

Socio-Legal NEWSLETTER

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THE FUTURE OF HIGHER EDUCATION: 'SUSTAINABLE RESEARCH BUSINESSES' AND 'EXPLOITABLE KNOWLEDGE'

Lois Bibbings analyses the recent higher education White Paper and finds little space for socio-legal studies in this version of the future.

Richard Collier's recent article on the uncertain future for (critical) socio-legal studies (SLN 39) painted a bleak future for those knowledges that are deemed to be less 'useful'. One of the current causes of such concern is the long awaited White Paper, *The Future of Higher Education* (January 2003). The document, in terms of its focus and proposals, makes disturbing reading. More fundamentally, though, it is the model of higher education that it embraces which is most deeply troubling.

The White Paper is organised into seven chapters. Starting with 'The need for reform', it outlines a range of (in the inspirational words of Charles Clarke) 'tough choices on higher education'. The first area for toughness is research, but more of that later. Other proposals include the promotion of links between higher education and business, the expansion of higher education 'to meet *our* needs' (emphasis added), and the now infamous (and subsequently tempered) 'plans for fair access'. In addition, the link between excellence in teaching and research is largely rejected in favour of institutions which 'play to their individual strengths' and specialise in one or more area of activity (or, more precisely perhaps, of income generation). The paper closes with a cheery little ditty entitled 'Freedoms and funding' which aims to free up students by allowing them to gain ownership of their learning; although it seems some students will 'own' more of their learning than others (depending, in part, upon where and what they opt to study).

Sadly, there is not sufficient space here to consider all aspects of this document in depth. However, one starting point would be to assess the prominence of socio-legal disciplines within its pages. Both social sciences and law get a mention (on p 23). It seems that: 'Research lays the long-term foundations for innovation, which is central to improved growth, productivity and quality of life.' Thankfully, '[t]his applies not only to scientific and technical knowledge'; although you would hardly know this from the White Paper were it not for the occasional asides to this effect. Nevertheless, apparently '[r]esearch in the social sciences, and in the arts and humanities can also benefit the community – for example, in tourism, social and economic trends, design, law, and the performing arts – not to speak of enriching our culture more widely'. And that is very much it in terms of references to socio-legal studies or the social sciences and law. To be fair, very few disciplines are explicitly addressed by the White Paper. For example, the arts and humanities get only a few additional references and some brief explicit

consideration by way of the creation of a funding council. Thus, on page 32 we learn that research in the arts and humanities is 'of vital importance to our university system', although exactly why this is the case is not clear from the document. Moreover, even this acknowledgement is followed by a reference to the importance of ensuring that there are no artificial barriers to interdisciplinary work between the arts and sciences. Beyond such brief mentions (or supposedly reassuring asides), the White Paper is overwhelmingly about science, technology, business and, of course, exploiting the knowledge generated by researchers in science and technology. The science focus is impossible to overlook. Indeed, the vast majority of subject examples given in the text are drawn from the sciences, engineering and technology. In addition, the model of research, which the document addresses, is science-based. Thus, when the importance of well-trained research students is emphasised (p 33) the image is one of PhD students working as part of research teams, enabling scientists to produce more and more ▶ p3

SLSA SMALL GRANTS SCHEME 2003 October deadline for applications

SLSA members interested in applying for a small grant are reminded that the deadline is **31 October 2003**. The Executive Committee provides £5000 annually – up to a maximum of £1000 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 2003.

For details of this year's scheme contact: Dave Cowan
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(See pp 4–5 for reports from 2001–02 grantholders.)

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SLSA CONFERENCES

Glasgow 2004

The SLSA Annual Conference 6–8 April
2004 will be hosted by Glasgow
University School of Law. See pp 13–14.

Future venues

In recent years the SLSA's successful
annual conference has been held at
Bristol, Aberystwyth and Nottingham
and next year will go to Scotland for the
first time. It regularly attracts over 300
delegates. The SLSA Executive
Committee is inviting expressions of
interest from institutions wishing to
host one of the next three annual
conferences (2005, 2006 and 2007).

Plenary speaker

The SLSA Executive would also like
suggestions from members for a
plenary speaker for the 2005
conference. In the past it has proved
difficult to book speakers at short
notice, so it is hoped that a short list can
be drawn up as soon as possible.

For further information contact
SLSA chair Sally Wheeler:
e s.wheeler@bbk.ac.uk.

See p 9 for information on a proposed
SLSA postgraduate conference.

**To contact the
Socio-Legal Newsletter**

If you would like to write an article,
contribute a news item or place an
advertising insert for a forthcoming
issue of the newsletter or if you have
any other ideas for consideration, then
contact: Marie Selwood, Editor ☐ *Socio-
Legal Newsletter*, 33 Baddlesmere Road,
Whitstable, Kent CT5 2LB † 01227
770189 e m.selwood@virgin.net. The
copy deadline for the winter 2003 issue
of the *Socio-Legal Newsletter* is **Monday
13 October 2003**.

... people

DR DIANE LISTER has moved from CRESR at
Sheffield Hallam University to the
Department of Land Economy, University of
Cambridge, 19 Silver Street, Cambridge CB3
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MAX TRAVERS has taken up a lectureship at
the School of Sociology and Social Work,
University of Tasmania, Australia, from 1 July.
e max.travers@utas.edu.au

DAVID CARSON, of the law faculty at
Southampton University, has obtained a
Principal Lectureship in Law and Psychology
at the Institute of Criminal Justice Studies in
the University of Portsmouth. He retains the
title of Reader in Law and Behavioural
Sciences.

KEITH HAWKINS, Reader in Law and
Society, and Fellow and Tutor in Law at Oriel
College Oxford, has been awarded the Jacob
Prize for 2003 by the American Law and
Society Association for his book *Law as Last
Resort: Prosecution decision-making in a
regulatory agency* (2002) Oxford University
Press. The Jacob Prize is awarded annually 'to
recognize new, outstanding work in law and
society scholarship'.

DR PATRICK HANAFIN, Birkbeck Law
School, University of London has been
promoted to Reader.

RICHARD STONE has moved to Lincoln
University, as Professor and Head of the Law
Department, as from 1 April 2003.

DR BELA CHATTERJEE has been awarded
her PhD following a viva in December. She
wishes to thank her friends at the SLSA,
particularly those involved in the
postgraduate conferences, for all their help
and support.

PENNY BOOTH will be leaving the University
of Sunderland at the end of August to take
up a principal lectureship at Staffordshire
University Law School from 1 September
2003.
† 01782 294551

HERBERT M KRITZER, Professor of Political
Science and Law, University of Wisconsin-
Madison, has been appointed editor of *Law &
Society Review* for volumes 38–40.
Information on how to submit a manuscript
can be found at
w www.lawandsociety.org/review/
mansubm.htm or contact Prof Kritzer at e
kritzer@polisci.wisc.edu or the editorial office
and the managing editor, Dianne Sattinger at
e lsr@law.wisc.edu.

DAVE COWAN of Bristol University School of
Law has been promoted to Professor of Law
and Policy from
1 August 2003.

SLSA WEBSITE

The SLSA website is being extensively
updated. It contains information
about all SLSA activities including the
annual conference, publications,
prizes, grants and bursaries. The
webmaster is Nick Jackson and the
site is hosted by Kent University Law
School. Any comments or suggestions
for inclusion would be appreciated.
w www.ukc.ac.uk/slsa/index.htm
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p14 (exploitable) research. There is simply no mention that in non-science and non-technological disciplines the roles of the PhD student and their adviser are completely different. In short, *The Future of Higher Education* (and the future of higher education) is discipline specific.

What then is the future for socio-legal studies and other non-science disciplines? The paper, by its focus and silences, suggests that such pursuits form but a minor part of *The Future of Higher Education* and, thus, do not warrant any specific consideration. More generally, it is 'research' rather than 'scholarship' which is at issue in the White Paper. The 's' word simply does not warrant a mention. Research produces (economically) exploitable outcomes; scholarship simply does not (although, it produces benefits to the community, tourism etc).

Moreover, the paper's focus upon academic capitalism entails that research needs to be 'financially sustainable'. Thus, universities will need to demonstrate that they are operating 'sustainable research businesses' through recovering the full economic costs of research and using the intellectual property generated to provide further income (pp 25–26). Indeed, the assumption is that all research will be specifically funded – unallocated funding will be in place to support 'speculative research' before it is ready for research council or other support (p 28). Universities who specialise in the business of research, therefore, need to plan their research strategies with great care, focusing not just (or even primarily) upon the RAE but more especially upon the most profitable disciplines. Those departments, centres and individuals which are able not only to generate funding but whose research outcomes offer the potential for profit will undoubtedly be prioritised. What then of the others – those whose disciplines only offer limited returns for their research? In this context, unprofitable research and, in particular, research with a political agenda or theoretical focus has an uncertain future. Whilst undoubtedly, this is not an entirely new development, the White Paper makes the future for non-scientific or business-orientated research far more precarious.

In addition, of course, we will have the new 6* category of research excellence which will provide protection for those who work within such departments. Also, we are reassured that pockets of research excellence will be supported in institutions without a general ethos or record of research. However, one might be sceptical of how viable this might be in an institution whose focus has become income generation from students and/or business links rather than research. It seems reasonable to assume that the future for lone research centres may only be secure if the centre concerned specialises in a discipline which offers high returns.

The other area where funding for higher education is specifically raised is, of course, in relation to students. There are new financial arrangements for students and the introduction of top-up fees for those institutions able both to get sufficient numbers of paying students and demonstrate that their efforts to widen access are adequate. So, we have the prospect of some courses at some institutions becoming effectively (partially) privatised – as long as they take and support enough students who cannot pay (see *Widening Participation in Higher Education*, April 2003). Consequently, the politics of teaching and researching in such environments is something which many socio-legal scholars will be forced to consider. Indeed, this will be a particular issue both for those law schools where demand for places is great

and for those institutions and departments which cannot charge extra. In the latter case, questions about financial sustainability and even viability are sure to become more pressing.

In addition, law schools have already been facing pressure from the professions to submit to increased regulation. In the last 12 months, the SLSA has responded to the three consultations on the Law Qualifying Degree and one on the question of recognition of new foundation degrees as progression pathways into law.¹ In each case, the responses have been resistant to the majority of proposals. These challenges to academic freedom, along with the White Paper, raise serious concerns as to what and whom a law degree and legal research are for. In particular, they pose threats to socio-legal work in law schools. However, as Paddy Hillyard's plenary at the 2002 SLSA conference highlighted, lawyers, at least for the moment, have the reassurance offered by being three times more likely to be in grade 5 or 5* departments than their social policy colleagues.²

Outside the law school the position is at least as troubling, if not more so. In social policy, whilst the need for research to be fully funded is by no means new, the drive towards profitable research outcomes is a more disturbing development. Indeed, more generally, this focus upon economics has to be factored into any discussion of the future direction of socio-legal studies. Thus, Hillyard's calls for 'less theory and more research on the material reality of the modern world and the role of law and legal institutions in structuring these relationships' becomes a far more pressing but also a far more difficult agenda to pursue. In this context, socio-legal scholars should, as Collier suggests, join with those from other non-profitable, non-scientific disciplines (whether their research concerns be theoretical or material) and challenge the direction in which higher education is headed. Doctrinal lawyers, socio-legal academics, historians, archaeologists, philosophers, postmodern theorists, political critics and, of course, mediaevalists together face the prospect of a precarious future in an environment in which universities rely less upon state funding and more upon income from students, business and exploitable knowledge.

1 The responses are available at:

www.kent.ac.uk/slsa/consultation.htm

2 'Invoking Indignation: Reflections on future directions of socio-legal studies' (2002) 29 *Journal of Law and Society* 645–56.

Journal of Law and Society 30(2) June 2003

'Law in context' revisited' – Philip Selznick

'Regulation and rights in networked space' – Andrew D Murray

'Railtrack is dead – long live network rail? Nationalization under the third way' – Lisa Whitehouse

'A decade of Europe? Some reflections on an aspiration' – Ian Ward

'Doctors as good Samaritans: some empirical evidence concerning emergency medical treatment in Britain' – Kevin Williams

'Policing unauthorized camping' – Dave Cowan and Delia Lomax

'Justice for all: putting victims at the heart of criminal justice?' – John D Jackson

Book Reviews

Carlo Guarnieri and Patrizia Pederzoli: *The Power of Judges*, Sir John Laws

S P Sathe: *Judicial Activism in India – Transgressing Borders and Enforcing Rights*, Tom Zwart

2001–02 SLSA SMALL GRANTHOLDERS REPORT BACK

The small grant scheme is one of the SLSA's most important and successful activities. Here, five grantholders report back on their use of the funds and the outcomes of their research.

Catherine Phuong
University of Newcastle

The impact of EU accession on asylum and immigration policies in Central and Eastern Europe: the case of Poland

Most of the academic literature on European immigration and asylum policies has so far concentrated on the removal of internal border controls, the strengthening of controls on entries into the EU and the harmonisation of national asylum laws and procedures. Nevertheless, EU developments in the fields of immigration and asylum also have an impact on neighbouring countries, and in particular on Central and Eastern European countries which are seeking to join the EU within the next few years. Since 1994, EU member states have included asylum and immigration matters in the enlargement strategy. Consequently, states which want to gain EU membership must adopt a series of measures on asylum and immigration in order to demonstrate that they are able to control migration as efficiently as EU member states already do. There has been a general fear that once the Communist bloc had collapsed, large numbers of people would seek to migrate to Western Europe. Although such a mass influx of migrants from the East has not actually taken place, concerns remain about granting rights of free movement to the citizens of the states newly admitted to the EU.

The project focused on one Eastern European country, Poland, which will be part of the first wave of accessions in 2004 or 2005. The objective of the field visit was to find out what measures on asylum and immigration have been adopted by the Polish authorities under pressure from EU member states. A series of interviews was conducted in Warsaw and Krakow last June. I met with civil servants at the Office of Repatriation and Aliens which is in charge of processing asylum applications; the Office of the Committee for European Integration which oversees the adoption of EU legislation; and the Delegation of the European Commission in Poland. I also met with a human rights NGO (Helsinki Foundation for Human Rights) and several academics at the Universities of Warsaw and Krakow. The fieldtrip allowed me to collect materials on the Polish asylum system and gain some interesting insights into the accession process. An article summarising the findings of the research was written upon return from Poland and has been accepted for publication in the *International and Comparative Law Quarterly*. I am hoping to include this research within a broader project on the asylum and immigration policies of the future in the EU.

Matthew Humphreys
University of Surrey

The EU common transport policy

My application to the SLSA small grants scheme was my first for external research funding. I was then extremely pleased to be awarded a grant and would recommend the process of making such an application to any individual new to academic life or just starting on a research career.

I applied for a grant for travel, envisaging two trips: one to Brussels, the beating heart of all things European, and one to Innsbruck on the old north-south artery of European trade. The research project monitors the pulse of the European Union's common transport policy – and let's face facts, the common transport policy could do with a very thorough work-out.

My principle interest is sustainable transport, and by that I mean looking at the integration of environmental protection requirements into European transport law and policy. Going to Brussels on a fact-finding trip is then a clearly understandable research exercise. The Innsbruck trip though was not about skiing, schnapps and schnitzels, or not just ... Austria has some particular legal and political problems associated with European trade in transport and these are very informative in terms of the environmental, economic and social balance that ought to be a sustainable transport policy.

The research is, in the good socio-legal tradition, interdisciplinary. The environmental campaigners I met in Austria organise street parties in the middle of the E45 Brenner autoroute and seemed to have an alarming amount of khaki in their green politics. I have wondered if the research is becoming more interdimensional than disciplinary. Certainly, it felt like I was heading into the unknown. But to restate the point: the Austrian experience is particular. The state's membership of the European Union is barely eight years old, and the impact in terms of traffic flow is resonant with questions about European integration and free movement 'rights' – most particularly of all, free movement transit across the Alps.

Brussels is quite a contrast. Which is not just to say the place is flat. The town itself somehow manages to make the dryly detailed drafts of strategy – all the paperwork – seem even more interesting. And DG Tren, the Directorate responsible for Transport in the Commission, welcomes visiting academics with a warmth and helpfulness that made me wonder if I was one of the first ever to show an interest in their work. Certainly other DGs could take some helpfulness lessons from their colleagues across the hall. But then Environment DG these days has more research students visiting than many a 5* UK university department so maybe they are getting a little jaded.

Both trips greatly informed my work. An article on Austrian integration into the CTP is currently doing the rounds. I am also putting all my research together into a book on sustainability in European transport, which I intend to complete next year.

Ciaran White
University of Ulster

Protecting the public from harm: surveying the control of sex offenders in Ireland

The SLSA's small grants scheme allowed me to conduct research in Dublin on the implementation of sex offender control strategies in the Republic of Ireland by contributing to travel expenses between Belfast and Dublin to facilitate research interviews. In effect it operated as a form of 'seed-corn funding' helping to establish my wider research interests in this area.

The fear of recidivist sex offenders has prompted a number of countries to develop a range of mechanisms to control sex offenders in the community following their release from prison or the conclusion of their punishment. Ireland has in a recent enactment, the Sex Offenders Act 2001, embraced this trend. My research examined, and continues to examine, these developments, reflecting on the rise of sex offender control strategies generally and assessing future directions of policing and the role of the state in dealing with public safety.

Broadly stated, the approach adopted has striking similarities with that adopted in the UK. Thus the legislation established a sex offenders' register, provided for post-release supervision, allows the Gardai (police) to apply for (civil) sex offender orders and makes it an offence for sex offenders to apply for jobs that will allow them access to children. The UK's experience in developing similar mechanisms highlights the fact that the Irish authorities need to follow up these legislative developments with appropriate administrative structures, and at present it is unclear that this will take place.

The extent to which the republic replicates developments in the UK is the most immediately obvious feature of the Sex

Offenders Act 2001. Aside from being a wry commentary on the development of policies and solutions to contemporary social problems in Ireland, it also demonstrates that many of these developments are recycled initiatives, in an attempt to deliver on government rhetoric in a manner that placates public opinion and opposition politicians. Additionally, and perhaps more importantly, it is not altogether clear that politicians are indeed devising solutions to confront the problems actually faced in protecting children and vulnerable people. The abuse of children in care institutions, particularly those run by religious orders, and the abuse of children by coaches to voluntary sporting organisations, for example, represent the type of problems these measures should be addressing. There are clearly gaps in the protective measures in operation in Ireland. Although the Republic has copied much from the UK it has yet to develop other protective measures applicable there, like 'List 99' and the Consultancy Service Index. And the Irish Government may be underestimating the amount of extra work generated by these control mechanisms, as happened in the UK.

There are, other wider, concerns, however. The current focus on sex offenders – in both the UK and Ireland – is dominated by an ethos of risk management, rather than re-integration, yet re-integration remains a reality that must be pursued. A control, containment and monitoring strategy has to be balanced with an integration strategy, otherwise the former may become more difficult to manage. The development of sex offender post-release control strategies also allow us to reflect more generally on the rise of the 'public safety' ethos in the modern State. The danger is that increased focus on public safety will result in the adoption of ill considered legal and policy developments, as well as the erosion of individual liberties in the face of arguments about the 'common good'.

Antje Wiener
Queen's University Belfast

Revising resonance assumptions: the case of social constitutional norms in Europe

As part of a larger ongoing research project on the evolving norms of constitutionalism and the conflictive impact of social constitutional norms in trans- and supranational negotiations, this research compared the opposing rationales of constitutional finality and compliance with the EU's accession criteria.

The project finds that the parallel development of the debate over political finality, on the one hand, and compliance with the accession acquis, on the other, brings two opposing action rationales to the fore. Depending upon how deliberation about finality and compliance proceeds, compliance can either mean conflict or smooth adaptation and successful revision of political procedures. The benchmark for success might not be

constituted by an ever-growing reservoir of detailed elaborations on governance principles or yet another plan to bring Europe 'closer to the citizen' but might lie in a concept that enables the establishment of equal access to deliberation for all participating parties.

The paper focuses on the necessity of interdisciplinary work that straddles the boundaries of law and the social sciences in order to bring the constitutive impact of the interrelated finality and compliance rationales to the fore. It argues that resonance with evolving constitutional substance will be enhanced by a constitutionalised space for deliberation that allows for dialogical politics. Theoretically, the project advances a societal approach to compliance. A first research summary has been published: *Enlargement vs Finality* (2002) Jean Monnet Working Paper, New York University, Law School www.jeanmonnetprogram.org/papers/index.html.

Davina Cooper
Keele University

Gender, Sexuality and Law II

GSL II attracted 250 delegates from five continents and feedback has been excellent. The grant helped fund plenary speakers' travel. These included Shohini Ghosh (Perverse narratives: sexualities and the counter public sphere) and Didi Herman ('Bad Girls changed my life': homonormative values in a women's prison drama). Also benefiting from the funding were Amina Mama (Feminism and its discontents: reflections on strategy in postcolonial African contexts), Selma Sevenhuijsen (Care and justice reconsidered), Carl Stychin (From integration to civilisation: reflections on sexual citizenship in a European legal order), Francisco Valdes (Sexual democracy) and Carole S Vance (Doing good with sex: narratives of nature and sensation). SLSA support was noted on the website and in the programme.

ESRC RESEARCH PRIORITIES – HOW ARE THEY DEVELOPED?

Michael Bright is the ESRC officer responsible for liaison with the socio-legal community. Here, he gives an overview of the council's approach to developing research priorities and notes the many ways in which socio-legal researchers can become involved.

Introduction

This note is intended to provide some background information to readers on how ESRC research priorities (i.e. its directive mode) are developed and how members of the socio-legal studies community can participate in this process. More information on the ESRC and its funding mechanisms can be found on our website www.esrc.ac.uk.

Background

The ESRC has two principal mechanisms for funding research – responsive and directive. There are a number of schemes which fall within these two areas, which can be summarised as follows:

Responsive:

- the Research Grants Scheme, including 'small grants';
- the Research Fellowship Scheme;
- the Research Seminars Competition.

Directive:

- Research Programmes;
- Research Centres and Groups;
- Priority Networks;
- LINK Programmes;
- New Opportunity Programmes;
- Resources Centres and Programmes.

The responsive element of the council's work is allocated via the Research Grants Board, whilst the Research Priorities Board and the Research Resources Board have responsibility for the directive elements of the council's funding mechanisms.

The directive mode

The Research Priorities Board manages the portfolio of centres, groups, priority networks and programmes. The board's role is to develop and implement a strategy for future research that contributes to the ESRC's thematic priorities. The thematic priorities enable the ESRC to respond to the most pressing social and economic issues facing the UK. (www.esrc.ac.uk/esrccontent/aboutesrc/thematic_priorities.asp)

The investments funded by the board are long-term, with research outputs unlikely to emerge until five years after a funding decision is made. Therefore, in setting its priorities, the board aims to develop a forward-looking perspective, identifying and highlighting areas and topics which can benefit from focused social science effort over 5–10 years.

Lifecycle of research development – a consultative exercise

The cycle begins each April with council's annual review of its current investments across its thematic priorities. From this review, the council identifies broad priority areas for investment

during the following year. Guided by the council's priority areas, the Research Priorities Board considers outline research ideas at its May meeting. Prior to submission to the board, these ideas will have been considered and refined in consultation with the virtual colleges, both electronically and possibly at a meeting. (See below for information on the colleges.)

These ideas may be generated from a wide range of sources, including meetings, conferences, workshops, seminars, previous research investments and liaison with the academic community, perhaps via the learned societies or through concordat meetings with government departments. In July, the Research Priorities Board decides which ideas to develop under which funding mechanism. Some will become the focus of competitions for research centres, groups and priority networks, with a call for proposals being made shortly after the July meeting.

For ideas being taken forward as research programmes, more detailed specifications are developed following a wider consultation involving both academic and non-academic parties normally led by a consultant with particular expertise in the area. At the following March meeting the board takes the final funding decisions on full proposals for research centres, groups and priority networks following the competition alongside proposals for any new research programmes. Programme directors are appointed after this March meeting and calls for project applications are made in October or November.

The virtual colleges

The virtual college system was established in 1997 to act as a structured interface between the ESRC and the academic community. The colleges play a central role in disseminating information about the ESRC to the social science community and providing key inputs through the community to help the council develop research practices and new research investments. **Active two-way communication** lies at the heart of the colleges' mission. The terms of reference for members are:

- to advise the ESRC and in particular its research boards and research support teams on research policy and practice;
- to comment on draft policy papers as they are prepared for board and council discussion;
- to advise on the development of research investments, and exceptionally, on peer review selection;
- to contribute to the assessment of small research grant applications;
- to act as a two-way communication channel between the ESRC and the social science community.

There are three ESRC 'virtual colleges', each with about 30 members. Each college has a remit which includes a group of social science disciplines and fields:

- management, psychology, linguistics and education (MPLE);
- politics, economics and geography (PEG);
- sociology, history, anthropology and resources (SHARE).

This structure reflects the organisation of the research support teams within the ESRC office. Like the office, the colleges inter-work to promote interdisciplinary research activities.

Members are selected partly by nomination from learned societies, by random choice from ESRC grant holders and by ESRC staff. In this last case, the choice is made to ensure adequate disciplinary coverage and maintain an appropriate gender and geographical balance. Member details are on www.esrc.ac.uk/esrccontent/aboutesrc/research_colleges2.asp.

Both the SLSA and the Socio-Legal Research Users Forum nominate members to SHARE College. Their current representatives are Professor Sally Wheeler, Birkbeck College and Ms Mavis Maclean, Oxford University respectively.

The ESRC and the SLSA

As mentioned above, the SLSA representative on the college is Professor Sally Wheeler. In addition, the ESRC holds regular meetings with representatives of the SLSA. Members of the SLSA who wish to raise comments or suggest ideas for future research priorities can do so through these channels.

Michael Bright (e michael.bright@esrc.ac.uk) is the ESRC officer responsible for liaison with the socio-legal community. He attended the latest SLSA conference and participated in the research funders' session. At that session he provided an overview of ESRC funding opportunities and offered some advice on preparing a good application.

The following issues should be noted with regard to the priority setting cycle.

- The volume of ideas generated should be manageable, since there is no guarantee of success.
- Ideas should address medium to long-term priorities (though there may be opportunities to take forward shorter-term, developmental work).
- Ideas should allow opportunities for interdisciplinary work and for engagement with non-academics.

Programme proposals under development

At its meeting in May, the Research Priorities Board agreed that the following six outline topics should be developed for further consideration at its July meeting:

- ethnicity;
- economic performance and development;
- changing ourselves;
- transport;
- intergenerational relations;
- governance of technology/nanotechnology.

As indicated above, the Research Priorities Board in July will have decided which of these ideas should be developed further and under which funding mechanisms. If you would like to find out more about potential new areas and possibly contribute to their development then please contact Michael Bright.

Current and future opportunities under the directive mode

This is a list of current and forthcoming calls. (Details on website.)

Cross-research council collaborations on stem cell research

This initiative follows the government announcement in the 2002 spending review of £40m to support research on stem cells. As well as accepting investigator-led applications, the council will be issuing co-ordinated calls for proposals in strategically important areas (advertised on the web and in the scientific press).

Identity and social action programme

This programme (closing date 14 November 2003) is designed to address the origins and impact of social identities in the social world. It consists of three major strands of research which will provide systematic empirical evidence about the structure of identities in contemporary society; analyse the processes by which social identities are produced in society and assumed by individuals and examine how social identities relate to social action in key areas of social concern thereby informing policy and practice.

Research on ageing

This will build on the Growing Older (GO) Programme but is new in three respects: the scientific agenda, the comparative dimension and the intention to extend multi-disciplinarily

beyond the social sciences. GO has not considered key future quality of life issues, such as the role of ICTs (information and communication technologies) and the economic impact of ageing, and barely touched on equally critical issues such as employment, housing and transport. In addition, new topics demand attention: globalisation and policies on ageing, financial planning and the future of pension provision, and the politics of old age. Call for proposals – anticipate December 2003.

New security challenges programme phase II

This programme's aim is to promote research into security which builds on, but also moves beyond, the traditional preoccupation with military conflict between states. The programme will focus on international security, but defined broadly to include threats to groups as well as nations; to the biosphere as well as the polity; and from military to political, economic and environmental security. It will seek to build upon existing research innovations but also to define a more comprehensive and comprehensible agenda that will make better sense of security in the post-Cold War and post-September 11th globalised world. The call for proposals under phase I is now closed but a second call for proposals is currently planned for 2004.

Cultures of consumption programme

This is a major multidisciplinary research programme that seeks to deepen our understanding of consumption and consumers, by exploring the dynamics of consumer cultures, past and present, and by highlighting political, economic, and cultural implications for the future. The call for proposal under phase I is now closed but a second call was announced in June 2003.

Rural economy and land use programme

This programme is managed jointly by the ESRC, BBSRC and NERC. It will develop, with a socio-economic framework, future research-based options for sustainable land use. The aim is to provide a body of evidence, supported by underpinning research that can be used to inform policy and practice in this area. The programme is expected to contribute to the long-term outcome of achieving a rural economy that meets social and economic objectives, with protection of the rural environment and a modern sustainable and competitive agricultural industry. The call for proposals is planned for September 2003.

Excellence in public service delivery

A new initiative is to be announced shortly aiming to contribute essential research-based knowledge to the government priority for improved management of the public sector, building on the ESRC's work in the private sector. Call anticipated early 2004.

E-society phase II

This programme aims to explore how institutions, practices and behaviours are being changed by the technologies that constitute the digital age. Phase I commissioning is now complete and we hope to have a second call for proposals in the summer of 2003.

World economy and finance programme

The board approved at its May meeting a new programme on the world economy and finance. The recruitment for a programme director will commence shortly. Further details will be announced in due course.

Non-governmental organisations programme

The board also approved at its May meeting a new programme on non-governmental organisations which will be co-funded by the Community Fund. Details will be announced in due course.

The Hart Socio-Legal Book Prizes and the Socio-Legal Article Prize 2004

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 Glasgow University School of Law from 6–8 April 2004. 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 Early Career Prize, £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 note 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 SLSA newsletter.

Nominations, accompanied by two copies of the relevant publication, should be sent by Friday 19 December 2003 to:

Dave Cowan, Dept of Law, University of Bristol, Wills Memorial Building, Bristol BS8 1RJ.

Contact [e d.s.cowan@bristol.ac.uk](mailto:d.s.cowan@bristol.ac.uk) for further information.

2003 ARTICLE PRIZE WINNER

Congratulations to Claire Valier who won this year's article prize for 'Punishment, border crossings and the powers of horror' (2002) 6(3) *Theoretical Criminology* 319–37. The book prize was not awarded this year.

NEW FEMINIST PERSPECTIVES WEBSITE

Background to the project

Feminist insights may be increasingly acknowledged and investigated but they remain marginalised. At recent meetings of the WILE network and annual conferences of the SLSA and SPTL it became clear that some academics (including early career and established academics) do not feel confident about locating feminist materials or teaching from a feminist perspective. As a result a team applied on behalf of the SLSA and others for UKCLE funding to develop a website dedicated to law and feminism www.rdg.ac.uk/law/femlegalnet/. The aim has been to identify key publications for use by academics and students. We hope the website will encourage students and staff to make greater use of resources which emphasise the value of new and gendered readings of the law.

Can you help?

The launch of this website is just the start. We would like to hear suggestions about additional materials which could be included. We plan to undertake bi-annual searches for materials but are also keen to hear from site users about how it can be improved. Contact [e l.mulcahy@bbk.ac.uk](mailto:l.mulcahy@bbk.ac.uk) with additional useful references or bibliographies. If the site proves popular we hope also to include course outlines and events.

Linda Mulcahy, Martha-Marie Kleinhans, Sara Ramshaw, Brenna Bhandar, Florent Trarieux, Emma Sandon

FAInS – FULL PILOT PHASE BEGINS

Angela Lake-Carroll, Head of Projects at the Legal Services Commission, reports on the latest stage of this major project launched in 2001 (see SLN 34).

The first full pilot phase of FAInS (Family Advice and Information Service) is about to commence. The FAInS Project is managed by the Legal Services Commission and is designed to test the delivery of early intervention services for families in conflict. A continuing and informal survey of recent research outcomes in matters pertinent to family composition and the issues of maintaining functional family structures¹ carried out by the project team would indicate that FAInS may be a timely development in assisting transitions in family relationships – particularly where there are children – to be achieved with the minimum of distress and in ensuring that individual family members, and children in particular, do not fall prey to social exclusion.

The pre-pilot phase to test the project design and research methodology ran for six months in Cardiff, Exeter, Newcastle,

Milton Keynes and Nottingham. The project, announced by the then Lord Chancellor Lord Irvine in March 2001, is to test the delivery of co-ordinated services to families in conflict using 'access points' – in the first instance specialist family solicitors. Clients approaching family solicitors for assistance with a family matter will be able to consider all the issues pertinent to their situation and will receive tailored advice and information as to the range of services that may be able to assist them in resolving their dispute. Practical issues such as debt advice, help with benefits, opportunities to use mediation as a means of resolving disputes, emotional support – counselling etc and assistance with dealing with the needs of children or young adults of the family – will be addressed and appropriate legal advice and representation provided as required. Further 'access points' – pertinent to the agency or agencies in which they are sited – will be tested during the life of the pilot, due to be completed at the end of 2005.

The first full pilot phase, which will have further planned phases during the life of the project, will see an expansion of the pre-pilot areas in Exeter, Cardiff and Nottingham (to include Mansfield) and the addition of new areas in Basingstoke, Hartlepool, Leeds, Lincoln and Stockton-on-Tees. A consortium of researchers, co-ordinated by Professor Janet Walker of Newcastle University, has already completed research into the pre-pilot phase and will carry out a programme of research during the full pilot, looking at client outcomes, the views of the practitioners, links into the voluntary and advice sector and the provision of services of information and advice to the children (and young adults) of families in conflict. The pre-pilot research has proved extremely useful in pinpointing areas of the project design for adjustment and pre-pilot participants have provided considerable feedback to further assist the full pilot design.

At present, the project is limited to families in private law disputes – separation, divorce, residence and contact issues, but would include family issues relating to the extended family, such as grandparent applications or disputes in regard to the arrangements for children of reformed or step-families. Many family lawyers in the pre-pilot phase have already identified the potential benefit of a FAInS-type service for families in public law children proceedings and the project team will be making recommendations in respect of the potential for extending the project to include these client families.

In this first pilot phase, the research team will be undertaking a 'pre-FAInS' study of approximately six months in order to understand how family legal practice operates now so that comparisons might be made as to how FAInS operation alters or affects client outcomes.

For further information on the FAInS Project please contact Fiona Dagenais [e fiona.dagenais@legalservices.gov.uk](mailto:fiona.dagenais@legalservices.gov.uk).

- 1 *Paths to Justice: What people think and do about going to law*, Hazel Genn and the National Centre for Social Research; *Making Contact: How parents and children negotiate and experience contact after divorce*, Liz Trinder, Mary Beek and Jo Connolly, Centre for Research on the Child and Family, University of East Anglia; *National Mapping of Family Services in England and Wales*, Clem Henricson, Ilan Katz, Jeff Mesie, Milva Sandison and Jane Tunstall; *Young Runaways – Report by the Social Exclusion Unit; Summary of findings of the first LSRC periodic survey of legal need*, Pt 1, Pascoe Pleasence, Alexy Buck, Nigel Balmer, Aoife O'Grady and Hazel Genn; Office for National Statistics.

Proposed SLSA postgraduate conference January 2004

The SLSA Executive Committee is considering organising a postgraduate conference for early January 2004 to take place over two days. In previous years, this successful conference has brought postgraduates and academics together to discuss the trials and tribulations as well as the practical issues involved in being engaged in socio-legal research. We hope to attract postgraduates from across the country and plan to stage the conference in a location outside London that is relatively easy to access by rail or bus (Grantham or Crewe have been suggested).

It is proposed that two main strands run consecutively.

- First, a focus on practical issues such as aspects of socio-legal research, presentation skills, the supervisor-student relationship, ethical issues of research, writing up, conferences, developing academic career skills, publications and personal accounts of the postgraduate experience.
- Second, an opportunity for postgraduates at any stage in their research to give papers on their work in an informal setting and to receive feedback on their presentation skills, research methodology and the content of their paper.

Notwithstanding the academic focus, the conference is also a social event and offers an opportunity for postgraduates and established academics to meet and have a bit of a laugh over a meal and a few drinks.

We hope to provide cheap board and lodging for the event and are presently looking into possible venues. Further details will appear in the next newsletter.

If you have any queries or suggestions please feel free to e-mail Mike Meehan ([e m.a.meehan@livjm.ac.uk](mailto:m.a.meehan@livjm.ac.uk)).

See page 2 for information on future SLSA annual conferences.

PREPARING BLACK CARIBBEAN STUDENTS FOR THE LEGAL PROFESSION

Helen Carr and I have recently completed a small research project, funded by the UKCLE, which investigated the nature and extent of the difficulties facing black Caribbean students wishing to qualify as solicitors. Whilst many ethnic groups have made significant progress in entering the profession over the past 20 years, the number of black Caribbeans has remained small.

A survey of undergraduate law students at the University of North London (now London Metropolitan University) indicated that career aspiration varied by ethnicity and it was this initial finding which stimulated our research. We believed that if there was a general understanding that it is particularly difficult for black Caribbeans to qualify as solicitors then this could influence students' career choices at undergraduate level. However, further data collection appeared to refute this. What was clearly established, however, was the additional financial constraints faced by ethnic minority students compared to white students. For example, it was established that 54.3% of black Caribbean and black other students were engaged in part-time paid employment, compared to just 34.8% of white students. The average number of hours worked by these students did not vary by ethnicity (15 hours a week for both white and black).

Our initial research suggested a number of questions relating to ethnicity and qualification as a solicitor. We are particularly concerned about the under-representation of black Caribbeans with practising certificates (468, compared to 3164 Asian and 68,868 white (Law Society 2002)) despite their over-representation in the undergraduate population. We chose to concentrate on investigating black Caribbean students' perceptions of the barriers they face prior to qualification as solicitors and to concentrate on those who had embarked on or completed the LPC – students who had been successful and motivated with the financial support available to qualify. We particularly wanted

their reflections on their experiences during their degrees, and their perspective on how these could be improved.

Six black Caribbean LPC students were interviewed in the summer and autumn of 2002. Five of the students interviewed were female and one male. Four of the students were studying LPCs on a part-time basis, and the amount of their time taken up by other work commitments is striking. Two of the respondents had secured training contracts, three had not, and the final person was not looking to do so. Only one of the students had previous family connections with law, and that was in the Caribbean.

The research was qualitative and conducted using an interview schedule comprising a list of areas to cover (not specifying precise question wording). The advantage of this was its flexibility, which enabled interesting issues to be explored in greater depth. Each interview lasted between 45–60 minutes, was recorded and transcribed and yielded a wealth of information.

Most students commented that their LLB courses had not prepared them well for their LPC. All stressed the importance of gaining as much legal-related work experience as possible, in order to succeed both at the LPC and obtain a training contract. One respondent noted that she felt better able to cope with her LPC because she was already working within the profession. An older respondent working for a local authority raised the very real difficulty of taking a pay cut to secure a training contract.

Most respondents received much emotional and practical (though not financial) support from their families. There was evidence that this added extra pressure in terms of expectation, particularly for those first in their family to go to university. This in itself involved making sacrifices – one interviewee commenting that she lost friendships as a consequence.

The observation was made that practices run by a specific ethnic minority were more likely to recruit from their own community. If this is the case, then the lack of black Caribbean

INTRODUCING RESTORATIVE JUSTICE TO THE POLICE COMPLAINTS SYSTEM

The creation of the Independent Police Complaints Commission in 2004 will introduce a greater degree of independent investigation and oversight into the police complaints system. These changes envisage an expanded role for local (informal) resolution, with a new range of options including restorative justice conferences. With funding from the Nuffield Foundation, this study contrasted informal resolution in a police force operating the existing statutory system in a traditional way, with a force piloting restorative justice conferences (characterised by meetings between complainants and officers complained about). The research sought to examine how complainants saw the informal resolution process and to ascertain their level of interest in these restorative conferences.

A sample of 54 respondents was achieved, making this the largest study of informally resolved complaints to

date in the UK. Data were collected on the characteristics of the incidents which generated complaints and the initial aims and expectations of those involved. The research also examined complainant experiences, focusing on the lodging of the complaint, complaint-handling methods and the apparent outcome achieved. In addition, the longer-term implications of the complaints process are addressed, exploring complainant ideas about the scope for reforming the system and the potential for restorative justice to meet more fully complainant needs. As with other research on the police complaints system, the findings indicate a worrying degree of cynicism and lack of confidence in the existing system of informal resolution. Where this study has gone further is in revealing a substantial degree of interest amongst complainants in the idea of a restorative justice-style meeting with the officers complained against.

For a copy of the research report www.crim.ox.ac.uk/publications/orderform.htm or † 01865 274445

Roderick Hill, Karen Cooper, Carolyn Hoyle and Richard Young

COPYRIGHT, DIGITISATION AND CULTURAL INSTITUTIONS

Digital technology gives cultural institutions significant new avenues for research, preservation and public access to collections, but also raises substantial issues about copyright management. This project investigates how museums, galleries and libraries are digitising material under Australian copyright law. Legal and sociological research involving collaboration with six leading cultural organisations will produce digitisation guides facilitating appropriate copyright management, and will underlie an evaluation of copyright law and industry practice. This case-study of how digital technology changes relationships between copyright owners, users and the general public offers major contributions to a central public policy issue about digital copyright.

'Copyright and Cultural Institutions: Digitising collections in public museums, galleries and libraries' is funded by the Australian Research Council for the years

practices puts black Caribbeans looking for training contracts at a significant disadvantage. Several interviewees discussed how it felt to be the only black person in a large class of white students – a common experience during the professional stage of education – and the contrasting experience at London Metropolitan University where they were in the majority.

What we found was more than we knew what to do with! Black Caribbean students face multiple challenges of class, race and lack of financial resources. They are likely to be older with dependants. They are under pressure to succeed, for the dignity of their race and families. They appeared to have insight into the structural forces impeding their progress but were accepting rather than angry about the frustrations of their ambitions.

Educational institutions are clearly tied into the requirements of the professional bodies – and the racialised norms of the solicitor. You can be from an ethnic minority but you should follow the norm of a white middle-class student, therefore you should be young, single, and child-free.

We were struck by the extent of the students' ability to devise strategies for success – these were co-operative and supportive, in contrast with the individualistic competitive culture amongst the majority of law students. Nor were their expectations unrealistic. They did not seek entry to top city law firms, but wanted careers in immigration law and crime. Nonetheless, success is very difficult to achieve. We are keen to conduct further interviews with them to see how their careers progress. We believe that there are lessons we can learn which will impact upon our delivery of the LLB, in particular forging links with practice and rewarding teamwork as well as individual endeavour. What seems most important, however, is that under-achievement of black Caribbean students within the solicitors' profession, should be seen as a problem of the profession which fails to recognise their potential value rather than yet further evidence of Black Caribbean under-achievement. **Dr Eddie Tunnah, London Metropolitan University**

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- 'An "irreversible conquest"? Colonial and postcolonial land law in Israel/Palestine – Robert Home
- 'Provocation and "homosexual" advance: masculinized subjects as threat, masculinized subjects under threat' – Allyson M Lunny
- 'Images of manliness: the portrayal of soldiers and conscientious objectors in the Great War' – Lois Bibbings
- 'Inside the black box: corporate laws and theories' – Alice Belcher
- ""Some strange things happening in our country": opposing proposed changes in anti-cruelty laws in Canada' – John Sorenson

Social and Legal Studies 12(4) December 2003

Special Issue on Regulatory Spaces and Interactions

- Guest editors: Bettina Lange, Fiona Haines and David Campbell
- 'Introduction: Regulatory spaces and interactions' – Bettina Lange
- 'The economisation of politics: meta-regulation as a form of nonjudicial legality' – Bronwen Morgan
- 'Regulatory reform in light of regulatory character: assessing industrial safety change in the aftermath of the Kader Toy Factory fire in Bangkok, Thailand' – Fiona Haines
- 'Carnage by computer: the blackboard economics of the 2001 foot and mouth epidemic' – David Campbell and Robert Lee
- 'Trans-science, trans-law and proceduralisation' – John Paterson

2003–05, along with six industry partners: Art Gallery of New South Wales, Australian Centre for the Moving Image, Australian War Memorial, Museum Victoria, National Museum of Australia, and State Library of Victoria.

The project's chief investigators are Dr Andrew Kenyon, Director of the Centre for Media and Communications Law at the University of Melbourne, and Professor Andrew Christie, Director of the Intellectual Property Research Institute of Australia, based at the University of Melbourne. The research team will conduct detailed case studies at a number of cultural institutions and wider interviews across the sector in Australia. The team is keen to hear from interested researchers in the northern hemisphere in law, sociology, and museum and related studies.

More information is available from the Centre for Media and Communications Law:

w www.law.unimelb.edu.au/cmcl or
e a.kenyon@unimelb.edu.au

HUMAN RIGHTS IN SCOTTISH COURTS

While the Human Rights Act (HRA) 1998 now binds all UK courts in similar ways, the Scotland Act 1998 gives additional force to human rights challenges before the Scottish courts in appropriate cases. As part of the process of analysing the effects of this new constitutional settlement, the Scottish Executive is funding the Centre for the Study of Human Rights Law (a joint venture of Glasgow and Strathclyde Law Schools) to carry out research on cases in the Scottish courts which raise human rights points, whether as the main argument or as a subsidiary argument. The purpose of the research is to see how the courts are dealing with human rights challenges, whether raised as devolution issues under the Scotland Act 1998, or as challenges under the HRA, by reviewing human rights cases brought and concluded since devolution, and by tracking current cases. The study may lead to the establishment of a

permanent system of monitoring human rights cases in the Scottish courts. Data will be collated by monitoring case reports, by attending at court and searching court records, and by consulting with solicitors who have presented human rights arguments in court. Analysis of the data should help to assess the extent to which a human rights culture has developed in Scotland since devolution. For more information contact the Human Rights Research Project, School of Law, University of Glasgow, Glasgow G12 8QQ. The research team is Professor Jim Murdoch, Professor Tom Mullen, and Sarah Craig (all Glasgow) and Professor Alan Miller of Strathclyde.

ANTHROPOLOGY OF LAW

Dr Anne Griffiths has been awarded an ESRC Research Seminars Competition Award (£15,773.17) for Developing Anthropology of Law in a Transnational World. She has also been awarded a grant of US\$15,000 from the Wenner-Gren Foundation for Anthropological Research, Inc (USA) to develop the same research. **e** a.griffiths@ed.ac.uk

Conversations, Choices and Chances: The liberal law school in the twenty-first Century (2003) Anthony Bradney, Hart ISBN 1-84113-248-9 £22.50 220pp — Most academics in university law schools would claim to offer a liberal education. Few have thought very much about what a liberal education in law means. Basing itself on a detailed examination of the theory of liberal education, this book looks at what the liberal university law school should be doing in terms of its teaching, research and administration.

Family Law: Processes, practices, pressures (2003) John Dewar and Stephen Parker (eds), Hart ISBN 1-84113-308-6 £55 604pp — This volume contains an edited selection of the papers by contributors from around the world delivered at the 10th World Conference of the International Society of Family Law. The papers cover three broad themes: innovations in processes for resolving and determining family disputes; changing patterns in family and professional practices; and the political and other pressures operating on family law systems and law reform processes.

Lawyers and Vampires: Cultural histories of legal professions (2003) David Sugarman and W Wesley Pue (eds), Hart ISBN 1-84113-312-4 £50 410pp — This is the first book that directly addresses the cultural history of the legal profession. An international team of scholars canvasses wide-ranging issues concerning the culture of the legal profession and the wider cultural significance of lawyers, including consideration of the relation to cultural processes of state formation and colonisation. The essays describe and analyse significant aspects of the cultural history of the legal profession in England, Canada, Australia, France, Germany, Italy, Sweden, Switzerland, Norway and Finland. The book seeks to understand the complex ways in which lawyers were imaginatively and institutionally constructed, and their larger cultural significance. It illustrates both the diversity and the potential of a cultural approach to lawyers in history.

Women in the World's Legal Professions (2003) Ulrike Schultz and Gisela Shaw (eds), Hart ISBN 1-84113-319-1 hb 1-84113-320-5 pb £55/£30 544pp — Women lawyers have come to stay. Who are they? Where are they? What impact have they had? These are key questions asked in this first comprehensive study of women in the world's legal professions. Answers are based on both quantitative and qualitative analyses, using a variety of conceptual frameworks. Twenty-six contributions present and evaluate the situation of women in the legal profession in both common and civil law countries in the developed world. The focus ranges from judges and public prosecutors, to law professors, lawyers (attorneys), notaries and company lawyers. National differences are clearly in evidence, but so are common features cutting across national boundaries.

Significant Harm: Child protection litigation in a multi-cultural setting (2003) Julia Brophy, Jagbir Jhutti-Johal, Charlie Owen, LCD 1/03 — Within a statutory framework that aims to protect all children from parental ill treatment, this study explored the information on diversity available to courts, and whether the legal criteria engaged to assess significant harm and future risk to children are sufficiently sensitive to culturally diverse approaches to parenting. The study involved an analysis of court files concerning applications for care orders under s 31 of the Children Act 1989, observations of court hearings, and finally interviews with key court personnel.

Evaluating the Effectiveness of Enforcement Procedures in Undefended Claims in the Civil Courts (2003) John Baldwin, LCD 3/03 — This study is concerned with what is described as the crisis of enforcement of civil court judgments in England and Wales. A major problem in understanding the issues has been the lack of hard evidence about the operation of enforcement

procedures. This research focuses upon civil claims that end in 'default judgments' (i.e. those in which judgment is awarded automatically to the claimant because no defence has been submitted to the court within the response time). The main issues explored are: whether defendants pay up when there is a default judgment; what claimants do when defendants fail to pay; whether the steps that claimants take to secure payment are effective; and, whether obtaining a default judgment is of any use to a claimant if the defendant chooses to ignore it.

Can't Pay or Won't Pay: A review of creditor and debtor approaches to non-payment of bills (2003) Nicola Dominy and Elaine Kempson, LCD 4/03 — With assistance from HM Treasury's Evidence-Based Policy Fund, LCD commissioned this research to identify and characterise, where possible, the distinction between debtors who do not pay their creditors and those who cannot pay. In particular, it explored the following questions that arose from the Report of the First Phase of the Enforcement Review: why don't debtors pay?; what features, if any, indicate a 'can't pay' debtor?; how effective are different bodies responsible for enforcement at identifying and responding to 'can't pay/won't pay' distinctions amongst debtors? The research included in-depth interviews with both creditors and debtors and has evolved a detailed map of the can't pay/won't pay divide, which takes into account both the debtor's ability to pay and their intention of doing so.

All LCD reports are available free of charge: [e research@lcd.gsi.gov.uk](mailto:research@lcd.gsi.gov.uk) or Christine Craig [† 020 7210 8520](tel:+442072108520) [e christine.craig@lcd.gsi.gov.uk](mailto:christine.craig@lcd.gsi.gov.uk).

Poor Relief or Poor Deal? The Social Fund, safety nets and social security (2003) Trevor Buck and Roger S Smith (eds), Ashgate ISBN 0 7546 3335 7 £45 250pp — The social fund has been a controversial instrument of social policy in the UK since its introduction in 1988. This book brings together new research and debate on the role and effect of the social fund in relieving poverty, and introduces evidence from the wider European field to allow comparison to be made with other countries' experience of providing a 'safety net' for their poorest citizens. This book opens up for wider discussion the question of how to provide help for disadvantaged groups and individuals at times of financial crisis. Addressing practical questions about how such schemes work (or fail to work) effectively, the book also provides the basis for more general consideration of the overall objectives which they are expected to meet. This will contribute to new thinking about the policy goals of the social fund and other emergency payment schemes, and their role in meeting broader aspirations such as cohesion, inclusion and social justice.

Sentencing Observer (June 2003) Issue 2 includes a spotlight feature by Professor Pat Carlen on 'Models of reform and change in Women's imprisonment'. Jan Nicholson, Associate Editor [† + 44 \(0\) 141 548 3338](tel:+441415483338) [w www.law.strath.ac.uk/csr](http://www.law.strath.ac.uk/csr)

Merging Law and Sociology: Beyond the dichotomies in socio-legal research (2003) Reza Banakar, Glada and Wilch Publishing, Berlin ISBN 3-931397-47-5/1-931255-13-X XIV hb 365pp — Sociology of law is a field of research at the intersection of the disciplines of law and sociology, each of which conceptualises social life in its own way. Pulled apart by the academic momentum of these two disciplines, it expresses many of its insights in dichotomous terms such as 'law on the books' and 'law in action', 'formal' and 'informal' law or 'internal' and 'external' legal cultures. This book argues that some of these, which initially served analytical ends and promoted clarity of thought, are empirically misleading, neglecting the interdependence of the dual manifestations of law. Although, the employment of such dichotomies is unavoidable, we can nonetheless bring awareness of their limitations to socio-legal research.

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The Institute for the Study of Genetics, Biorisks and Society at Nottingham University is hosting an SLSA one-day conference. Papers are invited on all aspects of the social and legal implications of the genomic revolution. A limited number of Conference Bursaries are available to PhD students to cover registration and travel. For further details, contact: Sue Turner e lqxsc@nottingham.ac.uk t 0115 846 7173 f 0115 846 6349.

● **INTERDISCIPLINARY APPROACHES TO GENDERED VIOLENCE**

Gender and Violence Inter-Faculty Working Group Bristol University

This ESRC seminar series' primary objective is to increase and disseminate knowledge of gender and violence by bringing together academics, activists, policy makers, practitioners and professionals from a variety of specialisms.

- **Gender, violence and global conflict** (September 2003)
e s.thapar-bjorkert@bristol.ac.uk or e kmorgan88@aol.com
- **Criminalising gendered violence** (January 2004) will critique the use of criminalisation to respond to gendered violence nationally and internationally. e lois.s.bibbings@bristol.ac.uk or e c.pantazis@bristol.ac.uk.
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w www.bris.ac.uk/depts/sps/inter/domvio/iagv.html

● **EGPA ANNUAL CONFERENCE: RECONCILING PUBLIC LAW AND THE MODERNISING STATE**

Lisbon, Portugal: 3–6 September 2003

The main theme of this conference is the relation between the performance and quality of the public administration and trust in government.

w www.kuleuven.ac.be/io/egpa

● **HOUSING STUDIES ASSOCIATION AUTUMN CONFERENCE: COMMUNITY, NEIGHBOURHOOD, RESPONSIBILITY**

University of Bristol: 9–10 September 2003

Concern with ideas of community and neighbourhood, and with the impacts of individual behaviour upon others within localities re-emerged strongly in debates around housing and wider social policy in the last years of the twentieth century. Ideas of citizenship, community and neighbourhood bring with them a concern with power and the governance of social relations. Requirements on individuals to exercise 'ethical self-government', to be subject to and active within their community/neighbourhood, are changing contemporary governance. The turn to community and neighbourhood has been particularly strong in the housing world, touching upon diverse areas including the strategic role of local authorities, tenant participation, sustainability, wardens and responses to anti-social behaviour.

Key themes include: community, neighbourhood and responsibility. Plenary speakers include: Ray Forrest (Bristol), Robina Goodlad (Glasgow), Caroline Hunter (Sheffield Hallam), Kevin Stenson (Buckingham Chilterns), Marilyn Taylor (UWE). Details and booking on w www.bristol.ac.uk/depts/sps/hsa/info.shtml.

● **WORKSHOP – WOMEN, CRIME AND GLOBALISATION: FEMINIST PERSPECTIVES FOR THE NEW MILLENNIUM**

International Institute for the Sociology of Law, Onati, Spain: 23–26 September 2003

Chairs: Maureen Cain, University of Birmingham and Adrian Howe, University of Central Lancashire. Further details: Malen Gordoa Mendizabel e malen@iisj.es

● **INTERNATIONAL GOVERNANCE AFTER SEPT 11: INTERDEPENDENCE, SECURITY, DEMOCRACY**

Institute of Governance, Public Policy and Social Research, Queen's University Belfast: 24–26 September 2003

Six themes to be addressed are: new approaches to democratic governance; globalisation, regionalisation and democracy; democracy and sub/intra-state governance; security and democratic governance – international issues; regulation, accountability and democratic governance; democracy and development: towards Cosmopolis? Contact Alex Warleigh e QUB, Belfast BT7 1NN f +44 2890 272551 e a.warleigh@qub.ac.uk by 30 April 2003.

● **3RD ANNUAL SOLON BEHAVING BADLY CONFERENCE: FRAUDS, FAKES & DECEPTIONS**

Nottingham Trent University in association with International Fraud Prevention Research Centre: September 2003

This conference will explore the impacts of frauds, fakes and deceptions on communities and individuals. It will consider ways in which remedies to prevent and/or punish such activities developed, and identify individuals involved through the lenses of class, gender, race and age. See website for conference information.

w www.solon.ntu.ac.uk/home.htm

● **ESRC KNOWING FAMILIES SEMINAR SERIES**

Leeds University

- Researching Families across Cultures, November 2003
- Combining Qualitative and Quantitative Approaches in Family Research, March 2004
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Contact Angela Jackman e a.s.jackman@leeds.ac.uk

● **BRITISH SOCIETY OF CRIMINOLOGY ONE-DAY CONFERENCE: TOO MANY PRISONERS – REDUCING AND MANAGING THE PRISON POPULATION**

Friends Meeting House, London: 7 November 2003

Further details available from: Prisons Conference, British Society of Criminology e Room 1024A, Law Department, University of East London, Longbridge Road, Dagenham, Essex RM8 2AS t/f 01759 372471 e prisonsconf2003@aol.com www.britisoccrim.org

● **CENTRE FOR RESEARCH ON FAMILIES AND RELATIONSHIPS INTERNATIONAL CONFERENCE: WORK-LIFE BALANCE ACROSS THE LIFE COURSE**

John McIntyre Centre, University of Edinburgh: 30 June–2 July 2004

An international conference for researchers, policy makers and practitioners with an interest in work-life balance. Abstracts (250 words max) invited for the following streams by 15 December 2003.

- Conceptualising families, time and work-life balance
 - Equalising gendered caring responsibilities: barriers and obstacles
 - Policy and practice arenas: states, labour markets, households and families
 - Work-life balance, families, health and wellbeing
- Keynote Speaker: Robert W Connell – 'Gender structure and social justice: the practices and politics of work/life balancing'. Plenary speakers: Dr Sarah Cunningham-Burley and Dr Kathryn Milburn, – 'Work-life balance in low income families'; Prof Rosemary Crompton – 'Women's employment and work-life balance in Britain and Europe'; Prof Ann Shola Orloff – 'State policies, labour markets and families'; Prof Judy Wajcman – 'Work and family: theorizing who gets the best of both worlds?' w www.crf.ac.uk t 0131 651 1939

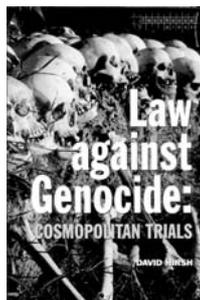
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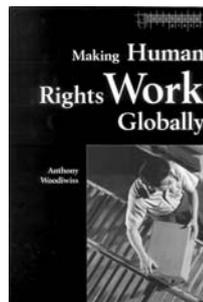
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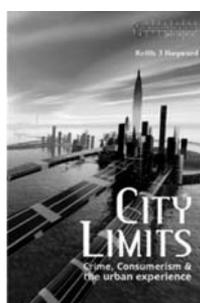
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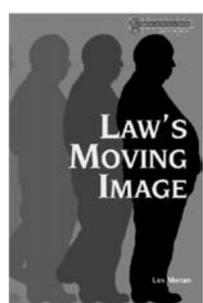
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