

# Socio-Legal NEWSLETTER

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## RESEARCH CAPACITY, CRITICAL SOCIAL SCIENCE AND THE PARADOX OF SOCIO-LEGAL STUDIES

*Richard Collier brings together some themes highlighted in recent editions of the SLN and reflects on a growing debate in a changing higher education climate.*

Somebody told *you*, and you hold it as an article of faith, that higher education is an unassailable good. This notion is so dear to you that when I question it you become angry. Good. Good, I say. Are those not the very things which we should question? I say college education, since the war, has become so a matter of course, and such a fashionable necessity, for those either of or aspiring to the new vast middle class, that we *espouse* it, as a matter of right, and have ceased to ask, 'What is it good for?'<sup>1</sup>

There is, it would seem, a growing debate taking place within the UK socio-legal community about the implications for legal research and teaching of a range of developments taking place in the field of higher education, changes in the 'political economy' in which academic research is produced. This debate has featured prominently in recent issues of this newsletter.<sup>2</sup> It also framed, in a particularly clear way, contributions to the recent plenary session at the SLSA annual conference in Glasgow ('Empirical Research in Law'), an event scheduled to coincide with the beginning of the consultation process initiated by the Nuffield Foundation into the question of research capacity in socio-legal studies.<sup>3</sup> Within a now vast body of scholarship concerned with the changing nature of academic life<sup>4</sup> there has emerged a general consensus that we are living in a 'new era' for universities; a time when traditional understandings of what universities are 'for' – and of the scope of academic disciplines – are being reshaped in some far-reaching ways. Whilst the debate in legal studies in the UK is less developed than in other fields of scholarship,<sup>5</sup> however, it does appear, judging by a number of recent interventions, that there are some very different interpretations emerging as to just what these developments might mean for socio-legal studies and, in particular, for the question of research capacity in law.

### The restructured university: a new research agenda?

Recent contributions to this newsletter by Steve Tombs, Dave Whyte, Lois Bibbings and myself have been informed, in different ways, by the growing literature concerned to explore what has been termed, variously, the rise of the 'restructured', 'corporatised' or 'entrepreneurial' university. In this work, the university is seen as a strategic site in relation to which a range of processes associated with globalisation might usefully be studied; and four key themes have, together, come to structure this literature.

First, we find a concern with *privatisation* in higher education and a (related) 'corporatisation' of academic life, in which faculties, schools and individual academics are increasingly charged with redirecting their energies towards the

capitalisation and exploitation of learning – readjusting the focus of their endeavours in what is now widely accepted as an increasingly competitive (global) market. Secondly, it is argued, academics are themselves being repositioned as *new knowledge workers*, individuals for whom knowledge is no longer primarily valuable 'in and of itself' but is, rather, a commodity, a resource to help create wealth and competitive advantage. In this latter context the new model (restructured) university is then seen as a quasi-capitalist, technocratic, instrumental institution increasingly concerned, primarily, with the production (the teaching, the selling) of such 'useful knowledge'. Thirdly, and related to each of the above, this work has sought to explore various dimensions of a form of 'corporate managerialism' within the higher education sector, a development which has embraced in its reach issues far beyond the changing style, structure and nomenclature of management practices. And finally, this research has explored the institutional impact of a range of seemingly ubiquitous 'performativity' matrices on academic practices, cultures and identities, notably in the context of research, teaching, administration and, increasingly, 'third strand' or 'outreach' (income generating) activities.

What, in short, is seen as marking the entrepreneurial university is an explicit redirection, experienced at all levels of the institution, towards an intensified emphasis on the capitalisation and exploitation of learning and 'knowledge practices'. And, it is suggested, as a spirit of 'academic capitalism'<sup>6</sup> has come increasingly to inform all parts of the academy, this process has been seen as one in which *critical* social science scholarship has itself been more and more marginalised. Thus, Bibbings, Tombs and Whyte and Walters (this issue), in their contributions to this newsletter, and Phil Scraton, in his recent plenary address to the 2004 SLSA conference, each seek to account for what they see as the particular problems which might be faced by those engaged in 'unprofitable . . . political . . . or theoretical' research in such a climate.<sup>7</sup>

### Socio-legal studies: the limits of the corporatisation thesis?

It is, of course, possible to present another reading of how these kinds of developments may have impacted on law and, in particular, on socio-legal studies. In the well-documented history of the development of UK university law schools over the past 30 years, we find a now familiar core narrative, a 'story' about legal education and research. In essence, it has been argued, contemporary legal academics, regardless of ▶ p3

### SLSA reminders

**SUBSCRIPTIONS** for 2004–05 membership were due on 1 July 2004. Would members who have not yet paid please do so as soon as possible. Members who joined as student members are also asked to amend their subscriptions if their status has changed. ✉ [m.seneviratne@ntu.ac.uk](mailto:m.seneviratne@ntu.ac.uk)

The **SLSA Directory** is being published in January 2005, therefore the deadline for the next edition has been brought forward to **15 October 2004**. See the entry form inside this newsletter or visit the **W** [www.kent.ac.uk/slsa](http://www.kent.ac.uk/slsa) for an electronic form.

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### SLSA website www.kent.ac.uk/slsa

The SLSA's website is hosted by Kent  
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board is for members to post items of  
interest (eg job advertisements, events) and  
is run by Lisa Webley.

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## Obituary

### Douglas W Vick, Socio-legal Scholar 10 November 1960-1 May 2004

The posthumous publication of Doug Vick's paper 'Interdisciplinarity and the discipline of law', which appeared in the *Journal of Law and Society* shortly after his death, is a fitting tribute to his legal scholarship. In the paper, Doug laments the missed opportunities of concentrating on a black-letter approach to the study of law. He believed strongly that doing so hindered the discourse between law and other disciplines, thereby denying the rich intellectual rewards which can flow from analysing law within its wider social context. Doug's ability to craft such a contentious argument emphasises the loss to socio-legal scholarship arising from his tragic and untimely death at the age of 43.

Born in 1960 in Hollywood, Doug attended Sylmar High School, a tough school in a working-class suburb of Los Angeles. He excelled nonetheless and went on to take his first degree in Political Science and History at UCLA (where he became Phi Beta Kappa), graduating in 1982. Like many liberal lawyers of his generation, it was the character of Atticus Finch in Harper Lee's *To Kill a Mocking Bird* who inspired him to study law and, in 1986, he was awarded a Juris Doctor degree by the Albany Law School of Union University. Like his fictitious hero, Doug was motivated by a strong sense of justice and he took on many difficult

cases on behalf of the poor and helpless. Indeed, he returned to the US only last year to testify on behalf of a Death Row prisoner in Montgomery, Alabama. Doug was admitted to the bars of New York and Pennsylvania. In 1994 he was awarded an LLM in Legal Education by the Temple University School of Law and a career in academia beckoned.

Doug moved to Scotland in 1995 where he quickly established himself as an excellent teacher and first-rate scholar in the Department of Accounting, Finance and Law at the University of Stirling. He was also a Visiting Fellow at the Stirling Media Research Institute. His academic publications on themes as diverse as the death penalty ('Poorhouse justice' (1995) *Buffalo Law Review* 43: 329-460) and the use of statistics in litigation ('Statistical Significance and the Significance of Statistics' (2000) *Law Quarterly Review* 116: 575-82), as well as a co-authored study of the effects of the Research Assessment Exercise on legal academia (*Journal of Law and Society* (1999) 26: 470-501 with Little, Murray and Campbell) earned him a reputation as a versatile yet deeply analytical writer whose highly developed legal skills and devotion to meticulous research enabled him to publish at the highest level. In 2002, his co-authored paper (with Kevin Campbell) on the *MacLibel* case was awarded the prestigious SLSA prize for best article.

Doug believed passionately in social justice and saw the organisation of the collective as a force for change - his high profile role in

the Stirling Association of University Teachers is proof that he always practised what he preached. His sparkling wit and gentle charm made him a welcome member of the many university committees on which he served. He was often direct in his criticism of university procedures - particularly on the subject of unnecessary administrative burdens and red tape - occasionally tenacious, yet always conciliatory and never offensive. He made many good friends at the university and on the conference circuit - most recently at this year's SLSA conference at Glasgow University, at which he presented his latest work on corporate governance. Those observing his self-deprecating and amiable demeanour would be forgiven for thinking they had wandered into a master class in academic networking.

Doug's legacy as a scholar can easily be measured in terms of his published works, but he has left so much more than this. He was a gifted teacher whose ability to communicate on any level has left a mark on the many students who passed through the Stirling Law programme during his directorship. The profile of law at Stirling has prospered under his academic leadership and he played a key role in the development of a professionally accredited LLB degree.

Doug is survived by his partner Catherine, his brothers Mike and Todd and his sister Betty, as well as many, many friends and colleagues on both sides of the Atlantic.

Nicole Busby and Gavin Little  
June 2004

p14 Research capacity, critical social science . . .

theoretical or methodological difference, are now engaged in a very different kind of scholarship – and are part of a very different kind of academic community – than in the past. And, whatever tensions may have existed over the years between advocates of doctrinal, socio-legal, sociological, critical legal and other approaches to law, there now exists a commonly held view within legal studies that the majority, if not all, university law schools can usefully be characterised as embracing a broadly ‘liberal’, pluralistic approach to legal education and scholarship; or, as it has been put by Bradney,<sup>8</sup> what the majority of university law students study in, and legal scholars teach and research in, is a ‘liberal law school’. Whilst for some, socio-legal studies ‘stands alongside’ the ‘still dominant’ approach of black-letter law,<sup>9</sup> for others it is socio-legal work itself which has come to constitute the dominant approach to legal scholarship; thus, Cownie observes, drawing on her recent research into legal academics, ‘We’re all socio-legal now.’<sup>10</sup>

The rise of the ‘performative university’ is here seen to have, if anything, served to *advantage* the socio-legal scholar (a view supported by one interpretation of the results of the 2001 Research Assessment Exercise).<sup>11</sup> This is a reading of the rise of socio-legal scholarship, therefore, which throws into question central tenets of the ‘corporatisation thesis’, as above, in at least three ways. First, the corporatising tendencies, which it is generally accepted are taking place in higher education, should not be understood as ‘achieved ends’.<sup>12</sup> The impact of particular reforms or, indeed, of a dominant neo-liberal ideology, can, rather, be overstated, individual and collective *resistance* to such change in law schools underplayed. Thus, past and present consultations with the legal profession on the issue of accreditation, or with HEFCE over arrangements for the 2008 RAE, are each seen to attest to the importance of ongoing dialogue, debate and struggle; resistance is possible, the picture is more complex than certain arguments about the corporatised university would imply. Secondly, it is suggested, there is little evidence to support the view that the research agendas and curricula of UK law schools have in fact become more technocratic and corporatised. Far from being directed to the technocratic needs of the legal profession or ‘research users’, for example, the personal beliefs of individual academics continue to inform personal research agendas.<sup>13</sup> Equally, it cannot be assumed that ‘market-friendly’ commercial/business-orientated subjects are themselves necessarily resistant to theory/context in the way in which they are taught; that they are somehow simply ‘geared’ to the creation of ‘new knowledge workers’.

Third, even a cursory consideration of the career trajectories of many UK scholars engaged in socio-legal research testifies to the fact that, as in other jurisdictions, ‘once outsiders’ can, indeed, ‘become insiders’. Often now in senior managerial roles within their institutions or in professional associations, they are in positions to influence, at least to degrees, the future strategic direction of legal education and research. Meanwhile, it is important to remember that the conflict between alternative images of universities as ‘businesses’ and repositories of ‘disinterested scholarship’ itself, of course, has a long history (it was a matter of debate even at the purported high-point of social liberalism in the 1960s). The reform of the higher education sector thus reflects – arguably in a rather weak form – wider structural, economic and cultural changes in the field of employment, changes which have themselves opened out systems previously based on patronage, elitism and unaccountability to far more egalitarian processes in relation to recruitment, promotion and management.<sup>14</sup> This is hardly a picture of a field of critical scholarship under threat.

And yet . . . capacity, productivity and the paradox of socio-legal studies

Though individualistic self-interest and consumer desires are core parts of who we are and nothing to be ashamed about, they are not all of who we are. . . . We know that our values, capacities, aesthetics, and sense of meaning and justice are, in part, created and nurtured by communal attachments.<sup>15</sup>

The force of the above arguments suggesting limitations to the corporatisation thesis highlights the curious and somewhat paradoxical position of socio-legal studies in relation to the debate about the changing university. As Bibbings suggests, and notwithstanding the above, there may well still be good reason for scholars engaged in a sustained moral and political critique of law, the analysis of law’s social consequences and origins, to question many aspects of the present trajectory of socio-legal research and teaching. Leaving aside the question of whether the 2008 RAE criteria take the same form as in the past (for example, in relation to the ‘appropriate’ performance indicators for the discipline), across many UK universities there is now a powerful internal imperative to engage with business and industry and embrace ‘top-down’ applied research agendas. Broader institutional messages at school and faculty level (for example, to focus publications on ‘gold standard’, more traditional outlets) further risk marginalising work published in overtly critical, less ‘established’ media. At the same time, it is important not to downplay the way in which the more general structural and cultural changes which have accompanied this corporatisation have themselves provided impetus to some well-established pressures from key ‘stakeholders’ for law schools to embrace a more practice-centred and market-oriented model of legal education; to move from intellectual inquiry towards instrumentalism and vocationalism<sup>16</sup> and to reorientate the curricula to a ‘creeping core’ by cutting back, for example, in the name of market survival, on what is no longer deemed ‘saleable’ – the ‘purely academic’ embodiments of knowledge not seen as ‘useful’.

Ultimately, this is a debate which sheds some light on the present concerns about research capacity. The recently announced inquiry is focused, primarily, on evaluative, empirical socio-legal research – the very kind of ‘useful’ applied research which, some have suggested, should have been institutionally encouraged within the ‘corporatised’ academy. Yet there remains a broader and pressing issue of recruitment and retention in UK universities generally and, in particular it has been suggested, in relation to the discipline of law.<sup>17</sup> At issue is the question of how a discipline will ‘reproduce itself’, particularly when one generation of socio-legal scholars – the products (beneficiaries?) of a very different kind of academy – approach retirement.<sup>18</sup> In such a context it is important to ask what the kinds of concerns expressed about the corporatisation of universities can tell us about wider perceptions of the legal academy as a ‘worthwhile’ career, in particular for those who may wish to undertake such critical research.<sup>19</sup> If it is the case that university education is being transformed into an industry preoccupied with economic rationalism, efficiency and the generation of income,<sup>20</sup> it should not surprise that those who may have once considered the academy the ideal place for the ‘critical thinker’, wishing, for example, to bring together politics and practice in their work, may well consider alternative career routes, not least in the new cultural industries which can provide more lucrative and, perhaps, more challenging work environments. Meanwhile, when faced with the choice between ‘shaping up’ or ‘shipping out’ of the emotional economy of the academic as new knowledge worker, there are certainly some signs that leaving the academy – regardless of whether it is to be in the competitive, but potentially lucrative, world of legal practice – may well be an increasingly attractive option. ▶ p4

p3 ◀ **Research capacity, critical social science . . .**

Tombs and Whyte recently 'urge[d] colleagues to join the debate' about higher education and research capacity 'begun in the pages of the SLN'. This debate, it would seem, at least judging by a number of recent developments, has been joined by a growing number of socio-legal scholars. Whatever the differing views individuals have of the processes transforming universities, underscoring the concerns which are being expressed about research capacity in law is a fundamental question about what is happening to many aspects of academic life and, indeed, to academic identities themselves; questions which, it would seem, do appear to have a resonance for many socio-legal scholars.

- 1 D Mamet (1993) *Oleanna* (London: Methuen Royal Court Writers Series) pp 32–33, original emphasis.
- 2 S Tombs and D Whyte (2003) 'Shining a light on power?' SLN 41: 1; L Bibbings (2003) 'The future of higher education' SLN 40: 1; R Collier (2003) "'Useful knowledge" and the "new economy"' SLN 39:3.
- 3 [www.ucl.ac.uk/laws/genn/empirical/index.shtml](http://www.ucl.ac.uk/laws/genn/empirical/index.shtml)
- 4 This literature is voluminous, eg; A Brooks & A Mackinnon (eds.) (2001) *Gender and the Restructured University* (Buckingham: SRHE/Open UP); A Smith & F Webster (eds) (1998) *The Postmodern University? Contested visions of higher education in society* (Buckingham: SRHE/Open UP); J Currie & J Newson (eds) (1998) *Universities and Globalization* (London: Sage); S Cooper, J Hinkson & G Sharp (2002) *Scholars and Entrepreneurs* (Melbourne: Arena); T Schuller (ed) (1995) *The Changing University?* (Buckingham: SRHE/Open UP); J Currie, B Thiele & P Harris (2002) *Gendered Universities in Globalized Economies: Power, careers and sacrifices* (Lexington: Maryland).
- 5 Compare, eg, developments in criminology: P Hillyard *et al* 'Leaving a "stain upon the silence": contemporary criminology and the politics of dissent' (2004) *British Journal of Criminology* 44: 369–90; R Walters 'New modes of governance and the commodification of criminological knowledge' (2003) *Social and Legal Studies* 12 (1): 5–26.
- 6 S Slaughter and L Leslie (1997) *Academic Capitalism: Politics, policies and the entrepreneurial university* (Baltimore, MD: John Hopkins UP).
- 7 Bibbings, n 2.
- 8 See, generally, A Bradney (2003) *Conversations, Choices and Chances: The liberal law school in the twenty-first century* (Oxford: Hart).
- 9 R Card, 'Presidential Address 2002: the legal scholar' (2002) *The Reporter: The newsletter of the Society of Legal Scholars* 25:5.
- 10 F Cownie (2004) 'Researching (socio) legal academics' SLN 42: 1.
- 11 Cf P Hillyard (2002) 'Invoking indignation: reflections on future directions of socio-legal studies' *JLS* 29(4): 645–56.
- 12 See further Bradney, n 8.
- 13 F Cownie (2004) *Legal Academics: Culture and identities* (Oxford: Hart).
- 14 It is important to remember, for example, that Halsey and Trow's typical 'British academic' in 1971 was in all likelihood white, male and middle-class; the form of community in which he participated marked by a white, middle-class, male collegiality: AH Halsey and P Trow (1971) *The British Academics* (London: Faber).
- 15 J Bakan (2004) *The Corporation* (Toronto, Viking Canada) p 166.
- 16 M Thornton (2001) 'The demise of diversity in legal education: globalisation and the new knowledge economy' (2001) *International Journal of the Legal Profession* 8(1): 37–56; M Thornton 'Among the ruins: law in the neo-liberal academy' (2001) *Windsor Yearbook of Access to Justice* 8(1): 3–23; also HW Arthurs 'Globalization of the mind: Canadian elites and the restructuring of legal fields' (1997) *Canadian Journal of Law and Society* 12(2): 219.
- 17 See, eg, J Hurstfield and F Neathy (2002) *Recruitment and Retention of Staff in UK Higher Education 2001* (London: IRS Research): 'Pay levels were cited by many as the main reason for . . . problems. Higher pay offered by the private sector was viewed as a key factor impacting upon institutions' ability to attract and retain . . . some groups of academic staff – notably those in law, IT and engineering' (p 10, my emphasis), 'The subjects that were particularly problematic were accountancy, law and economics' (p 57). See also *Recruitment and Retention in UK Higher Education* (2000) (London: CVCP Publications).
- 18 And at the same time as, it would seem, the numbers of home PhD students are, across many institutions, declining.
- 19 Adopting the language of corporate enterprise and innovation is one thing; encouraging genuine innovation, creativity and critical thinking on the part of academics and law students is another: see T Blacker, 'A degree of dangerous philosophy' *The Independent* 22/11/02.
- 20 S Marginson (1997) *Markets in Education* (Sydney: Allen & Unwin).

## PAINTING A FUTURE FOR ACADEMIC SCHOLARSHIP – RESISTANCE, DISSENT AND BOYCOTT

*Reece Walters examines the dilemmas faced by academics in search of funding and calls for a hard line including an academic boycott on projects funded by the Home Office.*

Recent articles in the SLN by Richard Collier, Lois Bibbings, Steve Tombs, Paddy Hillyard and Dave Whyte have all presented informative, accurate and provocative accounts of the perils and politics of contemporary academic scholarship. I agree with their arguments and with their analyses of the present state of higher education research in the UK and do not wish to rehearse them here. There is an increasing recognition that the commercialisation of the tertiary sector within neo-liberal political and economic discourses continues to colonise research agendas with critical voices demarcated to an increasingly marginalised periphery. Indeed, this growing emphasis on market principles and economic reform has received substantial criticism at an international level. Frederic Mayor, former Director-General of UNESCO, has publicly condemned the neo-liberal economic influence sweeping universities around the world by stating, 'if we create market universities run purely on market principles, they may be of their age, but they will not be able to transcend it' (Mayor, 1997). My intention here, is briefly to extend upon the comments already raised and to invoke a position of resistance to the colonisation and indeed tyranny of administrative, market-led and uncritical research within academic institutions.

First, some further observations. The market-led model within tertiary institutions has created new commercial opportunities in what I call the production of 'private' or, in some instances 'secret' knowledge. That is, knowledge that is commissioned by a contractor, either government or non-government, where the dissemination of that knowledge is determined by the fee-paying agency. Academics who act as service providers to paying clients often sign away their entitlements to publish results emanating from the original research. The distribution, and hence the consumption of knowledge, becomes regulated by authorities who have 'purchased' the research. Academics who reject contractual clauses that erode their intellectual property rights often risk losing the contract, and those who deliberately violate the contract in order to pursue what they feel is their academic responsibility to publish jeopardise future funding opportunities and risk legal action.

Why do many academics engage in fee-paying research under contract to a client? First, there is a belief by those who sign contracts or accept fee-paying consultancies that they will have access to information that would otherwise be unattainable. I agree with this, however, the limitations often placed upon dissemination renders the access almost entirely useless as the proceeds of the research are often consumed solely by the fee-paying organisation. The research that is published for general public access (if at all) is either very watered-down or simply reproduces the sorts of information that are obtainable on the web. Second, there is a view that private consultancies, notably with a government agency, will have an impact on policy and practice. However, there is little or no evidence to sustain this

point. The vast majority of reports, by the nature of the research parameters, simply endorse government policy. Reports that challenge the *status quo* are usually shelved or have specific sections (notably those favourable to government) highlighted in executive summaries.

Third, there is a belief that academic careers will be advanced by 'bringing in money' through contract research. In many instances this is true, however, I also see the damaging effects of contract research. In my experience, university promotion committees grant little significance to government-published research reports in favour of refereed journal articles. Moreover, younger or more junior academics are increasingly exploited by university departments that emphasise 'money-led research'. They are expected, in some instances, to be involved in contract and consulting research to the detriment of their academic development as permanent positions in academia require a profile of refereed publications that will contribute to the RAE. Finally, private consultancies provide opportunities for academics to 'make money' and hence we are witnessing a 'research for profit' culture. Many academics are entering a growing industry or market where their knowledge and expertise has considerable commercial value. There is increasing evidence of some academics leaving academia and opening their own consultancy businesses or alternatively operating their own private research companies while maintaining their academic posts. The primary motivation for engaging in these commercial arrangements is not the production of new knowledges or to influence policy and practice, but to make money. For example, in the UK there is a growing amount of private work undertaken by academic criminologists for security firms. This is insidious at both an ideological level and in an ethical sense as the academic responsibility to develop new knowledges and to act as critic and conscience of society is jettisoned in favour of individual profit where academic credentials give credence to the policies of security firms that aim to maximise margins while (often) adopting a range of strategies that serve to marginalise and regulate the already seriously marginalised groups in society.

## Resistance and boycott

In my view, academics must resist the often lucrative markets of contract research and private consultancies. Academics are not paid from the taxpayers' purse to profit personally by granting legitimacy to corporations driven by capitalist enterprise. Nor should academics participate in government research agendas that ignore, for example, crimes committed by the most powerful and wealthy in society, while endorsing policies that aim to regulate the already over-regulated in society (the poor, the young, the ethnic minority and so on). As Hillyard *et al* (2004) have persuasively argued, the Home Office has a research agenda heavily skewed in favour of regulating the poor and powerless in society. Any attempt by a researcher engaged in Home Office research to critique government policy or to challenge the decisions of ministers is usually met with a range of techniques of neutralisation that aim to silence and suppress the critical voice. Moreover, the Home Office will abort research that 'is no longer of interest to ministers or policy colleagues, either the research has been so delayed that the results are no longer of any interest or because ministers or officials have changed their priorities' (Walters, 2003, p 57). Academics may spend months or even years planning and implementing research that is funded by the Home Office, only to have the plug pulled because a minister has changed his or her mind. Academics should never operate under such conditions and until

the Home Office develops a research agenda that seriously addresses crimes of the powerful and permits independent scholarship to occur without interference and to be published verbatim, then I say academics must boycott the seeking of, and participation in, Home Office research as well as all research for private security firms where the *modus operandi* is making money and increasing return to shareholders rather than addressing issues of social injustice and exclusion. The negative experiences of academic criminologists engaged in research with the Home Office is vast and yet the message has not sunk in – the Home Office is only interested in rubberstamping the political priorities of the government of the day. If it were concerned with understanding and explaining the most violent aspect of contemporary British society (notably the modern corporation), it would fund projects that would analyse corporate negligence, commercial disasters and workplace injuries – but it doesn't. If it were concerned with violence and human rights abuses, it would fund projects to examine the state's role in Northern Ireland – but it doesn't. If it were concerned with the costs of crime, it would examine state and corporate criminality which dramatically outweighs the costs of conventional crime – but it doesn't.

Michel Foucault urged that critical voices should be expressed through diverse narratives and Chomsky has identified the need to seek out audiences or communities of 'collective concern' to identify injustice. Moreover, Stan Cohen cogently demonstrated in his excellent book *States of Denial* that there exists what he calls an 'intellectual denial' where 'well-functioning minds become closed, and the gaze is averted from the uglier parts of their ideological blueprints and experiments. Or they allow themselves – for tangible rewards or an eagerness to please the powerful – to be duped into pseudo-stupidity. These shameful records of collusion go way back.' (Cohen, 2002, p 280) If academics are to become nothing more than mere information gatherers for government, and not prepared to critique the role of the state, or challenge new modes of conservative governance, or address questions relating to social and political order in fear of losing contracts, then the academic criminologist is reduced to a co-conspirator in the policing of knowledge.

There is much to be gained through establishing networks of collective concern (with academics, professional bodies, campaigning and voluntary groups) that advocate for the promotion of multiple narratives, social justice and the dissemination of new and critical knowledges.

Finally, I suggest what is needed is an increase and a vocal outpouring of the critical voice or what I call 'deviant knowledge' (that which is critical of contemporary forms of governance and challenges the existing social order). I am strongly opposed to academics (notably to senior academics who have more choice) engaging in contract research that simply grants legitimacy to the ongoing criminalisation and marginalisation of some of the poorest and most disadvantaged members of society. True, there are risks in adopting a position of resistance, but the alternative is a form of intellectual collusion that is akin to corruption.

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Cohen, S (2003) *States of Denial. Knowing about atrocities and suffering* (London: Polity).

Hillyard, P, Sim, J, Tombs, S & Whyte, D (2004) 'Leaving a "stain upon the silence": contemporary criminology and the politics of dissent', *British Journal of Criminology* 44: 369–90.

Walters, R (2003) *Deviant Knowledge – Criminology, politics and policy* (Devon: Willan)

## SLSA SMALL GRANTS 2004

### October deadline for applications

SLSA members interested in applying for a small grant are reminded that the deadline is 31 October 2004. 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 2005.

For details of this year's scheme contact John Flood ☒ School of Law, University of Westminster, 4 Little Titchfield Street, London W1W 7UW  
 e j.a.flood@wmin.ac.uk † 020 7911 5000 x2557.

## Contributions to newsletter

Grantholders will be expected to provide a short summary (approx 250 words) of their proposed research for the spring 2005 issue of the newsletter and a short report on completion of their work

## The African Union's approach to human rights

*Rachel Murray, University of Bristol, reports back on the research she conducted last year with the assistance of an SLSA small grant*

With the kind assistance of the SLSA I was able to spend some time in Ethiopia at the headquarters of the African Union (AU) (formerly the Organization of African Unity (OAU)) in September 2003. The funding of £830 paid the air fare, accommodation and maintenance for the weeks I was there.

The purpose of the research was to examine the approach of the OAU, and its recent transformation into the AU, to human rights. The OAU/AU is the primary political institution for Africa. Legal consideration of the documents and approach of the OAU/AU is lacking, as is consideration of how human rights are dealt with in Africa in general. Although attention has recently been drawn to its African Charter on Human and Peoples' Rights resulting in a number of publications, there has been no real consideration of how the OAU/AU and its other organs have approached human rights. The work of political bodies such as the OAU/AU

has a direct impact on the promotion and protection of human rights, even though human rights are usually not an express part of their organs' mandates. For example, an attempt to examine the approach of the European Union in this context by Philip Alston in his edited collection *The EU and Human Rights* (1999, OUP) is pertinent in this respect.

The research aimed, through analysing the documents adopted by the various OAU/AU organs and speaking to those involved in their operation, to:

- explore whether the OAU/AU has a policy on human rights and whether an 'African' approach to human rights can be determined from its documents;
- and examine critically the approach of the OAU/AU organs to issues of human rights.

Although some of the decisions and resolutions of the OAU/AU organs had already been acquired, its documents are not readily accessible by internet or in libraries in the UK or Europe.

Therefore, during my time in Addis Ababa I interviewed key personnel at the union's secretariat and obtained relevant recent documentation. I had meetings with members of the secretariat under the various departments, as well as with organisations based in Addis Ababa who also work with the AU. These included the UNHCR and UN High Commissioner for Human Rights who were able to provide a different perspective on the role of the AU and human rights. As a result of this visit, I am now able to complete my publication, which is to be published by Cambridge University Press.

### *Social and Legal Studies* 13(4)

Adjudicating pluralism: the Hijab, law and social change in post-colonial Trinidad – Cynthia Mahabir

Doorwork and legal risk: observations from an embodied ethnography – Lee Monaghan

The immobile mass: movement restrictions in the West Bank – Alison Brown

Advancing indigenous rights at the United Nations: strategic framing and its impact on the normative development of international law – Rhiannon Morgan

Reconciliation through a struggle for recognition? – Andrew Schaap

Risky spaces and dangerous faces: urban surveillance, social disorder and CCTV – Sean P Hier

### *. . . people*

**Professor Mary Seneviratne** has been appointed Head of the Department of Academic Legal Studies, Nottingham Law School, Nottingham Trent University. She took up her post on 1 June 2004. She replaces Professor Michael Gunn who is now the Associate Dean in the Law School.

There are changes at Keele University: **Brian Simpson** has been promoted to senior lecturer and **Sally Sheldon** has been made a professor.

**Carole McCartney** has been awarded an ESRC Post-Doctoral Fellowship, to commence on 1 October 2004 at Leeds University, Centre for Criminal Justice Studies (Law School). She will be research fellow for one year on a project entitled 'Forensic identification and justice: issues and prospects'. She will also be involved in setting up the new Innocence Network UK. e ctmccartney@aol.com

**Anne Barlow** moved from her post at Aberystwyth to take up a Readership at Exeter Law School on 1 August 2004.

# HART SOCIO-LEGAL BOOK PRIZES AND SOCIO-LEGAL ARTICLE PRIZE 2004

*Last year's book and article prizes attracted more entries than ever and standards were high. We congratulate the 2003 winners who received their prizes at the annual conference and call for nominations for this year.*

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 Liverpool University School of Law from 30 March–1 April 2005. 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 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

## 2003 book and article prizewinners

Congratulations to the winners of last year's prizes. They are:

### Hart/SLSA Book Prize

Helen Reece (2003) *Divorcing Responsibly*, Oxford: Hart

### The Hart/SLSA Prize for Early Career Academics

Bronwen Morgan (2003) *Social Citizenship in the Shadow of Competition*, Aldershot: Ashgate

### The SLSA Article Prize

Shared between:

Bronwen Morgan, 'The economization of politics: meta-regulation as a form of nonjudicial legality' (2003) 12(4) *Social and Legal Studies* 489–523

Amanda Perry-Kessaris, 'Finding and facing facts about legal systems and foreign direct investment in South Asia' (2003) 23(4) *Legal Studies* 649–89

(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*.
11. Members of the SLSA Executive Committee are not eligible for nomination.

**Nominations, accompanied by two copies of the relevant publication, should be sent by Friday 17 December 2004 to:**

**Richard Collier** ✉ Newcastle Law School, 22–24 Windsor Terrace, University of Newcastle-upon-Tyne, Newcastle-upon-Tyne NE1 7RY. Contact [e richard.collier@newcastle.ac.uk](mailto:richard.collier@newcastle.ac.uk) for further information.

## SLSA CONFERENCES

If you have an idea for an event which you think would be of interest to your socio-legal colleagues and you would like the support of the SLSA, please get in touch with a member of the executive committee (see p 2 for contact details).

### UK Innocence Projects Colloquium

3 September 2004, School of Law, University of Bristol

The inaugural UK Innocence Projects Colloquium will bring together academics, practitioners, activists and other interested parties, to disseminate information and further discussion upon the establishment of innocence projects in the UK – similar to those of the United States and Australia (see [www.innocenceproject.org/](http://www.innocenceproject.org/)). The aim of the proposed projects, and umbrella Innocence Network UK (INUK), would be to formalise and augment *ad hoc* investigations undertaken by students in academic settings and other individuals (investigative journalists, pressure groups etc). Innocence Projects could assist those convicted of criminal offences who have exhausted appeal processes, whilst also achieving important pedagogical aims. Additionally, the INUK would facilitate academic study of wrongful convictions and miscarriage of justice, providing identifiable, accessible expertise and a repository of evidence-based research to exploit in efforts to influence criminal justice system reform and government policy.

The IPC will consider the following issues.

- different models of innocence projects that exist in the United States and Australia and their transferability to the UK

- the relationship between innocence projects and legal practitioners
- collaboration with existing student law clinics and *pro bono* legal clinics and advice centres
- the role of extant campaign organisations
- relations with the local police, prisons and courts and, nationally, with the CCRC
- how the INUK can mount, or support, media campaigns to highlight miscarriages of justice
- collaboration with forensic scientists and other experts, often vital to the overturning of wrongful convictions
- incorporation of innocence projects into teaching programmes (over multiple disciplines/departments) and educational assessment/examination issues
- legal and ethical implications of utilising 'live' cases of alleged wrongful criminal conviction for student education
- should innocence projects be *de* process-orientated and assist factually guilty offenders or should they be concerned solely with factual innocence?

Key participants include: Dr Robert Schehr (Innocence Network USA); Lynne Weathered and Kirsten Edwards (Innocence Network Australia); Dr Andrew Green (INNOCENT; United Against Injustice (UAI)); Hazel Kierle (MOJO); John Wagstaff (CCRC); Allan Jamieson (Forensic Institute); Kevin Kerrigan and Philip Plowden (University of Northumbria); Stephanie Roberts (University of Westminster).

Cost: £50/10 (unwaged) (includes coffee/tea/lunch). A limited number of postgraduate student bursaries will be available to cover registration and travel. Contact: Dr Michael Naughton, University of Bristol † 0117 928 7965/8216 [e m.naughton@bristol.ac.uk](mailto:m.naughton@bristol.ac.uk) or Carole McCartney, University of Leeds † 0113 343 5009 [e ctmccartney@aol.com](mailto:ctmccartney@aol.com)

### New ethical challenges in socio-legal research

Thursday 9 September 2004, Portland Hall, University of Westminster, Little Titchfield Street, London W1

The SLSA is keen to raise awareness about the new ethical challenges which are presenting themselves to the socio-legal research community and the aim of this one-day conference is to provide a forum for discussion and exchange of information about some key issues which may particularly affect those undertaking empirical research.

What these new ethical challenges are will firstly be considered by Professor Andy Boon (University of Westminster) in his introduction to the conference. They undoubtedly include the Data Protection Act 1998 (which is set to extend to court records with effect from 2005). The implications of the Act will be explored first by Rosemary Jay, a solicitor and Former Chief Legal Advisor to the Data Protection Registrar who has written on how data protection legislation may affect empirical research. What balance has been or should be struck between the research community's need to use personal information and an individual's right to confidentiality or protection of their privacy? What practical steps must researchers take to comply

with the legislation? Complementing this, Judith Sidaway of the DCA will go on to consider the use of court records for research purposes.

Covert research and proxy consent as well as the broader consideration of the usefulness (or otherwise) of ethics codes and committees will be addressed in subsequent sessions by an expert team of panellists and then thrown open to discussion. Panellists include Ray Lee (Professor of Social Research Methods, Royal Holloway and one of the architects of the BSA Code of Ethics), Professor John Flood, University of Westminster and Professor Brian Williams, De Montfort University, on the topic of covert research. Professor Gwynn Davis (Bristol University) has promised a 'jaundiced view' of ethics codes and committees with other (less jaundiced?) contributions from Professor Julian Webb, University of Westminster and Professor Robert Dingwall, University of Nottingham.

These issues are ones which affect all of us applying for research funding or in the throes of conducting socio-legal research and we hope it will be of interest to many of you.

The conference programme and booking form are enclosed with this issue of the newsletter and can also be found on the website at [www.kent.ac.uk/slsa/conferences](http://www.kent.ac.uk/slsa/conferences).

## Discourses on technological risks in society

13 April 2005, Manchester Metropolitan University

CALL FOR PAPERS CLOSES 10 March 2005

The aim of the conference is to provide a forum for discussion and exchange of information about some key new challenges concerning biotechnological risks in society which are presenting themselves to all socio-legal researchers and particularly those undertaking qualitative and quantitative research. Many of these issues will also be of interest to researchers from other social science and science-based disciplines such as psychology, biotechnology, biochemistry and food science. The key issues which will be discussed are those surrounding Regulation EC No 178/2002 (Arts 7, 8, 9, 10),

interdisciplinary discourses and action research (or otherwise) of technological risks. Each session will be led by panellists and the issues raised will be open to questions and discussion.

It is hoped that popular discourses may include the following areas.

- deliberative democracy
- the role of citizens in participating in European governance
- effects of European enlargement
- effects of the new European Constitution
- issues in social psychology and European public(s)
- the effects of globalisation and corporate governance
- the human right to food
- biotechnological risks and choice

Maryam Alami  maryam.al-alami@student.mmu.ac.uk

## Stop press: 2005 SLSA post-graduate conference

Dates to be confirmed, Lancaster University

The SLSA post-graduate conference for 2005 is to be held at Lancaster University. This two-day event is a great opportunity for both new and established postgraduates in law to get to know each other and share their experiences and concerns in a supportive context.

The conference will take place early in the new year. Dates will be announced in the autumn newsletter and on the bulletin board and website as soon as they are confirmed.

We have an exciting (and practical!) line-up of events, featuring, amongst other things:

- informal introductory workshop including an open 'questions' forum;
- dealing with mental health issues and stress as a researcher

- study survival skills workshop
- quantitative data and fieldwork panel
- how to give a conference paper
- how to get an academic job.

Suggestions for further panels are most welcome! Participants will be staying in or near the historic city of Lancaster, on the border of the Lake District, and the event will include a meal at a restaurant in town. If you're interested, check out the link to the University, which includes a 'virtual' tour of the campus ([www.lancs.ac.uk/](http://www.lancs.ac.uk/)). More general info about Lancaster town and the surrounding area can be found at [www.lancasteronline.net/index.html](http://www.lancasteronline.net/index.html).

We anticipate that numbers will be limited to a maximum of 30, so watch this space carefully, all will be revealed in the next issue!

The preliminary contact is Dr Bela Chatterjee ([b.chatterjee@lancaster.ac.uk](mailto:b.chatterjee@lancaster.ac.uk)) and you are welcome to contact her with comments and/or suggestions.

### Journal of Law and Society: Autumn 2004

#### Articles

Autopoietic law and the 'epistemic trap': a case study of adoption and contact – Carole Smith

Some reflections on the relationship between citizenship, access to justice, and the reform of legal aid – Hilary Sommerlad

Selznick interviewed: Philip Selznick in conversation with Roger Cotterrell – Jiri Pribán

Experts, juries, and witchhunts: from Fitzjames Stephen to Angela Cannings – Tony Ward

#### Review article

What's God got to do with it? Waldron on equality – Thomas Poole

#### Book reviews

Risk and reason: safety, law and the environment by Cass R Sunstein – Richard Ericson

English lawyers between market and state: the politics of professionalism by Richard Abel – Richard Moorhead

Niklas Luhmann's theory of politics and law by Michael King/Chris Thornhill – Matthias Mählmann

Critique de la Raison Juridique 2. Gouvernants sans frontières: Entre mondialisation et post-mondialisation by Andre-Jean Arnaud – Pablo Ghetti

## QUB LLM/MSSc in corporate governance and public policy

The School of Law at Queen's University Belfast has announced a new LLM/MSSc in corporate governance and public policy designed to meet a growing international need for post-graduate expertise in the design and implementation of effective corporate governance and its relationship with wider public policy. The course has been constructed following extensive discussion with legal, regulatory and corporate entities on both sides of the Atlantic. Students will take core modules in corporate governance design, legal liability and economic governance. The course will provide students with:

- knowledge of competing corporate governance theories
- the methodological skills to evaluate the literature
- the ability to apply the theoretical literature to practical policy issues
- an understanding of the specific liabilities of diverse corporate actors
- the capacity to gauge the political determinants of corporate governance design
- an appreciation of the role of the corporation in contemporary society
- the ability to gauge the efficacy of ethics programmes

Contact Wenli Zhang  +44 2890 973376  w.zhang@qub.ac.uk.

## NEWS FROM FUNDERS

### Update from the ESRC: the new strategic framework

The past year has seen a series of changes at the ESRC driven by a desire to create a more efficient, effective and responsive organisation. As part of this process, the council conducted a review of the Thematic Priorities and decided, last October, to develop a new strategic framework which would include a new range of key priorities not exclusively limited to substantive areas of social science. This represents a significant development both for the ESRC and the social science community. This means that from April 2004 the thematic priorities are no longer the main driver informing ESRC planning and decision-making processes although they will remain as a useful categorisation of the range of research that we support. The new framework divides the ESRC's activity into four strategic areas: capacity, research, engagement and performance.

One of the principal objectives in putting in place the new framework is to make the ESRC's collective decision-making processes more transparent, coherent and evidence-based. The priorities for each strategic area will be defined through a process of consultations and external reviews with social science stakeholders, government and beyond. All universities and many learned societies will be invited to feed into the consultations. Under the new framework the responsive mode of funding will remain an essential component of ESRC activity as it always has been.

During the summer the ESRC will be consulting with its stakeholders to establish priorities for the future direction of social science in the UK. For further information please visit the [www.esrc.ac.uk/esrccontent/aboutesrc/new\\_strategic\\_framework.asp](http://www.esrc.ac.uk/esrccontent/aboutesrc/new_strategic_framework.asp)

### Forthcoming calls

In the next few months look out for calls being issued for the New Dynamics of Ageing Programme, Non Governmental Public Action Programme and Public Services: Quality, Performance and Delivery Programme.

### DCA research unit

The Research Unit commissions, conducts, co-ordinates and publishes research on behalf of the DCA and is also a point of contact generally for external researchers interested in the operation and administration of the courts. The head of the unit is Judith Sidaway.

### Doing research for the DCA

The Research Unit periodically invites proposals for funded research of relevance to the DCA's areas of responsibility and its strategic priorities. There is an annual Rolling Research Programme and a Special Research Programme on Courts and Diversity. In addition, various special projects are commissioned from time to time.

Details of current and recently commissioned projects are at [www.dca.gov.uk/research/resprogramme.htm](http://www.dca.gov.uk/research/resprogramme.htm). To be included on the mailing list to receive the DCA's Key Areas for Research (usually published early in the summer) or for general enquiries email [research@dca.gsi.gov.uk](mailto:research@dca.gsi.gov.uk) with your name and contact details stating areas of particular interest to you. ☐ Research Unit, DCA, 5th Floor, Selborne House, 54-60 Victoria Street, London SW1E 6QW 020 7210 8520.

## Nuffield Foundation social science schemes

### Changes to new career development fellowships

This scheme aims to develop social science research capacity on issues of social importance. It provides awards for social scientists at the beginning of their research careers to work in partnership with an experienced colleague. Awards are for three years and cover salary and research costs. The foundation has run this scheme for five years and trustees have now reviewed it and decided to run a revised scheme for a further five years. The main changes are: that applications will be accepted only from those with a PhD; the introduction of an 'outline' application stage; an increase in the maximum award limit to £150,000; increased support for the experienced partner.

The first round is in 2005. The closing date for outline applications will be in **October 2004**, with full applications later in 2004 or early 2005. Decisions will be made by May 2005. For details go to [www.nuffieldfoundation.org](http://www.nuffieldfoundation.org).

### Small grants scheme

Grants are for self-contained research projects, including pilots, to meet the cost of research assistance, research materials, data collection and analysis, and travel and subsistence in the UK and overseas. The normal limit has been increased to £7,500 and exceptional awards can be up to £12,000. Decisions are usually made within three months. There is no closing date and applications can be made throughout the year. Amended application materials are posted on the website each year in September.

## National evaluation of the Intensive Supervision and Surveillance Programme

The Intensive Supervision and Surveillance Programme (ISSP) is the most robust community programme available for young offenders in England and Wales. It is targeted at persistent young offenders or those who have committed more serious offences and can be used for those on community sentences or on bail, or for young people in the second part of a Detention and Training Order (DTO). ISSP is multi-modal, highly intensive and combines supervision with surveillance in an attempt to bring structure to the young people's lives.

An interim report from the national evaluation of ISSP has been published by the Youth Justice Board (July 2004) – see [www.youth-justice-board.gov.uk/YouthJusticeBoard/](http://www.youth-justice-board.gov.uk/YouthJusticeBoard/). The evaluation, which commenced in 2001 and encompasses the first 41 ISSP schemes, has been undertaken by the Probation Studies Unit in the Centre for Criminological Research, University of Oxford. The report considers the effectiveness of ISSP in targeting high-risk young offenders and examines the nature of the supervision and surveillance with which they were provided. The completion and compliance rates are examined, and there is an analysis of the impact upon the young people's underlying problems, their rates of re-offending and the use of custody. The report also includes a cost-benefit analysis. While there were some ISSP schemes with disappointing results, the report recognises that the majority of the schemes were hitting the right benchmarks and broadly achieving the objectives set by the YJB. A further 24-month reconviction study will be completed in Summer 2005. For details, contact Dr Robin Moore [robin.moore@crim.ox.ac.uk](mailto:robin.moore@crim.ox.ac.uk) or Emily Gray [emily.gray@crim.ox.ac.uk](mailto:emily.gray@crim.ox.ac.uk).

## Assessing need for legal advice in Scotland

In May 2004 the Legal Studies Research Team at the Scottish Executive published the results of needs assessment exercises conducted in four areas with pilot legal advice and information partnerships (Glasgow West, Fife, Edinburgh and Argyll and Bute). The pilot partnerships, established in 2003, were tasked with identifying and promoting the most effective way of meeting the legal needs of the local population. To facilitate the planning and coordination of service provision, research was aimed at assessing the need for legal advice in each of the areas. Two methods of assessment, general population surveys and proxy modelling, were used. A further aim was to evaluate the most appropriate and cost-effective method of assessing legal need.

The general population survey captured 13 'justiciable problems', which are areas of legal need, considered by individuals to be important. The prevalence of justiciable problems in the previous five years was similar across the four study areas, ranging between 28% and 32%. However, prevalence of people seeking help varied considerably between areas, ranging between 22% and 66%. The survey also recorded what people did to resolve their problems and assessed satisfaction.

Proxy models use existing data, rather than new data. The researchers evaluated existing proxy models but concluded that none were ideal. They developed a new proxy measure using the survey data on prevalence of different types of legal problem. This new model found 'clusters' of problems likely to be associated with different legal service needs and identified that the prevalence of these 'clusters' varied considerably between partnership areas. Having compared both methods, it was found that a combination of the two represented the best approach.

The findings of the exercises have informed the development of strategic plans for each of the pilot partnership areas. An evaluation of three of the area partnerships and an additional thematic partnership on access to legal advice for disabled people was also undertaken. Participants from these partnerships completed questionnaires before and after the pilot period. This included questions on the views and experiences of respondents on the structure, composition, process and achievements of the partnership. A complete set of reports is available at [www.scotland.gov.uk/socialresearch](http://www.scotland.gov.uk/socialresearch).

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## Supporting women leaving violence

Paula Wilcox at the University of Brighton is writing a book over the next 12 months entitled 'Supporting women leaving violence: social and informal networks'. She would be very pleased to hear from colleagues interested in this area of research. [e p.s.wilcox@bton.ac.uk](mailto:p.s.wilcox@bton.ac.uk) [† 01273 643478](tel:01273643478).

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## Women, judicial office and silk

Dermot Feenan, School of Law, University of Ulster, has secured £24,603 to conduct research on the under-representation of women applying for silk and judicial office in Northern Ireland. The research has been commissioned by the Commissioner for Judicial Appointments for Northern Ireland and will be funded by the Northern Ireland Court Service. The aims of the research will be to (a) examine why there is an under-representation in the number of women applying for silk and judicial office in Northern Ireland and (b) make recommendations on how this under-representation might be addressed. The study will begin in October 2004 for four months. For more information email Dermot Feenan at [d.feenan@ulster.ac.uk](mailto:d.feenan@ulster.ac.uk).

## UKCLE Reports

Final reports from two UKCLE-funded projects are now available on the UKCLE website. *Law Student 2002: a profile of law students in Scotland* is a report of a survey of law students at six Scottish law schools, undertaken by Jenny Hamilton (University of Strathclyde). It is hoped to follow this cohort of students through their degrees but the first year report already gives invaluable insights into the 'average' first-year law student in Scotland and issues such as student background, the choice of the LLB degree, course fees, the financial implications of study and plans after graduation. Download the report in full at [www.ukcle.ac.uk/research/scotland2.html](http://www.ukcle.ac.uk/research/scotland2.html).

Black Caribbean solicitors represent a disproportionately small percentage of practising certificate holders despite being well represented on undergraduate degree courses. This research project (Preparing Black Caribbean Students for the Law Profession) aimed to discover the extent to which legal education was a significant factor in black Caribbean students' decisions not to progress to professional qualification or in their failure to qualify as a solicitor. The authors, Helen Carr (London Metropolitan University) and Eddie Tunnah (University of Westminster) found no simple answers, but identify a number of recommendations and questions for further research. Download the report in full at [www.ukcle.ac.uk/research/tunnah.html](http://www.ukcle.ac.uk/research/tunnah.html) and see Eddie Tunnah's article in SLN 40: 10.

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## Community of property: a regime for England and Wales?

Elizabeth Cooke and Therese Callus of Reading University, together with Anne Barlow of Exeter University have been awarded £91,000 by the Nuffield Foundation to investigate over a 20-month period the benefits and disadvantages of a European-style community of property regime for married and cohabiting couples, as compared with the system of separate property which exists in England and Wales. The prime motivation for the project is the predicted 'Europeanisation' of English family law coupled with the acknowledged problems both of the wide discretionary basis of the redistribution of assets on divorce and the lack of discretion in adjusting cohabitants' assets on relationship breakdown in England and Wales. The project is due to start in October 2004.

## JOURNALS

The independent human rights and law reform organisation JUSTICE launched a twice-yearly journal in April. The journal will cover legal/social/political developments in the areas of its key interests: human rights; criminal justice; asylum; equality; EU justice and home affairs; the rule of law.

The *Journal of Law and Society* editorial board is inviting expressions of interest concerning the guest editorship of the *JLS Special Issue* (2006). Readers are invited to contact the editor for further details. The issue is normally around 75,000 words and the deadline for completed copy is November 2005. The issue will also appear as a book published by Blackwell, Oxford. Phil Thomas [✉ Cardiff Law School, Cardiff University, PO Box 427, Cardiff CF10 3XJ](mailto:thomaspa@cardiff.ac.uk) [e thomaspa@cardiff.ac.uk](mailto:thomaspa@cardiff.ac.uk)

**Call for papers:** Hart Publishing has announced the forthcoming launch of the twice-yearly *Journal of Private and International Law* in spring 2005. Proposals of 300-500 words should be sent to [e p.beaumont@abdn.ac.uk](mailto:p.beaumont@abdn.ac.uk) or [e m.harris.law@bham.ac.uk](mailto:m.harris.law@bham.ac.uk).

● **TOWARDS A SAFER SOCIETY: UNDERSTANDING AND TACKLING VIOLENCE**

*Edinburgh International Conference Centre:  
31 August-3 September 2004*

Keynote speakers: Dr Bob McGrath, Vermont, USA; Dr Rudiger Muller-Isberner, Haina, Germany; Dr Chris Webster, Toronto, Canada.  
† +44(0) 1355 244966 f +44(0) 1355 249959  
e safersociety@glasconf.demon.co.uk w www.safersociety.gcal.ac.uk

● **CRITICAL LEGAL CONFERENCE 2004: APERTURES**

*University of Westminster, School of Law: 3-5 September 2004*

This year's conference is deliberately organised to encourage truly interdisciplinary and pan-theoretical participation. Ideas are invited for streams and papers on: law and politics, human rights, globalisation, state boundaries, new European visions, community, justice, literature, visual arts, gender, race, sexuality. e andreaspm@westminster.ac.uk  
w www.westminster.ac.uk/law/conferences.htm.

● **INTER-DISCIPLINARY COLLOQUIUM: LAW AND SOCIOLOGY**

*University College London: 13-14 September 2004*

The couveuns are Prof Michael Freeman and Prof Hazel Genn. This follows previous inter-disciplinary colloquia including Law and Science and Law and Geography. euctlmdf@ucl.ac.uk

● **CRIMINALISING GENDERED VIOLENCE? LOCAL, NATIONAL AND INTERNATIONAL PERSPECTIVES CONFERENCE**

*University of Bristol: 14-15 September 2004*

Criminalising Gendered Violence is the third in a series of four ESRC-funded interdisciplinary and international events on gender violence organised by the Inter-Faculty Working Group on Gender and Violence at the University of Bristol. The central theme is to re-assess the value of criminalisation, as well as civil law and social policy responses in the context of scepticism about the effectiveness of law. It is hoped the programme will reflect a variety of theoretical perspectives and disciplines including contributions from gender studies, criminology, law, social policy, sociology and development studies. Contact e shirley.a.knights@bristol.ac.uk  
w www.bristol.ac.uk/sps/gendered/links.shtml

● **EFFECTIVE RESTORATIVE JUSTICE: THIRD INTERNATIONAL CONFERENCE**

*De Montfort University, Leicester: 16-17 September 2004*

Speakers: Christa Pelikan, Austria; Alice Chapman, Northern Ireland, Carolyn Hoyle, Oxford. This event brings together researchers and practitioners to consider recent developments in restorative justice around Europe and more widely. Contact e Inorman@dmu.ac.uk for information or, to discuss workshop/seminar contributions, Prof Brian Williams e bwilliam@dmu.ac.uk or † 0116 257 7898.

● **EUROPEAN GROUP FOR THE STUDY OF DEVIANCE AND SOCIAL CONTROL: 32ND ANNUAL CONFERENCE**

*University of Bristol: 16-19 September 2004*

The conference will cover the following themes: crimes/harms of the powerful; movement of people; criminalisation of the powerless; critiques of national and international criminal justice policies and interventions; the discipline of criminology. Alongside these streams, the conference will use three plenary sessions to consider recent developments in the following areas: the legality of the war and 'reconstruction' of Iraq; the War on Terror: the experiences of suspect communities; global capital, growing inequalities and social conflict.  
w www.bristol.ac.uk/sps/eurogroup/index.html

● **LEGAL STUDIES IN GENDER AND SEXUALITY**

*University of Kent: 25 September 2004*

Confirmed Speakers: Sarah Ahmed, Maria Aristodemou, Bela Chatterjee, Richard Collier, Elena Loizidou, Ambreena Manji, Les Moran, Ralph Sandland, Mimi Sheller, Carol Smart and Terry Threadgold. The colloquium will be preceded the evening before by the centre's free launch event featuring Nira Yuval-Davis and Carl Stychin. All welcome! e d.herman@kent.ac.uk † (44) 01782-583218 or Liz Cable e Kent Law School, University of Kent CT2 7NS.

● **ESCUS INTERNATIONAL CONFERENCE 2004: CHANGING EUROPEAN PUBLIC SPHERES**

*ESCUS, Mappin Hall, Sheffield University: 23-24 September 2004*

Sheffield University's new European Social and Cultural Studies centre was set up in 2003 to promote interdisciplinary research on Europe between the social sciences and humanities. This is its first international conference. The conference aims to explore the strategically and academically important theme of 'the European public sphere' and will be of particular interest to academics, postgraduate researchers and policy-makers in the fields of national, comparative and European cultural, media and policy studies. The conference will have four main themes: perspectives and projects concerned with 'the European Public Sphere'; current EU media and 'E-Europe' developments and policies; current European popular cultural and media-cultural developments; and new experiences and challenges relating to the public sphere and media-culture involved in the current Eastern enlargement of the EU.  
w www.sheffield.ac.uk/escus

● **NUFFIELD FOUNDATION ONE-DAY CONFERENCE: PLURAL POLICING**

*Church House, Dean's Yard, Westminster, London: 28 October 2004*

This conference will see the publication of a two-year Nuffield Foundation study of 'Plural Policing' conducted by researchers at the Centre for Criminal Justice Studies, University of Leeds. It will bring together researchers, practitioners and policy-makers to consider current and future relations between the public, police, private security and diverse forms of municipal policing as well as to explore the current police reform agenda and its implications for security. Contact Adam Crawford † 0113 3435045 e a.crawford@leeds.ac.uk

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

*Central London: 6-7 July 2005*

Contact Lauretta Alexander, Colloquium Administrator † (+44) (0) 20 7848 2265 f (+44) (0) 20 7848 2465 e l.a.alexander@kcl.ac.uk  
w www.kcl.ac.uk/law/events/colloquium.

**African Regional Series 2004-05:** Nigeria (July/August 2004), Egypt (18-19 December 2004), South Africa (February 2005), Senegal (March-April 2005), Tunisia (December 2005). Contact Dr Amazu A Asouzu, Lecturer in Law e King's College London, London WC2R 2LS † (+44) (0) 20 7848 1159 f (44) (0) 20 7848 2465  
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 title of this conference assumes special European characteristics of law not only in the extensive legal literature that exists but also of law in action. The purpose of the conference is a broad view of the socio-legal enterprise to include law's relations with all the social sciences; a multi-cultural outlook, a strong focus on attracting young researchers and enabling them to meet like-minded scholars, and a contribution to a real strengthening of European identity in socio-legal studies. The emphasis on Europe will be strong but not exclusive: comparisons with non-European legal cultures are welcome and submissions on law and society topics unrelated to the general theme will also be considered. The event will be richer if participants are free to propose papers on topics that go beyond the conference theme and present possibly unexpected developments. For information about registration and paper proposals go to the IISL website w www.iisl.es

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

*University of Leeds: 12-14 July 2005*

Plenary Speakers: Lucia Zedner (Oxford); Tim Newburn (LSE); Richard Ericson (Toronto); Mike Levi (Cardiff). Special Sessions include: Zygmunt Bauman; Carol Smart and Public and Popular Representations of Crime Contact: e BSC2005@leeds.ac.uk † 0113 3435034 w www.leeds.ac.uk/law/bsc2005/

**UK Asylum Law & Policy: Historical and contemporary perspectives** (2004) Dallal Stevens, Sweet & Maxwell, London 466pp £32.95 ISBN 0421 763507 A critical analysis of the development of legislation, this book charts the definition and ongoing redefinition of the asylum seeker in the eyes of the law. It examines the concept of asylum, how it has evolved, and the law and practice to which it has given rise.

**Challenging Diversity: Rethinking equality and the value of difference** (2004) Davina Cooper, Cambridge University Press 247pp ISBN 0521539544 Critically engaging with radical pluralist, feminist and liberal scholarship, this book addresses major questions currently facing political and social theory, particularly in relation to debates about diversity. These questions concern how we identify legitimate forms of difference, understand the relationship between inequality and other social norms and address the challenge of sustaining counter-normative practices.

**Rousseau and Law** (2004) Thom Brooks (ed) Ashgate, Aldershot ISBN 0 7546 2441 2 The influence of Jean-Jacques Rousseau in social and political theory is well known. Although he was not primarily a legal theorist, his influence on the philosophy of law has unfortunately received too little attention. This volume contains the best previously published articles that explore Rousseau's influence on legal theory and seeks to bring Rousseau's contribution its deserved recognition by legal theorists.

**Housing Law and Policy in Ireland** (2004) Padraic Kenna, Irish Academic Press, Dublin 150pp 70 Euros This is the first book which combines an examination on housing law and policy in a modern context in Ireland. It provides a clear and detailed reference point for the statute and case law applicable to the ownership, funding, development and management of private and social housing. Naturally, it draws from valuable reference points in relevant areas of property, equity, family, planning and local government law as well as other approaches, including social inclusion policies, the impact of globalisation, EU law and the recently adopted European Convention on Human Rights.

**Imaginary Boundaries of Justice: Social and legal justice across disciplines** (2004) Ronnie Lippens (ed) Hart Publishing, Oxford 256pp £45hb/£22pb ISBN 1-84113-471-0/1-84113-475-9 This book argues that 'visions' of justice are bounded. Boundaries of 'visions' of justice, however, are also 'imaginary'. They emerge within imaginary spaces, and, as they are 'imaginary', they are inherently unstable. It captures an emerging interest (in the humanities and social sciences) in images and the visual, or the imaginary more broadly.

**Judicial Review and Compliance with Administrative Law** (2004) Simon Halliday, Hart, Oxford £25 188pp ISBN 1-84113-265-9 How effective is judicial review in securing compliance with administrative law? This book presents an empirically-based study of the influence of judicial review on government agencies. It explores judicial review from a regulatory perspective and uses the insights of the regulation literature to reflect on the capacity of judicial review to modify government behaviour. On the basis of extensive research with heavily litigated government agencies, the book develops a framework for analysing and researching the regulatory capacity of judicial review. Combining empirical and legal analysis, it describes the conditions which must exist to maximise judicial review's capacity to secure compliance with administrative law.

**Human Rights Brought Home: Socio-legal perspectives on human rights in the national context** (2004) Simon Halliday and Patrick Schmidt (eds), Hart, Oxford 256pp £30 ISBN 1-84113-388-4 This collection explores human rights in domestic legal systems. The Human Rights Act 1998, ushering the European Convention fully into UK law, represented a landmark in UK constitutional order. Other European states have also elevated the status of human rights in their legal systems. Whilst much has been written about doctrinal legal developments in the light of human rights, little is known about the empirical effects of bringing rights home. This book seeks to fill this gap in our knowledge.

**Judicial Review and Bureaucratic Impact: International and interdisciplinary perspectives** (2004) Marc Hertogh and Simon Halliday (eds), Cambridge University Press 300pp £22.99 ISBN 0521547865 How effective are the courts in controlling bureaucracies? What impact does judicial review have on the agencies which are targeted by its rulings? For the first time, this book brings together the insights of two intellectual disciplines which have hitherto explored these questions separately: political science and law/socio-legal studies. Leading international scholars from both fields present new research which focuses on the relationship between judicial review and bureaucratic behaviour.

**Counsel in the Caucasus: Professionalization and Law in Georgia** (2004) Christopher PM Waters, Martinus Nijhoff, Leiden, 204pp 80 Euros ISBN 90 04 13947 8 This book traces the development of the rule of law in Georgia since independence and speculates on its future direction. By focusing on changes in the legal profession after 1991, it concludes that culture and informal regulation are key to understanding how Georgian lawyers govern themselves. Other topics include Georgia's legal history, its current human rights situation, theories of professionalisation and the link between law and development. It also compares the Georgian experience to that country's South Caucasian neighbours, Armenia and Azerbaijan.

**The State of Law in the South Caucasus (late 2004)** Christopher PM Waters (ed) Palgrave Press, Basingstoke

This book evaluates the strength of the rule of law in the South Caucasus, a volatile and strategically important region of the former Soviet Union. Contributors – all of whom who have lived and worked in Armenia, Azerbaijan or Georgia – tackle this question from the perspectives of both law and politics..

**Textbook on Criminology (5th ed)** (2004) Katherine S Williams, OUP, Oxford 584pp £21.99 ISBN 0-19-926440-6 This new edition provides a comprehensive consideration of theoretical, practical and political aspects of crime and criminology, dealing with such major questions of criminology as: definitions of crime; why people become criminals; and crime prevention and dealing with criminals. Each question is studied from an objective and academic viewpoint, encouraging greater social, political and philosophical awareness of crime, criminals and society's response to them.

**The Human Rights Act: An impact study in South Wales** (2004) R Costigan, J Sheehan and PA Thomas This study reports on a survey of 'High Street' solicitors' attitudes, awareness and usage of the HRA in a socio/economic depressed valley in South Wales. Sponsored by the Nuffield Foundation, a limited number of free copies are available to SLSA members from Professor Phil Thomas, Cardiff Law School e thomaspa@cardiff.ac.uk.

**A Community for Children? Children, citizenship and internal migration in the EU** (2004) Louise Ackers and Helen Stalford, Ashgate 314pp £49.95 ISBN 0 7546 1858 7 Based on important social-legal research supported by the European Commission and the Nuffield Foundation, this book examines the impact of migration on children within the EU. Set within the framework of the development of 'Citizenship of the Union' and the extension of legal rights to the families of migrant workers, the research involves interviews with parents and children of EU migrant families in Sweden, Portugal, Greece and the UK. Examining their formal legal entitlement under community law, it assesses the relevance of European citizenship to children and charts recent developments in EU policy making and the promotion of children's rights.

**Comparative Histories of Crime** (2003) B Godfrey, C Emsley and G Dunstall (eds), Willan Publishing 222pp ISBNs 1-84392-036-0/1-84392-037-0 This book aims to reflect and take forward current thinking on comparative cross-national and cross-cultural aspects of the history of crime and to broaden the focus of the historical context of crime and policing. Contributions include declining rates of violence, juvenile delinquency, the punishment of offenders, policing and military law, demonstrating how comparative perspectives can enrich contemporary studies of crime and policing. An extensive introduction reviews current thinking in relation to the comparative history of crime and criminal justice.

*From '9-11' to the Iraq War 2003: International law in an age of complexity* (2004) **Dominic McGoldrick**, Hart 396pp £18/27 Euros ISBN 1-84113-496-1 This book is a tale of two towers, two wars and two visions – the twin towers of the World Trade Center in New York, the two wars, on Terrorism and on Iraq, and the two visions of the international legal and political order for the twenty-first century. The issues involved in the War Against Terrorism and the War on Iraq in 2003 will help define the shape of international order for the twenty-first century; therefore the aim of the book is not only to consider these issues, but specifically to examine how international humanitarian and international human rights law was applied in these wars. It also asks how the international debate on the Iraq War was conducted and why and questions whether the post-1945 system of international laws and organisations is capable of surviving these events, and in what form?

*The Permanent International Criminal Court: Legal and policy issues* (2004) **Dominic McGoldrick, Peter Rowe and Eric Donnelly (eds)** 514pp £35/52.50 ISBN 1-84113-281-0 The idea of an International Criminal Court has captured the international legal imagination for over a century. In 1998 it became a reality with the adoption of the Rome Statute. This book critically examines the fundamental legal and policy issues involved in the establishment and functioning of the Permanent International Criminal Court.

*Reconcilable rights? Analysing the tension between victims and defendants* (2004) **Ed Cape (ed) Legal Action Group, London** 136pp £15 ISBN 1 903307 31 7 The book is based on a series of seminars held by LAG in 2003 and brings together leading academic experts, practitioners and policy-makers in a wide-ranging analysis and discussion on four separate, but interconnected themes: Why does the present government believe that victims' and defendants' rights are mutually incompatible? Have the 'pro-victim' changes introduced in recent years created false expectations and eroded the defendant's right to fair trial? Is there a justification for involving victims in sentencing through the use of Victim Impact Statements? What rights should victims have within an adversarial system of criminal justice?

*Music and Copyright (2nd edn)* (2004) **Simon Frith and Lee Marshall (eds)** Edinburgh UP £19.99 ISBN 0748618139 This new edition provides analyses of copyright from a variety of disciplines (economic, historical, philosophical) and evaluates the effects of copyright through several stages of the 'music food chain' (songwriters, musicians, media, users and so on). It offers a highly accessible introduction to this crucial area of popular music as well as offering something to more experienced researchers in the field.

*Crime Compliance and Control* (September 2004) **Doreen McBarnet**, Ashgate, Aldershot 330pp ISBN 0 7546 2349 1 This book brings together a selection of the author's core publications. It includes work, which, though socio-legal in nature, was published originally in other contexts – sociology, criminology, business and finance – making it more readily accessible to socio-legal scholars and students. An introductory chapter provides an intellectual biography of McBarnet's work, tracing the analytical links in the evolution from criminal justice, through business regulation and 'creative compliance', to legal control, legal work and legal ethics, with the practical operation of the rule of law a recurrent theme.

*The Extended Policing Family: Visible patrols in residential areas* (2004) **Adam Crawford and Stuart Lister, Joseph Rowntree Foundation** £15.95 ISBN 1-85935-187-5 This report explores and explains the complex division of labour in the policing of residential areas. It draws lessons from various policing initiatives and documents the findings of a national survey of private security firms and regional surveys of local housing authorities and police forces.

*Health Law and the European Union* (2004) **Tamara Hervey and Jean McHale**, Cambridge University Press, Law in Context Series Despite its restricted formal competence, the EU has become increasingly involved in the health field. This book explores the impacts of measures of EU law on national health law and policy.

*Quality and Access: Specialist and tolerance work under civil contracts* (2004) **Richard Moorhead and Richard Harding**, Stationery Office, London This report examines the tension between the LSC's policies of quality, on the one hand, and the implications for access to justice on the other. It provides a detailed evaluation of the quality of specialist and non-specialist civil legal help work using outcome measures and peer review in particular, and insights into the management and supervision of such work.

*Demystifying the Mystery of Capital: Land Tenure and Poverty in Africa & the Caribbean* (2004) **Robert Home and Hilary Lim (eds)** Glasshouse Press £25 ISBN 1 904385 13 3 This is an original study of the use of law to secure land tenure in the face of poverty, urban and peri-urban growth and changing social structures. How easy is it to replace customary law with individual land rights? And is this the road to poverty reduction and capitalist development? The result of a research project commissioned by the UK Department for International Development, this book offers case studies from Botswana, Trinidad and Zambia and analyses wider issues, including the colonial legacies that create illegality in peri-urban areas, the impact of HIV/AIDS on social structure and inheritance and land readjustment in customary areas.

*Competition, Regulation and the New Economy* (2004) **Cosmo Graham and Fiona Smith (eds)**, Hart, Oxford 256pp £40/60 Euros ISBN 1-84113-384-1 In addition to being the principal medium for communication, education and entertainment the new economy is a leading provider of goods and services through electronic channels. It rides on technological developments in computers, telecommunications and satellites creating interactive media and on deregulation and privatisation of state-owned enterprises in telecommunications and broadcasting. The question pursued in these essays is whether conceptual underpinnings of competition law and international regulatory mechanisms are adequate or appropriate to deal with developments raised by the new economy.

*Sexual Positions: Diversity and the law* (2004) **Belinda Brooks-Gordon, Loraine Gelsthorpe, Martin Johnson and Andrew Bainham (eds)**, Hart, Oxford 320pp £30/45 Euros ISBN 1-84113-489-9 The idea for the book came from awareness that it is important to explore some of the social and moral censures, contours and controversies that shape and mark the boundaries of sexuality. The production of the book has coincided with a major review and new legislation concerning sexual offences, fuelling the authors' concerns and making their explorations timely.

*The English Constitution: Myths and realities* (2004) **Ian Ward**, Hart, Oxford 166 pp £20/30 Euros ISBN 1-84113-431-7 This book addresses two burning contemporary and complementary questions; one regarding the so-called English 'question', the changing identities of England and English-ness, and a second regarding the changing shape of the Anglo-British constitution. It is suggested that there are both internal and external pressures that are driving the reformation of our constitutional order.

*The Future of Labour Law: Liber amicorum Bob Hepple QC* (2004) **Catharine Barnard, Simon Deakin and Gillian S Morris (ed)**, Hart Oxford 388 pp £42/63 Euros ISBN 1-84113-404-X This book, to which an internationally distinguished group of scholars has contributed, examines the future of labour law from a wide variety of perspectives.

*In brief . . . Globalizing Family Values: Christian Right International Politics* (2003) **Doris Buss and Didi Herman** University of Minnesota Press . . . *Victims of Crime: Justice rebalanced?* (2005 forthcoming) **Brian Williams**, Jessica Kingsley Publishers . . . **B Godfrey and G Dunstall** (March 2005) *Crime and Empire 1840–1940: Criminal justice in global and local context*, Willan Press . . . **B Godfrey** (September 2005) *The Great British Rough: Criminality and its hinterland at the fin de siècle*, Willan Press . . . **Carole McCartney**, 'Forensic DNA sampling and the England and Wales National DNA Database: a sceptical approach' (2004) *Critical Criminology* 13:1–22 . . . *Perspectives on Labour Law* (2004) **Anne Davies**, Cambridge University Press, Law in Context Series