Socio-Legal
NEWSLETTER No 57 SLSA
THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION SPRING 2009

GOODBYE TO ALL THAT

The RAE is gone and we await its successor with interest. Meanwhile, SLSA chair Sally Wheeler looks back at the RAE from a socio-legal viewpoint and forward to the place of socio-legal research in the new framework.

The end of an era is upon us. The RAE, which has shaped our publishing lives since 1992, driven appointments and influenced our development strategies, will be replaced by the REF (Research Excellence Framework) for the next selectivity exercise. We do not know what the REF will look like, although many of us have views as to what it should look like or at least the factors that should shape it. It may look quite like the RAE for those of us in the social sciences but very different for other subject groupings. The REF will begin from the starting point of the last RAE that one size does not fit all and that different academic pathologies require different assessment and measurement. The arrival of the REF will presumably signal the creation of new games/strategies, or adaptation, perhaps, of those that have gradually evolved over successive RAEs as senior academics and managers at institutional level have sought to maximise their returns. While there are those who have bemoaned this 'gaming' of the process, socio-legal research, of course, tells us that this is an obvious outcome – creative compliance is the response to regulation. Assessors and HEIs have been engaged in a lobster quadrille of sorts for the last 16 years and will now join each other in a new dance.

The 16 years of the RAE have been very good for socio-legal studies as long as work has been submitted within a unit returned to the law panel or sub-panel. Law and economics has not been able to embed itself as a disciplinary focus in the UK in the same way as it has in the US and that must in some way be attributable to the concerns and interests of the economics panel. The general composition of the sociology, social policy, politics and psychology panels and sub-panels in successive RAEs does not reflect a huge interest in socio-legal studies among those disciplines. This is something which is reflected in the SLSA membership as well and which our recruitment officer, Alison Dunn, has been working very hard to change. It is also something that the Nuffield Inquiry drew attention to and it is to be hoped that the recommendations it made to address this discrepancy will be implemented.

The 1996 RAE assessment criteria for law referred to there being no distinction between strategic and applied research and to international excellence being defined as 'a primary reference point in its field'. Together with the membership composition of the panel, this was the exercise that marked the beginning of the rise of socio-legal studies to occupy the mainstream within work submitted by law schools to the law panel. In 2001 the position of socio-legal studies within the centre of the discipline of law was made even clearer by an explicit panel statement in the Unit of Assessment descriptor including work of a theoretical and/or empirical character alongside doctrinal work. Also of assistance was repetition of the fact that locus of publication did not matter. Anecdotally it seems that this was still not accepted by some institutions who continued to insist that academics should choose particular publication outlets for their work. One hopes that this has not continued through to RAE 2008 as it is hard to see how successive panels could have made this point any clearer through either the assessment criteria adopted or subject overview feedback supplied.

Despite misgivings to the contrary from some learned societies and HEIs, it is the case that interdisciplinary work, submitted in law at least, scored very highly. As a sub-panel member in 2008, I lost count of the number of times something was described as 'highly original socio-legal studies', or 'socio-legal studies at its best'. While it is patently not the case that all socio-legal work is of this standard, it is clear that there is some absolutely world-class work being done by scholars, some of whom are nearer the start of their careers than the end. Work of this quality was rewarded with the top grade of 4*. RAE 2008 insisted that each output of each individual submitting scholar was assessed. This meant that it was possible to see a much more nuanced picture in the profile of each unit. The overall profile may not show this but once institutions examine the profiles supplied for each of the three heads of assessment (output, environment and esteem) they will see that pockets of excellence exist across a large number of law schools. This distribution of excellence is something to be valued and something that we must work hard to ensure is captured in the REF methodology.

It seems to me that, while the presence of competitively awarded grants is not something the law panel rewards of itself, the outputs from this type of funding score extremely well in terms of their originality, significance and rigour. This type of work takes considerable time and we must lobby to ensure that whatever form the REF takes, it recognises this. Likewise desk-based theoretical work that interrogates ideas and schema pulled from other disciplines and integrates them into legal analysis scores very well on originality, significance and rigour. I use the term 'analysis' here advisedly because what does not do as well as a submission is work that is simply deconstructive polemic. There is no dispute that this type of work has its place within the life of the academy, however, it does not do well when what is being asked for is work that is the very best in its field. The gold standard is well analysed, well referenced, original work with an argument that persuades or even convinces, set in a well explained context. Originality without more is not appealing. It is not sufficient to say simply that something is the best in its field because no one else has done it. The best submissions are original and rigorous and explanatory tours de force.

SLSA annual conference

7–9 April 2009, De Montfort University, Leicester

There's still plenty of time to book your place at our 2009 conference in Leicester. The conference organisers Trevor Buck and Gavin Dingwall are looking forward to welcoming delegates in the spring.

For the third year running, the event is being organised around a combination of streams (23) and keywords (8) (details on p 15). The organisers have also arranged a morning tour of the city before the start of the conference; dinner at Las Iguanas restaurant (sponsored by DMU Department of Law); and the SLSA annual dinner and prizegiving at the Walker's Stadium, home of Leicester City Football Club.

For full details, go to **w** www.slsa.ac.uk and follow the link to the conference website.

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Next copy deadline: **25 May 2009**
Next publication date: **29 June 2009**

www.slsa.ac.uk

The SLSA website contains information about the SLSA and its activities The bulletin board is updated almost daily and is, for many people, the first port of call for information on events and other activities in the socio-legal community. Contact Marie Selwood **e** marieselwood@btinternet.com.

Disclaimer

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

 ISSN: 0957-7817

AGM 2009 AND EXECUTIVE COMMITTEE VACANCIES

The SLSA's AGM will be held at our conference at De Montfort University in Leicester during the lunchtime session on Wednesday **8 April 2009**. Annual reports from officers will be submitted at the meeting and all members are warmly invited to attend. Some members of the Executive Committee are coming to the end of their terms of office and volunteers are needed to fill their places. To be considered for one of the vacancies, please visit the Executive Committee page on the SLSA website where there is information about nominations. If you have any queries about the work of the Executive Committee you are welcome to contact the SLSA chair or any other committee member. Full contact details are on the website and on page 2 opposite.

COMPLIMENTARY COPIES OF SOCIO-LEGAL NEWSLETTER

Back issues of the *Socio-Legal Newsletter* from 2008 are still available. We would like to distribute these to non-members in order to raise awareness of the SLSA and its work. If you are organising an event and would like some newsletters to distribute to delegates, or if you would like newsletters for any other reason, eg to give out to students, please contact Marie Selwood stating how many copies you would like. **e** marieselwood@btinternet.com

NEW SLSA FACEBOOK GROUP

The SLSA has recently set up a Facebook group. The aim of the group is to exchange information about forthcoming events, conferences and news. Members of Facebook can request to join this group and receive updates, network with other members and obtain information relating to the SLSA. We hope to see you on there. Go to: **w** www.facebook.com/event.php?eid=56995977844#/group.php?gid=55986957593. ***Marian Duggan***

SLSA POSTGRADUATE CONFERENCE 2009

The SLSA postgraduate conference took place on 22 and 23 January at Birkbeck in London. The conference was fully booked and 50 postgraduates, mostly in their first year of study, took advantage of the free event, including accommodation at a central London hotel and a complimentary dinner.

Attendees were divided into two groups of 25 to allow for good feedback and discussion in sessions. All delegates benefited from seven sessions delivered by senior socio-legal academics. The sessions were: supervising your supervisor; developing your academic career; presenting your work; getting published (which proved the most popular); a showing of the *Good Viva* DVD (produced by Birkbeck); managing your time across PhD cycles; and socio-legal career trajectories.

When asked what they most liked about the conference most students reported that they liked the informal atmosphere and the opportunities to talk to established staff about their research and future career prospects.

The SLSA is extremely grateful to Fiona Cownie, Tony Bradney, Morag McDermont, Daniel Monk, Dave Cowan, Sally Wheeler, Cathy Andrews and Linda Mulcahy for leading sessions at the conference. Special thanks are due to Linda Mulcahy for organising the two-day event.

Next year, the conference will be held at the University of Bristol. Full details will be published when available.

SLSA ONE-DAY CONFERENCE: SOCIO-LEGAL STUDIES AND THE HUMANITIES

This event took place at the Institute of Advanced Legal Studies, London, on 5 November 2008 – thanks are due to the IALS for its generous support. The conference aimed to explore the relationship between the humanities and socio-legal studies. Thirty-eight delegates heard 18 papers in two chaired streams, plus a keynote presentation by Melanie L Williams, professor of literary jurisprudence at the University of Exeter.

Professor Williams underlined the importance of studying the connection between law and the humanities with a critique of Howarth's view that such study was 'noise from the playground' and risked interfering with those trying to work in law. Suitably provoked, the presenters, from seven countries worldwide, made much useful noise.

Papers addressed a wide range of themes across various methodological approaches and considered diverse humanities such as history, literature and art. One-third of papers addressed the visual arts, vindicating one of the objectives of the conference which was to break away from what Douzinas and Nead call the 'excessive logonomocentrism' of much of the law and literature genre. Many of these papers considered how law and visual culture shape the legal subject. The remaining papers, while focused mainly on literature (poetry, novels and plays), also helped emphasise the social, political and economic contexts by which to understand law and its processes, institutions and actors. Given that the 18 papers were selected from 48 abstracts across 12 countries, and given such high attendance (also in the face of refusing registration to late-comers), the conference underlines the burgeoning state of socio-legal studies and the humanities.

The programme and abstracts are available at **w** www.slsa.ac.uk and follow the events link.

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If you would like to organise a one-day conference with the support of the SLSA, please contact Sally Wheeler ***e*** *s.wheeler@qub.ac.uk.*

SLSA STATEMENT OF PRINCIPLES OF ETHICAL RESEARCH PRACTICE

Since its early days, the SLSA Executive Committee has sought to provide guidance to scholars concerned about conducting research in an ethical fashion. The SLSA's first ethics code was drafted in 1993 by a sub-committee led by Kim Economides. It was subsequently reviewed and updated in 2000 by Andy Boon (sub-committee chair), John Flood and Helen Carr and in September 2004 the SLSA held a one-day conference on new ethical challenges in socio-legal research organised by Anne Barlow. In 2007, the ethics sub-committee submitted a review of the existing code to the Executive Committee recommending that some sections be redrafted and the amended document put out to consultation to the membership. This task was taken forward in 2008 and consideration was given to contributions from members. At the January 2009 Executive Committee meeting the the new Statement of Principles of Ethical Research Practice was agreed. The current committee membership is Bettina Lange, Dermot Feenan, Dave Cowan and Vanessa Munro. Also involved in the revising process were Julian Webb and Anne Barlow. The statement has now been published on the SLSA website: **w** www.slsa.ac.uk and click on the Ethics Statement link in the main menu.

The Researcher Development Initiative at Liverpool Law School: update

Overview

As reported in the newsletter last year (SLN 54:9), in 2007 Liverpool Law School secured funding through the ESRC Researcher Development Initiative (RDI) to develop a workshop programme – Building Capacity in Empirical Socio-Legal Research (ESLR). The 26-month project began in January 2008.

The programme takes the form of six workshops run over an 18-month period, on a quarterly basis. It aims to encourage and develop empirical socio-legal research amongst academics and researchers across the social sciences. This is achieved through introducing participants to a variety of 'real life' empirical socio-legal research projects, taking them through the entire research process: from project inception, operationalisation and administration to publication and dissemination. The programme seeks to provide an introduction to generic social science methods, approaches and techniques whilst also going further, through showing how these 'tools' can be used to undertake sound empirical socio-legal research within a modern HE context. Issues such as managing research staff, incorporating empirical socio-legal research in undergraduate programmes and engaging stakeholders will also be explored. Each workshop will have a series of short 'first-hand' presentations from leading academics and researchers that will provide an insight into the benefits and challenges of doing empirical socio-legal research.

Workshop 1: real life research

Participants signed up to the programme back in the summer following an open call. The programme kicked off in September 2008 with workshop 1 'Showcasing Real Life Empirical Socio-Legal Research'. Within this session the programme's partners described their own experiences of this kind of research, detailing the process from project application (or inception) through operationalisation to publication and dissemination. The session also involved a strong element of 'community building', encouraging participants to introduce themselves and their research agenda and to apply the messages from the showcase sessions to their own research context. Within workshop 1 the RDI's monitoring programme was also introduced: participants were teamed up with experienced researchers as a means to provide support in developing an empirical socio-legal approach to a project/piece of research.

Workshop 2: methods

The programme continued in December 2008 with workshop 2 'Methods and approaches in ESLR'. This workshop provided an overview of the range of potential tools available for use in ESLR through a series of 'taster sessions' covering a range of data sources, methods and approaches to analysis. Workshop 2 covered in depth the ethical dimensions of contemporary research governance. Following some engaging presentations, participants were invited, in a group environment, to develop an ethical statement for their current or planned research that would work for relevant funders and institutions.

Workshop 3: lessons learned

Workshop 3 is planned for early April. Within this session, 'Imagining and demystifying ESLR', participants themselves will give short poster presentations on their research now that they have had time to incorporate the insights about ESLR delivered in the first two workshops.

Feedback from the initial workshops has been positive, as one of our participants states: 'Workshops are really useful. Diversity of sessions keeps it very interesting.' ***Liz Oliver***

The role of intent in legal contexts

Dr Michelle Cowley and Professor Denis Galligan of the Centre for Socio-Legal Studies, University of Oxford, have received £85,000 from the ESRC (Socio-Legal Category) for a project entitled 'The role of intent in legal contexts'.

Demonstrating proof of intent and whether people finely discriminate between intended and merely foreseen consequences has long been a problem for legal scholars. Consider the new familial homicide offence in the United Kingdom, in which both caregivers can be prosecuted for a child's death even if only one of them caused the death while the other allowed it by not intervening (for example, the Baby P case). 'Cause' and 'allow' may indicate different intentional meanings yet the legal outcome is similar for both. Problems may arise if the psychological reality of how jurors reason about intent does not correspond to this legal logic.

This research has planned a series of randomised controlled trials to examine jurors' thinking about intent in such contexts. The key research question is whether jurors' use of intent to attribute responsibility and punishment aligns concordantly with the instructions of the 'cause or allow' offence. Thus, the research presents a pioneering socio-legal empirical investigation not only because it investigates the theoretical role of intent in the psychology of legal thinking, but because the empirical analysis of how these thinking processes are affected by legal information may enable surgically precise evidence-based evaluation for contemporary law change and review.

Michelle Cowley

EUCITAC – access to citizenship in Europe

The EUCITAC project – which will run from January 2009–June 2010 – will establish a specialised comparative European observatory on citizenship laws and policies in the 27 member states of the EU and neighbouring countries. It will be nested within a major new web platform, the European Democracy Observatory, at the Robert Schuman Centre for Advanced Studies (RSCAS) at the European University Institute (EUI) as well as within the EUROPA institute site at Edinburgh University. EUCITAC will provide a unique and comprehensive information resource on citizenship in Europe for governments, researchers, migrant organisations and NGOs. It will identify major trends and problems in citizenship policies as a basis for informed policies and community action. For information, please contact **e** EUCITAC@ed.ac.uk.

Lisa Pilgrim

Fatal accidents in the workplace

Dr Paul Almond, of the School of Law, University of Reading, was awarded a grant of nearly £100,000 under the ESRC's Small Grants Scheme to conduct a programme of research into public attitudes towards fatal workplace accidents. The one-year project, entitled 'Understanding public perceptions of the social significance of work-related ratality cases', will involve a series of qualitative interviews with members of the public and will entail the employment of a research assistant to help with the empirical data-gathering.

Dr Almond's pilot work has demonstrated that these cases prompt contradictory and unexpected responses in members of the public and provide a lot of information about wider attitudes towards crime and legal regulation of the workplace. This grant is intended to make the social importance of these cases better understood and allow for a re-evaluation of the way that workplace safety is controlled and managed.

Paul Almond

Empirical research in the undergraduate curriculum: report your experiences

The report of the Nuffield Inquiry on Empirical Legal Research, *Law in the Real World: Improving our understanding of how law works* (published in November 2006), identified a lack of capacity in empirical legal research. A number of reasons were canvassed including the historical domination of law schools by theoretical and doctrinal-based research and the constraints of the professionally influenced curriculum. Thus, 'those studying law are not only focused on professional legal careers but they lack broader training. With limited research skills, law graduates considering academic careers naturally gravitate toward what they know – doctrinal topics and issues. There is thus an almost inevitable pattern of self replication.'

The report concluded that there was a need to support initiatives to address the needs of potential legal empirical researchers at all stages of their careers, including at the undergraduate level.

In fact, there is little data about the extent of the use of empirical research in the undergraduate law curriculum. The Nuffield Foundation has now funded further research into the undergraduate curriculum. This is being conducted by Caroline Hunter at York Law School with the support of UKCLE. Through a questionnaire we are seeking to gather data on:

1 whether undergraduates are being taught skills that would enable them to either carry out or critique empirical work;
2 whether they are actually carrying out empirical projects of their own;
3 whether empirical work figures in other ways in teaching and assessment.

Following on from the questionnaire, a seminar will be held on **8 July 2009** at the University of York in which examples will be discussed by those who are currently involved in or interested in developing law teaching which incorporates empirical methods and materials.

Questionnaire details have been sent out through the SLSA and other organisations. If you have not yet received information, the survey is available online at: **w** www.york.ac.uk/law/lersnet/empirical_research.htm.

Caroline Hunter

SLS conference support

The board of *Social and Legal Studies* would like to remind readers of the newsletter that it is able to offer support to people organising a workshop or conference on a theme which would be of interest to readers of our journal. Proposals are considered at our board meetings in February, June and September of each year. Colleagues wishing to apply for funds should contact Linda Mulcahy **e** l.mulcahy@bbk.ac.uk with an outline of the conference theme and goals, the papers being given and details of the financial support requested. The board is able to make contributions in the region of £500–£1000. ***Linda Mulcahy***

Law Commission consultation on illegality defence

How should the law respond if a claimant has been involved in some form of illegal conduct? Should this prevent the claimant winning his or her claim? The illegality defence may be used against claimants in a wide variety of contexts and the courts have attempted to lay down a series of rules to apply in different circumstances. The result is a body of law which is uncertain and sometimes arbitrary. The Law Commission recently published new provisional recommendations for change and it invites comments by **20 April 2009**. Full details at **w** www.lawcom.gov.uk.

The MSc in socio-legal studies at the University of Bristol School of Law

Tell me more . . . a view from past students

Socio-legal studies is a dynamic and evolving discipline that embraces a wide variety of perspectives, methods and theories. The dimensions of socio-legal study are not rigidly defined, which is part of its appeal. However, questions about the way that law operates within society, why we abide by law, how and why it works and even how it should be changed are good places to start. If an exploration of these sorts of questions interests you, the MSc at the University of Bristol offers an excellent pathway.

Last year's MSc students had the following to say about why they undertook the programme: 'I was interested in the way that structural inequalities seemed to be perpetuated and sometimes legitimated by law'; 'I wanted to know more about *why* the law is what it is'; 'The MSc provided a thorough grounding in the theories and methods used to investigate how law works in practice. It encourages a consideration of the law, and the world, from different perspectives'; 'I liked the way the MSc combined information from different disciplines to inform research.'

Who studies a masters degree in socio-legal studies?

Lots of different people! Last year, the programme attracted people with backgrounds in sociology, genetics, politics, criminology and English as well as students with law degrees. We do not have a particular discipline prerequisite so this course is open to a wide variety of students.

What are the benefits of this mix?

As one of last year's students commented 'a socio-legal MSc can provide you with quite a rare situation – a group of people coming together but doing such different things . . . we learnt a lot from that, a lot of different perspectives'. The diversity of skills and opinions can provide a unique experience. The interdisciplinary nature of the group enabled lively discussions in seminars. Students found that explaining their own positions and considering others' was challenging but really good fun! As a result, they were able thoroughly to develop and critique their own ideas which proved very useful in written work.

What about the practical issues – money and careers?

There are positive aspects about the programme that are more pragmatic, including the opportunity to study in a beautiful city at a prestigious academic institution. Perhaps crucially, there are a number of ESRC 1 + 3 awards available. However, the relatively large amount of official funding highlights the demand for socio-legal skills and knowledge. In this way, it is a worthwhile investment even if not funded. Indeed, if you are interested in a career in social research, policy or politics then the MSc provides empirical social research skills and qualifies you with a research masters degree. These credentials can prove very useful for getting ahead in these areas as well as opening doors for an academic career.

Eleanor Staples

The University of Bristol School of Law has three ESRC 1+3 studentships in socio-legal studies starting October 2009. Anyone interested in the studentships, or in applying for a place on the MSc in Socio-Legal Studies starting October 2009, should contact **e** mark.samways@bris.ac.uk. More information can be found at **w** www.bris.ac.uk/law/pgdegrees/taughtdegrees/msc-socio-legal-studies.html

PLEASE NOTE the deadline for application for the studentships is **12 March 2009**.

CAN INTERNATIONAL COURTS DO JUSTICE?

In January 2009, a symposium in Oxford explored the question: 'Can international courts do justice? Conceptions of justice in responding to conflict'. Phil Dines attended and reports on the event.

The symposium, organised by the Foundation for Law, Justice and Society, coincided with the start of the International Criminal Court's (ICC) first trial – of Thomas Lubanga, the Congolese rebel leader accused of using children in armed conflict – a reminder of the real-world significance of the issues.

The event opened with a lecture by Mark Drumbl (professor of law and director of the Transnational Law Institute at Washington and Lee University) entitled 'Justice after atrocity: a cosmopolitan pluralist approach'. He questioned the reductionism of existing orthodoxies of international criminal law, outlining a proposal for reform in cases concerning genocide and mass atrocity, to expand the lexicon of international justice beyond the courtroom. He showed how questions of victimology are not adequately addressed by criminal law, since crimes against humanity are, by definition, crimes in which we are all victims. Drawing on the Lubanga trial, in which child soldiers were called as prosecution witnesses, he demonstrated the moral complexity of such cases, given that many perpetrators, including Lubanga, were children when they committed their crimes and were forced into joining military training camps.

Recognising collective responsibility in cases of collective violence was of paramount importance, he argued: '. . . criminal law builds on a major fiction: namely that, as Nuremberg intoned, wide-scale atrocity is the crime of men . . . Atrocity is also the product of groups, of acquiescent bystanders, of collective action, of colonial histories and blood diamonds, and of the passivity of foreign states.'

Professor Drumbl went on to claim that the criminalisation of certain individuals, embodied in the mandate of the ICC, prompts scepticism towards alternative mechanisms that may be used in the quest for justice, many of which are preferred by afflicted populations. His proposal for a cosmopolitan pluralism involved a nuanced vision in which universal norms regarding accountability for extreme evil are operationalised through diverse mechanisms that will vary according to the context. Whilst acknowledging the tension that this theory gives rise to, he asserted its validity since, though atrocity violates universal norms, it is also a profoundly local matter, and to achieve true reconciliation within the afflicted community, local extrajudicial mechanisms – such as truth commissions and public enquiries – must be incorporated into the international justice narrative.

The lecture, organised in collaboration with the Centre for Socio-Legal Studies and Transitional Justice Research at Oxford University, was followed the next day by a roundtable of experts from academic, legal and practitioner communities, including a former senior lawyer at the ICC, Morten Bergsmo; the director of Human Rights Watch, Tom Porteous; and Ben Shepherd of the Foreign and Commonwealth Office.

THE DATA CRISIS IN THE UK

Data security is a concern that pervades all aspects of society. Jamie Grace, lecturer in information law and data protection at Derby University, examines the current state of data protection and anticipates future problems.

The mess we're in

In many ways, issues of data protection are becoming ever more prominent in society as the 21st century progresses. I recently gave a public lecture in an attempt to highlight to my students and colleagues what the mainstream media has increasingly managed to achieve: to put issues of data protection, and conjoined issues of privacy, into the position of one of society's newest woes. The European Court of Human Rights might agree we live in a country today where privacy is given too little emphasis – a suggestion made in a press release from the courts following the recent decision handed down in *S & Marper* v *UK*:

> In conclusion, the Court found that the blanket and indiscriminate nature of the powers of retention of the fingerprints, cellular samples and DNA profiles of persons suspected but not convicted of offences, as applied in the case of the present applicants, failed to strike a fair balance between the competing public and private interests, and that the respondent State had overstepped any acceptable margin of appreciation in this regard.[1]

The Data Protection Act 1998 is intended to protect – along with the common law doctrine of confidentiality and the evolving doctrine of privacy – certain aspects of our private sphere of life and, technically speaking, all of our 'personal' or 'sensitive personal' data in the hands or control of others. But all is not well with this data protection and privacy framework.

High-profile losses of personal data by public and private-sector organisations are making the British public ill-at-ease with a perceived increased risk of identity fraud – all set against a contextual background of economic hardship and recession. This, then, is our 'data crisis' – it is a crisis of confidence in the state and in the state's intentions in protecting our security as individuals.

Why the phrase 'data crisis'?

Authors like Mick Cavadino and Jim Dignan have described a 'prison crisis' as a constant threat to our criminal justice system well enough to make it a real concern, even if they were not the first to describe it so.[2] In a similar vein, I believe we are engaging with a 'data crisis' in the UK. We have a toxic mix of factors, namely: too many data controllers; too much data unsecured; too many new databases for this state agency or that; and too many unscrupulous or negligent individuals.

New powers?

How should the Government go about cleaning up this toxic mix of too little regulation, too little enforcement and too few resources? It may be a case of the Government's own watchdog, the Information Commissioner's Office (ICO), not having enough money to spend. The ICO's own auditors don't think it will be able to cope with demand on its resources, so the crisis is going to get a lot worse before it gets better.[3] But, if there is not enough money sloshing about for the ICO to perform its role correctly or effectively in future, what hope is there in the current financial and economic climate, when what capital there is actually available to government would arguably be best spent elsewhere to win votes and help businesses?

Jack Straw and s 77 of the CJIA 2008

It may not be for much longer that these high-profile losses of personal data by organisations are regarded as data crises as opposed to 'data crimes'. Section 77 of the Criminal Justice and Immigration Act (CJIA) 2008 and s 55 of the Data Protection Act 1998 between them will now provide for custodial sentences of up to two years for committing the offence of 'obtaining or disclosing' personal data. The role of the media in provoking the uptake of this increase in sentencing powers goes without saying – witness s 77(4) of the CJIA 2008. Indeed, Jack Straw is under a legislative duty to consult 'media organisations' as he considers appropriate. Barack Obama was praised for the way he marshalled new media to help him crush John McCain in the key demographic of younger people and some commentators have

Responding to the points raised by Professor Drumbl, the participants discussed the issues confronting international courts and tribunals and drew on case studies from Africa, the former Yugoslavia, Iraq and Cambodia to assess how effectively these bodies have delivered justice. Phil Clark, research fellow in courts and public policy at Oxford and workshop convener, drew on his fieldwork in Uganda and Rwanda in his comments regarding the International Court of Justice, which, he claimed, often served as a forum for 'war by other means', because protagonists use the international courts as arenas to play out existing conflicts. Clark also cited the trial of Thomas Lubanga, arguing that this type of criminal justice does not resonate with the people of the Democratic Republic of the Congo who are demanding some evidence of collective state responsibility for the conflict.

Leslie Vinjamuri of the School of Oriental and African Studies argued that the ICC has become an unintegrated tool of coercive diplomacy. She criticised the idea that, by indicting individuals, such as the President of Sudan, Omar al-Bashir, pressure can be brought to bear upon leaders such that they will lose domestic support and be removed democratically, since this process is dependent on the operation of high-functioning democratic institutions which are often lacking in the developing countries and failed states most afflicted by such problems.

This view was partially shared by Payam Akhavan, professor of international law at McGill University and former first legal advisor to the Prosecutor's Office of the International Criminal Tribunals for Former Yugoslavia and Rwanda. He agreed that the ICC could only achieve so much through its indictments, but added that it must hold to account world leaders and send the message that genocide does not pay as an instrument of power. Citing the case of Sudan, he argued that the indictment of al-Bashir has brought pressure on him to find a scapegoat to mitigate his culpability, and has thereby severed the destructive alliance between the government and the Janjaweed militia accused of carrying out atrocities in Darfur. However, Phil Clark observed that there has been no lessening of the violence in Darfur despite this dissociation of the Janjaweed and the state, and he questioned whether the ICC is not, in fact, 'somewhat of a toothless tiger'.

The afternoon session was opened by Adam Branch of San Diego State University who critiqued the fact that the ICC has concentrated its prosecutions in Africa and, in so doing, effected Africa's political subordination through the evisceration of the principle of non-intervention of state sovereignty. This interpretation was rejected by Akhavan, who characterised the ICC as a fledgling institution operating against overwhelming odds rather than a powerful body bent on colonialisation.

The workshop was brought to an end by Morten Bergsmo who gave an insider's perspective into the working of the court. He acknowledged that, whilst certain quality control procedures could be improved to help prevent, for instance, the reversed testimony of one of the first child witnesses in the Lubanga trial, the court is an institution that should be commended for maintaining its independence in the face of strong political pressure on various fronts.

A full report of the workshop, plus transcripts and podcasts will be available at: **w** www.fljs.org/drumbl.

noted that he may be held sway to public opinion on the web. One of the many ways that the election of Barack Obama as president has echoed that of John F Kennedy is his use of a new medium that will forever change politics. For Mr Kennedy, it was television. For Mr Obama, it is the internet.[4] Our politicians, it seems, are now able to dispense with consulting public opinion and go one better; consulting the views of the organisations who do so much to form public opinion in the first place.

New threats?

The case of Baby P, a terrible tragedy, is perhaps a good rallying point for supporters in Government of the children's information database ContactPoint. Not to suggest that the current Government is terribly Machiavellian, but the tragedy that befell Baby P is certainly the latest in a series of shocking incidents, including the Soham murders and the case of Victoria Climbié, that have featured an element of data protection in the debate surrounding and following each occurrence. But ContactPoint is itself criticised widely as a serious risk to safety for children – an issue stemming from concerns over personal data security. Ever-present terror is the governmental argument in support of the tabled Communications Data Bill that would see details of all electronic communication transactions recorded by companies under a new legislative duty – a move some will undoubtedly see as fundamentally Orwellian in nature.

Connecting for Health is a new agenda to make the NHS healthier, wealthier, and ultimately wiser:

> Modern computer systems, called the NHS Care Records Service, are being introduced in the NHS over the next few years. The computer systems are designed to hold [patients'] information securely and in confidence. They can be used by those treating her wherever she needs care. They can also make it easier to collect information on a group of patients and use it in other ways to improve health and care.[5]

But there is much concern amongst commentators, not only over issues of compromised patient confidentiality, but also over information security and potential losses of the most sensitive personal data. Richard Thomas, the current Information Commissioner, has commented that it wouldn't harm the public overly much to be unaware of newer, bigger, more invasive databases or 'data sharing' initiatives, but he has stated that organisations that flout data protection law will be punished as aggressively as possible, presumably *pour encourager les autre*s.

This is hardly joined-up thinking. Thomas and Walport have suggested 'that people are generally less concerned about (and possibly less aware of) the information flows that facilitate the provision of goods and services to them'.[6] But, when these complex information flows are halted, causing them inconvenience, or are compromised, causing them harm, then they'll notice.

Yes, we can – a model for change?

Greater ICO powers of investigation and audit may well yet be offered to the government watchdog – the ICO has flatly stated it welcomes plans from the Ministry of Justice to afford it these extra powers. Combined with a greater allocation of resources for the ICO, these powers might see greater success, if not immediately creating a drop in the rate of media-inflated data crises, then creating a wider culture, at least amongst public-sector organisations, towards efforts to ensure organisational data protection compliance and best practice.

The present global financial crisis sees our current Government let off the hook with regard to issues of privacy, but concerns are still percolating through a general atmosphere of worry. Come the next General Election – whenever it may be and whoever wins – privacy and data protection look to be issues that will not simply fade away.

1 ECtHR press release: **w** www.echr.coe.int/echr (accessed 10.12.08).

2 See M Cavadino & J Dignan (2002) *The Penal System* (1st edn) Sage.

3 See para 6 of the ICO Audit Committee, 2007/8 Report, available from **w** www.ico.gov.uk (accessed 9.12.08).

4 C C Miller, 'How Obama's internet campaign changed politics', *New York Times*, 7 November 2008, from **w** www.nytimes.com.

5 *Connecting for Health* (2008) NHS, p 6.

6 R Thomas (Information Commissioner) and M Walport (July 2008) *Data Sharing Review Report*, para 2.15

SLSA SMALL GRANT SCHEME 2008–09

Every year the SLSA funds £8000-worth of research in socio-legal studies through its small grants. The scheme was launched in July 1999 with an annual budget of £5000 which was raised to £8000 in 2004. Here, we review this year's process and publish seven project summaries from the nine new grantholders.

This year the SLSA Small Grants Committee received a total of 19 applications. Of these, three were not assessed (and thus rejected) because they were not submitted in accordance with the requirements (that is no electronic copy was sent). An additional four were not assessed (and thus rejected) because the applicants were not fully paid-up members on the closing date for applications (31 October 2008). Applicants are reminded that the rules will be strictly applied. Full details are available on the SLSA website and committee members are happy to answer queries received before the closing date. Seven applications were given awards (of between £750–£1500), totalling just over £8000. The six remaining submissions were not given awards, but were given feedback on their applications.

Members of the Small Grants Committee were impressed by the number of applications and their quality, in terms of their originality, methodological rigour and contribution to socio-legal studies scholarship.

Congratulations to the seven projects that we are funding this year. These are:

- Social control, criminality, masculinities and the 'Penny Dreadful' 1890–1918 – Lois Bibbings, Bristol University, £1300
- Students' attitudes to male rape – Phil Rumney and Natalia Hanley, University of the West of England, £751
- Rewriting parenthood: a policy perspective of the reform of reproductive technology law – Sally Sheldon, Kent University, and Julie McCandless, Oxford Brookes University, £1443
- The prosecution of child abuse cases – Chris Taylor, Bradford University Law School, £1,093.75
- Rape and the construction of consent – Anna Carline, Liverpool John Moores University, £816
- (Do not) come and study: the plight of the foreign student – Marie-Bénédicte Dembour, University of Sussex, £1125
- Responding to Clementi and the Legal Services Act – John Flood and Daniel Muzio, University of Westminster, £1500

Mary Seneviratne (Chair of SLSA Small Grants Committee)

Rewriting parenthood: a policy perspective of the reform of reproductive technology law

Sally Sheldon, Kent University and Julie McCandless, Oxford Brookes University, £1443

While English law has developed a range of strategies for recognising the significance which multiple 'parent' figures may play in a child's life, it has remained steadfast in refusing to include the names of more than two legal parents on a child's birth certificate. Further, while greater legal recognition of same-sex partnerships has included moves to recognise two same-sex parents (for example, in changes to adoption law), the basis on which such parenthood is attributed remains framed within the model of the heterosexual two-parent family. Taking as a focus the reform process that culminated in the Human Fertilisation and Embryology Act 2008, our research seeks to investigate the reasons for the tenacious hold of the two-parent heterosexual family on the legal imagination and to consider alternatives to it.

The first stage of this research will be to analyse the extensive documentation produced by this reform process, which includes reports from two parliamentary committees, public consultations, oral evidence from expert witnesses, government responses and parliamentary debates. Taken together, these sources provide an extensive engagement with the question of what makes a legal parent and a highly topical example of the pervasiveness of shared assumptions in this regard. With the funds made available by the SLSA, we will consolidate this textual analysis through a number of in-depth interviews with key actors in the reform process, to include MPs who participated in the parliamentary committees, the academic legal advisors to those committees, the senior administrators in the Department of Health who took the policy lead on the parenthood provisions in the 2008 Act, and current and past members of the Human Fertilisation and Embryology Authority.

The interviews are intended to allow us to dig below the surface of the published deliberations produced in the context of this reform process and, perhaps most crucially, to explore intriguing 'silences' within it, casting light on why a number of interesting possibilities in relation to legal parenthood were not explored. The interviews will further enable us to analyse who was influential in setting key aspects of the reform agenda. Finally, in addition to the interesting substantive insights which ought to be gleaned from these interviews, the project will have a more general socio-legal relevance in contributing to our understanding of how choices are made in the framing of new legislation.

We would like to thank the SLSA for funding this part of the project, which will enable us to embark on the first stage of our proposed plan of collaborative research. Results will be disseminated in a co-authored article and also in conference presentations.

Julie McCandless

Students' attitudes to male rape

Phil Rumney and Natalia Hanley, University of the West of England, £751

This research seeks to examine student attitudes to male rape by means of focus group discussions. The purpose of this research is to discover the factors that students take into account when making judgments regarding the guilt or innocence of the defendant featured in fictional scenarios. The methodology for this study involves the audio-recording of focus group discussions. Three groups will each consider one fictional scenario involving an allegation of male rape, along with an explanation of the legal definition of rape. The students will be asked to consider whether, in their opinion, a rape has taken place. Each scenario will contain factual variables involving delayed reporting, lack of physical resistance and involuntary physical responses by the complainant during the alleged rape. The purpose of these variables is to assess the extent to which they impact on judgments of guilt or innocence. A further three groups will consider the scenarios with the inclusion of information that explains the behaviour of male rape victims during and following rape. This will allow for an assessment of the impact, if any, of this information on group discussions, compared to those without it.

Phil Rumney

Responding to Clementi and the Legal Services Act 2007

John Flood, University of Westminster Law School, and Daniel Muzio, Leeds University Business School, £1500

The last 30 years have witnessed a radical reorganisation in the relationship between markets, the state and the professions. This process has been particularly pronounced within the legal profession in England and Wales.

The catalytic event was the ideological shift in government policy and the emergence of a neoliberal agenda of competition, deregulation and cost-containment. These new priorities had the 'little republics' of the professions with their monopolies and restrictive arrangements as clear targets. The partial liberalisation of the conveyancing market, the reform of legal aid and the redrawing of the jurisdictional boundaries between solicitors and barristers are all examples of this neoliberal onslaught on the legal profession.

The election of New Labour brought substantial continuity as far as policies on the professions were concerned with competition and cost-containment retaining their priority status. This reformist zeal culminated with the Clementi Review and its offspring, the Legal Services Act (LSA) 2007, which promises to unleash one of the most significant periods of transformation in the legal profession's history.

While government is the primary engine of change, the professions weren't historically passive recipients. In fact, the 1980s and 1990s witnessed a process of active confrontation between government and the professions, as the proposed reforms were greeted with denunciations, criticisms and admonishments in the press, marketing campaigns, legal procedures and even forms of industrial unrest. These collective, centrally coordinated and highly visible forms of resistance were ultimately unsuccessful in halting the tide of change. Government was able, despite some concessions, to drive forward change in the face of collective forms of resistance. Indeed, it was other forms of response that were to have more significant impacts on the legal profession's reorganisation. These were the fragmented, heterogeneous and less visible attempts by individual practitioners and firms, often in competition with each other, to react to the opportunities and challenges of regulatory change through processes of consolidation, diversification and restructuring.

Compared to the public furore which surrounded the 1980s and 1990s reforms, the Clementi Review and the LSA, despite the momentous nature of their provisions (which include new forms of regulation and the introduction of 'alternative business structures' that encompass external, non-lawyer ownership of legal practices), have been greeted with less active resistance and a general climate ranging from passive resignation and neutral indifference to guarded enthusiasm.

This project seeks to understand the legal profession's changing attitudes towards and capabilities for collective action by looking at its responses to recent regulatory change culminating in the LSA.

John Flood

(Do not) come and study: the plight of the foreign student

Marie-Bénédicte Dembour, University of Sussex, £1125

International students have been attracted in greater and greater numbers to British universities. Not so, however, students from poor countries. I wish to explore whether the discrimination to which 'overseas' students from poor countries are subjected by being legally treated in a different way from 'home' students is legitimate. I want to do this through in-depth political and ethical questioning, which takes into account postcolonial theory and may lead to unravelling the very legitimacy of nationality law and border control.

This project first requires understanding the experience of the 'visa-national' foreign students from poor countries. I have started to conduct unstructured interviews with such students, asking them how acquiring or having the legal status of a visa-national foreign student has been and is impacting on their lives. Recurrent themes have emerged from their responses, including: the humiliation of the visa application process; the social isolation arising from the restrictions of the visa regime (especially on travel both in continental Europe and back home); anxieties related to the ever-present threat of not being able to pursue one's studies or becoming 'illegal' (for example, due to the death of one's sponsor, a regime change in the home country marking the end of a scholarship, or lack of satisfactory academic progress – the last issue is one bound to increase in importance with the introduction of Tier 4 of the points-based immigration system).

The socio-legal analysis of the relevant legislation, polity and judicial decisions I envisage relies on rendering the poignancy of the physical and emotional stakes expressed by the students I have interviewed. For this, I need to quote their exact words; in turn my interviews need to be transcribed. I am grateful for the SLSA for funding the professional transcription of 15 hours of interviews. ***Marie-Bénédicte Dembour***

Rape and the construction of consent

Anna Carline, Liverpool John Moores University, £816

Consent is pivotal to the law's definition of rape and a conviction for rape in many cases is dependent upon whether a jury believes that the victim did not consent. The conviction rate for rape is notoriously low and research suggests that stereotypical notions of rape problematically influence people's assessments of whether a rape was committed and also the extent to which the victim is considered blameworthy and the perpetrator culpable.

The aim of the project is to generate new understandings and knowledge into how men and women construct consent. To this end, four single-sexed focus groups will be held. The aim of the single-sexed groups is to facilitate an examination into the extent to which men and women draw upon different discourses in their constructions of consent.

Additionally, the project will examine whether personal constructions of consent coincide with the law's definition, as contained in s 74 of the Sexual Offences Act 2003 (a person consents if he or she agrees by choice, and has the freedom and capacity to make that choice). The extent to which this legal definition is comprehensible to potential jurors will also be examined. Research has suggested that the terms 'choice' and 'freedom' are not easily defined or understood. Arguably, if the law is vague in its definition of consent, jurors will struggle when trying to decide whether or not the victim consented and problematically fall back upon their personal notions which may be informed by rape stereotypes.

The research project will provide an opportunity to consider whether the current legal definition of consent is appropriate and also critically examine the discourses which men and women draw upon in their constructions of consent.

Anna Carline

Social control, criminality, masculinities and the 'Penny Dreadful' 1890–1918

Lois Bibbings, University of Bristol, £1300

This project involves readings of 'Penny Dreadfuls', looking at representations of criminality and masculinities and concerns about their effects upon boys, as well as the sometimes deliberate attempts to shape male behaviour through these publications.

Dreadfuls were cheap story papers or small volumes which published short tales and serialised longer ones. Their contents were sensationalist, fast-paced and arousing – and, for some therefore, dangerous, impure and immoral. Thus, while often dismissed as insignificant, these texts also caused extreme disquiet and controversy, with right-minded citizens calling for them to be banned, censored or their contents carefully managed in order better to shape the young (and particularly working-class boys).

The focus of this research will be upon stories about detecting, policing or spying, but attention will also be directed to, for instance, adventurer tales. The period in question has been selected given the evolving (sometimes contradictory) ideas and anxieties about men that were circulating (for example, notions concerning decadency, degeneracy, class, sexualities, criminality, race, Christianity, nationality and empire). It was also a time in which there were major international wars (the Boer War and the First World War) and these raised specific issues relating to the male of the species. There were, for example, worries about the moral and physical willingness and capacity of men (especially working-class and to a lesser extent upper-class men) to fight, given a supposed decline of the English/British male. Alongside this there was also an assumption of racial and national superiority and a feeling that 'our' men would 'naturally' do their duty.

All these themes occur within Dreadfuls – often in particularly graphic and colourful ways. This project will build upon my work on masculinities in this period, the 'nature' of history and postmodern histories.[1]

Lois Bibbings

1 *Telling Tales About Men* (2009 forthcoming) MUP; *Binding Men* (2009 forthcoming) Routledge-Cavendish.

The prosecution of child abuse cases

Chris Taylor, Bradford University Law School, £1,093.75

This research examines the formal and informal procedures for the exchange and disclosure of confidential information in child protection cases, between police and third parties, such as local authority social services departments and local NHS trusts.

In almost all child protection cases, both police and prosecutors will require some access to confidential medical or social services records, which may detail medical complaints (including mental health issues), disciplinary records or evidence of previous allegations.

This can be particularly problematic in historical cases which frequently relate to care homes or other facilities and which frequently involve more than one alleged victim and multiple alleged offenders. In such cases, both prosecution and defence may wish access to the records to assist the preparation of their case, which raises the question of what, if anything, should be disclosed to the defence.

The release of such information raises fundamental ethical issues for those health and social work professionals concerned and frequently places them at odds with investigators and prosecutors. Historically, this conflict has led to resistance to the release of such information, which has undermined prosecutions and which has generated tension between care professionals and police/prosecutors.

The funded project takes the form of an initial pilot study to contact all of the police forces, NHS trusts and local authority social services departments in England and Wales by means of a postal survey to assess attitudes and approaches towards the exchange of confidential information and the operation of the existing national protocol. The outcome will be accurate data as to the scale of difficulty nationally, together with some key indicators as to the principal areas of contention for individual agencies.

These initial results will form the basis of a refereed journal paper and will be used to support applications for additional funding to conduct a full-scale study.

Chris Taylor

Journal of Law and Society (Summer 2009)

Articles

Regulation and the role of trust: reflections from the mining industry – Neil Gunningham & Darren Sinclair

Seen but not heard? Parallels and dissonances in the treatment of rape narratives across the asylum and criminal justice contexts – Helen Baillot, Sharon Cowan & Vanessa Munro

After dark and out in the cold: part-time law students and the myth of 'equivalency' – Andrew Francis & Iain McDonald

Understanding offenders' compliance: a case study of electronically monitored curfew orders – Anthea Hucklesby

Book Reviews

Making People Illegal: What globalization means for migration and law by Doris Marie Provine – Catherine Dauvergne

Judges beyond Politics in Democracy and Dictatorship: Lessons from Chile by David Sugarman – Lisa Hilbink

Sexual Assault and the Justice Gap by Aileen McColgan – Jennifer Temkin & Barbara Krahe

Judging Russia: Constitutional courts in Russian politics 1990–2006 by Bill Bowring – Alexei Trochev

socio-legal people . . .

PROFESSOR ALAN ALEXANDER PATERSON, professor of law at Strathclyde University, was awarded an OBE in the 2009 New Year Honours List for services to legal education and to law.

PROFESSOR NICK WIKELEY has resigned his chair at the University of Southampton and become a full-time Social Security and Child Support Commissioner as of 29 October 2008. A few days later he was sworn in as a judge of the Administrative Appeals Chamber of the new Upper Tribunal, established under the Tribunals, Courts and Enforcement Act 2007 as a new superior court of record, hearing appeals from the commissioners' traditional jurisdictions (social security, child support, tax credits) as well as new areas (mental health, care standards, special educational needs, etc). The Upper Tribunal is also taking on some judicial review work. He is keeping a link with the School of Law at Southampton as an emeritus professor and is SLS vice-president for 2008/09. As a result of his new appointment, he has had to stand down as an editor of *Legal Studies* and the *Journal of Social Security Law*, but retains an advisory role for each journal.

DERMOT FEENAN of the University of Ulster will be a visiting scholar at Columbia Law School, USA, from April through May 2009.
e d.feenan@ulster.ac.uk

PROFESSOR MARY SENEVIRATNE of Nottingham Law School has been appointed a member of the new Office of Legal Complaints (OLC) for a term of three years. The OLC will begin its work on 1 July 2009.

Sourcebook on Solitary Confinement (2008) Sharon Shalev **w** www.solitaryconfinement.org, free pdf download 98pp

The Sourcebook on Solitary Confinement provides a comprehensive single point of reference on solitary confinement, its documented health effects, and professional, ethical and human rights guidelines and codes of practice relating to its use. It is hoped that the *Sourcebook* will encourage policy makers and prison managers to put in place safeguards and mechanisms to limit the use of solitary confinement and to mitigate its harmful consequences. Work on the *Sourcebook* was carried out with the generous support of the Nuffield Foundation's Access to Justice Programme. A few hard copies are also available, email your postal address to **e** sharon.shalev@solitaryconfinement.org.

Migration, Work and Citizenship in the Enlarged European Union (2008) Samantha Currie, Ashgate £60 238pp

Drawing upon socio-legal research, this book considers labour migration within the context of ('eastward') EU enlargement. Prior to the 2004 and 2007 enlargements, many older member states voiced concerns that labour market disruption and benefit tourism would occur following the extension of free movement rights to nationals of the post-communist Central and Eastern European (CEE) accession states. Such anxieties shaped the formal rights granted to CEE accession nationals in the aftermath of enlargement. Set against this backdrop, the book examines the status, entitlement and experiences of post-accession migrants. Specifically, the volume explores the legal rights of accession nationals to access employment, their experiences once in work and their engagement with broader family and social entitlement. By combining analysis of the legal framework governing free movement-related rights with analysis of qualitative data gained from interviews with Polish migrants, the book is able to speculate on the significance the status of EU citizenship holds for nationals of the recently acceded CEE member states. Citizenship is conceptualised not merely as rights but as a practice; a real 'lived' experience. The citizenship status of migrants from the CEE member states is shaped by formal legal entitlement, law in action – as it is implemented by the member states and 'accessed' by the migrants – and social and cultural perceptions and experiences 'on the ground'.

Responsible Parents and Parental Responsibility (forthcoming April 2009) Rebecca Probert, Stephen Gilmore and Jonathan Herring (eds), Hart Publishing £55 328pp

This book examines the idea of parental responsibility in English law and what is expected of a responsible parent. The scope of parental responsibility, a key concept in family law, is undefined and often ambiguous. Yet, to date, more attention has been paid to how individuals acquire parental responsibility than to the question of the rights, powers, duties and responsibilities they have once they obtain it. This book redresses the balance by providing the first sustained examination of the different elements of parental responsibility, bringing together leading scholars to comment on specific aspects of its operation. The book begins by exploring the conceptual underpinnings of parental responsibility in the context of parents (and children's) rights. It then discusses the acquisition, exercise and ending of parental responsibility. The analysis highlights the inherent constraints and limitations of parental responsibility and how its scope has deliberately been curtailed in certain contexts. The book then considers what parental responsibility allows and requires in specific areas, for example, naming a child, education, religious upbringing, medical treatment, corporal punishment, dealing with any contracts entered into or property owned by the child, representing the child in legal proceedings, consenting to a child's marriage or civil partnership and the law's response to the death of a child. In the final section, the idea of the responsible parent is considered in the contexts of child support, contact, tort and criminal law.

The Legal Regulation of Pregnancy and Parenting in the Labour Market (2008) Grace James, Routledge-Cavendish £85, 160pp

Why is the law failing to protect pregnant workers and parents from detrimental treatment in the workplace? This theoretically informed book, which draws on the findings of a large-scale, Nuffield Foundation-funded study of pregnancy-related workplace disputes, explores the legal regulation of pregnancy and parenting in the labour market. Using an epistemology that draws primarily on critical feminist debates, theories and critiques, the book adopts a necessarily female standpoint and seeks to answer why, despite positive policy ambitions and ample legislation, law is failing to protect pregnant workers and parents. Whilst sensitive to the limits of law's ability to bring about social change, the book asks whether it is the direction of current policies that need attention, or the substance of the legislation that is flawed. Is it the application of the law in courts and tribunals that fails working families or the mechanics of the employment dispute resolution and tribunal system that needs adjusting? This book will be of value to academics, students and practitioners of law and social policy interested in employment law and discrimination.

The European Civil Code: The way forward (2008) Hugh Collins, Cambridge University Press, £55 288pp

Hugh Collins argues that the EU should develop a civil code to provide uniform rules for contracts, property rights and protection against civil wrongs, thus drawing together the differing national traditions with respect to the detailed regulation of civil society. The benefits of such a code would lie not so much in facilitating cross-border trade, but in establishing foundations for a denser network of transnational relations of civil society, which in turn would help to overcome the present popular resistance to effective and functional political institutions at a European level. These principled foundations for a more inclusive and less balkanised civil society in Europe also provide elements of a required European social model that offers necessary safeguards for consumers, workers and disadvantaged groups against the pressures of market forces in an increasingly global economic system. The book assesses the policy justifications for and success of existing European private law measures, thus highlighting the strengths and weaknesses of the EU's achievements. The author also links the discussions about European contract law to the broader debates about the political future of the EU, the internal market, and the governance structures of the EU. Finally, he focuses on EU private law itself and its actual and potential impact on national law, thus linking discussions about private law to the need to have a multi-level system of governance in Europe.

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Law and Faith in a Sceptical Age (2009) Anthony Bradney, Routledge-Cavendish £70 184pp

Law and Faith in a Sceptical Age is an analysis of the legal position of religious believers in a dominantly secular society. Great Britain is a society based upon broadly liberal principles. It claims to recognise the needs of religious believers and to protect them from discrimination. But whilst its secular ideology pervades public discourse, the vestigial remains of a Christian, Protestant past are seen in things as varied as the structure of public holidays and the continued existence of established churches in both England and Scotland. Religious, Christian values also form the starting point for legal rules relating to matters such as marriage. Active religious communities constitute a very small minority of the population; however, those who belong to them often see their religion as being the most important element of their identity. *Law and Faith in a Sceptical Age* raises the question of whether a liberal, secular state can protect religion. Accommodation to different religious traditions forms part of the history of the legal systems of Britain. This book asks whether further accommodation can and should be made.

Disability and Equality Law in Britain: The role of reasonable adjustment (2008) Anna Lawson, Hart Publishing £30/€45 352pp

The concept of reasonable adjustment (alternatively known as reasonable accommodation) is rapidly gaining significance for countries throughout Europe and beyond. Directive 2000/78 required all EU member states to ensure that, by the end of 2006 at the latest, reasonable accommodation obligations would operate to protect disabled people from unequal treatment in the context of employment. The new UN Convention on the Rights of Persons with Disabilities will require ratifying states to impose such obligations in a broad range of situations. This book provides a detailed and critical analysis of the current and potential role of reasonable adjustment duties in British law. It explores the notion of the anticipatory reasonable adjustment duty – a notion which is, in many respects, distinctively British. It probes the relationship between reasonable adjustment and other concepts, including indirect discrimination and positive discrimination. Drawing particularly on US debates, potential sources of resistance to the duties are exposed and an attempt is made to suggest pre-emptive counter-strategies. Attention is also given to issues of legal reform and rationalisation – subjects of immense topicality and importance in view of the recent British move towards a single Equality Act. In short, this book examines the current and potential role of reasonable adjustment duties in Britain.

Foucault's Law (2009) Ben Golder and Peter Fitzpatrick, Routledge-Cavendish £75 149pp

Foucault's Law is the first book in almost 15 years to address the question of Foucault's position on law. Many readings of Foucault start from the proposition that he failed to consider the role of law in modernity, or indeed that he deliberately marginalised it. In canvassing a wealth of primary and secondary sources, Ben Golder and Peter Fitzpatrick rebut this argument. They argue that rather than marginalise law, Foucault develops a much more radical, nuanced and coherent theory of law than his critics have acknowledged. For Golder and Fitzpatrick, Foucault's law is not the contained creature of conventional accounts, but is uncontainable and illimitable. In their radical re-reading of Foucault, they show how he outlines a concept of law which is not tied to any given form or subordinated to a particular source of power, but is critically oriented towards alterity, new possibilities and different ways of being. *Foucault's Law* is an important and original contribution to the ongoing debate on Foucault and law, engaging not only with Foucault's diverse writings on law and legal theory, but also with the extensive interpretive literature on the topic.

Documents of the African Commission on Human and Peoples' Rights, vol 2, 1999-2007 (2009) Rachel Murray and Malcolm Evans (eds), Hart Publishing £45 522pp

This second volume includes the key documents published between 1998 and 2005. Once again the aim of the work is to provide not only the basic documents, but also the less well known material related to the jurisprudence emanating from the consideration of communications. This volume therefore includes, amongst other material, the most recent activity reports adopted by the commission, resolutions, and final communiqués from the sessions. Together with Volume I this is the most comprehensive available set of documents on the African Commission and will be an essential reference for academics, students and practitioners.

Security (2009) Lucia Zedner, Routledge £55 224pp

Just a decade ago security had little claim to criminological attention. Today a combination of disciplinary paradigm shifts, policy changes and world political events have pushed security to the forefront of the criminological agenda. This book provides a brief, authoritative introduction to the history of security from Hobbes to the present day and a timely guide to contemporary security politics and dilemmas. It argues that the pursuit of security poses a significant challenge for criminal justice practice and values. And it defends security as public good and suggests a framework of principles by which it might better be governed. Engaging with major academic debates in criminology, law, international relations, politics and sociology, this book stands at the vanguard of interdisciplinary writing on security.

Feminist Legal Studies (2009) Joanne Conaghan (ed), Routledge £650 1864pp 4 vols

A close engagement with law has long been a core dimension of feminist activism. However, it is only since the late 20th century that a distinct and vital body of academic literature addressing the nature, effects and limits of that engagement has emerged. In particular, from the 1980s onwards, a critical mass of scholarship has accumulated, establishing feminist legal studies not just as a recognisable subdiscipline, both of law and of feminist or women's studies, but also as a terrain of substance and complexity, the exploration and understanding of which requires increasingly sophisticated navigation skills. As research in and around the area flourishes as never before, this new title in the Routledge Major Works series, 'Critical concepts in law', meets the need for an authoritative reference work to make sense of a rapidly growing and ever more complex corpus of literature, and to provide a map of feminist legal studies as it has emerged, developed, and diverged over the last 30 years. Volumes 1 to 4 are entitled respectively: 'Evolution'; 'Neoliberal encounters'; 'Legal method, legal reason, and legal change'; and 'Challenges and contestations'.

Personal Freedom through Human Rights Law? Autonomy, identity and integrity under the European Convention on Human Rights (2009) Jill Marshall, Martinus Nijhoff €85 x+239pp

Article 8 of the European Convention on Human Rights provides a right to respect for one's private life. The European Court of Human Rights has interpreted this provision broadly to include a right to personal autonomy, identity and integrity. This book examines these concepts by interconnecting case law from the court with the philosophical debates, including those in feminism, in four parts: personal freedom and human rights law; privacy and personal autonomy; personal identity; and bodily and moral integrity. The author notes, through her analysis of the court's case law, that different versions of freedom are evident in the jurisprudence, including one which may restrict human freedom rather than enhance it through human rights law. This book will be invaluable to scholars of the court, human rights and issues of the self.

Changing Contours of Domestic Life, Family and Law: Caring and sharing (forthcoming April 2009) Anne Bottomley and Simone Wong (eds), Hart Publishing £22 178pp

Drawing from a wide range of material and socio-legal methods, this collection brings together original essays, written by renowned scholars, investigating emerging patterns in the shape and form of the legal regulation of domestic relations. Focusing on the theme of 'caring and sharing', the collection includes chapters which reflect on the changing contours of what we think of as 'domestic relations'; the impact which legal recognition carries in making visible some relationships rather than others; the potential for normative values carried within patterns of legal recognition and regulation; intersections between private law and public policy; the role of private law in the allocation of responsibility and privilege; the differential impact of seemingly progressive policies on economically vulnerable or socially marginal groupings; tensions between family law models and models carried within other fields of private law; and, unusually, architectures in law and the built environment designed to facilitate broader accounts of domestic relationships. This thoughtful, provocative and wide-ranging collection will be a must for anyone interested in the insights and potential offered by a fresh engagement with the complexity of domestic relations and the law.

Governing Independence and Expertise: The business of housing associations (forthcoming April 2009) Morag McDermont, £35 212pp

Governing Independence and Expertise tells the story of governing the not-for-profit housing sector in the UK through the lens of its representative body, the National Housing Federation. In 1935, housing societies, associations and charitable trusts had failed in their bid to become central partners in tackling the 'problem of the slums'. Out of this failure came recognition of the necessity for a central body, one that could represent their interests and make them understood as 'expert' organisations; and so the National Federation of Housing Societies was born. This is not an unfamiliar story; organisations have often set up collective structures to facilitate intervention in government. What is more remarkable is the success of the project, as today the housing association sector is seen by many as the dominant force in social housing provision. Housing associations (as they came to be known) have pioneered many programmes now central to our 'modernised' welfare state – private finance, independence and entrepreneurialism. By telling the story of the federation, the book examines the role of the non-governmental sector in mechanisms of governing. It engages with many contemporary debates about public services and the nature of the 'social' – the limits of the role of the not-for-profit sector; the impact of private funders; and the disappearance of the notion of 'public'. The book utilises two analytical frameworks. First, chapters on the limits of charity law, battles for control with local government, controlling centralised state regulation, and the regulatory role of money consider how governing occurs in different regulatory spaces. Second, focusing upon the importance of ideas, there are chapters on campaigning for housing as a social movement and independence and entrepreneurialism.

. . . in brief

The *Hague Journal on the Rule of Law* (HJRL) is a new journal launched to promote the latest research and analysis on all aspects of the rule of law. The first four articles are available free online. Visit http://journals.cambridge.org and follow links . . .

Valentina S Vadi has contributed an article entitled 'Underwater cultural heritage and international investment law: a case study' (2007) to the new edition of *Italian Yearbook of International Law* vol 17 , Benedetto Conforti, Luigi Ferrari Bravo and Francesco Francioni (eds), Hotei Publishing, pp 143–58.

- **5th PECANS WORKSHOP: SITUATING SOCIAL JUSTICE**
  University of Westminster: 6-7 March 2009

The theme of this year's CentreLGS Postgraduate and Early Career Academics Network (Pecans) is 'Situating social justice'. Details at **w** www.clgs-pecans.org.uk/event or email **e** r.harding@law.keele.ac.uk.

- **'THE STATE WE'RE IN' – COSMOPOLITANISM**
  Birkbeck, London: 7 March 2009

This event will address developments in social and political theory, international law and jurisprudence. Speakers: Robert Fine, Warwick; Paul Gilroy, LSE; Martti Koskenniemi, Helsinki and Cambridge; Walter Mignolo, Duke University; David Kennedy, Brown and Harvard; Costas Douzinas, Birkbeck. Free entry, all welcome. **w** www.bbk.ac.uk/bih/news/autumnprogramme

- **FEMINISM ISN'T DEAD YET!: EQUALITY, RIGHTS AND THE FAMILY**
  Feminist Legal Research Unit, Liverpool Law School: 18 March 2009

The next seminar in this series explores 'Father's rights, equality and feminism'. The speakers will be Professor Richard Collier (University of Newcastle), Dr Craig Lind (University of Sussex) and Professor Sally Sheldon (University of Kent). Further details at **w** www.liv.ac.uk/law/flru/seminar%20series/index.htm or email Helen Baker to book a place **e** hebaker@liv.ac.uk.

- **MODES OF GOVERNANCE IN DIGITALLY NETWORKED ENVIRONMENTS: INTERDISCIPLINARY WORKSHOP**
  Oxford Internet Institute, Oxford University: 26 March 2009

An increasing part of our lives is taking place in digitally networked environments which are often assumed magically to govern themselves. Especially when traditional modes of governance like law and centralised regulations fail, researchers tend to resort to rather vague ideas like 'self-regulation'. This workshop (supported by the Web Science Research Initiative) will take a closer look at new and non-obvious modes of governance in digitally networked environments. Contact **e** christian.pentzold@oii.ox.ac.uk or **e** malte.ziewitz@oii.ox.ac.uk.

- **BRITISH ASSOCIATION OF CANADIAN STUDIES LEGAL STUDIES GROUP CONFERENCE**
  St Anne's College, University of Oxford: 28-30 March 2009

Keynote Speaker: Honorable Madam Justice Rosalie Silberman Abella. The theme of the conference is 'Being, becoming and belonging: multiculturalism, diversity and social inclusion in modern Canada'. The final day will be devoted to a special focus on Anglo-Canadian legal issues (human rights, religion, civil society and democratisation). Details at: **w** www.canadian-studies.info/main.

- **GENDER FUTURES: LAW, CRITIQUE AND THE STRUGGLE FOR SOMETHING MORE**
  University of Westminster, London: 3-4 April 2009

Speakers include: Dean Spade, Professor of Law, Seattle University; Andrea Smith, Associate Professor, University of Michigan; Nivedita Menon, Professor of Political Thought, School of International Studies, Jawaharlal Nehru University; Rosemary Hennessy, Associate Professor of English, RICE University, Houston; Emily Grabham, Research Fellow, CentreLGS, Kent Law School; and Lisa Adkins, Professor of Sociology, Goldsmiths, University of London. Full details at website. **w** www.kent.ac.uk/clgs/news-and-events.

- **CHILDREN AND THE EU: LEGAL, POLITICAL AND RESEARCH PERSPECTIVES**
  University of Liverpool: 20-22 April 2009

Organised in partnership with the the European Children's Rights Network (EURONET), this conference aims to generate in-depth discussion of developments that have taken place at EU level in relation to children's rights and welfare. This will mark the first critical multi-disciplinary conference to assess this area of EU law and policy and will involve policy-makers, practitioners, representatives from the NGO sector and academics. It responds to the landmark 2006 Commission Communication which paved the way for the development of the EU Strategy on the Rights of the Child and will also debate the impact of the Lisbon Treaty on the status of children. Full details at: **w** www.liv.ac.uk/law/cscfl/children/index.htm or contact **e** euchild@liverpool.ac.uk.

- **SITUATING ANTI-SOCIAL BEHAVIOUR AND RESPECT**
  Great Hall, King's College London: 22 April 2009

This is the final dissemination conference of the ESRC research seminar series 'Governing through anti-social behaviour'. It will engage with current policy, draw out broader conceptual insights and hear from high profile commentators and researchers in the field. Key themes: housing; family and gender; youth; the city and night-time economy; and diversity issues. Contact Anna Barker at **e** law6ab@leeds.ac.uk or visit **w** www.law.leeds.ac.uk/esrcasb/.

- **'THE PUBLIC IN LAW' DOCTORAL COLLOQUIUM**
  School of Law, University of Glasgow: 29-30 April 2009

The theme of the colloquium begins with the premise that law is created and executed in the name of the public, yet 'the public' is a term that carries a diversity of meanings within the discipline of law. The colloquium seeks to understand this variety and asks whether 'the public' can have coherent, congruent meanings across disparate areas of law. It asks whether 'the public' is merely an empty vessel, a rhetorical device for legitimacy, or whether it carries more precise and more demanding imperatives with respect to the role and work of legal institutions. Registration free **e** thepublicinlaw@yahoo.co.uk **w** www.gla.ac.uk/departments/schooloflaw/events.

- **THE PRICE AND PROMISE OF CITIZENSHIP: EQUALITY AND RESPONSIBILITY UNDER THE NEW SOCIAL CONTRACT**
  St Hugh's College, Oxford: 29 April-2 May 2009

Keynote Speaker: John Roemer, Professor of Political Science and Economics, Yale University. The Foundation for Law, Justice and Society is hosting this event to examine the nature of the reciprocal ties between the people and the government and amongst the people themselves, to arrive at a better understanding of the interrelated ideas of personal choice, responsibility, and obligation. Professor John Roemer will open the event with an address exploring the historical formulations of responsibility in egalitarian theory, arguing for a more direct and non-contractarian approach. The lecture will be followed by a two-day workshop in which an international panel will attempt to reconcile two of the fundamental features of the social contract: equality and reciprocity. Further details at **w** www.fljs.org/events or **e** phil.dines@fljs.org.

- **POSTGRADUATE CONFERENCE: CENTRE FOR CRIMINAL JUSTICE AND HUMAN RIGHTS**
  University College Cork: 30 April 2009

The theme for this year's event is 'The promise of law: political claims and the boundaries of justice'. The conference will focus on the intersection of law and politics and the tensions between liberty and political expediency in view of contemporary challenges to civil and human rights principles. This international one-day conference will attract promising research scholars from Ireland, the UK and Europe. The keynote address will be delivered by Barbara Hudson, professor in law at Lancashire Law School, whose areas of expertise include cosmopolitan theories of justice and feminist jurisprudence. The closing address will be delivered by Maleiha Malik, reader in law at King's College London, who has written extensively on discrimination law, minority protection and feminist theory. Enquires should be directed to **e** ucclawconf@gmail.com.

- **HUMAN RIGHTS, SECURITY AND PROPORTIONALITY - THE COURT'S POINT OF VIEW: LECTURE**
  Rhodes House, Oxford: 4 June 2009

Keynote Speaker: Aharon Barak, professor of law, Yale Law School and former President of the Supreme Court of Israel. Further details at **w** www.fljs.org/events **e** phil.dines@fljs.org.

- **PHD STUDENT CONFERENCE ON SEXUAL ABUSE**
  Fresh Start, NSPCC, London: 5 June 2009

A thought-provoking one-day conference to develop knowledge around sexual abuse and to explore methodological and ethical issues associated with researching this issue. This conference aims to bring together individuals who specialise in the area of sexual abuse in order to broaden awareness of new studies and innovative methodological approaches. No charge for attendance, but places are limited. For more information, registration or to submit an abstract, contact **e** rebecca.barns@bris.ac.uk **t** 0117 954 6755.

- **UK PUBLIC INTEREST DISCLOSURE ACT 1998**
  Middlesex University, London: 18-19 June 2009

This two-day international conference coincides with the 10th anniversary of the Public Interest Disclosure Act. It will assess how this whistleblowing measure has operated in practice and compare the UK situation with a number of other countries. Details from conference convenor, Professor David Lewis **e** d.b.lewis@mdx.ac.uk.

- **4TH ANNUAL WORKSHOP ON SPORT AND THE EU: LOOKING BACK, THINKING AHEAD: CALL FOR PAPERS**
  University of Stirling, Scotland: 22-23 June 2009

Papers are invited addressing the legal, management and policy issues that pertain to the relationship between sports and the EU. Theoretical and comparative perspectives are welcomed and contributions that are wide-ranging and eclectic are encouraged. Interdisciplinary contributions are especially valued. The aim of the workshop is to provide a supportive, stimulating environment for considered discourse among those interested in the EU's relationship with sport. **w** www.sportandeu.com. Deadline for forms and abstracts 31 March 2009 to Dr David McArdle **e** d.a.mcardle@stir.ac.uk **t** 01786 467285.

- **APPLIED LEGAL STORYTELLING: CALL FOR PAPERS**
  Lewis & Clark Law School, Portland, Oregon: 22-24 July 2009

Contact Steve Johansen **e** tvj@lclark.edu or see full details on SLSA bulletin board events section **w** www.slsa.ac.uk/boards.

- **ROYAL INSTITUTION OF CHARTERED SURVEYORS LEGAL RESEARCH SYMPOSIUM: CALL**
  University of Cape Town, South Africa: 10-11 September 2009

This symposium is part of the annual interdisciplinary RICS 'COBRA' conference. Contributions will take the form of scholarly written papers for presentation at the symposium by their authors. All contributions will be subject to prior peer-review and will also be published in the formal proceedings of the COBRA 2009 conference. Closing date for submission of 300-word abstracts: 3 April 2009. Full details of call and conference at **w** www.cobra2009.com.

- **EUROPEAN SCIENCE FOUNDATION: LAW & COGNITION**
  Aquafredda de Maratea, Italy: 28-31 October 2009

Jointly organised with the European Neuroscience and Society Network. Conference theme: 'Law and cognition – our growing understanding of the human brain and its impact on our legal system'. This conference will address empirical evidence and current research on the likely impacts of neuroscience on legal practice, with a specific focus on European legal systems. For more information, please contact Dr Eva Hoogland **e** ehoogland@esf.org.

- **CONFERENCE ON EMPIRICAL LEGAL STUDIES 2009**
  USC Gould School of Law, Los Angeles: 20-21 November 2009

Conference submissions are due by 15 July 2009. Please visit: **w** http://lawweb.usc.edu/cels.

- **INTERNATIONAL ROUNDTABLE FOR THE SEMIOTICS OF LAW: CALL FOR PAPERS**
  City University of Hong Kong: 2-5 December 2009

The overall aim of a state is to protect the social order in which the individual liberty of the citizen is a major concern. As a consequence, it should guarantee a high level of individual freedom and an order in which such freedom is made possible and guaranteed. Contributors are invited to reflect on the growing importance of 'Transparency, control and power' in our international community and how these main ideas have been examined over the years. For details, contact Vijay K Bhatia **e** enbhatia@cityu.edu.hk or Anne Wagner **e** valwagnerfr@yahoo.com. Deadline: 1 May 2009.

- **CONCEPTUALIZING THE CONTEMPORARY PROFESSIONS - INTERDISCIPLINARY DEBATES: ESRC SEMINAR SERIES**
  Nottingham, Leeds and London: 2009-10

24 April 2009: The globalization and changing geographies of professional expertise (Nottingham University)

9 September 2009: Diversity, inclusion and representativeness: challenges for the professions (Leeds University)

January 2010: The challenge of change in professional services firms (Cass Business School, City University, London)

For further details, visit, **w** www.contemporaryprofessions.com.

SLSA 2009

Streams

Details of following streams have already been confirmed. Please contact the stream organisers if you have any queries.

Administrative justice: Mary Seneviratne
e mary.seneviratne@ntu.ac.uk

Conflict and security law: Brenda Daly and Noelle Higgins
e brenda.daly@dcu.ie and **e** noelle.higgins@dcu.ie

Criminal justice: Daniele Alge
e d.alge@surrey.ac.ik

Environmental law: Brian Jacks
e b.jack@qub.ac.uk

European law: Naomi Salmon
e njs@aber.ac.uk

Family law: Anne Barlow
e a.e.barlow@ex.ac.uk

Gender, sexuality and law: Chris Ashford
e chris.ashford@sunderland.ac.uk

Humanitarian law: Eadaoin O'Brien and Tara Smith
e eadaoin_0_brien@yahoo.co.uk and **e** smithtar@gmail.com

Human rights: Niamh Hayes
e niamh1@gmail.com

Indigenous rights: Sarah Sargent
e sjsargent@aol.com

Information technology, law and cyberspace: Mark O'Brien
e mark.o'brien@uwe.ac.uk

Intellectual property: Jasem Tarawneh
e jasem.tarawneh@manchester.ac.uk

Judges and judging: Dermot Feenan
e d.feenan@ulster.ac.uk

Labour law: Nicole Busby and Grace James
e n.e.busby@stir.ac.uk and **e** c.g.james@reading.ac.uk

Law and literature: Julia Shaw
e jshaw@dmu.ac.uk

Law, race, religion and human rights: Fernne Brennan
e joash@essex.ac.uk

Legal education: Tony Bradney
e a.bradney@law.keele.ac.uk

Medical law and ethics: Glenys Williams and David Price
e gnw@aber.ac.uk and **e** dpp@dmu.ac.uk

Mental health and mental capacity: Peter Bartlett
e peter.bartlett@nottingham.ac.uk

Regulating sex work: Teela Sanders and Jane Scoular
e t.l.m.sanders@leeds.ac.uk and **e** jane.scoular@strath.ac.uk

Sexual offences and offending: Phil Rumney
e phil.rumney@uwe.ac.uk

Socio-legal theory and method: Reza Banakar
e r.banakar@westminster.ac.uk

Sports law: Ben Livings
e ben.livings@sunderland.ac.uk

Keywords

- Ethical policy
- Governance
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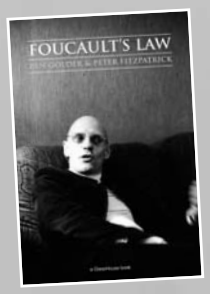

Foucault's Law
Ben Golder and **Peter Fitzpatrick**

Provocative and unorthodox, this is the first book in twenty years to address Foucault's position on law. Engaging with neglected texts, as well as considering his relationship to other continental thinkers, the authors examine the claim the law was expelled from Foucault's analysis of modernity

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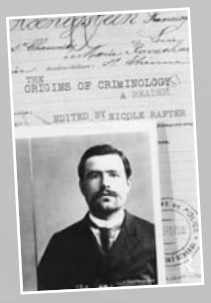

The Origins of Criminology
Nicole H. Rafter

Criminology is a unique field of study which purports to bring scientific knowledge to the world of crime and criminals. Tracing the intellectual origins of criminology to physiognomy, phrenology, and evolutionary theories, this book demonstrates criminology's background in new attitudes toward science and the development of scientific methodologies applicable to social and mental phenomena. The book brings together a collection of 19th-century texts from the key originators of the practice of criminology - selected, introduced, and with commentaries by the leading scholar in this area, Nicole Hahn Rafter.

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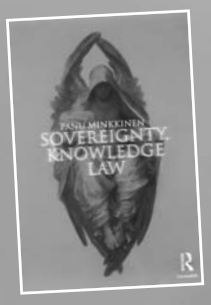

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Sovereignty, Knowledge, Law investigates and problematises the notion of sovereignty from three different, but related perspectives: as a legal question in relation to the sovereign state, as a political question in relation to sovereign power, and as a metaphysical question in relation to sovereign self-knowledge.

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