

# Socio-Legal NEWSLETTER

No 46



THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION

SUMMER 2005

## SLSA CURRENT ACTIVITIES AND FUTURE PLANS

*Following another successful annual conference at the University of Liverpool, the SLSA is continuing its work in promoting and supporting the quality and status of socio-legal research. Here, we draw together the latest SLSA news and announcements.*

### SLSA Executive Committee membership

In the past year several members have left the Executive Committee and several new people joined at the AGM in Liverpool. The SLSA would like to thank Dave Cowan, Mary Seneviratne, Lois Bibbings, Helen Carr, Richard Collier, Anne Griffiths, Michael Meehan and Warren Barr for their contributions. The following new members joined the Executive Committee: Rosemary Auchmuty, Fiona Cownie, Robert Dingwall and Caroline Hunter.

The SLSA Executive Committee meets three times a year and its activities are reported in the newsletter. In addition, if you want to find out more, you can download past minutes from the website. [www.kent.ac.uk/slsa](http://www.kent.ac.uk/slsa)

### SLSA events

#### Annual conferences

The SLSA annual conference 2006 will be hosted by the University of Stirling from 28–30 March 2006. More details will be announced as they become available. The conference organiser is Nicole Busby [e n.e.busby@stir.ac.uk](mailto:n.e.busby@stir.ac.uk). In 2007, the annual conference will be at Kent University. The SLSA is seeking suggestions for **speakers** for the plenary session at both these events. Please contact SLSA chair, Sally Wheeler [e s.wheeler@qub.ac.uk](mailto:s.wheeler@qub.ac.uk).

If you are a student member of the SLSA, remember that you can apply for a **bursary** to attend the conference. Details are on the website at [www.kent.ac.uk/students](http://www.kent.ac.uk/students).

#### Postgraduate conferences

The venues for the next two SLSA postgraduate conferences have now been finalised. The 2006 event will be held at the University of Sheffield from Thursday 12 to Friday 13 January. Further details will appear in the next issue of the newsletter. The organiser is Tony Bradney [e a.bradney@sheffield.ac.uk](mailto:a.bradney@sheffield.ac.uk). The 2007 pg conference will be at Bristol University.

#### LSA Summer Institute - SLSA-sponsored participants

The Law and Society Association's 11th Summer Institute took place in Oxford from 29 June–3 July 2005. The SLSA sponsored the following student members to attend: Helen Hartnell; Sundhya Pahuja; Luigi Cominelli; Tola Amodu; Yukel Sezgin; Alexander Fischer; Niklas Hultin.

The UK-based faculty which helped facilitate the Summer School included the following SLSA members: David Campbell, University of Durham; Denis Galligan, Oxford University; Anne Griffiths, Edinburgh University; Bronwen Morgan, Oxford University; and David Sugarman, Lancaster University. A report on the event will appear in the next newsletter.

### SLSA co-sponsorship - Berlin 2007

The SLSA is to co-sponsor the international socio-legal studies meeting in Berlin from 18–23 July 2007. SLSA input will come via a liaison member (Bronwen Morgan) on the International Planning Committee (IPC). The IPC's mission is to coordinate the activities of all sponsoring organisations, assist in planning the 2007 program and events leading up to it and assess options for continued international cooperation following the event.

#### Specific responsibilities of the IPC

- Discuss the goals for Berlin 2007.
- Identify activities which each co-sponsor might support that would contribute to the success of Berlin 2007.
- Help develop events and activities in 2006 that would lead up to Berlin 2007. The LSA and the RCSL (Research Committee on Sociology of Law) are exploring ways that LSA Collaborative Research Networks and RCSL Working Groups could initiate activities that would bring scholars from around the world together and culminate in sessions in 2007. The IPC will discuss these and other pre-2007 activities.
- Discuss possible themes for Berlin 2007 and prepare a proposed theme for discussion by the full 2007 Program Committee when it convenes in July 2006.
- Explore issues related to future international meetings and institutional collaboration and report by June 2007 to sponsoring associations concerning options for future collaboration and the management of international meetings.

#### Roundtable

In addition to these responsibilities, IPC members participated in a special roundtable on **The Transnational Challenge in Socio-Legal Studies** held at the LSA's Las Vegas meeting. The roundtable assessed the challenges to socio-legal studies brought about by globalisation and the emergence of transnational regimes of various types. It also looked at the way these challenges were perceived in various parts of the world, identified things currently being done in various countries and regions to deal with the challenge and discussed ways that the 2007 meeting and events leading up to it could help meet these challenges.

#### Timetable

The IPC held its first meeting in Las Vegas in June 2005 at the LSA Annual Meeting. In July 2006, all members of the IPC will join other scholars to form the Program Committee 2007 (PC2007) at the LSA's Baltimore meeting. This larger group will be responsible for preparing the program for the Berlin event.

To promote as wide an international base of participation in the Berlin meeting as possible, SLSA members are warmly encouraged and invited to put forward suggestions for themes, panels, streams or any other desired form of participation that would be of particular interest to them. These inputs will be fed into the programme planning and theme selection for the Berlin meeting by the PC2007.

The IPC will complete its work in 2007 at the Berlin meeting with a report to the sponsoring organisations, including the SLSA, on the future of international meetings and institutional cooperation.

**Please contact Bronwen Morgan [e bronwen.morgan@csls.ox.ac.uk](mailto:bronwen.morgan@csls.ox.ac.uk) for more information and especially for feeding in ideas, proposals or wishlists.**

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## SLSA Executive Committee 2005-2006

### CHAIR

Sally Wheeler  
School of Law, Queen's University Belfast  
e s.wheeler@qub.ac.uk

### VICE-CHAIR

Anthony Bradney  
Department of Law, University of Sheffield  
e a.bradney@sheffield.ac.uk

### SECRETARY

Julian Webb  
School of Law, University of Westminster  
e j.webb01@westminster.ac.uk

### TREASURER

Daniel Monk  
Birkbeck College  
e d.monk@bbk.ac.uk

### MEMBERSHIP SECRETARY

Lisa Glennon  
Queen's University Belfast  
e l.glennon@qub.ac.uk

### NEWSLETTER, DIRECTORY, WEBSITE CONTENT,

EMAIL NETWORK AND BULLETIN BOARD  
Marie Selwood  
e m.selwood@tiscali.co.uk

### WEBMASTER

Nick Jackson  
Kent University  
e n.s.r.jackson@kent.ac.uk

### STIRLING 2006 CONFERENCE ORGANISER

Nicole Busby  
e n.e.busby@stir.ac.uk

### LIVERPOOL 2005 CONFERENCE ORGANISERS

Helen Stalford  
e stalford@liverpool.ac.uk  
Fiona Beveridge  
e f.c.beveridge@liverpool.ac.uk

### SLSA EXECUTIVE MEMBERS

Rosemary Auchmuty  
University of Westminster  
e auchmur@westminster.ac.uk

Anne Barlow  
University of Exeter  
e a.e.barlow@exeter.ac.uk

Fiona Cownie  
University of Hull  
e f.cownie@hull.ac.uk

Robert Dingwall  
University of Nottingham  
e robert.dingwall@nottingham.ac.uk

Alison Dunn  
University of Newcastle-upon-Tyne  
e alison.dunn@newcastle.ac.uk

Anne-Maree Farrell  
University of Manchester  
e a.m.farrell@manchester.ac.uk

John Flood  
School of Law, University of Westminster  
e j.a.flood@wmin.ac.uk

Paddy Hillyard  
Queen's University Belfast  
e p.hillyard@qub.ac.uk

Caroline Hunter  
Sheffield Hallam University  
c.m.hunter@shu.ac.uk

Grace James  
University of Reading  
e c.g.james@reading.ac.uk

Bettina Lange  
Keele University  
e b.lange@law.keele.ac.uk

Morag McDermont  
University of Bristol  
e morag.mcdermont@bristol.ac.uk

Richard Moorhead  
Cardiff University  
e moorheadr@cardiff.ac.uk

Bronwen Morgan  
Oxford University  
e bronwen.morgan@csls.ox.ac.uk

Tom Mullen  
University of Glasgow  
e t.mullen@law.gla.ac.uk

Lisa Webley  
School of Law, University of Westminster  
e webleyl@westminster.ac.uk

### *Social & Legal Studies 14(3)*

Genealogies of the land: aboriginality,  
law, and territory in Vancouver's  
Stanley Park – Renisa Mawani

'As nearly as may be': debating  
women's human rights in Pakistan  
– Siobhán Mullally

Misguided retribution: criminalization  
of pregnant women who take  
drugs – Vicky Toscano

'Someone to watch over me': making  
supported housing work – Helen  
Carr

Motherhood, fatherhood and law:  
child custody and visitation in  
Israel – Daphna Hacker

### *Journal of Law and Society 32(2)*

#### Articles

Social Science and diffusion of law –  
William Twining

Shooting felons: law, practice, official  
culture, and perceptions of  
morality – AW Brian Simpson

Hart interviewed: HLA Hart in  
conversation with David Sugarman  
– David Sugarman

Victims' rights in criminal trials:  
prospects for participation –  
Jonathan Doak

#### Book reviews

Martha Nussbaum: *Hiding from  
Humanity: Disgust, shame and the  
law* – Ratna Kapur

Niklas Luhmann: *Law as a Social System*  
– Jiri Pribán

Frederick Schauer: *Profiles, Probabilities,  
and Stereotypes* – Mike Redmayne

David Hirsh: *Law Against Genocide:  
Cosmopolitan trials* – William  
Schabas

### Newsletter contact details

Marie Selwood, Editor ☒ *Socio-Legal  
Newsletter*, 33 Baddlesmere Rd, Whitstable,  
Kent CT5 2LB ☎ 01227 770189  
e m.selwood@tiscali.co.uk. The next copy  
deadline is **Monday 17 October 2005**.

### SLSA website and bulletin board www.kent.ac.uk/slsa

#### Website

. . . detailed information about the SLSA and  
its activities . . . updated regularly . . . best  
port of call for the latest SLSA news . .

#### Bulletin board

. . . SLSA announcements . . . conferences  
and events . . . jobs . . . other items of  
interest . . . registered users get regular  
digests . . .

#### e-contacts

n.s.r.jackson@kent.ac.uk  
m.selwood@tiscali.co.uk

### . . . people

**PROFESSOR CARL STYCHIN** has been  
appointed Pro-Vice Chancellor (Enterprise) at  
the University of Reading from 1 April 2005.  
He ceased to be Dean of the Faculty of  
Economic and Social Sciences from that date.

**BRONWEN MORGAN** has recently accepted  
the position of Chair of Socio-Legal Studies  
at the University of Bristol commencing  
1 August 2005.

**HANNAH QUIRK** was awarded her PhD last  
year ('Re-Balancing Acts? An evaluation of the  
changes to the right of silence and pre-trial  
disclosure). She also took a six-month  
sabbatical to work at the Innocence Project  
New Orleans, with funding from the SLSA and  
a British Academy Small Research Grant to  
pursue a project entitled 'Redressing wrongful  
convictions: a comparative study of US  
innocence projects and the Criminal Cases  
Review Commission (see page 6 for details).  
She is returning to the UK in August to take up  
a post as Lecturer in Criminal Law and Justice  
at the University of Manchester.

As part of the celebrations to mark the  
founding of the Department of Law in 1965,  
Queen Mary College has established a new  
Anniversary Chair of Legal Theory. In  
recognition of his international distinction as a  
scholar and his contribution to the department  
and the college over many years, **PROFESSOR  
ROGER COTTERRELL** will be the first holder  
of the Anniversary Chair with effect from  
1 September 2005.

**PROFESSOR PHIL THOMAS** of Cardiff  
University has been appointed UK Director of  
the Indo-British Video Connect Plus programme  
for 2005 which focuses on aspects of human  
rights. Also at Cardiff, **KEN OLIPHANT** has  
been appointed UK correspondent of the *Torts  
Law Journal* at the invitation of Professors  
Harold Luntz and Peter Cane and **DR JIRI  
PRIBAN** has been appointed as Reader.

**Correction:** We would like to apologise to  
**STEPHEN WHITTLE** who has asked us to point  
out that he is a Reader at Manchester  
Metropolitan University, not a Professor as we  
mistakenly wrote in SLN 45 p2.

### One-day conferences

The SLSA regularly underwrites one-day  
conferences. If you have an idea for a  
conference that you would like the SLSA to  
support, contact a member of the Executive  
Committee to discuss details.

p1 activities and plans . . .

### SLSA link with British Society of Criminology

The SLSA has recently agreed a new link with the British Society of Criminology. Brian Williams at De Montford University (e [bwilliam@dmu.ac.uk](mailto:bwilliam@dmu.ac.uk)) is the contact. As with our other linked associations, we have agreed to put reciprocal web links in place and to liaise over matters of common interest. The BSC website is at [www.britsoccrim.org](http://www.britsoccrim.org) and for those SLSA members with a criminological bent the BSC Annual Conference this year is at Leeds University on 12-14 July 2005, on the theme 'Re-awakening the criminological imagination'. Anyone interested should visit the BSC website or contact e [bsc2005@leeds.ac.uk](mailto:bsc2005@leeds.ac.uk).

Anne Barlow e [a.e.barlow@exeter.ac.uk](mailto:a.e.barlow@exeter.ac.uk)

### SLSA website [www.kent.ac.uk/slsa](http://www.kent.ac.uk/slsa)

The SLSA website is regularly updated and contains detailed information about SLSA activities and those of its members. It is also an extremely valuable resource for researchers and often the first port of call for non-members interested in socio-legal studies.

One of the most important areas of the website is the **research area** which provides hundreds of links to other webpages. These are categorised into subject areas. We are still looking for people to provide research links for the following specialist subjects: civil liberties and human rights; financial services regulation; law and literature; law and social theory; legal geography; and legal history. If you would like to contribute links for any of these areas or you feel your area of interest is not represented then please contact the website editor. e [m.selwood@tiscali.co.uk](mailto:m.selwood@tiscali.co.uk)

### SLSA Directory

The 2006 edition of the *SLSA Directory* is now being prepared. The entry form is enclosed with this newsletter and is also available on the website. SLSA members will also receive email reminders over the summer and early autumn. The closing date this year is Friday 14 October 2005. The new directory will appear in January next year.

### SLSA subscriptions

SLSA annual membership subscriptions were due on 1 July 2005. All members will have received a reminder from the membership secretary. The fees have been frozen at £30 for several years and represent excellent value. Students only pay £10 with the first year free. Members paying by direct debit should check they are paying the correct amount, particularly if their status has changed from student membership.

### SLSA bulletin board

The bulletin board is being developed to enhance its usefulness to members. You should get in touch if you have comments on the board or ideas for future uses. Members and other interested parties can register as users to receive digests of new postings. Downloadable instructions on registration are at [www.kent.ac.uk/slsa/joining/email&bulletin.htm](http://www.kent.ac.uk/slsa/joining/email&bulletin.htm).

### Newsletter index on website

No more flicking through back copies of the newsletter, unable to find exactly what you want! Now there is a downloadable index in pdf format for issues 37-45 of the *Socio-Legal Newsletter*. This will be regularly updated as newsletters are published. You can find this at [www.kent.ac.uk/publications/newsletter](http://www.kent.ac.uk/publications/newsletter).

### New journal discount for members

SLSA members can claim a discounted subscription to the new journal *Law, Culture and the Humanities* edited by Austin Sarat. Full details of all journal discounts are on the website at [www.kent.ac.uk/slsa/joining/journaldiscounts](http://www.kent.ac.uk/slsa/joining/journaldiscounts).

## SLSA SMALL GRANTS 2005

### 31 October deadline for applications

SLSA members interested in applying for a small grant are reminded that the deadline is 31 October 2005. The Executive Committee provides £8000 annually – up to a maximum of £1500 per individual grant – to encourage socio-legal research initiatives in practical ways.

The Research Grants Committee takes into consideration the coherence and costing of the proposal and the applicant's likely contribution to socio-legal scholarship, including anticipated publications or enhancement of the prospect of future research grants from other grant-making bodies.

Funding will not normally be provided for conference attendance or to subsidise postgraduate course fees. Feedback will be given to unsuccessful applicants. No member will receive more than one grant per year. Executive Committee members are not eligible for the scheme.

The Research Grants Committee's annual report to the Executive Committee about the number and quality of applications will be summarised in the *Socio-Legal Newsletter* which will also publish award winners' details. Decisions will be made no later than 31 January 2006.

For details contact Tony Bradney [a.bradney@shef.ac.uk](mailto:a.bradney@shef.ac.uk) Dept of Law, University of Sheffield, Crookesmoor Building, Conduit Rd, Sheffield S10 1FL e [a.bradney@shef.ac.uk](mailto:a.bradney@shef.ac.uk) t 0114 222 6771. Or visit the SLSA website [www.kent.ac.uk/slsa](http://www.kent.ac.uk/slsa) and click on prizes and grants.

Grantholders will be expected to provide a summary of their proposed research for inclusion in the newsletter and also a short report on completion. See page 5 for 2004 reports.

## SOCIO-LEGAL RESEARCH USERS FORUM

*Martin Partington reports on the latest SLRUF meeting which covered the AHRC review of law, the RAE law panel and the Nuffield Inquiry.*

At its latest meeting in May, the forum received a progress report from the AHRC about its subject review of law which is nearing completion. Members also heard that both the AHRC and the ESRC were surveying their grantholders to get a better understanding of the impact of the research they had funded, both within the discipline and in the wider legal world. Members of the forum noted the very low take-up of AHRC awards by law schools, by comparison with other disciplines (including theology and philosophy).

In discussion, concern was expressed that the present law RAE panel had no user representative (unlike nearly every other discipline). Members of the forum will be seeking to take the opportunity to comment on the law panel's draft guidance when it is published later in the summer. They noted that many academics, not only in law but in other social science areas, lacked the incentives to collaborate in interdisciplinary work. They thought that sensible development of the RAE process could adjust the incentives for the benefit not only of the academic community, but also the wider user community.

The forum also heard about the progress of the Nuffield Inquiry into Empirical Research in Law. An outline of the final report of the project was in preparation and would be presented by Professors Hazel Genn and Martin Partington to the Hart Workshop at the Institute of Advanced Legal Studies, London at the end of June.

One disappointing bit of news was that, as the result of funding cuts in the DCA, the planned research competition would not be run this year, though the in-house research team remains in business and will be carrying on with its work as planned.

## HART SOCIO-LEGAL BOOK PRIZES AND SOCIO-LEGAL ARTICLE PRIZE 2006

*Last year's book and article prizes attracted more entries than ever and standards were high. Here, we congratulate the 2005 winners who received their prizes at the annual conference and call for nominations for this 2006.*

The Executive Committee of the SLSA wishes to receive nominations for three annual prizes. These are:


- the Hart Socio-Legal Book Prize (a book prize, open to all, for the most outstanding piece of socio-legal scholarship published in the 12 months preceding the closing date for nominations);
- the Socio-Legal Article Prize (an article prize, open to all, for the most outstanding piece of socio-legal scholarship published in the 12 months preceding the closing date for nominations); and
- the Hart Socio-Legal Prize for Early Career Academics (a prize for the best book, published in the 12 months preceding the closing date for nominations, emerging from a previously awarded PhD, MPhil, LLB or MA).

The aim of the prizes is to celebrate and promote the work of socio-legal academics. The winners of the prizes are traditionally announced at the dinner during the SLSA Annual Conference which next year is hosted by Stirling University School of Law from 28–30 March 2006. The value of the prizes will be: for the Hart Socio-Legal Book Prize, £250; for the SLSA Article Prize, £100; and, for the Hart Socio-Legal Prize for Early Career Academics, £250. On previous occasions, the judges have sometimes exercised the power to divide the whole sum equally between the winners. The rules governing the prizes are as follows.

1. Nominations for each of the prizes can be accepted from any one member of the SLSA, including the author(s) of the nominated publication. Nominations are also welcome from publishers provided a statement is enclosed indicating that the author has consented to the nomination (see rule 9, below).
2. The 'Hart Socio-Legal Book Prize' and the 'Socio-Legal Article Prize' are open to all academics. For the 'Hart Socio-Legal Prize for Early Career Academics' (a prize for the best book emerging from a PhD, MPhil, LLB or MA and published in the 12 months preceding the closing date for nominations) authors nominated must be early career academics. By this we mean lecturers in the 'old' university sector; lecturers and senior lecturers in the 'new' university sector; research fellows, research associates, and research assistants in both sectors; and postgraduate students. All books submitted by early career academics under this scheme will automatically also be considered for the 'Hart Socio-Legal Book Prize'.
3. Nominations must be accompanied by two copies of the publication being nominated. All book nominations must include a clear statement indicating which of the book prizes (the Hart Book Prize/the Prize for Early Career Academics) they wish their work initially to be considered for.

4. The winners of the three competitions will be determined by an SLSA sub-committee which will include at least one external expert co-opted to the sub-committee for this purpose.
5. The SLSA seeks to encourage both single-authored and collaborative work. Accordingly, both single-authored and co-authored books and articles can be nominated. In the case of co-authored works, it is necessary for all authors to be early career academics, as defined at (2). There is to be no restriction on the number of co-authors permitted.
6. Individual book chapters are eligible for the article prize. Edited collections are not eligible for the other prizes.
7. Eligibility for nomination will be determined, if appropriate, by academic status at the time of publication, not at time of nomination.
8. Books and articles by eligible authors will be considered provided that: (i) they have been published within the 12 months preceding the closing date for nominations; and (ii) they have not been nominated in an earlier SLSA prize competition.
9. The nomination must include (i) a statement of the month and year in which the book/article was published; (ii) a statement showing that the author has consented to the nomination.
10. The prizes will be awarded to the successful candidates at the SLSA's annual conference, and details of the winners will be published in the *Socio-Legal Newsletter* and on the SLSA website
11. Members of the SLSA Executive Committee are not eligible for nomination.

Full information and entry forms can be found on the SLSA Website [www.kent.ac.uk/slsa](http://www.kent.ac.uk/slsa) and click on prizes and grants.

**Nominations, accompanied by two copies of the relevant publication, should be sent by Monday 28 November 2005 to: Fiona Cownie**  **School of Law, University of Hull HU6 7RX. Contact e [f.cownie@hull.ac.uk](mailto:f.cownie@hull.ac.uk) for further information.**

### 2005 book and article prizewinners

Congratulations to the winners of this year's prizes.

#### The Hart Socio-Legal Book Prize

Roy Coleman of the Sociology Department, University of Liverpool received £250 for *Reclaiming the Streets*, published by Willan.

#### The Hart Socio-Legal Prize for Early Career Academics

Christopher Waters of the Law Department, University of Reading, received £250 for *Counsel in the Caucasus – Professionalization and law in Georgia*, published by Martinus Nijhoff.

#### The Socio-Legal Article Prize (£100)

This year the prize was shared between:

Kieran McEvoy and Heather Conway of Queen's University Belfast, School of Law for their article 'The dead, the law and the politics of the past' (2004) *Journal of Law and Society* 31(4): 539–62: **and**

Jiri Priban of Cardiff Law School for 'Reconstituting paradise lost: temporality, civility and ethnicity in post-communist constitution-making' (2004) *Law and Society Review* 38(3): 407–31.

## SMALL GRANTHOLDERS 2004: PROJECT SUMMARIES

*This year's six grantholders are an excellent example of the SLSA scheme. Their research covers four continents and targets issues from access to justice through to human rights and wrongful convictions. In this issue, the researchers outline their plans. In the future, they will report back on the outcomes of their projects.*

### Pursuing Pinochet: a global quest for justice

**David Sugarman (Lancaster) £1095**

The struggle to render General Augusto Pinochet, former Chilean head of state (1973–90), legally accountable for human rights crimes is amongst the most significant and controversial case histories in the prosecution of human rights. This struggle provides a unique lens on the history of the human rights movement, international human rights law and the resistance thereto – as well as the specific experience of real people (victims, lawyer's etc). Since 1998 I have been undertaking research that aims to

analyse comprehensively the local and transnational struggle since 1973 to bring Pinochet to justice in Chile, Argentina, Spain, Belgium, Switzerland, France, the Netherlands, Germany, Italy, Britain and the USA.

Funding has been granted to transcribe 25 as yet unanalysed interviews. The project makes an empirically based contribution to the largely theoretical debates concerning: the interaction between law and politics; the judicialisation of power; the efficacy of human rights and the ability of courts, 'cause lawyers' and social movements to find new paths to substantive justice; the impact of international (i.e. third

country) as distinct from domestic accountability; globalisation, the reconfiguration of the state and democratic accountability; and the impact of advanced technology and the media on political and legal mobilisation. It builds upon my research analyses of archival material, multiple secondary literatures and over 300 interviews with key actors (including victims and their families, exiles, judges, Church and human rights related NGOs, lawyers, officials, journalists and politicians) in 10 countries.

The primary intended output will be a book, *Pursuing Pinochet. A global quest for justice*.

### Indigenous rights, decentralisation and legal globalisation: Mexico and Guatemala

**Rachel Sieder (Institute for the Study of the Americas, London) £1454**

The question of how to reform legal regimes and judicial and law enforcement institutions in order to promote greater access to justice for indigenous peoples is a central challenge in Latin America's democratising, multicultural societies. In recent years two intersecting policy trends have increasingly characterised judicial reform in the region: first, measures aimed at ensuring greater accessibility, especially for poor and marginalised communities, and increased effectiveness of the judiciary; and second the reform of a range of state institutions in order to make them more multicultural and responsive to indigenous rights agendas. Such reforms are increasingly promoted by a range of international and transnational actors and institutions, such as the United Nations and the World Bank.

These trends are leading to the partial de-centring of what have traditionally been highly centralised and unitary forms of state law. Local officials have been given a greater role and different forms of alternative dispute resolution or non-judicial dispute settlement have been promoted in the hope of making justice faster, cheaper and more accessible. In addition, greater autonomy for local conflict resolution by indigenous communities has been sanctioned, through recognition of indigenous forms of justice as part of the public authorities of the state. I hypothesise that within

### The impact of human rights in Scotland: five years after devolution

**Penny Martin (independent researcher) £1500**

This project is a post-devolution review of the socio-legal impact of the European Convention on Human Rights (ECHR) (as given effect to by the Human Rights Act (HRA) 1998 and the Scotland Act (SA) 1998) on Scottish law, policy and practice.

Research on the impact of the ECHR in the United Kingdom often does not consider the complexities of devolution and the specific legal and social contexts in the devolved nations. This project seeks to address this issue by exploring the impact of the ECHR in Scotland through the lens of 'legal cultures' theory. By considering the impact of human rights on the internal and the external legal cultures, the research will build a picture of the main doctrines, processes and actors significant to the Scottish instantiation of the ECHR.

The key research questions will be:

- To what extent has the ECHR influenced formal judicial and governmental decision-making?
- To what extent has the ECHR influenced informal practice in both the internal and external legal cultures?
- What are the limitations of the Scottish approach and the prospects for the development of the ECHR, HRA and SA in Scotland?

The research will adopt a thematic approach. The majority of the research will consider the impact of human rights in each main devolved policy area. In each area, the main actors, processes and legal and policy events will be analysed. Where appropriate, models of the Scottish approach will be proposed.

This project is supported by an Advisory Board of Scottish academics, legal practitioners, non-governmental organisations and legal professional organisations. The research results will be made available in a published report and a journal article that will be submitted for publication.  
e penny\_martin@hotmail.com

these spaces the local, the national and the transnational interact to produce specific legal outcomes and understandings, generating new forms of legal consciousness. This in turn contributes to new relationships being forged between citizens, law and the state, just as the Latin American state is, in turn, being reconstituted and redefined.

My project compares two contrasting case studies: Oaxaca, Mexico, where state legislation was passed to recognise

indigenous customary law in 1995, and Guatemala, where attempts to reform the justice system occurred as a consequence of the peace process, concluded in 1996. By exploring a series of community-based access to justice/multicultural justice initiatives and projects, I aim to evaluate whether current processes of legal decentralisation are broadening or restricting indigenous peoples' access to justice overall.

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◀ p5 *SLSA small grants* . . .

### Redressing wrongful convictions: a comparative study of US innocence projects and the CCRC

**Hannah Quirk (Criminal Cases Review Commission) £1415**

I have both an academic and professional interest in wrongful convictions, having worked for three years at the Criminal Cases Review Commission (CCRC) whilst completing my PhD. (This examined the dangers of 'crime control' rhetoric in policy making, through the changes to the right of silence and the disclosure of unused

material). This SLSA grant was used to enable me to spend six months in the USA developing a comparative perspective to this work and to afford me the time to write about the responses to wrongful convictions in both jurisdictions.

The CCRC was the first government body established to investigate suspected wrongful convictions; most innocence projects are based on philanthropy and volunteers. The CCRC considers the 'safety' of the conviction; the American projects look at 'actual innocence'. I intend to compare the effects of these different structures and

the tests applied to cases upon the approaches of both organisations.

I was based primarily at the Innocence Project New Orleans (IPNO), undertaking casework, visiting criminal justice bodies and interviewing practitioners. I also visited other types of Innocence Project. I was a panellist at the National Innocence Conference in Washington DC in April and was a speaker at the university and also to local criminal justice groups. I also worked on IPNO's legislative campaigns to introduce compensation for those who have been exonerated and to establish a CCRC-type body in Louisiana.

### Exploring indicators for access to justice in India

**Maurya Chandra (Queen Mary, London) £1095**

A crucial element of any indicator project is deciding 'what to measure'. However, none of the existing studies or projects for indicators of access to justice appears to have taken into account the perception of people at the grassroots to arrive at the operationalisation of the concept itself. The object of this study is to examine the extent to which the existing indicators correspond to the perception of people at grassroots level in India. Focus groups

will be used as a means to explore the issue. The discussions of the focus groups will be broadly around: a) the situations when justice is not accessible and; b) whether the assertions derivable from important indicators of access to justice are agreeable to the group.

Focus group discussions will be conducted at three different places in India, each of which has a different geographic, social, economic, developmental and demographic profile. Groups representing litigants, intermediaries, lawyers, law teachers, political, social and trade representatives and civil society organisations will be

invited to each of the venues. Every effort will be made to keep the overall composition of the participants of the focus groups as representative of the socio-economic, gender and developmental profiles as possible. The transcripts of the focus groups will be coded, keeping in mind the current indicators of access to justice. New themes that emerge in describing access to justice as a concept will also be identified using the techniques of grounded theory development.

It is expected that the project will deepen understanding on indicators of access to justice, exposing to critical examination some untested assumptions in this area.

### Medical manslaughter: prosecutorial discretion and the construction of a crime

**2003 grantholder Oliver Quick, University of Bristol, reports in more detail on the progress of his research.**

Prosecutions of health care professionals for manslaughter following fatal errors have increased notably over recent years. Whilst this has not gone unnoticed, the ways that such cases journey through the criminal justice system have been underexplored. In particular, the important role of the prosecutor in interpreting this contested and controversial crime has been overlooked. In terms of understanding decision making and discretion, an approach which simply analyses cases and documents is of limited use. My SLSA grant enabled me to gain further insights by conducting some qualitative research in the form of interviews with prosecutors at an office of the Casework Directorate of the Crown Prosecution Service (CPS). Respondents were sent an outline of the interview schedule in advance and were asked to consider actual cases where they had decided to prosecute and where they had not. Anonymity was assured and all respondents agreed to the interviews being tape-recorded. The interviews were semi-structured with fairly open-ended questions permitting space to probe and opportunity for clarification. So far, four interviews have been carried out with additional interviews to be conducted at another office of the Casework Directorate. The current remarks are therefore somewhat preliminary.

In terms of approaching the task of understanding decision making, I adopted Keith Hawkins' three organising ideas of 'surround', 'field' and 'frame' and focused on the latter, that is, the 'structure of knowledge, experience, values and meanings that decision makers employ in deciding' whether to prosecute. The

analysis of frames is particularly relevant to researching the decisions of individual prosecutors, given that the task of assessing evidence is a 'framing operation' whereby the frame determines which material is sought and seen as significant. There were three notable findings which I will briefly note in this report.

The first involved the influence of the CPS. Research undertaken into the role of the CPS has remarked on its weak role relative to the police. McConville et al found a 'routinization of decision making' at the CPS and an 'overwhelming propensity to prosecute', whilst Sanders described it as more 'decision reverser' than decision maker. However, in relation to medical manslaughter, the CPS performs a more pro-active role in steering an often uncertain police investigation into making a decision about whether a crime has been committed. The end product of this is a 'review note' compiled by the CPS which records the decision and reasons for prosecuting or not, thus calling for the application of the Code for Crown Prosecutors and the exercise of discretion.

The second finding related to prosecutors' construction of culpability in this context. This is a difficult task, given that the legal description of gross negligence manslaughter is circular and lacks any real definitional power of law. Compared with, for example, investigating health and safety law or violent assaults, there are no clear rules and less 'stored knowledge' available about previous conduct. The nature of the alleged crime leaves prosecutors short of clues and cues to construct criminality. Individual symbolic perceptions of blame are thus important triggers to constructing a case. The interviews revealed prosecutorial sensitivity to the context and circumstances of the alleged crime. The extent of this contextual approach to culpability was particularly marked. The role or relative seniority of the individual appeared to be an important factor in assessing gross negligence. Sympathies for junior professionals lower down the medical hierarchy seemed to expose the

## EU enlargement and free movement of workers: implications for Polish nationals

**Samantha Currie (University of Liverpool) £1440**

The most recent enlargement of the EU, the largest in history, is widely regarded as the most momentous thus far. The debate has predominantly been framed in terms of a historical 'return to Europe' for the eight post-communist central and eastern European states. Despite the symbolic reliance on notions of unity and equality, these newest, ex-communist, EU citizens do not enjoy equal access to one of the fundamental benefits of EU membership: the right to free movement.

The research to be undertaken is linked to my ongoing PhD research at the University of Liverpool. The focus of the PhD research is on the post-accession experience of Polish migrants in the UK. Qualitative in-depth interviews with Polish migrants who moved to the UK after January 2002 are being conducted. The aim of this socio-legal research is to gain an insight into the human consequences of migration and to assess the impact of EU, and UK, law and policy concerning free movement on the mobility experience of Polish nationals.

The SLSA funding will support additional, empirical fieldwork with prospective and return migrants in Poland. The sample to be interviewed here will also comprise of a small number of professionals working in the immigration services, in particular, NGOs and employment agencies that provide information for Polish nationals who are intending to move to the UK. The paramount aim of the work in Poland is to provide a more balanced and non UK-centric perspective of EU immigration. Importantly, this research will enable cross-national comparisons to be made with the data obtained from the interviews in the UK. [e s.currie1@liv.ac.uk](mailto:s.currie1@liv.ac.uk)

doctrinal textbook claim that inexperience is irrelevant to criminal liability. It also questions the perception that criminal law is premised on a narrow and neutral notion of individual fault. Unlike conventional crimes of wrongdoing, such instances of inadvertent doing wrong (particularly by the less experienced) led to sympathetic frames of investigation towards the suspect. This suggests a kind of inversion of the norm in criminal law in that prosecutors are working backwards towards constructing crime. It appeared not so much a sense of whether a crime had been committed, but more whether *someone* had committed a crime.

Prosecutors are not the only ones using frames in making decisions. Constructing a case of gross negligence is heavily dependent on the opinions of experts, both medical (relevant specialists) and legal (experienced counsel). All prosecutors appeared to adopt the practice (though not mandatory) of requiring two expert medical witnesses testifying to the 'grossness' of the negligence as a prerequisite to prosecution. In fact, decisions are dependent on, rather than merely informed by, expert opinion. This third finding has helped identify an important future area for research: the ways that experts interpret and negotiate legal tests, particularly pertinent given recent concern about the influence and regulation of expert witnesses in criminal trials.

A paper on this project has been presented at a staff seminar and also at a conference entitled Criminalising Medicine at the University of Manchester on 26 May 2005. It will be submitted for publication in the near future. The project has also enabled me to identify future fertile avenues of research, particularly the process of selecting experts and the ways that experts negotiate law and legal processes in this context, into which I am currently designing a research project. I look forward to presenting the full findings at the SLSA conference in 2006.

## INNOCENCE PROJECTS: PROGRESS REPORT

*Eight months on from the inaugural Innocence Projects Colloquium at the University of Bristol, underwritten by the SLSA, there are signs that seeds have been sown for a dynamic, committed network according to Michael Naughton and Carole McCartney.*

It remains early days, but interest is growing and student participation in alleged wrongful convictions is now being facilitated, with more innocence projects in the pipeline. Such projects aim to meet a critical legal need in criminal appeals, whilst simultaneously providing students with insight into 'law in action' in an area otherwise eschewed by clinical legal education.

The University of Bristol Innocence Project (UoBIP), the first Innocence Project in the UK, held its opening meeting in January 2005. The Project is presently an extra-curricula initiative with primarily undergraduate students working on cases of alleged wrongful convictions in collaboration with local lawyers. It comprises around 10 first and second-year students (there being little point in recruiting third-years to assist in the set-up of UoBIP, as they would have completed their studies when time came to take on a case). Invited speakers include victims of wrongful convictions and caseworkers from campaigning organisations. In addition, the Criminal Cases Review Commission has agreed to hold workshops on case investigation. The students also receive training from a local criminal law firm on interviewing clients and drafting legal letters. UoBIP is at an embryonic stage, with students inviting unassisted applicants to have their cases assessed by the project's solicitors and acting as a referral system for the Innocence Network UK (INUK). So far, 15 cases have been assessed and letters of authority signed to obtain case files from previous solicitors to allow student investigations to proceed.

Foundations are also being laid for innocence projects around the country. Carole McCartney, at the University of Leeds, has returned from a fact-finding trip to the US Innocence Network Annual Conference, where American project leaders (many with a decade or more of experience) offered assistance and advice. She will shortly be travelling to Australia with Stephanie Roberts of the University of Westminster to learn more about the educational benefits of innocence projects on two such Australian initiatives. The results of these excursions and lessons from the Bristol experience will be disseminated in a series of papers on Innocence Projects during the Legal Education stream at the SLS conference in Strathclyde this September.

Hazel Keirle and Russ Spring of the Miscarriages of Justice Organisation (MOJO) have agreed to assist with a pilot project at the University of Warwick Law School. Initial protocols have been agreed and materials for their first case are being transferred with a view to the Warwick project being operationalised later in 2005. In addition, a defence-orientated chambers in London held the first meeting of an Innocence Group in March to explore the feasibility of utilising students on their local BVCs and LPCs to research aspects of alleged wrongful convictions. While enthusiastic, there remain questions over practicalities and the possible pitfalls of innocence projects which the INUK is endeavouring to address. It is anticipated that with support, the Innocence Group and a collaboration of legal professionals, students and local activists, can bring innocence projects activity in London to fruition.

In sum, it should not be too long before there is demand for a 2nd Innocence Projects Colloquium – enabling SLSA members an opportunity to get involved in this exciting movement.

[e m.naughton@bristol.ac.uk](mailto:m.naughton@bristol.ac.uk) [e ctmccartney@aol.com](mailto:ctmccartney@aol.com)

## Globalisation, regulatory competition and audio-visual regulation

Tom Gibbons of the School of Law, University of Manchester has been awarded an ESRC grant of £206,868 to research globalisation, regulatory competition and audio-visual regulation. Also working on the project is Peter Humphreys of the School of Social Sciences at Manchester. The project covers five countries (the UK, France, Germany, Canada and the United States) together with the European Union. It started in February 2005 and will last for three years. [www.law.manchester.ac.uk](http://www.law.manchester.ac.uk)

## AHRC Centre for law, gender and sexuality

The AHRC Research Centre for Law, Gender and Sexuality conference, *Theorising Intersectionality*, took place on 21–22 May 2005 at Keele University. The conference explored the social juncture where relations of gender or sexuality meet other social relations, including ethnicity, faith, race, age, disability and class on a theoretical level as well as empirically. The conference attracted 90 national and international participants.

Professor Susan Boyd, of the University of British Columbia, Canada, will be visiting the centre from 5 September until 3 October 2005. Her visit is supported by the British Academy. She will spend some time at each of the centre's three partner institutions, Westminster, Keele and Kent, and take part in events as well as give seminars. Anyone who would like to meet up with her during her visit should contact Emily Grabham [e.grabham@kent.ac.uk](mailto:e.grabham@kent.ac.uk).

The centre has set up a network for postgraduate students working in the broad area of law, gender and sexuality. This network consists of national and international participants. For more information, please contact Rosie Harding [rh83@kent.ac.uk](mailto:rh83@kent.ac.uk) or Rosemary Auchmuty [auchmur@westminster.ac.uk](mailto:auchmur@westminster.ac.uk).

[www.kent.ac.uk/clgs](http://www.kent.ac.uk/clgs)

## Mental incapacity defences in the criminal law

Arlie Loughnan, of the Law Department, London School of Economics, is researching the role of mental incapacity defences in the contemporary criminal law in England and Wales. Mental incapacity defences are those defences that relate to the mental state of the defendant at the time of the commission of the crime or at the time of the criminal trial. Mental incapacity defences include insanity, diminished responsibility, automatism and unfitness to plead.

To assess the role of mental incapacity defences in criminal law, the research will consider the historical development, construction and operation of each of the defences and assess what mental incapacity defences indicate about the concept of responsibility as used in criminal law. The study will address two main questions which structure the research. Firstly, what is the role of lay understandings of mental illness for the operation of the mental incapacity defences? The term 'lay understandings of mental illness' refers to non-medical or non-expert approaches to mental illness. Secondly, what does a study of mental incapacity defences suggest about the doctrine of responsibility as it has developed in the criminal law? In addressing this question, the research will assess changing conceptions of criminal responsibility in relation to mental incapacity defences.

For more details about this PhD research contact [a.e.loughnan@lse.ac.uk](mailto:a.e.loughnan@lse.ac.uk).

## Availability and access to solicitors' services in rural Wales

The ESRC Research Centre for Business Relationships, Accountability, Sustainability and Society has been commissioned by the Law Society of England and Wales to carry out research on the health and sustainability of legal services in Wales. Legal service provision plays a key role in sustaining the development and economy of rural areas. A major policy concern is how rural communities are able to access and engage these services. To date, however, very little research has been conducted on the sustainability of professional services within rural areas.

This study draws consecutively on both quantitative and qualitative datasets. The research has been designed in a manner which acknowledges the potential for wide variation in the opportunities and constraints experienced by law firms within rural and peripheral areas. In particular, a series of research interviews are being conducted with members of solicitors' practices located in five case-study areas across rural Wales. At the same time, the knowledge gleaned from the research interviews is being supported and enhanced by a review of the statistical databases held by the Law Society.

Reflecting on recent shifts in both the supply of and demand for legal service provision in rural areas, the findings from the research will be used to stimulate debate and formulate policy recommendations. For further information contact Bob Lee [leerg@cardiff.ac.uk](mailto:leerg@cardiff.ac.uk) or Alex Franklin [franklina1@cardiff.ac.uk](mailto:franklina1@cardiff.ac.uk).

## Intellectual property, competition and human rights

The AHRC Research Centre for Studies in Intellectual Property and Technology Law at the University of Edinburgh has, since 2003, been engaged in detailed and unique research, analysis and dialogue regarding the relationship between intellectual property, competition and human rights.

The project considers the extent to which intellectual property rights, or their application, have become counterproductive, restricting innovation, creativity and research and public sharing in the benefits of these. Such concerns manifest themselves in, for example, the debates regarding access to medicines, restrictions on commercial testing, online work with digital material, the impact of multinational corporations on putative competitors and groundbreaking developments such as the human genome.

The project also investigates uses made of a combination of competition and human rights law and policy to remedy any excesses arising from intellectual property. Consideration is also given to the extent to which competition or human rights, rather than the present intellectual property system, should be the new baseline. Could this lead to a more balanced, benevolent, yet commercially realistic global regime for encouragement of innovation and knowledge diffusion? Finally, the researchers will assess means of ensuring that any theoretical solution may be implemented and respected.

The project is led by Dr Charlotte Waelde and Professor Hector MacQueen, with Abbe Brown as researcher and coordinator. A successful meeting of experts was held in December 2004 (supported by the British Academy) and the papers will be published later this year. The project expert network includes representatives from legal academia, the Competition Commission, World Intellectual Property Organization, World Trade Organization and UNESCO, from a range of countries in the developed and developing world. A further expert meeting and an international conference are also planned.

Abbe Brown [a.e.l.brown@sms.ed.ac.uk](mailto:a.e.l.brown@sms.ed.ac.uk) or visit [www.law.ed.ac.uk/ahrb/research/view.asp?ref=3](http://www.law.ed.ac.uk/ahrb/research/view.asp?ref=3).



## Council on Tribunals


### Consultation on oral hearings

In July 2004 the Department for Constitutional Affairs (DCA) published a White Paper called *Transforming Public Services: Complaints, Redress and Tribunals*, in which it encouraged the adoption of proportionate dispute resolution across the whole field of administrative justice and emphasised the need to reduce reliance on formal oral hearings.

The Council on Tribunals considers that the pursuit of this agenda will require careful consideration of the respective merits and demerits of all the various forms of dispute resolution currently employed within administrative justice, and that the council and/or its successor body, the Administrative Justice Council, will need to be in a position to contribute to that debate.

With that object in mind the council is presently consulting on the role of traditional oral hearings as currently employed and to enhance its own understanding of the alternative forms of oral exchange available in administrative justice. The consultation seeks information on the different types of oral exchange currently employed within administrative justice and opinion about the value each form of exchange can add. Finally, with a view to developing principles which might be used to inform the decision whether or not to employ an oral component and if so in what form, the consultation seeks views on the principles which might be applied to guide those choices.

The consultation paper, entitled *The Use and Value of Oral Hearings in the Administrative Justice System*, was sent out to the council's stakeholders on 16 May 2005. However, the council

wishes to consult broadly and therefore encourages anyone with an interest in dispute resolution within the administrative justice system to respond. The consultation is available on-line at [www.council-on-tribunals.gov.uk](http://www.council-on-tribunals.gov.uk) or you can write to Simon Catherall  Council on Tribunals, 81 Chancery Lane, London, WC2A 1BQ or [e simon.catherall@cot.gsi.gov.uk](mailto:simon.catherall@cot.gsi.gov.uk) and request a copy to be sent by post. Responses are due before 5pm on Friday 2 September 2005. A summary of responses will be published by the council later this year.

### Background

The Council on Tribunals supervises the constitution and working of tribunals and inquiries in England, Scotland and Wales as listed in the Tribunals and Inquiries Act 1992. Under government policy it will shortly evolve into the Administrative Justice Council, with an expanded remit and broader oversight over the administrative justice system as a whole. The council has a statutory role to keep under review the constitution and working of the tribunals under its jurisdiction. Council Members visit tribunal hearings in order to observe them in operation and to develop a knowledge and understanding of the user's perspective. The council also consults on legislation and particular matters relating to procedures and composition of tribunals and inquiries. In addition, the council produces a quarterly e-bulletin called *Adjust*, the second edition of which has just been published. *Adjust* provides a useful guide to the current administrative justice world and in particular the work of the council. It will play an important role in the future for the Administrative Justice Council under the DCA proposals for reform of administrative justice and dispute resolution.

[www.council-on-tribunals.gov.uk/files/adjust2.pdf](http://www.council-on-tribunals.gov.uk/files/adjust2.pdf)

## Legal research at the Scottish Executive


The Legal Studies Research Team at the Scottish Executive has recently produced a research findings paper entitled *Cross-jurisdictional Comparison of Legal Provisions for Unmarried Cohabiting Couples*. The research was undertaken to inform the development of family law reform in Scotland. Drawing on documentary review, web-based evidence and interviews with family law experts, the paper focuses on describing some key features of legal provisions for non-marital cohabitants in France, the Netherlands, Australia and New Zealand. Members of the team gave a presentation based on the paper under the Family Law stream at the recent SLSA conference. The paper is online at [www.scotland.gov.uk/cru/resfinds/l5f55-00.asp](http://www.scotland.gov.uk/cru/resfinds/l5f55-00.asp).

The team has also recently published the findings of research undertaken following the introduction of new rules for commercial procedure at Glasgow Sheriff Court. The aim of the research was to evaluate the Commercial Court at Glasgow Sheriff Court with a view to informing the Sheriff Court Rules Council as to the advisability of adopting it as a model for all Ordinary Cause actions in Scotland. The research involved examining the advantages and disadvantages of commercial procedure from the point of view of sheriffs, court staff, practitioners and their clients. Research findings are available at [www.scotland.gov.uk/about/asd/cru/00017534/legal.aspx](http://www.scotland.gov.uk/about/asd/cru/00017534/legal.aspx).

The team has also recently undertaken a review of evaluations of public defender systems in a number of jurisdictions. The review was conducted to provide comparative information to assist in the development of plans for the evaluation of Public Defence Solicitors' Offices in Scotland. The review provides an overview of models of criminal legal aid delivery and summarises, by country or region, the key information gathered about the operation of public defence in other jurisdictions including England and Wales, Canada and Australia. A research findings paper based on the review is due to be published later in the summer.

## The Open Law Project

A major new agreement will digitise thousands of core legal judgments and law reports and for the first time make these freely and openly available electronically. JISC (Joint Information Systems Committee) and BAILII (British and Irish Legal Information Institute) recently announced the Open Law project which has the potential to transform the delivery of legal teaching and public access to legal materials in the UK. Access to case reports and legislation is central to the teaching of law and the development of legal skills. Open Law will therefore focus on the core needs of staff and students on law courses at all levels. It will include around 200 of the most cited judgments in each of the core areas of the law course syllabus. Other non-core areas will also be covered so that staff and students dealing with legal issues on non-law courses, such as accounting and business, environmental management, planning and social work, will also benefit. In all, the project will digitise over 40,000 pages. The heavy use of standard legal resources in both print and online form, the restriction of certain materials to reference libraries and their cost have meant that the availability of key materials has always been a challenge for law departments across the country. JISC's and BAILII's commitment to open access principles in this project will mean that the general public will also have free access to the most important legal materials. The 36-month project will also work closely with the legal profession, law schools, librarians and special interest groups such as the Committee of Heads of Law Schools, the Society of Legal Scholars and the Association of Law Teachers to identify key judgments and reports as well as shaping the future development of this resource.

For further information contact Philip Pothen (JISC)  07887 564 006 or [e p.pothen@jisc.ac.uk](mailto:p.pothen@jisc.ac.uk) or Philip Leith (BAILII)  028 9097 3867 [e p.leith@qub.ac.uk](mailto:p.leith@qub.ac.uk)

## AHRC news

### Research Networks and Workshops Scheme

The AHRC recently launched its Research Networks and Workshops scheme. The scheme is designed to enable the discussion and development of ideas by researchers across and between disciplines, either through establishing new research networks or by running a series of workshops, seminars or similar events.

Apart from the inherent value in enabling people from a range of academic backgrounds to engage in intellectual exchange, the scheme is also intended to assist researchers in jointly exploring ideas which could subsequently translate into research projects. In addition to their benefits for researchers and the wider communities, the workshops and networks will provide a valuable means for the AHRC to learn about areas of intellectual urgency and potential.

There are two types of award available:

- research workshops award – up to £10,000 over one year to cover the costs involved in organising a short-term series of workshops, seminars or other events, rapidly to advance thinking on a specified thematic area, issue or problem;
- research network award – up to £20,000 over two years for costs towards the establishment of a network to be a forum for the discussion and exchange of ideas on a specified thematic area, issue or problem.

Between 10 and 20 networks or workshops will be funded in any one year.

The scheme will operate without formal deadlines. Applications can be submitted at any time of the year and applicants will be informed of the outcome approximately four months from their submission date. Details of the scheme and application materials are available from [www.ahrc.ac.uk](http://www.ahrc.ac.uk).

For further information about the Research Networks and Workshops scheme contact Carl Dolan, Programme Development Officer [† 0117 987 6682](tel:01179876682) [e c.dolan@ahrc.ac.uk](mailto:c.dolan@ahrc.ac.uk).

### Academic analogues

As a newly established research council, the AHRC intends to enable a small number of organisations outside the higher education sector to apply for recognition as Academic Analogues. Academic Analogues are UK-based organisations that are 'not-for-profit' and are not funded by the UK Higher Education Funding Councils but have a significant existing independent research capability. Those organisations that the AHRC recognises as Academic Analogues will be eligible to apply directly for AHRC research funding. The AHRC anticipates that most or all of the first academic analogues that it recognises will be major national museums, galleries, libraries and archives and that initially about 10 organisations will meet the specified requirements.

Details of the rationale for establishing a small number of Academic Analogues, the requirements and scope of Academic Analogue status and the procedure for organisations to apply for such status can be found on the website [www.ahrc.ac.uk](http://www.ahrc.ac.uk). Applications must be received before 5pm on 2 September 2005.

Organisations that are interested in submitting an application for Academic Analogue recognition are strongly advised to discuss their application with Chris Millward, Associate Director of Programmes [† 0117 987 6675](tel:01179876675) [e c.millward@ahrc.ac.uk](mailto:c.millward@ahrc.ac.uk).

## Nuffield Foundation small grants

The small grant scheme funds self-contained social science research projects and pilot studies. The normal limit for awards is £7500; in exceptional circumstances, awards may be up to £12,000. The Nuffield Foundation made 70 awards last year.

Grants may be used for research assistance, data collection, travel and subsistence and other research expenses. Teaching replacement costs are met only exceptionally and salaries of permanent university teaching staff are not covered.

There are three priority areas for funding:

- projects that develop social science research capacity and/or 'new' research careers;
- self-contained or pilot projects on issues of social importance;
- outstanding small projects in the social sciences.

The Nuffield Foundation welcomes research that has implications for policy and practice, and outstanding, but not routine, basic research projects.

### Eligibility

Applicants must have a post of one year or more in a university or independent research institute in the United Kingdom. Research students or others working for a higher degree are not eligible. There is no closing date and decisions are usually made within three months. [www.nuffieldfoundation.org](http://www.nuffieldfoundation.org)

## New ESRC programme

This year the ESRC launched a new £4.9m five-year programme, Public Services: Quality, Performance and Delivery. It is intended to bring together work from across the social sciences using a variety of different analytic methods.

The analytic themes of the programme include:

- transparency, targets, trust and responsiveness in public services and the people and organisations that provide them;
- incentives, rewards and attitudes to risk and blame in public service provider systems;
- metrics, evidence and the link between quality/performance of public services and;
- management and innovation.

Many of these themes offer opportunities for scholars from across the social sciences, broadly conceived to include law and history. The first 14 small grant projects commissioned under the programme began in mid-2005 and four large grant projects will begin in the autumn. In the late summer (late July or August) there will be a second call for applications for small and large grants and fellowships, with a closing date in late October. The programme welcomes well-framed applications closely aligned with the programme specification from scholars in all the social sciences. It particularly welcomes applications that involve cross-national comparisons, ingenious and novel methodology (as of now its portfolio does not include any social psychology, experimental work or vignettes and very limited ethnography), and a historical perspective. See the ESRC website at [www.esrc.ac.uk/esrccontent/researchfunding/public\\_services.asp](http://www.esrc.ac.uk/esrccontent/researchfunding/public_services.asp) for the second call and application procedure later this year. The director of the programme is Professor Christopher Hood and the programme office is ESRC Public Services Programme [✉ Manors Road, Oxford OX1 3UQ](mailto:public-services@politics.ox.ac.uk) [† 01865 285967](tel:01865285967) [f 01865 278725](tel:01865278725) [e public-services@politics.ox.ac.uk](mailto:public-services@politics.ox.ac.uk).

## Postgraduate studies at UCE Law Faculty

The University of Central England's LLM/PgDip in International Human Rights covers the increasingly important issues in human rights, both in the UK and internationally. The programme includes a distinctive USA pathway focusing on the conflict between the US death penalty and international standards. Students on this pathway can undertake a semester's internship in the USA. They can also choose to experience a placement with an international human rights agency.

The MA in Applied Social Research is distinctive in its focus on supporting professionals wishing to develop their appreciation of and expertise in using social science methods and forms of analysis to address issues and problems faced by the organisations for which they work. This course is taught by professional social researchers who combine theory and practice in their own research and teaching. † 0121-331-6600 or e lhss@uce.ac.uk.

## New MA/LLM in human rights - Birkbeck

Birkbeck Law School has announced an exciting new programme which will lead to an MA or an LLM in Human Rights. The focus of the programme is on theoretically informed and multi-disciplinary approaches to human rights and aims to expose students to a contextual engagement with the subject. To this end students will study human rights within political, legal, sociological, anthropological and philosophical contexts. As a part-time evening course, this will be particularly attractive to legal professionals and others working for human rights organisations, allowing them to reflect critically on their roles as human rights practitioners. Students will be introduced to approaches to research across a range of disciplines and to the theoretical frameworks for advanced legal scholarship. They will also take specialist courses on a range of subjects in the area of human rights. The programme involves both taught (two core courses and three optional courses for the MA, three core courses and two optional courses for the LLM) and research (a dissertation) components.

The innovative features of this programme are its emphasis on the study of human rights in a multidisciplinary perspective and an individual research project, combined with methodology/research skills training and specialist human rights options. It is specially designed for students with background knowledge in human rights interested in exploring the major contemporary debates in the area from a critical perspective. Course Directors: Dr Patrick Hanafin and Professor Costas Douzinas. Contact Shannon Osborn-Jones, Postgraduate Administrator ☉ School of Law, Birkbeck College, Malet St, London WC1E 7HX † +44 (0)20 7323 4101 f +44 (0)20 7631 6506 e s.osborn-jones@bbk.ac.uk w www.bbk.ac.uk/law

## Developments in law teaching at Stirling

The University of Stirling, host of the SLSA Annual Conference in 2006, is expanding its provision for law as part of a major, strategic development of the discipline. The university has recently received professional accreditation from the Law Society of Scotland for its new LLB, which will commence in Autumn 2005. Law staff are looking forward to building on this success by developing new taught postgraduate courses and increasing the number of research students. Stirling's objective is to become a leading centre for legal education and scholarship. The university already offers a BA in Law and BA in Business Law and masters programmes in Criminology and Legal and Political Philosophy. w www.stir.ac.uk/law

## New LLM courses at Brunel for September 2005

The Law School at Brunel is launching new and attractive LLM courses in September 2005. The general LLM degree course has no compulsory modules and there is a very wide choice of options. The only requirement is that students who wish to undertake a dissertation involving empirical research must take a module on research skills. Modules range from topics such as human rights, children, criminal justice and youth justice, through commercial law and international trade as well as intellectual property law. The LLM/PG Dip in International Economic Law offers students a choice of modules such as international commercial arbitration, international economic law and international labour law. The LLM/PG Dip in International Intellectual Property Law provides a qualification in one of the fastest growing areas of the law where there is high demand for specialists on the employment market. Students study two core modules (fundamentals of intellectual property and international intellectual property law), submit a dissertation on a related subject area of the law and choose additional options such as: intellectual property, the media and the internet; European Union competition policy and intellectual property rights; intellectual property practice and management; and international trade law, international economic law.

The Pg Cert in Intellectual Property Law is a course specifically tailored for those envisaging a career in intellectual property practice (as patent attorneys or trade mark attorneys). Students study two modules: fundamentals of intellectual property and intellectual property practice and management. This course will complement our already popular LLM courses in Law and Society, European and International Commercial Law and International Trade Law.

Contact e amanda.kunicki@brunel.ac.uk or † +44 (0)1895 266226 w www.brunel.ac.uk/about/acad/sssl/ssslsub/law.

## Franco-British LLM starting in September

In September 2005, the first cohort of students for the LLM in International Mobility, Globalisation and the Law will be welcomed to the University of the Transmanche, the world's first ever Franco-British higher education institution. It was launched in September 2004, with the backing of French President Jacques Chirac and British Prime Minister Tony Blair, as part of the Entente Cordiale Centenary celebrations. Institutions participating in the Transmanche LLM are the University of Kent, the Université du Littoral Côte d'Opale, Boulogne and the Université du Droit et de la Santé, Lille. In the future the university aims to offer additional masters programmes.

Providing an in-depth knowledge of trans-mobility law and English and French legal cultures, mentalities, methodologies, institutions and concepts, this course offers students from all around the world the unique opportunity to gain legal skills, analysis, reasoning and theory at a European rather than a national level. Students study comparative law, globalisation, European and international mobility, European competition law and more on both sides of the channel in both English and French. Applications for this September will be taken until the end of July.

For further information † 01277 824108 e transmanche@kent.ac.uk w www.kent.ac.uk/transmanche

... journals

**Law, Culture and the Humanities** This new interdisciplinary journal, edited by Austin Sarat, is the official journal of the Association for the Study of Law, Culture, and the Humanities. Associate editors are Keith Bybee, Peter Fitzpatrick, William MacNeil, Karl Shoemaker and Martha Umphrey. The new journal publishes high quality work at the intersection of scholarship on law, culture and the humanities. It provides an outlet for people engaged in interdisciplinary, humanistically oriented legal scholarship. The journal's mission is to encourage dialogue across and among these fields about issues of interpretation, identity and values, authority, obligation, justice and law's place in culture. Crossing traditional divides to reflect the diverse nature of this exciting area, the journal's scope includes: legal history; legal theory and jurisprudence; law and cultural studies; law and literature; legal hermeneutics. For a free sample copy e [ejournal@hodder.co.uk](mailto:ejournal@hodder.co.uk). For more information, including editorial and international advisory board details, visit w [www.lchjournal.com](http://www.lchjournal.com).

The **Journal of Law and Society** invites expressions of interest concerning the guest editorship of the *JLS* Special Issue (Spring 2007). Proposals should be sent to the editor along with a list of authors (agreed and yet to be contacted), a list of working titles and a one-page explanation of the purpose and range of the collection. The issue is normally around 75,000 words, inclusive of footnotes and carries between 8 and 10 papers. The copy deadline is November 2006. The issue will also appear as a book published by Blackwell, Oxford. A decision on the 2007 publication will be taken in September 2005. Phil Thomas, *JLS* Editor ✉ Cardiff Law School, Cardiff University, Cardiff CF10 3XJ e [thomaspa@cardiff.ac.uk](mailto:thomaspa@cardiff.ac.uk)

Blackwell is now publishing the journals of the American Society of Criminology: **Criminology** and **Criminology & Public Policy**. *Criminology* focuses on crime and deviant behaviour. Disciplines covered include sociology, psychology, design, systems analysis and decision theory. Major emphasis is placed on empirical research and scientific methodology. Interdisciplinary in nature, *Criminology & Public Policy* is devoted to policy discussions of criminology research findings. Focusing on the study of criminal justice policy and practice, the central objective of the journal is to strengthen the role of research findings in the formulation of crime and justice policy by publishing empirically based, policy focused articles. Reaction essays that further explore the policy implications follow each article. w [www.blackwellpublishing.com](http://www.blackwellpublishing.com)

... books

**Litigants in Person: Unrepresented litigants in first instance proceedings** (2005) Richard Moorhead and Mark Sefton, DCA 2/05 This report explores detailed quantitative and qualitative data on unrepresented litigants from four courts in first instance civil and family cases, excluding small claims cases. It provides a detailed picture of the prevalence and nature of unrepresented litigants and the impact of non-representation on themselves, the courts and their opponents.

**Sentencing and Punishment: The quest for justice** (2005) Susan Easton and Christine Piper, Oxford University Press £21.99 415pp ISBN 0199270872 This book draws on a wide range of socio-legal, criminological and jurisprudential perspectives to analyse the process of calculating, justifying and implementing punishment. In doing so it addresses a wide range of issues relevant to the determination of what counts as a 'just' punishment for adults and as an acceptable response to offending by minors. In particular it discusses the issue of fair impact, the influence of rights-based critiques and the development of risk-based policies and practice.

**Jurisprudence or Legal Science?** (2005) Sean Coyle and George Pavlakos (eds), contributors include R Alexy, J Gorman, C Heidemann, P Leith, J Morison, and V Rodriguez-Blanco, Hart, £35/€45 224 pp ISBN 1841135046 Modern jurisprudence embodies two distinct traditions of thought about the nature of law. The first adopts a scientific approach which assumes that all legal phenomena possess universal characteristics that may be used in the analysis of any type of legal system. The main task of the legal philosopher is to disclose and understand such characteristics, which are thought to be capable of establishment independently of any moral or political values which the law might promote and of any other context-dependent features of legal systems. Another form of jurisprudential reflection views the law as a complex form of moral arrangement which can only be analysed from within a system of reflective moral and political practices. Rather than conducting a search for neutral standpoints or criteria, this second form of theorising suggests that we uncover the nature and purpose of the law by reflecting on the dynamic properties of legal practice. Can legal philosophy aspire to scientific values of reasoning and truth? Is the idea of neutral standpoints an illusion? Should legal theorising be limited to the analysis of particular practices? Are the scientific and juristic approaches in the end as rigidly distinct from one another as some have claimed? In a series of important new essays the authors of *Jurisprudence or Legal Science?* attempt to answer these and other questions whilst emphasising the connection of such 'methodological' concerns to the substantive legal issues which have traditionally defined the core of jurisprudential speculation.

**Disability Rights in Europe: From theory to practice** (2005) Anna Lawson and Caroline Gooding (eds), Hart £35/€52.50pb 320 pp ISBN 1-84113-486-4 This book is based on a conference organised jointly by the editors to mark the European Year of Disabled People. It explores the range of legal strategies which have been adopted, both nationally and internationally, to achieve equality for disabled people and facilitate their inclusion into mainstream society. It examines current developments in anti-discrimination law, within Member States and at EU level. It assesses the effectiveness and potential of the human rights framework for disabled Europeans. In addition, a number of approaches to the enforcement and promotion of disability rights are considered. Contributors to this book include leading academics, as well as campaigners and others working to improve or enforce disability related legislation. This is a unique and timely contribution to an important and rapidly expanding field of study. It will be of relevance to all those, whether lawyers or not, with an interest in disability and equality issues.

**Human Rights in the Community: Rights as agents for change** (2005) Colin Harvey (ed), Hart £30/€45 256 pp ISBN 1-84113-446-5 There has been a considerable focus in the last few years on the meaning of the Human Rights Act 1998 and its real and potential impact on judges and lawyers. Much has been written on the implications of the new legislation for a variety of areas of law. With the rising level of case law the emphasis is now turning to the impact of the legislation on specific areas of social life. In this volume the focus is on the practice of human rights and how they are enforced in reality. There is much discussion in the literature of a 'human rights culture' but how precisely is such a culture to be created and how do we make sense of human rights? In order to address these questions this volume is in two parts. Part I examines general issues surrounding the full and effective implementation of human rights, including their mainstreaming in legal and political life as well as the implications of constitutional change for human rights protection in the UK. Part II explores the implications of human rights standards in particular areas in order to test whether a 'human rights culture' has emerged.

**International Child Law** (2005) Trevor Buck, Cavendish, £35 350pp ISBN 1859419488 This book examines the international laws for children at global and regional levels. The UN Convention on the Rights of the Child is described and critically assessed and at the regional level the ECHR is examined as a vehicle to progress children's rights. Other key issues, increasingly regulated by international child law, are spotlighted: child labour, child abduction and inter-country adoption. This book provides a sound understanding of the international law framework and issues relating to children and is a useful resource to advanced study and research.

**Cohabitation, Marriage and the Law: Social change and legal reform in the 21st century** (2005) Anne Barlow, Simon Duncan, Grace James and Alison Park, Hart £30/€45pb 224 pp ISBN 1-84113-433-3 Unmarried heterosexual cohabitation is rapidly increasing in Britain and over a quarter of children are now born to unmarried cohabiting parents. This is not just an important change in the way we live; it is also a political and theoretical marker. Some commentators see cohabitation as evidence of selfish individualism and the breakdown of the family, while others see it as merely a less institutionalised way in which people express commitment and build families. Politically, 'stable' families are seen as crucial – but does stability simply mean marriage? At present the law retains important distinctions in the way it treats cohabiting and married families and this can have deleterious effects on the welfare of children and partners on cohabitation breakdown or death of a partner. Should the law be changed to reflect this changing social reality? Or should it – can it – be used to direct these changes? Using findings from their recent Nuffield Foundation-funded study, the authors examine public attitudes about cohabitation and marriage, provide an analysis of who cohabits and who marries, and investigate the extent and nature of the 'common law marriage myth' (the false belief that cohabitants have similar legal rights to married couples). They explore why people cohabit rather than marry, the nature of their commitment to one another and chart public attitudes to legal change. In the light of this, the book then evaluates different options for legal reform.

**Socio-Legal Studies: Family law and family values** (2005) Mavis Maclean (ed), Hart £40/€60hb ISBN 1-84113-547-X £22/€33pb ISBN 1-84113-548-8 256pp Each individual experiences obligations arising from personal relationships. These are often hard to fulfil and give rise to tensions between the demands of various relationships, between meeting current or future needs, but also between private norms and the demands of a public set of rules. Contributors consider the relationship between family law and family values in the way law is framed, the way we are developing the legal context for new kinds of relationships (such as cross-household parenting, same-sex partner relationships) and the obligations of adults to elders. It closes with a plea to rethink family law in terms of the functions we want it to perform. Contributors include Masha Antokolskaia, Benoit Bastard, John Eekelaar, Lisa Glennon, Jacek Kurczewski, Jane Lewis, Carol Smart, Velina Todorova and Jean van Houtte.

**Labour Law: Text and materials** (2nd edn) (2005) Hugh Collins, KD Ewing and Aileen McColgan £28/€42pb 1100 pp ISBN 1-84113-362-0 This new edition examines the law relating to employment, industrial relations and labour market regulation in the UK, including relevant dimensions of EC law and policy. It includes extracts from cases, statutes, reports, official statistics and academic commentary and analysis and is designed to provide all the materials needed for courses in labour or employment law. The text emphasises recent developments including: the expansion of legal regulation; new forms of work; the integration of labour law with broader policies aimed at the enhancement of competitiveness and the prevention of social exclusion; equal opportunities and the protection of rights in the workplace; and new mechanisms for worker participation in decisions.

**Producers and Consumers in EU E-Commerce Law** (2005) John Dickie, Hart £25/€37.50pb 224 pp ISBN 1-84113-454-6

This book argues that the EU is failing to protect consumers in the area of e-commerce. The author compares the EU's close and rapidly enacted protection of producers' interests in e-commerce, in terms of authorship and in 'domain-identity', with its faltering steps towards protection of consumers' corresponding interests, in terms of fair trading, privacy and (on behalf of children) morality. The author assesses the threats posed to these disparate interests, the extent to which self-help can and does neutralise those threats and the extent to which the EU has stepped into the breach. The argument is an important one as economic data show that consumers within the EU currently lack confidence in cross-border e-commerce, a motor of integration *par excellence*.

**Children, Education and Health International Perspectives on Law and Policy** (2005) Neville Harris and Paul Meredith (eds), Ashgate £55hb ISBN 0 7546 4387 5 This collection examines the relationship between children's education and their health from an international perspective. The authors look at a broad range of often controversial issues in law and policy, in areas such as sex, HIV, drugs, bullying, mental health, within a national and international context. The book's chapters also raise broader questions concerning moral rights within pluralistic societies and the relationship between authorities, teachers and families. It also highlights the role of education in protecting and promoting the rights of the child.

**Lawyering Skills and the Legal Process** (2nd edn) (2005) Caroline Maughan and Julian Webb, Cambridge University Press Law Books £24.99 230pp ISBN-13 9 7805 2161 9509 This book develops students' understanding and practising of client interviewing, writing and drafting, negotiation, and advocacy in the context of the extensive research on the work of the legal profession and the civil and criminal justice systems.

**Trusts Law: Text and materials** (4th edn) (2005) Graham Moffat, with Gerard Bean, John Dewar and Marina Milner, Cambridge University Press Law Books £35 864pp ISBN 13 9 7805 2167 4669 Equity and trusts are approached from a unique standpoint in this text, emphasising the numerous contexts within which the legal rules operate and integrating analysis of the law with discussion of those contexts. Selected extracts from key legal and non-legal materials help to provide a focus for study.

**Analysis of Evidence** (2nd edition) (2005) Terence J Anderson, David A Schum and William Twining, Cambridge University Press Law Books £22.99 500pp ISBN 13 9 7805 2167 3167 A rigorous introduction to the construction and criticism of arguments about questions of fact and to the marshalling and evaluation of evidence in litigation. Extensively rewritten, the treatment of fact investigation, probabilities and narrative has been extended and new examples and exercises have been added.

**Dispute Process: ADR and the primary forms of decision making** (2nd edn) (2005) Michael Palmer and Simon Roberts, Cambridge University Press Law Books £19.99 384pp ISBN 13 9 7805 2167 6014 This book considers the primary forms of alternative dispute resolution (ADR) – negotiation, mediation, and umpiring – in the context of the rapidly changing discourses and practices of civil justice that are taking place across a broad range of jurisdictions.

### . . . in brief

The latest issue of *Prison Privatisation Report International* is available at [www.psir.org/justice/ppri67.htm](http://www.psir.org/justice/ppri67.htm) . . . **Making Social Security Law: The role and work of the Social Security and Child Support Commissioners** (2005 forthcoming) Trevor Buck, David Bonner, Roy Sainsbury, Ashgate 249pp ISBN 0 7546 4381 6 . . . **International Law Reports**, Vol 126 (2005) Elihu Lauterpacht, Christopher J Greenwood, AG Oppenheimer, with Karen Lee [www.cambridge.org/0521829909](http://www.cambridge.org/0521829909).

● **COLLOQUIUM ON INTERNATIONAL COMMERCIAL ARBITRATION, ADR AND AFRICAN STATES**

Central London: 6-7 July 2005

Contact Loretta Alexander e l.a.alexander@kcl.ac.uk

w www.kcl.ac.uk/law/events/colloquium.

The African Regional Series concludes with Tunisia (December 2005).

w www.kcl.ac.uk/law/events/colloquium.

● **EUROPEAN WAYS OF LAW: 1ST EUROPEAN SOCIO-LEGAL CONFERENCE**

International Institute for the Sociology of Law, Oñati, Guipuzkoa, Spain: 6-8 July 2005

The purpose of the conference is a broad view of the socio-legal enterprise to include law's relations with all the social sciences.

w www.iisj.es

● **BRITISH SOCIETY OF CRIMINOLOGY CONFERENCE 2005: RE-AWAKENING THE CRIMINOLOGICAL IMAGINATION**

University of Leeds: 12-14 July 2005

e bsc2005@leeds.ac.uk w www.leeds.ac.uk/law/bsc2005

● **THE POWER OF STORIES: INTERSECTIONS OF LAW, CULTURE & LITERATURE**

Gloucester, England: 24-26 July 2005

Celebrating the 400th anniversary of the tale of Dick Whittington and his cat (1605), the theme of the conference comes from this famous rags to riches tale. Papers from the conference will be published by the *Texas Wesleyan Law Review*. Susan Ayres e sayres@law.txwes.edu

w www.gloucesterconference.com

● **THE INTERNATIONAL SOCIETY OF CRIMINOLOGY: 14TH WORLD CONGRESS OF CRIMINOLOGY**

University of Pennsylvania, Jerry Lee Center of Criminology: 7-12 August 2005

Theme - 'Preventing crime and promoting justice: voices for change'.

All criminologists are welcome: all topics, methods, languages, disciplines and political views. e mrossner@sas.upenn.edu

w www.worldcriminology2005.org

● **THE CRIMINAL LAW OF GENOCIDE: INTERNATIONAL, COMPARATIVE AND CONTEXTUAL ASPECTS**

Nottingham Law School: 1-2 September 2005

Guest Speakers: Henry T King (former prosecutor, Nuremberg Tribunal); HE Tuiloma Neroni Slade (ICC judge); Juan Mendez (UN Special Adviser on the Prevention of Genocide). This event is part of a major research project hosted by Nottingham Trent University and funded by the British Academy. Its objective is to examine international and domestic perspectives of the crime of genocide - the jurisdiction of the international tribunals as well as codification and prosecution of genocide in particular countries. Contact Professor Ralph Henham e ralph.henham@ntu.ac.uk t +44 (0) 115 8486873

● **FATHERS' RIGHTS ACTIVISM AND LEGAL REFORM**

Keele University: 9 September 2005

This workshop brings together participants from a number of countries in order to provide a critical analysis of the work of fathers' rights activists and the role of law in their campaigning.

w www.keele.ac.uk/depts/la/gslgroup/esrcfatherhood.htm.

● **MILITARY CULTURE AND GENDER**

Baldy Cente, SUNY Buffalo Law School, NY: 15-16 September 2005

Scholars of military studies, gender relations, and human rights will focus on the effects of militarism and war on the lives of active duty women and veterans, as well as civilian women who have never served. w www.law.buffalo.edu/baldycenter/events.htm

● **RISK AND REGULATION 2005: FOURTH ANNUAL RESEARCH STUDENT CONFERENCE**

London School of Economics: 15-16 September 2005

A conference for research students focusing on topics related to the Centre for Analysis of Risk and Regulation's (CARR) agenda. In addition to students' presentations, the conference will include keynote speeches and master classes by members of CARR.

w www.lse.ac.uk/collections/CARR/events

● **LIQUID SOCIETY AND ITS LAW**

Cardiff Law School: 16 September 2005

The event will focus on Zygmunt Bauman's social theory and its implications for social theory of law and socio-legal studies. Contact: Dr Jiri Priban t 029 20876819 e priban@cf.ac.uk

● **LAW, DISCOURSE AND MORAL JUDGMENT SEMINAR**

University of Hull: 14 October 2005

An international debate between two prominent strands of legal theory. The Sheffield School and Discourse Theory represent two different kinds of philosophy of law, though both are inspired by the Kantian tradition. This seminar is a unique opportunity for these two important constituents of contemporary jurisprudence to confront one another and explore their divergences and similarities.

w www.hull.ac.uk/law. Prospective attendees may email Bev Clucas e b.r.clucas@hull.ac.uk or Mike Feintuck e m.j.feintuck@hull.ac.uk.

● **ROLES AND REPRESENTATION OF WALL IN THE RESHAPING OF CHINESE MODERNITY**

Baldy Center, SUNY Buffalo Law School: 20-23 October 2005

Organised by Thomas Burkman (Asian Studies, SUNY Buffalo) and Roger Des Forges (History, SUNY Buffalo), this event is linked to the opening in Buffalo of a major art exhibition: The Wall: Reshaping Contemporary Chinese Art organised by UB Art Gallery and the Albright-Knox Art Gallery and the Millennium Art Museum in Beijing. w www.law.buffalo.edu/baldycenter/events.htm

● **ENGENDERING BIOETHICS: SYMPOSIUM**

Keele University: 18 November 2005

This is the first of three symposia in the thematic research priority on Law, Health Care and Bioethics organised by the AHRC Research Centre for Law, Gender and Sexuality. Ruth Fletcher, Associate Director e Centre LGS, Law Department, Keele University, Staffordshire ST5 5BG e r.fletcher@keele.ac.uk w www.kent.ac.uk/clgs

● **COMPARATIVE CONSTITUTIONALISM AND RIGHTS: GLOBAL PERSPECTIVES**

University of KwaZulu-Natal, Durban: 10-13 December 2005

Sponsored by the Law and Society Association, University of KwaZulu Natal, South Africa and the University of Saskatchewan, Canada. With the collapse of the communist economic and political systems, the language of rights has replaced the language of redistribution. The economic and political paradigm of the free market is the dominant one. Intertwined with the free market paradigm is the contemporary liberal legal framework and its trappings of constitutionalism. Participants will explore these broad themes in a global and local context and examine the differing judicial approaches taken on these issues to have a comparative framework for assessing their problematic impact. e penelope.andrews@usask.ca

● **10TH FAMILY LAW SEMINAR SERIES**

Staffordshire University Law School: 4 February 2006

The theme for the invited papers on the day will be 'couples'. Anyone interested in attending can contact Penny Booth, Principal Lecturer in Law e Staffordshire University Law School, Leek Road, Stoke on Trent ST4 2DE t 01782 294550 e p.j.booth@staffs.ac.uk.

● **16TH INTER-PACIFIC BAR ASSOCIATION CONFERENCE**

Hilton Hotel, Sydney: 30 April-3 May 2006

The conference will focus on the negotiation and effect of free trade agreements across a range of topics. w www.ipba2006.com

● **LAW, RELIGION AND SOCIAL CHANGE**

Australian National University, Canberra: 25-27 May 2006

Designed to encourage innovative exploration of relationships between law, religion and spirituality from diverse perspectives. Two broad themes will provide focal points: religion and the architecture of law; and religion and the regulation of life, death, sexuality, work and education. Keynote Speakers: Ruth Gavison, Hebrew University of Jerusalem; Margaret Davies, Flinders University; Malcolm Evans, University of Bristol; Ngaire Naffine, University of Adelaide; Lawrence Sage, University of Texas. Abstracts should be submitted by email to e lawandreligion@anu.edu.au by 30 September 2005.

Enquiries: Adrienne Stone e adrienne.stone@anu.edu.au

w http://lawrsss.anu.edu.au/conference.html



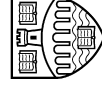
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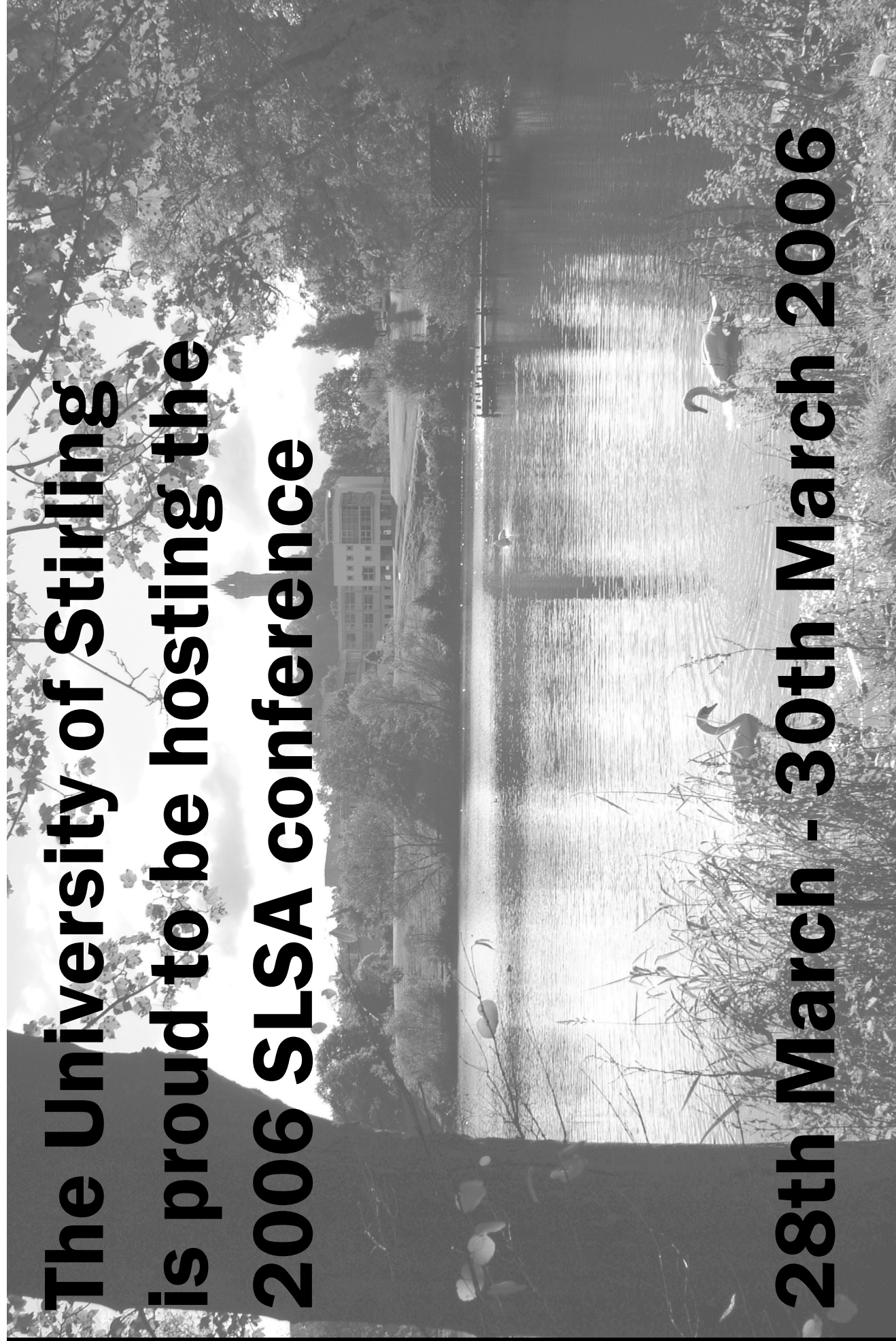
**SLSA conference 2006**

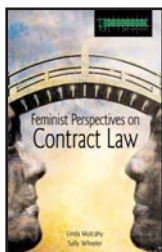


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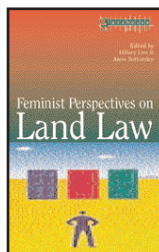
## Feminist Perspectives on Contract Law

Edited by Linda Mulcahy & Sally Wheeler

The law of contract is ripe for feminist analysis as feminist perspectives on contract have tended to be marginalised in mainstream textbooks. This edited collection questions the assumptions made in such works and the ideologies that underpin them, drawing attention to the ways in which the law of contract has facilitated the virtual exclusion of women, the feminine and the private sphere from legal discourse.

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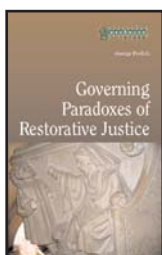
## Feminist Perspectives on Land Law

Edited by Hilary Lim & Anne Bottomley

This volume looks beyond the topics of the family home and domestic property to examine the wide range of feminist work in relation to property, especially land. The editors draw from other disciplines (such as anthropology and social geography) to examine a set of topics (including access to shopping malls, the needs of travellers and the impact of registration of title to land, etc) rarely covered in previous works.

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## Governing Paradoxes of Restorative Justice

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Restorative justice is the policy of eschewing traditional punishments in favour of group counselling involving both victims and perpetrators. This book is the first critical analysis of governmental rationales that legitimise restorative practices over traditional approaches and is sure to be of interest to both participants and observers of restorative justice.

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## Law, Text, Terror

Edited by Peter Goodrich & Lior Barshack

At a time when the legitimacy of master texts and the legal framework of community are subject to challenge both nationally and internationally, East and West, *Law, Text, Terror* brings together a group of leading international scholars to provide a unique and stimulating account of the ritual functions and effects of law both in maintaining community and in underscoring the horror that accompanies the realisation of the limits of law.

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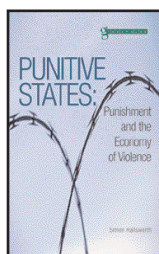
## Legal Pluralism in Conflict: Coping with Cultural Diversity in Law

Prakash Shah

This book is the result of the author's experience as a teacher and researcher in the field of ethnic minorities and the law. It begins by developing a legal pluralist theoretical framework to analyse the interaction of ethnic minority laws and British laws, before examining the limits of existing approaches to legal education and charting the development of the alternative course of ethnic minorities legal studies.

Due August 2005  
250 Pages

ISBN 1 90438 558 3  
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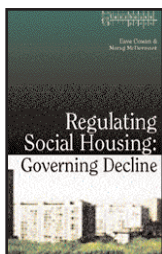
## Punitive States: Punishment and the Economy of Violence

Simon Hallsworth

Are there distinctive postmodern forms of punishment? Is the contemporary 'punitive' turn in the United States a sign of things to come in Europe? Is modern rationality at odds with violence or the means to applying violence systematically? *Punitive States* links together these key contemporary debates in criminology, penology and social theory and offers an alternative analysis inspired by Georges Bataille and Ren Girard.

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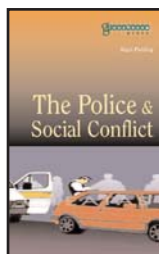
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