemmano. Please see website for details. w www.liverpool.ac.uk/law-and-social-justice/conferences-and-events/the-role-of-taxation-and-other-economic-incentives-in-promoting-healthier-lifestyles
- **DESIGNING GENDER RESEARCH: METHODS AND CHALLENGES: CALL FOR PAPERS**
22 February 2017: Ulster University, Belfast Campus
This is the Transitional Justice Institute Postgraduate and Early Careers Workshop 2017. Closing date: 12 December 2016. Please see website for details. w www.ulster.ac.uk/ulster-life/events/transitional-justice-institute/designing-gender-research-methods-and-challenges-call-for-short-papers
- **CHALLENGING HUMAN RIGHTS DISENCHANTMENT 50 YEARS ON FROM THE ICCPR AND ICESCR**
27 January 2017: Sussex Centre for Human Rights, University of Sussex, Brighton
Please see website for details. w www.sussex.ac.uk/schrr/forthcoming/challenging-human-rights
- **PROPERTY IN THE CITY**
3–4 March 2017: University of British Columbia, Vancouver
Please see website for details. w www.allard.ubc.ca/property-city-call-papers

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Special Issue: Regulating abortion: dissensus and the politics of rights

- Introduction – Siobhán Mullally and Claire Murray (eds)
- Talking about abortion – Carol Sanger
- The Protection of Life During Pregnancy Act 2013: suicide, dignity and the Irish discourse on abortion – Claire Murray
- Gender in constitutional discourses on abortion: looking at Spain from a comparative perspective – Blanca Rodriguez-Ruiz
- Advocating abortion rights in Northern Ireland: local and global tensions – Catherine O'Rourke
- 'Killing unborn children?': The Catholic church and women's reproductive rights in Poland since 1989 – Dorota Szelewa
- Abortion rights as human rights – Rachel Diane Rebouche

SLSA Mentoring Awards

Applications are invited for these awards aimed at supporting travel and accommodation for SLSA members who wish to visit and spend up to a week working with a chosen mentor. Applicants must be paid-up members of the SLSA who are not currently undertaking a PhD.

Full details are available at w www.slsa.ac.uk/index.php/prizes-grants-and-seminars/mentoring.

Enquiries about this scheme should be directed to e admin@slsa.ac.uk.

There are three annual deadlines for this scheme: **1 October, 1 February and 1 June.**

● **DEMOCRACY BEYOND ELECTIONS: EMPOWERING CITIZENS, STRENGTHENING PARTICIPATION**

17–18 March 2017: Law School, University of Bristol

Please see the conference website for more information.

www.bristol.ac.uk/law/dbe

● **COMMONWEALTH LEGAL EDUCATION ASSOCIATION: COMMONWEALTH LAWYERS OF THE FUTURE**

21–24 March 2017: Melbourne, Australia

See website for details. www.clea-web.com/events-conferences/melbourne-2017

● **HOUSING LAW RESEARCH NETWORK 3RD ANNUAL HOUSING LAW SYMPOSIUM: HUMAN RIGHTS, HOUSING AND DISPUTE RESOLUTION: CALL FOR PAPERS**

23–24 March 2017: Malmö University, Sweden

Closing date: 1 January 2017. Please see flyer for details.

http://slsa.ac.uk/images/2016winter/HLRN_Malmö_Symposium_2017.pdf

● **MODERN STUDIES IN PROPERTY LAW PUBLICATION WORKSHOP: CALL FOR PAPERS**

10 April 2017: Queen's College Cambridge

Call closes: 30 November 2016. See website for details. www.slsa.ac.uk/images/2016winter/Call_for_papers_MSPL-1_1.doc

● **ASSOCIATION OF LAW TEACHERS CONFERENCE 2017: CALL FOR PAPERS AND POSTERS**

10–11 April 2017: University of Portsmouth

Deadlines: papers 12 December 2016; posters 27 February 2017. See website for details. www.port.ac.uk/school-of-law/school-events/association-of-law-teachers-conference-2017

● **UNREGISTERED MUSLIM MARRIAGES: REGULATIONS AND CONTESTATIONS**

24–25 April 2017: De Montfort University Leicester

Please see flyer for details. http://slsa.ac.uk/images/2016spring/Unregistered_Marriages_Symposium_April_2017-1.pdf

● **4TH WINCHESTER CONFERENCE ON TRUST, RISK, INFORMATION AND THE LAW: CALL FOR PAPERS**

3 May 2017: Winchester Business School, University of Winchester

Keynote speakers: Professor Katie Atkinson, University of Liverpool, and John McNamara, IBM Senior Inventor. Call closes: 27 January 2017. Please see website for details. http://store.winchester.ac.uk/browse/extra_info.asp?compid=1&modid=2&deptid=10&catid=11&prodid=379

● **INTERNATIONAL TRADE AND INVESTMENT**

9–10 May 2017: University of Oslo, Norway

Please see website for details. www.jus.uio.no/ifp/english/research/projects/smart/events/conferences/trade-and-investment.html

● **6TH ANNUAL INTERNATIONAL CONFERENCE ON LAW, REGULATIONS AND PUBLIC POLICY: CALL FOR PAPERS**

5–6 June 2017: Hotel Fort Canning, Singapore

Call closes: 25 November 2016. Please see website for details.

www.law-conference.org/index.html

● **LEGAL EDUCATION, LEGAL PRACTICE AND TECHNOLOGY: CALL FOR PAPERS**

16–17 June 2017: Nottingham Law School, Centre for Legal Education

Call closes: 6 February 2016. Please see website for details.

www.nlscl.org.uk/cle-conference-2017-fifth-anniversary-call-papers

● **LAW AND SOCIETY ASSOCIATION ANNUAL MEETING**

20–23 June 2017: Sheraton Maria Isabel, Mexico City

Theme: Walls, borders, and bridges: law and society in an interconnected world. There are up to five SLSA student travel bursaries available for this SLSA co-sponsored event. See http://slsa.ac.uk/index.php/students#LSA. See website for further conference details. www.lawandsociety.org

● **W G HART LEGAL WORKSHOP ON LAW, SOCIETY AND ADMINISTRATION IN A CHANGING WORLD: CALL FOR PAPERS**

10–11 July 2017: Institute of Advanced Legal Studies

Closing date: 31 December 2016. See flyer for details.

http://slsa.ac.uk/images/2016winter/WG_Hart_Workshop_2017_Call_for_Papers.pdf

● **INTERNATIONAL SOCIETY FOR FAMILY LAW 16TH WORLD CONFERENCE: CALL FOR PAPERS**

27–29 July 2017: Vrije Universiteit of Amsterdam

Call closes: 15 January 2017. Please see website for details.

http://acfl.nl/en/isfl-2017-call-for-abstracts

SLSA Research Training Grants

Applications are invited for these grants aimed at supporting training in social science research methods and the use of data analysis software (eg SPSS and NVivo) for SLSA members who do not possess but wish to acquire these skills and do not have access to sources of institutional support to do so. The grants will cover the cost of attendance at a relevant training course offered by an established provider. See, for example, the courses offered by the National Research Methods Training Centre at the University of Southampton www.ncrm.ac.uk.

Eligible applicants will be members of the SLSA who are early or mid-career researchers and not currently undertaking a PhD. Full details are available at www.slsa.ac.uk/index.php/prizes-grants-and-seminars/slsa-research-training-grants.

There are three annual deadlines for this scheme: 1 October, 1 February and 1 June.

Journal of Law and Society (winter 2016)

Articles

- If the state decertified gender, what might happen to its meaning and value? – Davina Cooper and Flora Renz
- Political reliability and the Chinese bar exam – Rachel Stern
- European data protection regulation and online new media: mind the enforcement gap – David Erdos
- Driving priorities in risk-based regulation: what's the problem? – Robert Baldwin and Julia Black
- Judicial activism in the name of the nation: renegeing on the integration of immigrants in Greece – Dia Anagnostou
- Sociology of law in Germany: reflection and practice – Alfons Bora

Review articles

- The new interdisciplinary forensic science – Paul Roberts
- The problem with 'what is . . .' questions, the literalism of Islamic law, and the importance of being Islamic – Mairaj Syed

Newsletter advertising

We have a limited amount of space available in the newsletter for advertisements. Rates are as follows (no VAT to add).

- back cover: £650
- inside back cover: £500
- other inside whole pages (excluding pages 2 and 3) £400
- half page: £200
- quarter page: £100
- inserts: £350 (for 1700 inserts supplied by advertiser)

Contact e marieselwood@btinternet.com.

Books

ReValuing Care in Theory, Law and Policy: Cycles and connections (2017) Rosie Harding, Ruth Fletcher and Chris Beasley (eds), Routledge £85 258pp

Care is central to life and yet is all too often undervalued, taken-for-granted and hidden from view. This collection of 14 essays, along with its 'Introduction', seeks to explore, in four key ways, the different dimensions of care that shape social, legal and political contexts. First, contributions expand contemporary theoretical understandings of the value of care by reflecting upon established conceptual approaches and developing new ways of using them. Second, it draws on a wide range of methods (doctrinal, ethnographic, empirical and biographical). Third, the book enlarges the usual subjects of care research beyond the more typical focus on familial interconnection to include professional care contexts, care by strangers, and care for and about animals. Finally, it draws on contributions from academics in Europe and Australia, across law, anthropology and other disciplines to outline a new and nuanced approach to care.

Leaks, Whistleblowing and the Public Interest: The law of unauthorised disclosures (2016) Ashley Savage, Edward Elgar £76.50 304pp

This book is the first of its kind to provide an in-depth treatment of the law of unauthorised disclosures in the UK. Drawing upon extensive data obtained using freedom of information as a methodology and examples from comparative jurisdictions, the book considers the position of civil servants, employees of the security and intelligence services and service personnel in the armed forces. It considers the protections available, the consequences of leaking and a full assessment of the authorised alternatives. Applying a comparative analysis on law and practices, combined with extensive data, this book considers the legal consequences for public servants who make unauthorised disclosures of official information and the protections available for whistleblowers.

Authority in Transnational Legal Theory: Theorising across disciplines (2016) Roger Cotterrell and Maksymilian Del Mar (eds), Edward Elgar £85.50 448pp

The increasing transnationalisation of regulation – and social life more generally – challenges the basic concepts of legal and political theory today, one of which is authority. This book offers a plenitude of resources and suggestions for meeting that challenge. Chapters by leading scholars confront the limits of traditional state-based conceptions of authority and propose new frameworks and metaphors. They also reflect on the methodological challenges of the transnational context, including the need for collaboration between empirical and conceptual analysis and the value of historicising authority. Examining the challenge offered by transnational authority in a range of specific contexts, this volume analyses the relations between authority, legitimacy and power and considers the implications of thinking about authority for other key concepts in transnational legal theory.

Religious Freedom, Religious Discrimination and the Workplace (2016) Lucy Vickers, Hart £40 320pp

This book considers the extent to which religious interests are protected at work, with particular reference to the protection against religious discrimination provided by the Equality Act 2010. It establishes a principled basis for determining the proper scope of religious freedom at work and considers the interaction of freedom of religion with the right not to be discriminated against on grounds of religion and belief. The book locates the debates surrounding religion and belief equality within a philosophical and theoretical framework in which the importance of freedom of religion and its role within the workplace are fully debated. This second edition is fully revised and updated.

Unleashing the Force of Law: Legal mobilization, national security, and basic freedoms (2016) Devyani Prabhat, Palgrave Macmillan £70 240pp

Basic freedoms cannot be abandoned in times of conflict, or can they? Are basic freedoms routinely forsaken during times when there are national security concerns? This book uses multi-jurisdiction empirical data and draws on cause-lawyering, political-lawyering and Bourdieusian juridical field literature to analyse the invocation of legal norms aimed at the protection of basic freedoms in times of national security tensions. It asks three questions about the protection of basic freedoms. When do lawyers mobilise for the protection of basic freedoms? In what kind of mobilisation do they engage? And how do the strategies they adopt relate to the outcomes they achieve? Covering the last five decades, the book focuses on the 1980s and the 2000s through an analysis of legal work for two groups of independence seekers (Republican separatists in Northern Ireland and Puerto-Rican separatists in the US) and on post-9/11 issues in both countries.

Environmental Justice in India: The National Green Tribunal (2017) Gitanjali Nain Gill, Routledge £90 238pp

Modern environmental regulation and its complex intersection with international law has led many jurisdictions to develop environmental courts or tribunals, including developing countries, such as Bangladesh, Kenya and Malawi. This book explores the genesis, operation and effectiveness of the Indian National Green Tribunal (NGT) and has four objectives. First, to examine the importance of access to justice in environmental matters promoting sustainability and good governance. Second, to provide an analytical and critical account of the judicial structures that offer access to environmental justice in India. Third, to analyse the establishment, working practice and effectiveness of the NGT in advancing a distinctively Indian green jurisprudence. Finally, to review the success of and challenges faced and overcome by the NGT resulting in growing usage and public respect for its commitment to environmental protection and the welfare of the most affected people.

A Transnational Study of Law and Justice on TV (2017) Peter Robson and Jennifer L Schulz (eds), Hart £79.99 384pp

This collection examines the coverage of law and justice on television in different countries around the world. It provides a benchmark for further study of the nature and extent of television coverage of justice in fictional, reality and documentary forms. It does this by drawing on empirical work from a range of scholars in different jurisdictions. Each chapter looks at the raw data of how much 'justice' material viewers were able to access in the multi-channel world of 2014, looking at three phases – apprehension (police); adjudication (lawyers); and disposition (prison/punishment). All of the authors indicate how television has developed in their countries. Some have extensive public service channels mixed with private media channels. Financing ranges from advertising to programme sponsorship to licensing arrangements. Some countries have mixtures of these. Each author also examines how 'TV justice' has developed in each different jurisdiction.

The Future Regulation of Work: New concepts, new paradigms (2016) Nicole Busby, Douglas Brodie and Rebecca Zahn (eds), Palgrave Macmillan £70 245pp

Labour law is in crisis. Global economic factors and the changing contours of work and workplace relations have led to a reorientation of the social, economic, political and cultural environment within which labour law has developed. This is not a jurisdictional problem, but rather is deeply entrenched in transnational development. Solutions must recognise and mobilise the transformational shift that has taken place over recent decades. Law should be viewed as a force for and a facilitator of change, capable of expressing and determining social relations. The essays in this book explore the challenges

posed by labour law's potential reinvention as a discipline fit for accommodating and investigating such change within a range of different but connected jurisdictional and regulatory concepts and paradigms.

Extending Working Life for Older Workers: Age discrimination law, policy and practice (2016) Alysia Blackham, Hart £55 208pp

The UK population is ageing rapidly. While age discrimination laws are seen as having broad potential to address the 'ageing challenge' and achieve instrumental and intrinsic objectives in the context of employment, it is unclear what impact they are having in practice. This monograph addresses two overarching research questions in the employment field. How are UK age discrimination laws operating in practice? And how (if at all) could UK age discrimination laws be improved? A reflexive law theoretical standpoint is employed to investigate these issues, applying a mixed-methods research design that engages qualitative, quantitative, doctrinal and comparative elements. The book demonstrates the substantial limitations of the Equality Act 2010 (UK) for achieving instrumental and intrinsic objectives. Drawing on qualitative expert interviews, statistical analysis and organisational case studies, it illustrates the failure of age discrimination laws to achieve attitudinal change in the UK, and reveals the limited prevalence of proactive measures to support older workers.

Ethical Judgments: Re-writing medical law (2016) Stephen Smith, John Coggon, Clark Hobson, Richard Huxtable, Sheelagh McGuinness, José Miola, Mary Neal, Hart £34.99 272pp

This edited collection is designed to explore the ethical nature of judicial decision-making, particularly relating to decisions in the health/medical sphere, where judges are often called upon to make decisions in cases containing an explicit ethical component. However, judges do not receive any specific training in ethical decision-making and often disown any place for ethics in their decision-making. Consequently, decisions made by judges do not present consistent or robust ethical theory, even when cases appear to rely on moral claims. The project explores this dichotomy by imagining a world in which decisions by judges have to be ethically as well as legally valid. Nine specific cases are reinterpreted in light of that requirement by leading academics in the fields of medical law and bioethics. Two judgments are written in each case, allowing for different views to be presented. Two commentaries – one ethical and one legal – then explore the ramifications of the ethical judgments and provide an opportunity to explore the two judgments from additional ethical and legal perspectives. These four different approaches allow for a rich and varied critique of the decisions and ethical theories and issues at play in each case.

Towards a Rhetoric of Medical Law (2017) John Harrington, Routledge £85 190pp

Challenging the dominant account of medical law as normatively and conceptually subordinate to medicine or bioethics, this book provides an innovative account of medical law as a rhetorical practice. The aspiration to provide a firm grounding for medical law in ethical principle has not yet been realised. Rather, legal doctrine is marked, if anything, by increasingly evident contradiction and indeterminacy that are symptomatic of the inherently contingent nature of legal argumentation. Against the idea of a timeless, placeless ethics as the master discipline for medical law, this book demonstrates how judicial and academic reasoning seek to manage this contingency, through the deployment of rhetorical strategies, persuasive to concrete audiences within specific historical, cultural and political contexts. Informed by social and legal theory, cultural history and literary criticism, John Harrington's careful reading of key judicial decisions, legislative proposals and academic interventions offers an original, and significant, understanding of medical law.

'Looking for a critical, interdisciplinary publisher?'

The Social Justice Book Series is published by Routledge; Davina Cooper, Sarah Keenan, and Sarah Lambie are its academic editors. The series welcomes new manuscripts and book proposals. We are also happy to talk about the series with authors whose book projects are at an early stage.

The aim of the series is to publish books that contribute to diverse interdisciplinary conversations, including about law, power, space, time, institutions and everyday life from critical, progressive and/or transformative perspectives. Current authors include Nicholas Blomley, Margaret Davies, Lucy Finchett-Maddock, Rosie Harding, Shona Hunter, Sarah Keenan, Mariana Valverde and Aleardo Zanghellini. We have also published a range of edited collections.

Aspiring to develop new conversations across different disciplines and fields, Social Justice seeks contributions that are open, engaging and which speak to a diverse academic audience across law, social sciences and the humanities.

For more information, see www.routledge.com/Social-Justice/book-series/RCSOCJ.
Davina Cooper

Law and Sense Series

The Westminster Law and Theory Lab has published the third working paper in its Law and Sense Series. Following 'Taste' and 'Smell', this issue explores the sense of touch in relation to the law and normativity. With contributions by Naomi Segal, Jan Hogan, Moritz Von Stetten and Michelle LeBaron, this issue attempts to reconsider the relation between the tactful intrusiveness of the law and the untactful movement of touch. See www.westminster.ac.uk/westminster-law-and-theory-lab/publications/the-westminster-law-and-the-senses-series.

Hart discounts for SLSA members

Hart Publishing is offering SLSA members discounts on three new publications. **Temporary Labour Migration in the Global Era: The regulatory challenges**, edited by Joanna Howe and Rosemary Owens (£85) is the latest in the Onati International Series in Law and Society. **Economic, Social and Cultural Rights in International Law** by Manisuli Ssenyonjo (£80) is a new edition which addresses developments since the first edition was published in 2009. And **Legal Insanity and the Brain: Science, law and European courts** edited by Sofia Moratti and Dennis Patterson (£44.99) is a comparative and interdisciplinary study of criminal insanity and neuroscience. For a 20 per cent discount on the above prices, enter the code CV7 when you order online.

Calling all SLSA grantholders and Seminar Competition winners: 2000 to 2016

The SLSA Executive Committee would like to include as much information as possible on the SLSA website about outcomes from SLSA research grant projects and SLSA-sponsored seminars since the schemes were launched in 2000 and 2007 respectively. The schemes currently have a total annual budget of up to £25,000 and their popularity is evident in the number of awards made: 109 grants since 2000; and 21 events since 2007. The new website page is already taking shape, but we are keen for more members to contact us with details of their SLSA-supported publications.

If you have been the recipient of an SLSA grant or seminar award that resulted in a publication, we would be grateful if you could send details so that they can be uploaded to our new research outcomes page of the website at www.slsa.ac.uk/index.php/past-grantholders?id=257

Please send details to marieselwood@btinternet.com.

SLSA Annual Conference 2017: 'Visions of Law'

Newcastle University, 5-7 April 2017

We look forward to
welcoming you to our
campus, located in the
heart of Newcastle



For more information and the call for papers, see www.slsa2017.com or contact the organisers Nikki Godden-Rasul and Kevin Crosby slsa@ncl.ac.uk