

Socio-Legal NEWSLETTER No 62 **SLSA**

THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION AUTUMN/WINTER 2010

JOIN US IN BRIGHTON: 12-14 APRIL 2011

Preparations are in full flow for next year's SLSA annual conference hosted by the University of Sussex in Brighton. The conference will take place in the Fulton Building, a new and central location within the university's beautiful parkland campus. The campus has excellent public transport links and is just nine minutes by train from the centre of Brighton. Full details of the call for papers are on page 14. The call closes on **17 January 2011**.

Registration and booking

Registration is now open. The early bird rate provides a substantial saving for those booking before **31 January 2011**. Note that rates are a full £80 lower for members than non-members, so if you haven't yet joined, now is the time to invest your £30 membership for an instant return.

Accommodation

Links are provided from the website to local hotels where preferential rates have been agreed for delegates or you can find and book your own local accommodation.

Plenary speaker

The plenary lecture will be given by Edwin Cameron, Justice of the Constitutional Court of South Africa, and will take place on Wednesday **13 April 2011** at 2pm.

Contacts

Full details are available on the conference website www.sussex.ac.uk/law/newsandevents/slsa-conference or send queries to the organisers at slsaconference@sussex.ac.uk.

SLSA membership secretary

In September, Dermot Feenan stepped down as SLSA membership secretary. We would like to thank Dermot for his hard work and commitment over the past three years. Julie McCandless has kindly taken on the role. If you have a query about your membership, contact j.m.mccandless@lse.ac.uk.

The newsletter needs your contributions

Do you have an idea for an article or news item for the newsletter? News and feature articles are always needed, plus information about books, journals and events. Deadlines are advertised well in advance (the next is **31 January 2011**).

Contact newsletter editor Marie Selwood at marieselwood@btinternet.com or [t 01227 770189](tel:01227770189).

SLSA POSTGRADUATE CONFERENCE

Law Department, London School of Economics:
6-7 January 2011

Every year the SLSA runs a conference for postgraduate students. This year the conference is being hosted by the School of Law at the London School of Economics. It is open to both members and non-members of the SLSA and is FREE. The conference will be run principally through small group workshops. Sessions will be led by leading socio-legal academics with an established research record and understanding of the university sector.

The conference is very informal and one of its main aims is to encourage networking between postgraduate research students with an interest in socio-legal studies. There will be plenty of opportunities for discussions with other postgraduates, as well as with the facilitators. The topics covered in the conference workshops will include:

- giving a conference paper;
- getting published;
- time management;
- managing your supervisor;
- getting through your viva;
- academic job-hunting;
- presenting your work;
- career trajectories – socio-legal biographies.

Places are limited and are going fast but a reserve list is being kept in case of cancellations.

If you have any queries please contact Linda Mulcahy l.mulcahy@lse.ac.uk. Full details are available at www.slsa.ac.uk/content/view/169/144/#2011. Deadline for registration: **10 December 2010**.
Linda Mulcahy

One-day conferences

The SLSA is keen to sponsor one-day conferences of interest to the socio-legal community. Events should be self-funding, although the SLSA is prepared to underwrite them to a limited extent and also provides endorsement.

If you have an idea for a one-day conference. Please contact the SLSA chair or a member of the Executive Committee for an informal discussion (contact details on page 2). Past conference themes have included: socio-legal studies and the humanities; ethics; and innocence projects. The most recent was entitled 'Exploring the "socio" of socio-legal studies'. Details can be found on the SLSA website at www.slsa.ac.uk and follow the events link.

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2010-2011**

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Next copy deadline: 31 January 2011

Next publication date: 7 March 2011

www.slsa.ac.uk

The SLSA website contains comprehensive information about the SLSA and its activities. The news webpage is updated almost daily with socio-legal news, events, publications, vacancies etc.

To request the inclusion of an item on the news page and for all other queries about the content of the website, please contact Marie Selwood e marieselwood@btinternet.com.

Disclaimer

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

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Newsletter sponsorship

The *Socio-Legal Newsletter* is sponsored by a consortium of law schools interested in promoting socio-legal studies in the UK.

If you think that your institution would like to become involved in this initiative, please contact SLSA chair Sally Wheeler e s.wheeler@qub.ac.uk.

Newsletter sponsors 2010-2013 are: Birkbeck; Cardiff University; Centre for Socio-Legal Studies, Oxford; Exeter University; Kent University; Liverpool University; London School of Economics; Nottingham University; Queen's University Belfast; and Westminster University.



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SLSA ANNUAL SEMINAR COMPETITION

The SLSA invites submissions for its annual seminar competition. The fund is £5000, all of which can be awarded to a single proposal or divided between a number of applicants. The money can be used to support the delivery of either an individual seminar or short conference, or a series of events. There are no restrictions concerning the subject matter provided that applicants can show relevance to the socio-legal community. Lead applicants must be members of the SLSA. Applications will not be considered where the amount of support required from the SLSA is less than £300, or where the event is targeted at staff or students of a single institution.

Now in its fifth year, the fund has so far supported five successful events. (Reports of two of the most recent seminars are on pages 4–5.)

No award was made in 2008 because none of the applicants' proposals complied fully with the criteria. If you are considering an application, please make sure that your proposal does not breach the guidance, downloadable from the SLSA website www.slsa.ac.uk.

If you have any queries, contact organiser Nicole Busby [e n.e.busby@stir.ac.uk](mailto:n.e.busby@stir.ac.uk). Closing date: **31 January 2011**.

SLSA Online Directory

Long-standing members and new members are reminded that they can update their own entries as and when the need arises. The SLSA Online Directory has the following features:

- individual entry for all SLSA members;
- searchable by name;
- searchable by expertise;
- searchable by institution;
- browsable by non-members;
- accessible via the SLSA website.

To begin updating your profile, visit www.slsa.ac.uk and go to the Members Login menu, on the left.

If you have any problems updating your profile, contact Marie Selwood [e marieselwood@btinternet.com](mailto:marieselwood@btinternet.com) or Nick Jackson [e n.s.r.jackson@kent.ac.uk](mailto:n.s.r.jackson@kent.ac.uk).

Second SLSA prize draw: winner

The winner of the second SLSA prize draw is Helen Dancer of the University of Sussex. Her prize is a £75 donation to www.globalgiving.org. Helen said:

I spent a year in Tanzania doing fieldwork for my PhD on women's land rights, and I was lucky enough to visit the magnificent Usambara mountains during my time there. Sadly, there is very little of the tropical rainforest left since clearance for coffee plantations began under colonial rule and has continued to this day. However, there are now a number of conservation projects working with local communities in this area to protect the forest. I would like to donate to the African Rainforest Conservancy to support their conservation and community development work in the Eastern Arc mountains.

The winner of the first draw, Robert Dingwall, donated his prize to the Lambs for Schools Project in Burkina Faso, which provides school materials for girls and buys a lamb for their parents to raise and sell to pay for future schooling. Robert's donation will support one girl's education for 13 years.

SLSA grant report: the prosecution of child abuse cases

Dr Chris Taylor, Senior Lecturer, Bradford University Law School, £1093.75

This grant was used to fund a research assistant to engage in a pilot study into the implementation of the national protocol that exists between the Crown Prosecution Service, the police and local authorities regulating the exchange of information in the investigation and prosecution of child abuse cases.

In almost all child protection cases, both police and prosecutors will require some access to confidential medical or social services records, which may detail medical complaints (including mental health issues), disciplinary records or evidence of previous allegations. This can be particularly problematic in historical cases that frequently relate to care homes or other facilities and often involve more than one alleged victim and multiple alleged offenders. In such cases, both prosecution and defence may wish access to the records to assist the preparation of their case, which raises the question of what, if anything, should be disclosed to the defence.

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

This pilot involved an attempt to contact all of the police forces, NHS trusts and local authority social services departments in England and Wales by means of an email/telephone survey to assess attitudes and approaches towards the exchange of confidential information and the operation of the protocol. The results were, at the same time, both frustrating and intriguing.

The response rate to contacts, both by email and telephone was poor, with initial contacts with the various organisations indicating considerable opposition to the suggestion of research into this area and a marked reluctance to participate. This was surprising given that no information was sought relating to individual cases and that the aims of the study were to ascertain the attitudes and perceptions of operational staff towards the implementation of the protocol.

Interestingly, initial discussions also revealed a considerable degree of confusion as to who precisely was responsible for the effective operation of the protocol within each organisation. There appeared to be little evidence of a general understanding of the provisions and many individuals contacted knew little about the content or even the existence of the protocol.

From the limited number of responses that were obtained, it appears that there is significant concern from practitioners that organisations are uncertain of the information they are entitled to, and unsure of how to ask for it with no uniform method of communication. Another point to mention is that the protocol is thought to have only been partially implemented. This could be that it is only partially appropriate for its purpose, or, that not enough effort has been made to implement it fully.

This initial pilot study suggests that the protocol is not well known within the organisations contacted and that, even within those organisations, it is not assumed to have been fully implemented. This work has provided valuable evidence in support of a current bid for additional funding to conduct a more in-depth study of operational practice and attitudes towards the exchange of information in such cases. The results of this larger study should provide a clearer indication of the obstacles to the effective implementation of the protocol and its findings will be published in due course.

Socializing economic relationships: new perspectives and methods for analysing transnational risk regulation

Dania Thomas reports on the risk regulation workshop, winner of the 2009 seminar competition, held on 14–15 April 2010 at the Centre for Socio-Legal Studies, Oxford.

The timing of this international and interdisciplinary workshop was indeed fortuitous: a few weeks before what turned out to be a historical UK general election. It also followed the official end of the recession in the UK, against the backdrop of an imminent debt default and rioting in the streets of Athens, and – to top it all – ended with the first eruption of the Icelandic volcano.

In the call for papers for the workshop we focused on the questions of whether and how economic relationships can and should be socialized in order to regulate transnational risks. Our aim was to explore what it means to increasingly rely on a ‘social sphere’ as a regulatory tool.

We revisited *The Great Transformation*, Karl Polanyi’s classic (1944, Beacon Press, Boston) in which he argued that, over the course of history, changes in the relationship between the market system and society can be observed with markets being embedded in society before the nineteenth century and gradually disembedded during the Industrial Revolution. The regulatory ideologies that favour self-regulating markets reflect the Polanyian concept of disembeddedness. For us, this highlighted the contemporary relevance of the Polanyian thesis.

Markets are disembedded from society through the creation of property rights and an increasing reliance on regulatory fictions, such as the modern corporation. It follows from this that society itself becomes an adjunct to the market. Thus re-embedding markets – by subordinating them to society – seems to be a key regulatory prescription flowing from Polanyi’s work. On the basis of historical evidence that showed how the rise of fascism in continental Europe and eventually World War II could be traced to the dominance of the market system over society, he argued that societies ignored this prescription at their peril.

Twenty-five papers were presented at the workshop by speakers from the US, Australia and Europe. A total of 42 delegates attended. The workshop began with a keynote paper by Mitchel Abolafia, an economic sociologist, followed by seven panels and a roundtable. In his keynote, Abolafia argued that the recent economic crisis suggested that institutions embed market failure. Thus, speculative bubbles are set to recur if regulatory interventions framed in response to the credit crisis do not entail fundamental institutional change. Here, institutional embeddedness is a problem that could not be resolved without structural change, such as dismantling property rights. Abolafia’s early work on the social mechanisms of restraint that influenced traders on Wall Street challenged the assumption that their decisions could be understood as either solely individual or rational. For him, financial markets were essentially socially embedded. The trading floor was a social space. In a move away from the Polanyian idea of disembeddedness, for Abolafia ‘the social’ was not peripheral to market regulation but central to it.

This was a key theme of the whole workshop. It was reflected in papers that examined the socio-economic role and functions of private actors, the regulatory accommodation of forms of financial property defined by social rather than legal mechanisms of restraint and the organisational complexity of attempts to institutionalise the logic of markets into public settings. It was also reflected in the increasingly important but often overlooked role that emotions play in contemporary risk regulation.

The panel ‘The stories lawyers tell’ discussed both the inclusions and oversights in sovereign bond contracts. This session revealed the profound disjunction between lawyers’ narratives about contractual inconsistencies and the market perception that bond contracts are neutral mechanisms drafted to allocate transactional risk. The session suggested that sovereign bond contracts are best described as artefacts reflecting networks of social influence. The insight provided by this session into the rich empirical dataset of lawyer stories was a rare treat. This – combined with the textual analysis of bonds – also opened up new methodological possibilities for the analysis of risk regulation.

A number of the papers presented at the workshop built on two key parts of the Polanyian thesis: disembeddedness and re-embedding as a regulatory counter-move. First, some papers revealed that society and the market system should not be considered either as distinct or necessarily coherent spheres. For example, ‘society’ is increasingly fractured and ‘the social’ is often relocated within rather than outside the market system. Some argued that in certain situations re-embedding facilitates rather than impedes market proliferation. This complicates Polanyian re-embedding as a regulatory prescription.

Second, some papers suggested that the relocation of ‘the social’ complicates any straightforward correlation between market proliferation and protective regulatory counter-moves. For example, a social sphere was defined by some contributors as consisting of private actors, distinct from state intervention, in particular where organised within institutional frameworks. Further human rights interventions, for instance, do not necessarily re-embed economic relationships into social relationships because of their potential legitimacy and accountability deficits.

Finally, some papers recognised that effective social responses are often strategic rather than spontaneous social moves as Polanyi suggested. This work seems to be particularly relevant in light of current efforts of the new UK Conservative–Liberal coalition government to curtail the budgetary deficit with minimal regulation of the financial markets.

So far, the official UK government response to the credit crisis has been to mitigate the economic impact of unregulated financial speculation on credit markets by increasing liquidity and drastically curtailing public spending. This has arguably ended the recession in the short term but the early signs are that this ideologically driven policy may not be enough. The cuts in public spending combined with the absence of structural change in regulating financial markets, including the continuing exposure of banks to financial volatility, will eventually lead to more job losses, further drastic reductions in welfare provision and maybe even the widely predicted double-dip recession. In any event, the stage is set to make society responsible for what Polanyi argued were the inevitable costs of financial market dominance. In other words, the ‘Big Society’ (in UK Conservative Party speak) has to pay for the transgressions of the financial market while its benefits are largely confined to market players. This is evidenced, for instance, in the continuing political reluctance to significantly regulate management pay and bonuses.

In the context of a captive regulatory state, it is imperative to recognise that society’s response to counter the impact of unregulated markets can be co-opted to further market goals. Fortunately, workshops such as this one inform new critical thinking on regulation through the social sphere and hopefully sow seeds of dissent.

The workshop was a stimulating experience for all the participants. Thanks are due to Bettina Lange for her organisational skills and the additional administrative support and hospitality of our hosts the Centre for Socio-Legal Studies, University of Oxford.

The role of databases in transitional justice research

Louise Mallinder and Catherine O'Rourke summarise the outcomes of their transitional justice seminar attended by 30 delegates on 26 October 2010 in Belfast

This seminar explored some of the methodological issues and tensions in the construction of databases in transitional justice research. It further considered the implications of the growing role of databases in transitional justice research for the development and consolidation of knowledge in the field. Transitional justice has evolved as a field of scholarship and praxis since the mid-1980s. Today, it shapes decisions of domestic actors in countries moving away from tyranny and conflict and the policy priorities of intergovernmental organisations and donor states. However, efforts to evaluate transitional justice concepts and mechanisms systematically have only begun in recent years. Databases are emerging as a key part of this endeavour as the compilation of systematic and defined datasets enables researchers to conduct large comparative analyses of how legal processes operate at the domestic level – including their legal, political, social and cultural impacts – and to explore how they relate to international law.

The seminar was designed to facilitate discussion between the key scholars constructing databases in transitional justice research, along four themes, namely: (1) defining variables, categorising data; (2) issues of access – obtaining reliable and comprehensive data; (3) political and legal implications of data classification; and (4) the role of databases in consolidating and furthering transitional justice knowledge.

Thirty delegates attended the seminar. Almost all delegates had experience in the design, construction and/or consumption of transitional justice databases. Significantly, scholars were drawn from a range of disciplinary backgrounds, principally law, political science, policy studies, psychology and statistics. In addition, presentations were made by practitioners who use transitional justice databases as part of their advocacy work. A roundtable workshop format was adopted in the seminar, whereby each of the 15 speakers gave short presentations over the course of the day relating to the seminar themes, and the bulk of the day was dedicated to exchange and discussion of experiences, concerns and problem-solving approaches amongst all delegates. This format allowed more in-depth and focused discussion on specific issues.

One of the key benefits of the seminar was the opportunity to explore some of the different types of databases being used in transitional justice, principally: (a) large-N quantitative datasets recording a range of transitional justice mechanisms and including the widest possible range of countries; (b) more qualitative databases dedicated to mapping and analysing particular transitional justice phenomena (for example, amnesty laws or peace agreements); (c) databases involving detailed documentation of human rights trials in a single-country; and (d) archive-type databases that serve as a repository for all available data on a particular theme (for example, memorials in Northern Ireland). Over the course of the seminar, participants interrogated different philosophical assumptions, data collection techniques, means of verification and ethical issues arising from the different types of databases.

Key issues and points of discussion in the day concerned:

- Different disciplinary approaches and epistemological perspectives on the construction of databases.
- The value of adopting uniform definitions of transitional justice phenomena, and matching up variables, to facilitate greater harmonisation of data and databases. Such harmonisation would allow researchers to use one another's

work more readily. However, the value of pluralism in definitions and findings as a means to establish the robustness of each database/dataset was also discussed.

- The impact of uniformity in data entry through the use of controlled vocabularies to facilitate comparison between variables. Controlled vocabularies are commonly viewed as good practice in database construction, but when applied to politically sensitive transitional justice data they risk masking the uniqueness of particular phenomena or privileging particular political narratives.
- The merits of flexible definitions of transitional justice phenomena, in order to examine a broader set of cases, versus the need for systematic and consistent data and findings.
- Reconciling the context-driven nature of transitional justice mechanisms with the level of abstraction and generalisation required to construct large-N databases.
- Different approaches to standards in verifying data before inclusion in databases, such as requirements around the collection of exhaustive or probabilistic data, and the use of multiple sources.
- The challenge of incomplete data sources giving rise to bias in the databases, and the additional bias that results from analysing the findings of incomplete data sources.
- Ethical concerns in the collection, use and dissemination of data. This discussion noted that the dissemination of such data can have both positive and negative implications for addressing the needs of victims and reintegrating offenders. Furthermore, given the interest of policy makers in large-N quantitative studies, there are implications for international policy and the construction of transitional justice knowledge.
- The diverse purpose(s) of databases, for example, to inform policy, or practice, advocacy, or history.
- The potential for collaboration between researchers working on the different forms of transitional justice databases, in terms of methodological approaches, sharing access to data and funding sources.

The seminar concluded with more specific comments and reflections on the value of qualitative, descriptive databases as 'mapping' tools – for identifying the scope of practice, for example, in relation to amnesty laws or peace agreements, truth commissions, trials – versus the value of quantitative, statistical datasets in drawing conclusions about causality, patterns and impact, concerning the deployment of transitional justice mechanisms and securing sustained end of conflict and stable democratic institutions. Contributors disagreed on the value of databases for theory-testing versus theory-building. Discussion focused on the ability to deduce patterns and magnitude in transitional justice phenomena from inevitably incomplete data.

Participants expressed appreciation for the event as a unique and invaluable opportunity in developing awareness of their respective databases, in sharing expertise in the construction of databases, and most significantly, in exploring different approaches to common problems confronted in the construction of databases in transitional justice research. Further, the seminar was significant in addressing the need for greater consideration of methodological issues in transitional justice research.

Outlines of databases included in the day will be made available on the website of the Transitional Justice Institute at the University of Ulster, along with podcasts of several of the presentations made over the course of the day. The seminar organisers are investigating opportunities for publication of the papers as an edited volume or special collection. The seminar organisers will present a paper addressing themes discussed at the seminar at the 2011 SLSA annual conference.

www.transitionaljustice.ulster.ac.uk

Tribunal reform in Northern Ireland

The major reform of tribunals in Britain, which resulted in the creation of the Tribunals Service and the Administrative Justice and Tribunals Council, did not, for the most part, apply in Northern Ireland, and a similar review process for Northern Ireland did not occur, with the result that there remains a diversity of Northern Ireland tribunals and no oversight body with a remit in this area.

In June 2009, Law Centre (NI) commissioned Gráinne McKeever, University of Ulster, and Brian Thompson, University of Liverpool, to conduct research into tribunal reform in Northern Ireland, funded by a Nuffield Foundation grant. There were two main parts to the project. The first was a small, qualitative study of users of three different tribunals – Appeal Tribunals (social security), Industrial and Fair Employment Tribunals and the Special Educational Needs and Disability Tribunal – to understand their experience of tribunals. This involved interviews with tribunal appellants, claimants, respondents, representatives, chairs and members, and was developed in response to the lack of research on the experiences and perceptions of tribunal users in Northern Ireland. The second part was a scoping study, which explored – in interviews with court and tribunal judiciary, departmental officials and academics – the parameters, operational issues, possibilities and difficulties of tribunal reform, as well as the current gap in the arrangements for the oversight and accountability of tribunals.

Recommendations were made based on these two studies and a report, *Redressing Users' Disadvantage: Proposals for tribunal reform in Northern Ireland*, was launched at a major conference in Belfast in June 2010. The Lord Chief Justice of Northern Ireland, the Rt Hon Sir Declan Morgan, welcomed the report and endorsed its recommendations, which seek to secure the judicial independence of tribunals and to make him responsible for the training, welfare and guidance of tribunal personnel, mirroring the position with the judiciary in the courts. The Northern Ireland Minister for Justice, David Ford MLA, acknowledged the importance of tribunals and launched the departmental Tribunals Modernisation Strategy and Action Plan, which includes provisions to supply information and advice about tribunals to users and to gather information from users through a survey and by creating users' groups (also among the report's recommendations). The report also recommended the creation of an Administrative Justice Steering Committee to map the administrative justice system in Northern Ireland and consult on structural changes to tribunals.

The minister has announced the formation of a Reference Group in association with the Lord Chief Justice and the Ombudsman, which will map the administrative justice system and begin to develop options for reform. A further award by the Nuffield Foundation to Law Centre (NI) has now been made to examine how the information and advice needs of appellants can be more effectively met prior to a tribunal hearing and to examine the specific structural needs of tribunal reform in advance of tribunal legislation. This research will also be conducted by Gráinne McKeever and Brian Thompson.

The executive summary of the report is available on the Law Centre's website at www.lawcentreni.org/news/.

Gráinne McKeever and Brian Thompson

socio-legal people . . .

DR MELANIE O'BRIEN has recently taken up a research fellowship at the ARC Centre of Excellence in Policing and Security, Griffith University, Brisbane after completing her PhD at Nottingham University on national and international criminal jurisdiction over UN peacekeepers for gender-based crimes. [e melanie.obrien@griffith.edu.au](mailto:melanie.obrien@griffith.edu.au)

PROFESSOR MAURICE SUNKIN has been appointed editor of *Public Law* [e publiclaw@essex.ac.uk](mailto:publiclaw@essex.ac.uk).

Post-separation families and shared residence: setting the interdisciplinary research agenda for the future

Fewer children in the UK are being raised by families consisting exclusively of two biologically related parents and their other offspring. Post-separation family life raises important issues in both law and moral philosophy about how the care of children ought to be divided between parents and the extent to which certain types of family practices should be encouraged over others. The competing interests, rights and responsibilities on all sides must be addressed: for instance, how an equitable distribution of family responsibilities and privileges between parents can be achieved; how meaningful relationships, perhaps including wider kin networks, can be promoted within the context of this distribution; and how the interests and well-being of children should be defined, safeguarded and prioritised. This international research network will explore these issues from an interdisciplinary perspective and will receive contributions from non-academic stakeholders. It will concentrate on shared residence – where children alternate their family life across the two households of their separated parents – as a potential model for post-separation family life. The aim of the network is to develop a coherent, interdisciplinary research agenda for the ethical, legal and policy issues raised by post-separation family life in general, and shared residence in particular. Visit: www.haps.bham.ac.uk/primarycare/cbme/AHRCNetwork.shtml or contact [e f.a.masardo@bham.ac.uk](mailto:f.a.masardo@bham.ac.uk). The first meeting will take place on 6–7 January 2011. **Alexander Masardo**

Law Commission use of academic research

The Law Commission regularly draws on academic research and works with academics in a variety of ways. A paper about the Law Commission's use of research, written to assist the Society of Legal Scholars, the SLSA and the Association of Law Teachers in disseminating this information among researchers, is available at www.lawcom.gov.uk/working.htm.

Hurst Summer Institute in Legal History

The J Willard Hurst Summer Institute in Legal History takes place every two years and is sponsored by the Institute for Legal Studies and the American Society for Legal History. Each institute is chaired by a well-known legal historian and includes senior visiting scholars who lead specialised sessions. For each session, 12 junior scholars from around the world are selected as institute fellows who travel to Madison for two weeks to participate in seminars, meet other legal historians, and discuss their own work. The two-week programme is structured but informal and features discussions of core readings in legal history and analysis of the work of the participants in the institute. Closing date: **15 January 2011**. http://law.wisc.edu/ils/hurst_institute.htm

Mysterious theft of SLN back issues

A library vendor who manages the newsletter subscription for a prestigious library in continental Europe recently contacted us to report that three copies of the *Socio-Legal Newsletter* (issues 54, 55 and 60) had gone missing from the collection. It is believed that the newsletters were stolen. Michael Galda of library vendors G+L Wissenschaftliche Buchhandlung said: 'Usually security is good, but obviously there is an especially tricky "lover" of the newsletter among the readers . . .' He went on: 'Statistics show that the subjects most stolen from libraries are theology and law.' Replacements have been sent free of charge.

Authors wanted!

Steve Greenfield and Guy Osborn, University of Westminster School of Law, would be delighted to receive proposals, or discuss ideas for proposals, for books for the Routledge monograph series: *Studies in Law, Society and Popular Culture*. The series is interdisciplinary and aims to examine the relationship between the law and all areas of popular culture. Particular foci include the regulation of spheres of popular culture and representations of law within popular culture. 'Popular culture' is a broad and inclusive church that covers all aspects of leisure and culture, including but not confined to music, sport, film, media, night-time economy, art, literature, the internet etc. While law may well provide a useful vehicle for an analysis of cultural activities within society, the absence of law in a particular field may be just as important and worthy of consideration. Details of previous titles (for example, by David Fraser, Paul Chevigny and Barbara Villez) can be found at www.routledge.com/books/series. To discuss your proposal or idea, contact Guy [e g.osborn@westminster.ac.uk](mailto:g.osborn@westminster.ac.uk) or Steve [e s.greenfield@westminster.ac.uk](mailto:s.greenfield@westminster.ac.uk).

Guy Osborn and Steve Greenfield

Modern Law Review scholarships

The *Modern Law Review* has allocated £90,000 in financial support for research students engaged in doctoral research on any subject broadly within the publishing interests of the review. Awards are expected to range from £5000 to £10,000. Closing date for nominations: **1 May 2011**. Please see website for full details: www.modernlawreview.co.uk/scholarship.asp.

Postgraduate human rights training, York

On 30 September 2010, the Centre for Applied Human Rights at the University of York hosted a workshop on postgraduate human rights training. The workshop brought together scholars and practitioners to discuss the skills and knowledge needed for the next generation of human rights advocates and lawyers, and how those could best be taught in LLM and MA programmes. The workshop drew on the centre's experience with its MA in applied human rights and its newly launched LLM in international human rights law and practice. *Lars Waldorf*

Irish Legal History Society bursary

The society was established in 1989 to advance knowledge of the history of Irish law, especially by the publication of original documents and scholarly works – relating to the history of Irish law, including its institutions, doctrines and personalities – and the reprinting or editing of works of sufficient rarity or importance. Up to £1000 is available annually for postgraduate students researching any aspect of Irish legal history to subsidise travel expenses. Applications are now invited for the 2011 bursary. The closing date is **30 January 2011**. Full details on eligibility, as well as information about the society and an online membership form, are available at www.ilhs.eu. Contact Níamh Howlin [e n.howlin@qub.ac.uk](mailto:n.howlin@qub.ac.uk) or Thomas Mohr [e thomas.mohr@ucd.ie](mailto:thomas.mohr@ucd.ie) with queries. *Níamh Howlin*

British Academy visiting scholarships

The British Academy has announced a call for applications to its visiting scholars scheme for the year 2011–12. The scheme is intended to enable overseas postdoctoral academics to come to the UK for a period of between two and six months in order to carry out research in a British institution. The closing date for applications is **8 December 2010**. See British Academy website at www.britac.ac.uk/funding/guide/intl/visfells.html.

Courses

MSc in human rights and peacebuilding, Ulster

This interdisciplinary course is delivered by the Transitional Justice Institute, INCORE (International Conflict Research Institute) and the School of English, History and Politics at the University of Ulster. The programme will enable students to: gain insights into the legal protection of rights in transitional contexts, studying in a society in a process of transition; understand the basic tenets and controversies involved in the concept of peacebuilding; take advantage of the opportunities to specialise in identified areas; enhance the skills needed for working with human rights and/or peacebuilding in a range of sectors; apply for internship opportunities; and be taught by active researchers. See <http://prospectus.ulster.ac.uk>.

Lisa Gormley

LLM/MSc in international trade, Aberdeen

This course at Robert Gordon University combines academic and practical elements in the study of international trade with the legal framework, policy-driving organisations and economics. The objective is to provide a modern, multidisciplinary course that combines investigation into contemporary, topical and relevant subject material with the fostering and refining of legal research and transferable skills, thereby enhancing career prospects. In an ever-changing, competitive market, there is a need for professionals equipped with cutting-edge, up-to-date knowledge and understanding of commercially relevant aspects of international trade. www4.rgu.ac.uk/abs/postgraduate/page.cfm?pge=4958

Thorsten Lauterbach

LLM in international human rights law and practice, York

In October 2010, the Centre for Applied Human Rights at the University of York launched a new course with a diverse class of 16 students who hail from the UK, Canada, China, Egypt, Gaza, Italy, Pakistan, Rwanda, South Korea and the US. The student cohort includes lawyers and human rights advocates, as well as a Chevening Scholar and a Ford Foundation Scholar. The LLM is distinctive in its uniquely applied focus: it is partly taught through problem-based learning; it incorporates instruction by the international human rights defenders at risk who are visiting fellows at the centre; and it requires students to take a compulsory, three-term international human rights law clinic. As part of that clinic, students will do socio-legal projects with a range of human rights organisations in Malaysia (which includes a two-week field visit to that country). Students who choose not to go to Malaysia will work on a socio-legal project for a refugee advocacy group in York. *Lars Waldorf*

Postgraduate certificate in mediation and conflict resolution, Strathclyde

Expertise in mediation and conflict resolution is becoming essential in business and the public sector in Scotland. Family, community, small claims, commercial and workplace mediation are established, while recent legislation has led to the setting up of schemes for Additional Support for Learning and the Scottish Legal Complaints Commission. In addition, a number of professions regard conflict resolution and mediation skills as a key requirement of effective practice. This course offers a practical and theoretical introduction providing: specialised knowledge and practical mediation and negotiation skills; potential career advancement; a further academic qualification; a rigorous, multi-disciplinary perspective on conflict; opportunities for further research.

www.strath.ac.uk/humanities/courses/law/courses.

SEXUAL DIVERSITY IN THE JUDICIARY

Leslie Moran summarises his Stonewall Lecture of 24 June 2010, hosted by the Law Society and Bar Council: 'Sexual diversity in the judiciary; judicial experiences, institutional silence and recommendations for change'.

It is an opportune time to reflect on judicial diversity and the place of sexuality within that agenda. The topic engages two wide-ranging contemporary developments. The first has been called a 'revolution' (Judge 2010: 4) and is made up of a number of debates and reforms about judicial accountability, judicial legitimacy, confidence in the courts, judicial appointments and the qualities and virtues of judicial office to name but a few. The second is the emergence of a more egalitarian 'sexual citizenship' giving legal recognition to previously outlawed social relations and prohibiting longstanding discriminatory practices. Judicial reform and sexual citizenship have formally become bedfellows in the Constitutional Reform Act 2005. Section 64 introduces an obligation to 'encourage diversity in the range of persons available for selection' for judicial appointment. Section 61 creates a Judicial Appointments Commission (JAC) with a key role to play in the realisation of the diversity obligation.

In 2010, the Neuberger report (Neuberger 2010) concluded that the general project to turn the legal and policy objectives of a diverse judiciary into a reality has been deeply flawed. A coherent and comprehensive strategy to promote diversity has been 'lacking' (p 4). Sexual diversity posed a particularly difficult challenge. The JAC had generated no data about this. In response to this yawning gap, the report's reference to sexuality is very welcome. Its proposal to require data on 'sexual orientation' is a major step forward. However, the report is disappointing. Sexuality all too quickly disappears from the review. In the brevity of the consideration of sexual diversity, and in the paucity of recommendations to better integrate sexuality as a strand of judicial diversity, there is evidence of an ongoing unease about sexuality. In this article, I want to reflect on some of the challenges and offer a few modest proposals to advance this dimension of the judicial diversity project.

Institutional silence: making official data gaps

The gap in data on sexual diversity in the judiciary is not due to a lack of awareness of the importance of such data. *Judicial Diversity Strategy* (JAC 2006) shows that all the key players, the Lord Chancellor, Lord Chief Justice and JAC, are keenly aware of and have expressed a strong commitment to the collection of diversity data. But that joint communiqué explicitly limits diversity data collection to gender, ethnic origin, disability and professional background. It offers no explanation for the absence of reference to sexuality. An entry in my research diary, on 7 September 2006, made after a meeting with a senior official at the JAC reads: 'We get into the first big debate. I was asked, "Why do I think that there should be data on sexual orientation?" [The JAC] are certainly not going to ask for it. [The JAC official] agrees with Judge EW1's comment that sexual orientation has nothing to do with the role of the judge. As it is not relevant, don't count it.' (Moran 2006a) This provides a glimpse of at least one rationale that supports an official 'don't count it' approach. And subsequent opportunities open to the JAC to change this state of affairs (Allen 2009; Genn 2008) have been either unrecognised or missed. In short 'not relevant' and 'don't count it' have generated an enduring institutional silence.

It is important to nip in the bud a common pragmatic rationale for a lack of data on sexuality. It is captured in the apologetic phrase 'hard to reach'. Leaving aside the fact that sexuality research also includes heterosexuality, hardly a hard-to-reach group, the phrase also fails to capture the changing reality of domestic research on the experiences of legal professionals

who are members of 'sexual minorities'. In 2006, the Law Society of England and Wales published a pioneering study (Chittenden 2006). A second more extensive study is due for publication in late 2010 (Law Society and Interlaw, forthcoming 2010). The Law Society of Scotland's robust groundbreaking study (Robertson and Robertson 2006) is a quantitative project that includes demographic questions about sexuality. A key finding is that 3 per cent of respondents, 'indicated their sexual orientation is other than heterosexual' (p 5).

Private lives

Questions will have to be asked about the sexual composition of the judiciary present and future. When I raised this with a senior judge it was suggested any such proposal would 'go down like a lead balloon'. The same judge speculated that men and heterosexuals would find the question most problematic. The reason for the 'lead balloon' response was that the judiciary would regard the question as a reference to 'part of their private life' and, the judge added, that 'raises all sorts of interesting questions about the extent to which the judiciary's private lives are public property or should be'.

This brings me to a challenge at the heart of judicial diversity's engagement with sexuality. The association between sexuality and private life is a recurring theme of debates about sexuality and the judiciary (Moran 2006b). Through this association, 'sexuality' is a particular threat, with a potential to violate social and institutional taboos, contravene the norms of respectability and akin to an open invitation to scandalise the institution and sensationalise the lives of officeholders. This state of affairs relies on a series of myths about sexuality and, in the words of the Neuberger panel, these are myths that need to be 'busted'.

Myth 1: Private lives are lives lived in private

Judges commonly live aspects of their private sexual lives in public. Search for biographical data on the Justices of the UK Supreme Court on the internet. One of the first sources will be Wikipedia. Explicit details of the sexuality of 10 of the 12 Justices are to be found on their 'biographical pages'. It takes the form of data on marital status. Certainly, in the UK, up until the introduction of civil partnership, references to 'marriage' and to 'wives' (only one 'husband' is mentioned) suggested heterosexuality, though I accept 'husbands' and 'wives' are neither necessarily nor exclusively heterosexual. With these caveats in mind, the overwhelming majority, 10 out of 12 Supreme Court judges, have information about their heterosexuality in this very public setting. One criticism is that Wikipedia pages are not necessarily produced by or with the consent of their subject. Turn then to the pages of *Who's Who*, a directory that publishes information provided by the subject. The overwhelming majority of judicial entries include information about marital status, wives, children and now civil partners and 'partners' more generally. Michael Kirby, ex-Justice of the High Court of Australia followed this heterosexual convention by way of a reference to his long-term male partner in the pages of Australia's *Who's Who*. A flaw with this source is that it stands outside the judicial institution. These judges are speaking in a private rather than institutional capacity and context. Let's turn then to a judicial institutional setting.

My example is the Supreme Court of New South Wales, Australia, and that court's tradition of judicial swearing-in ceremonies, described variously as 'civic occasions', a 'ceremony of welcome', a 'celebration'. Each involves speeches by the pillars of respectable New South Wales society: government (the attorney general or his or her appointee), the legal professions (presidents of the Bar and of the Law Society) and the new judge. The speeches take the form of biographical summaries. They have a strong hagiographic quality, identifying and celebrating the values and virtues of their subject. All speeches during the period 1973–2009 make reference to sexuality, and it is mainly references to heterosexuality (Moran 2010). Making reference to a judge's

private sexual life is the norm in this judicial setting. Each speech has a double function. It describes the qualities, values and virtues of the individual appointee and at the same time the values and virtues of the judicial institution. The new appointee is made the living embodiment of the values and virtues of the institution. It is in this context that sexuality has relevance.

Let me demonstrate by reference to the ceremony for Justice Allsop. The attorney general made the following comment: 'One central aspect of your life which has not been mentioned is your devotion to your children . . . and your wife' (Hatzistergos 2008: 5). This reference to Justice Allsop's private life, his heterosexuality (marriage, wife, children) in a speech devoted to writing the life of the new judge as the embodiment of the qualities of judicial office is neither erroneous nor arbitrary. These private facts are chosen not only to depict key aspects of the individual judge's life but also to depict the official or public persona that he or she embodies.

'Devotion' is a personal virtue associated with the good heterosexual but also a judicial institutional virtue. A good judge must have and must demonstrate a proven capacity for devotion to law, devotion to the rule of law, to justice, to the judicial institution and the wider judicial family. In short reference to the sexual life of the judge is, in a speech dedicated to identifying and exemplifying his or her judicial qualities, the utilisation of a rich set of metaphors that puts the private to the use of the public. The good news for sexual diversity on the bench is that sexual lives of lesbians and gay men appointed to the New South Wales bench can also be used in a similar way.

Myth 2: Either merit or diversity

This brings me to the apparently knotty problem of 'merit' and its relation to diversity. If current legislation and contemporary commentary tends to separate out diversity from merit and cast diversity in the role of 'supporting actor' – a mere preliminary (a reading promoted by a narrow interpretation of s 64 of the Constitutional Reform Act 2005) or as an inconvenient, or troubling add-on – the study of the swearing-in speeches of the Supreme Court of New South Wales demonstrates that, at least in that legal community, merit and diversity are inescapably indistinguishable. I would strongly urge the JAC to read these swearing-in speeches as they demonstrate the way various sexualities offer equally rich sources of the qualities and virtues central to any idea of merit. In New South Wales, at least the legal professional imagination and political will are working to ensure that appointment on merit realises judicial sexual diversity. This is a far cry from the situation in England and Wales.

Sexual barriers to a judicial career

Evidence that sexual barriers do impact on legal and judicial careers is growing. The first sexual barrier is at the entry point into the legal profession. The Law Society of Scotland's report (Robertson and Robertson 2006) offers evidence of an under-

representation of lesbians, gay men and bisexuals in the legal professions in that jurisdiction. Is England and Wales significantly different? It's unlikely.

Once in the legal professions, there is evidence that sexuality may well generate barriers to legal and judicial careers. The Law Society's 2006 (Chittenden 2006) and 2010 studies (Law Society and Interlaw 2010) suggest decisions about where to work and areas of law to work in were informed by perceptions and expectations of prejudice and led some to career pathways that don't fit the standard career of judicial appointees. Senior practitioners, now well qualified for judicial appointment, having spent much of their legal career in contexts and under conditions in which it was difficult if not dangerous to be anything other than heterosexual, have little regard for a judicial career. A key finding of new research suggests lesbians and gay legal professionals work with an assumption that discrimination has an impact on judicial career prospects (Moran and Winterfeld forthcoming 2010). And current data on the composition of the judiciary offers much empirical support for these perceptions. And once on the Bench, gay men and lesbians may face distinctive challenges and particular demands (Moran 2006b).

There is much to be done. I conclude with a 'Top 10' wish list of low-cost reforms that should be read in conjunction with the Neuberger recommendations.

1. Data collection must include 'sexual orientation'.
2. Current statements about commitment to diversity must demonstrate a clear and positive commitment to sexual diversity.
3. All organisations tasked with selecting candidates for judicial appointment must better reflect the diversity now described in the Equality Act 2010.
4. All key judicial diversity advisory and policy development decision-making fora must incorporate sexual diversity stakeholders.
5. Judicial appointments panels must incorporate wider direct stakeholder participation.
6. The appointment process must be opened up to further public scrutiny. In particular, a transcript of the appointment interview of successful candidates for senior judicial appointment must be published and accompanied by a full CV.
7. Judicial studies must be a compulsory part of legal education (undergraduate and professional) with diversity a key topic.
8. All public judicial biographical data should be reviewed and refreshed to better represent the current diversity of the judicial family.
9. The Judges Council must establish a standing committee or a working party on equality and diversity with lesbian and gay judicial representation.
10. The judiciary must participate in the Stonewall Equality Workplace Index exercise.

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READ ALL ABOUT IT

In this section, we bring a wide variety of new publications to the attention of socio-legal readers.

Due to the vast amount of material submitted, priority is given in these pages to publications by current SLSA members or containing contributions from members. For obvious reasons, books take up the majority of space, but information on new journals and online material is also included when possible. If you would like your latest publication considered for inclusion in a future issue, please contact e marieselwood@btinternet.com.

Books

Feminist Judgments: From theory to practice (2010) Rosemary Hunter, Clare McGlynn and Erika Rackley (eds), Hart £22.95/€30 470pp

While feminist legal scholarship has thrived in universities and some sectors of legal practice, it has yet to have much impact within the judiciary or on judicial thinking. Thus, while feminist legal scholarship has generated comprehensive critiques of existing legal doctrine, there has been little opportunity to test or apply feminist knowledge in practice in decisions in individual cases. In this book, a group of feminist legal scholars put theory into practice in judgment form, by writing the 'missing' feminist judgments in key cases. The cases chosen are significant decisions in English law across a broad range of substantive areas. The cases originate from a variety of levels but are primarily opinions of the Court of Appeal or the House of Lords. In some instances, they are written in a fictitious appeal, but in others they are written as an additional concurring or dissenting judgment in the original case, providing a powerful illustration of the way in which the case could have been decided differently, even at the time it was heard. Each case is accompanied by a commentary that renders the judgment accessible to a non-specialist audience.

Religion, Race, Rights: Landmarks in the history of modern Anglo-American law (2010) Eve Darian-Smith, Hart £17.95 332pp

The book highlights the interconnections between three framing concepts in the development of modern Western law: religion, race and rights. The author challenges the assumption that law is an objective, rational and secular enterprise by showing that the rule of law is historically grounded and linked to the particularities of Christian morality, the forces of capitalism dependent upon exploitation of minorities, and specific conceptions of individualism that surfaced with the Reformation in the sixteenth century and rapidly developed in the Enlightenment in the seventeenth and eighteenth centuries. Drawing upon landmark legal decisions and historical events, the book emphasises that justice is not blind because our concept of justice changes over time and is linked to economic power, social values and moral sensibilities that are neither universal nor apolitical. Highlighting the historical interconnections between religion, race and rights aids our understanding of contemporary socio-legal issues.

International and European Documents on Child and Young Workers and Modern Forms of Child Slavery (2010) Kadriye Bakirci and Graham Ritchie \$36.41 432pp

Child labour and violation of the rights of children and young persons is an increasing problem in all countries. The purpose of this compendium is to provide in one source the international and European legal framework of the subject, including international and European documents on child and young workers, modern forms of child slavery (child prostitution, pornography, sale and trafficking), child ombudspersons and labour inspection. The book constitutes an important tool for all those working in the field of children and young people's rights.

Lacey, Wells and Quick: Reconstructing criminal law 2nd edn (2010) Celia Wells and Oliver Quick, Cambridge University Press £90hb/£48pb 942pp

Since the publication of the first edition, this book has offered one of the most distinctive and innovative approaches to the study of criminal law. Looking at both traditional and emerging areas, such as public order offences and corporate manslaughter, it offers a broad and thorough perspective on the subject. Material is organised thematically, signposted at the beginning of each section to allow students to navigate through the different fields. This edition looks at topical issues such as policing, the Serious Crime Act 2007, and reform of the Fraud Act 2006. Relevant case law and extracts from the most topical and engaging debates on the subject give the content immediacy.

Film and the Law: The cinema of justice 2nd edn (2010) Steve Greenfield, Guy Osborn and Peter Robson, Hart 392pp £30/€39

This heavily revised and improved edition is distinctive in a number of ways: it is unique as a sustained book-length exposition on law and film by law scholars; it is distinctive within law and film scholarship in its attempt to plot the parameters of a distinctive genre of law films; its examination of law in film as place and space offers a new way out of the law film genre problem, and also offers an examination of representations of an aspect of legal practice, and legal institutions, that has not been addressed by other scholars. It is original in its contribution to work within the wider parameters of law and popular culture and offers a sustained challenge to traditional legal scholarship, amply demonstrating the practical and the pedagogic, as well as the moral and political significance of popular cultural representations of law.

Conflict in the Caucasus (2010) James A Green and Christopher PM Waters, Palgrave Macmillan £60 200pp

In August 2008, long-standing tensions in the Caucasus region came to a head when Georgia dispatched troops into South Ossetia, with a view to re-establishing Georgian sovereignty over the area. In response, Russia launched a large-scale military intervention into the state of Georgia. Its use of force went beyond the boundaries of South Ossetia into another breakaway region, Abkhazia, and also into Georgia proper. In this volume, world-renowned scholars address multiple dimensions of that violent conflict and its aftermath, from the use of force to human rights and from transnational litigation to the use of international law 'rhetoric'. Drawing on a range of perspectives from international law, as well as international relations, the book probes the key issues arising from the particulars of the 2008 conflict and explores the wider implications for an international legal order based on the rule of law.

Localizing Transitional Justice: Interventions and priorities after mass violence (2010) Rosalind Shaw and Lars Waldorf (eds) Stanford University Press £24.95 344pp

Through war crimes prosecutions, truth commissions, purges of perpetrators, reparations and memorials, transitional justice practices work under the assumptions that truth-telling leads to reconciliation, prosecutions bring closure, and justice prevents the recurrence of violence. But when local responses to transitional justice destabilise these assumptions, the result can be a troubling disconnection between international norms and survivors' priorities. *Localizing Transitional Justice* traces how ordinary people respond to – and sometimes transform – transitional justice mechanisms, laying a foundation for more locally responsive approaches to social reconstruction after mass violence and egregious human rights violations. Recasting understandings of culture and locality prevalent in international justice, this vital book explores the complex, unpredictable and unequal encounter among international legal norms, transitional justice mechanisms, national agendas, and local priorities and practices.

Emile Durkheim: Justice, morality and politics (2010) Roger Cotterrell (ed), Ashgate £155hb 475pp

This collection of essays focuses on three closely connected aspects of Emile Durkheim's work: his sociology of justice, his sociology of morality and his political sociology. These areas of his thought are the most relevant and practical today in considering fundamental problems of contemporary societies and they provide many of the most important insights of his social theory. The volume aims to present Durkheim's thought in an unusual and revealing light and to show him as a key social and political thinker for the twenty-first century. The sociologies of justice, morality and politics provide, amongst other things, a general context for Durkheim's understanding of the nature and purposes of public regulation. As such, they establish the broader moral-political framework in which his sociology of law was developed.

Regulatory Surrender: Death, injury and the non-enforcement of law (2010) Steve Tombs and David Whyte, Institute of Employment Rights £8

This book documents how, during its time in office, New Labour's desire to reduce the 'burdens' on businesses emasculated the regulatory system that existed to prevent death and injury at work. Moreover, the key regulator, the Health and Safety Executive (HSE), was no unwitting victim in this process – as the authors document, it anticipated and embraced many of the changes towards a lighter-touch regulatory system. Drawing upon a mass of data generated through freedom-of-information requests, *Regulatory Surrender*, reveals how, in the last decade, the HSE has colluded in a policy process that now leaves it incapable of adequately enforcing safety law. During that time there has been a 69 per cent fall in the numbers of inspections made of business premises; a 63 per cent decline in investigations of safety incidents at work; and a 48 per cent reduction in prosecutions. This collapse in inspection, investigation and enforcement has dramatically reduced the chances of businesses being detected and prosecuted for committing safety crimes. The Institute of Employment Rights has made the book available to individuals at the trade union/student rate of £8. Contact: e office@ier.org.uk.

Muslim Marriage in Western Courts: Lost in transplantation (2010) Pascale Fournier, Ashgate £49.50 228pp

This book describes and analyses the notion of mahr, the Muslim custom whereby the groom has to give a gift to the bride in consideration of the marriage. It explores how Western courts, specifically in Canada, the United States, France and Germany, have approached and interpreted mahr. Returning to the overarching concept of liberalism, the book proposes that distributive consequences rather than recognition occupy a central place in the evaluation of the legal options available to Muslim women upon divorce.

Disarming the Past: Transitional justice and ex-combatants (2010) Ana Cutter Patel, Pablo de Greiff and Lars Waldorf (eds), Social Science Research Council £20.50 288pp

Over the past 20 years, international donors have invested in large-scale disarmament, demobilisation and reintegration (DDR) programmes. In the same period, there has been a proliferation of transitional justice measures to help render truth, justice and reparations in the aftermath of state violence and civil war. Yet DDR programmes are seldom analysed to consider justice-related aims; and transitional justice mechanisms rarely articulate strategies for co-ordinating with DDR. *Disarming the Past* examines how these two types of initiatives have connected – or failed to connect – in peacebuilding contexts, and begins to articulate how future DDR programmes ought to link with transitional justice aims. The book is the result of a research project of the International Center for Transitional Justice.

Women, Murder and Femininity: Gender representations of women who kill (2010) Lizzie Seal, Palgrave Macmillan £55 216pp

This book examines how women who kill have been perceived in terms of their gender, exploring how murder by women is seen as especially transgressive and examining the impact this has on how women who kill are viewed. The study focuses on murders by women that are considered to be particularly unusual. Lizzie Seal develops a typology of five main representations of such women, including the 'masculine woman' and the 'witch', and uses it in order to analyse specific causes. The book covers well-known examples such as Myra Hindley, Rose West, Lizzie Borden and Aileen Wuornos, as well as presenting original research into cases from mid-twentieth-century England and Wales, arguing that portrayals of women who kill can shed light on the hopes, fears and anxieties of the wider culture.

Human Rights at Work: Perspectives on law and regulation (2010) Colin Fenwick and Tonia Novitz (eds), Hart Publishing £35/€45pb £75/€98 636pp

Concerns associated with globalisation of markets, exacerbated by the 'credit crunch', have placed pressure on many nation states to make their labour markets more 'flexible'. In so doing, many states have sought to reduce labour standards and to diminish the influence of trade unions as the advocates of such standards. One response to this development, both nationally and internationally, has been to emphasise that workers' rights are fundamental human rights. This collection of essays examines whether this is an appropriate or effective strategy. The book begins by considering the translation of human rights discourse into labour standards, namely how theory might be put into practice. The remainder of the book tests hypotheses posited in the first chapter and is divided into three parts. The first part investigates how workers' rights are treated as human rights in the domestic legal context. The second part consists of essays that analyse the operation of regional or international systems for human rights promotion and their particular relevance to the treatment of workers' rights as human rights. The final part consists of chapters that explore regulatory alternatives to the traditional use of human rights law.

Journal of Law and Society (Winter 2010)

Articles

Making the case for socio-legal research in land law: Renner and the law of mortgage – Lisa Whitehouse

The compensation culture: cliché or cause for concern? – James Hand

Rural identity in the 21st century: a community of crofters or crofting communities? – Nicole Busby and Calum Macleod

Queer(ed) risks: life insurance, HIV/AIDS and the 'gay question' – Neil Cobb

Queer kinship practices in non-western contexts: French Polynesia's gender-variant parents and the law of La République – Aleardo Zanghellini

Book reviews

Between Governing and Governance: On the emergence, function and form of Europe's post-national constellation by Poul F Kjaer – Chris Thornhill

Telling Tales about Men: Conceptions of conscientious objectors to military service during the First World War by Lois Bibbings – Richard Collier

Foucault's Monsters and the Challenge of Law by Andrew N Sharpe – Gary Wickham

Bonfire of the Liberties by KD Ewing – Helen Fenwick

How to do Things with Rules (2010) William Twining and David Miers, Cambridge University Press £65hb £27.99pb 450pp

New to English law? Need to know how rules are made, interpreted and applied? This popular and well-established textbook will show you how. It simplifies legal method by combining examples with an account of rules in general: the who, what, why and how of interpretation. Starting with standpoint and context, it identifies factors that give rise to doubts about the interpretation of a rule and recommends a systematic approach to analysing those factors. Questions and exercises integrated in the text and on the accompanying website will help you to develop skills in reading, interpreting and arguing about legal and other rules. The text is fully updated on developments in the legislative process and the judicial interpretation of statutes and precedent. It includes a new chapter on 'The European Dimension' reflecting the changes brought about by the Human Rights Act 1998.

Foucault and Law (2010) Ben Golder and Peter Fitzpatrick (eds), Ashgate £150 566pp

Few thinkers can have had a more diverse or a more contested impact on theorising law than Michel Foucault. This diversity is reflected in the wide range of Foucault's work and of the intellectual fields it has so conspicuously influenced. Such diversity informs the present collection and is signalled in the headings of its four sections: epistemologies (archaeology, discourse, orientalism); political philosophy (discipline, governmentality and the genealogy of law); embodiment, difference, sexuality and the law; and the subject of rights and ethics. While the published work selected for this collection amply accommodates this diversity, it also draws together strands in Foucault's work that coalesce in seemingly conflicting theories of law. Yet the editors are also committed to showing how that very conflict goes to constitute for Foucault an integral and radical theory of law. This theory ranges not just beyond the restrained and diminished conceptions of law usually derived from Foucault, but also beyond the characteristic concern in jurisprudence and legal philosophy to constitute law in its difference and separation from other socio-political forms.

Health Systems Governance in Europe (2010) Elias Mossialos, Govin Permanand, Rita Baeten and Tamara K Hervey, Cambridge University Press £80hb £29.99pb 784pp

There is a fundamental contradiction at the core of health policy in the EU that makes it difficult to draw a line between EU and member state responsibilities. This raises a number of difficult questions for policy makers and practitioners as they struggle to interpret both 'hard' and 'soft' laws at EU and member state level and to reconcile tensions between economic and social imperatives in health care. The book addresses these complex questions by combining analysis of the underlying issues with carefully chosen case studies that illustrate how broader principles are played out in practice. Each chapter addresses a topical area in which there is considerable debate and potential uncertainty. The book thus offers a comprehensive discussion of a number of current and emerging governance issues in EU health policy, including regulatory, legal, 'new governance' and policy-making dynamics, and the application of the legal framework in these areas.

Law, Language and Communication: new series from Ashgate: call for proposals

The new series seeks to encourage innovative and integrated perspectives within and across the boundaries of law, language and communication, with special emphasis on issues of communication in specialised socio-legal and professional contexts. If you have a proposal you would like to submit for this series, email series editors Anne Wagner [e valwagnerfr@yahoo.com](mailto:valwagnerfr@yahoo.com) or Vijay Kumar Bhatia [e enbhatia@cityu.edu.hk](mailto:enbhatia@cityu.edu.hk) or publisher Alison Kirk [e akirk@ashgatepublishing.com](mailto:akirk@ashgatepublishing.com).

Journal news: calls for papers

The following journals currently have calls open. Please contact the relevant journal for details.

The **Hague Journal on the Rule of Law** provides a forum for the rapidly expanding field of the rule of law, encapsulating cutting-edge study from all related disciplines. For more information, visit [w www.journals.cambridge.org/rol](http://www.journals.cambridge.org/rol).

International and Comparative Law Quarterly publishes papers on public and private international law and also comparative law. The journal encourages innovative and original articles that explore the interconnectedness between the legal subject areas. [w www.journals.cambridge.org/iclq](http://www.journals.cambridge.org/iclq)

The editors of the **Journal of Social Welfare and Family Law** are inviting article submissions and submissions to the case commentaries section in the relevant social welfare and family law disciplines. [w www.tandf.co.uk/journals/RJSF](http://www.tandf.co.uk/journals/RJSF)

The editors of **Education and the Law** are also inviting submissions. This is an academic journal addressing all aspects of the law relating to primary, secondary, tertiary and higher education. [w www.tandf.co.uk/journals/cetl](http://www.tandf.co.uk/journals/cetl)

The **Journal of Academic Legal Studies** has reopened to submissions. The journal is intended as a platform for young researchers and students, and covers all aspects of academic legal research. Proposals from more established academics are invited for the second section on politics, law and political trials. Visit: [w www.joals.org/engine/index.php/joals](http://www.joals.org/engine/index.php/joals).

The **International Journal of Law in Context** invites contributions on the theme of health and human rights for a special issue in 2011. Papers addressing any area of law are welcome. Closing date: **14 January 2011**. The journal is also seeking a new editor. [w http://journals.cambridge.org/action/displayJournal?jid=IJC](http://journals.cambridge.org/action/displayJournal?jid=IJC)

Sociology, the journal of the British Sociological Association, has issued a call for a special issue addressing human rights as a crucial theme of contemporary sociology globally. Closing date: **31 July 2011**. [w www.britisoc.co.uk/publications/pubsvacancies.htm](http://www.britisoc.co.uk/publications/pubsvacancies.htm)

The **Irish Journal for Legal Studies** invites submissions for a special issue on 'Irish Approaches to Justice'. Closing date: **28 February 2011**. [w www.slsa.ac.uk/content/view/176/277/#IJLS](http://www.slsa.ac.uk/content/view/176/277/#IJLS)

The **Northern Ireland Legal Quarterly** has issued a call for papers for a special issue on 'Bench and Bar: The (dis)appearance of Britain'. Closing date: **31 December 2010**. [w www.slsa.ac.uk/content/view/176/277/#NILQ](http://www.slsa.ac.uk/content/view/176/277/#NILQ)

Maurice Sunkin has been appointed as the new editor of **Public Law**. The journal would welcome papers from socio-legal researchers on issues relating to public law. Contact: [e publiclaw@essex.ac.uk](mailto:publiclaw@essex.ac.uk).

Social and Legal Studies 19(4)

The constitutionalization of employment relations: pernicious problems, multiple models – Harry Arthurs

Subversive property: reshaping malleable spaces of belonging – Sarah Keenan

The law of foreign buildings: flat roofs and minarets – Michael Guggenheim

Between a hunch and a hard place: making suspicion reasonable at the Canadian border – Anna Pratt

Current multi-disciplinary definitions and understandings of 'paedophilia' – Karen Harrison, Rachel Manning and Kieran McCartan

Debate and dialogue

Embryonic hopes: controversy, alliance, and reproductive entities in law and the social sciences

- **HAMLIN LECTURES 2010**

1, 7 AND 14 December 2010: *University of Edinburgh, University of Strathclyde, University of London*

This year's lectures will be delivered by Professor Alan Paterson OBE of the University of Strathclyde. Theme: 'Lawyers and the public good'. <http://socialsciences.exeter.ac.uk/law/hamlyn/lectures/>

- **POST-SEPARATION FAMILIES AND SHARED RESIDENCE**

6-7 January 2011: *University of Birmingham*

Focusing primarily on the cross-cutting philosophical and ethical issues raised by post-separation family life and the content and procedures being adopted in family law within different jurisdictions, this AHRC-funded research network will bring together academics from different disciplines and non-academic stakeholders from the UK, EU and beyond. Contact: [e f.a.masardo@bham.ac.uk](mailto:f.a.masardo@bham.ac.uk)
[w www.haps.bham.ac.uk/primarycare/cbme/AHRCNetwork.shtml](http://www.haps.bham.ac.uk/primarycare/cbme/AHRCNetwork.shtml)

- **POSTGRADUATE CONFERENCE ON RESEARCH AND PRACTICE IN CRIME, LAW AND JUSTICE: CALL**

14 January 2011: *Cardiff University*

This one-day multidisciplinary conference hosted by the postgraduate committee of the Centre for Crime, Law and Justice, Cardiff University will bring together students from a variety of disciplines with a common interest. Papers are invited on any topic related to crime, law and justice from any disciplinary background. Send abstracts (250 words, including name, school, university, year of study and presentation title) to [e cljconference@cardiff.ac.uk](mailto:cljconference@cardiff.ac.uk) by 6 December 2010.

- **LEARNING IN LAW ANNUAL CONFERENCE (LILAC11)**

28-29 January 2011: *University of Warwick*

The conference programme is now available.
[w www.ukcle.ac.uk/newsevents/lilac/index.html](http://www.ukcle.ac.uk/newsevents/lilac/index.html)

- **THE PASSIONS OF INTERNATIONAL CRIMINAL LAW**

10 February 2011, 6-7.30pm: *SOAS, London*

Public talk and discussion presented by London Transitional Justice Network and the School of Law, School of Oriental and African Studies (SOAS). Speaker: Gerry Simpson, Director of the Asia-Pacific Centre for Military Law at Melbourne Law School and a professor of public international law at the London School of Economics. Organiser: Professor Chandra Sriram [e chandra.sriram@soas.ac.uk](mailto:chandra.sriram@soas.ac.uk)

- **PROTECTING AND REPRESENTING PARENTS**

11 February 2011, 2.30-6.30pm: *Brunel Law School, Uxbridge*

This seminar will include a presentation by Professor Judith Masson: "Midwives to misery" or "the best job in the world"? Representing parents in care proceedings; as well as sessions on child-to-parent abuse, screening for domestic violence in mediation, and fact-finding hearings in contact disputes. Contact: [e christine.piper@brunel.ac.uk](mailto:christine.piper@brunel.ac.uk)

- **THE ROLE OF COURTS IN A DEMOCRACY**

11 February 2011: *Magdalen College, Oxford*

Organised by the Foundation for Law, Justice and Society with the Centre for Socio-Legal Studies, Oxford, this public debate, chaired by Joshua Rozenberg, will examine the role of the UK Supreme Court and feature panellists including UK Supreme Justice Sir John Dyson and Professor Richard Bellamy, University College London. The debate will address the current national demand for constitutional reform and public participation in constitutional affairs, which has so far largely neglected the role of a prominent third player: the courts. In recent decades, judges in democracies around the world have increasingly found themselves called upon to decipher constitutional texts in order to arbitrate on disputes affecting public policy issues. This debate will examine whether a stronger role for courts and judges betters a democratic polity in general, with particular reference to the transferral of judicial authority from the House of Lords to the UK Supreme Court. [w www.fljs.org/Courts](http://www.fljs.org/Courts)

- **JUSTICE? - WHOSE JUSTICE? PUNISHMENT, MEDIATION OR RECONCILIATION?**

3-5 March 2011: *Institute of Advanced Legal Studies, London*

This Second Biennial War Crimes conference will explore themes surrounding judicial roles and responses to war crimes and responses to such initiatives. [w www.sas.ac.uk/events/visitor_events.php?](http://www.sas.ac.uk/events/visitor_events.php?)

- **CONGRESS OF NORDIC EDUCATIONAL RESEARCH ASSOCIATION (NERA): RIGHTS AND EDUCATION**

10-12 March 2011: *University of Jyväskylä, Finland*

Theme: 'Human rights in the context of education and the educational sciences'. The congress aims to provide an interdisciplinary forum for approaching an enhanced understanding of rights in the fields of education, education policy and education research. NERA 2011 seeks to combine academic expertise and pedagogical perspectives, including those of human rights education. Deadline for registration: 20 February 2011. All information is available at [w www.confedent.fi/nera2011](http://www.confedent.fi/nera2011).

- **PEACE AND (IN)SECURITY: CANADA'S PROMISE, CANADA'S PROBLEM? CALL**

4-6 April 2011: *University of Birmingham*

The British Association for Canadian Studies (BACS) invites paper proposals related to notions of peace and (in)security pertaining across, within and beyond the field of Canadian studies. Proposals for 20-minute papers, to be presented in either English or French, are invited from any single disciplinary or multidisciplinary perspective. Multidisciplinary, interdisciplinary and comparative panel proposals, including those from postgraduate students, are welcome. Call closes: 14 December 2010. Enquiries and proposals to: Jodie Robson, BACS administrator [e canstuds@gmail.com](mailto:canstuds@gmail.com)
[w http://sites.google.com/site/bacsconference2011/](http://sites.google.com/site/bacsconference2011/)

- **INTERNATIONAL LABOUR PROCESS CONFERENCE**

5-7 April 2011: *University of Leeds*

The primary focus of this International Labour Process conference is work and employment relations in the context of the broader political economy, with an emphasis on employee perspectives and theory-led empirical research. Visit: [w www.ilpc.org.uk](http://www.ilpc.org.uk) for details.

- **APPLIED LEGAL STORYTELLING - CHAPTER 3 TRAIL BLAZING ON THE GREAT DIVIDE: CALL**

8-10 July 2011: *University of Denver, Sturm College of Law*

Call for proposals for the third biennial International Applied Legal Storytelling Conference. It fosters innovative collaboration and exciting dialogue about the persuasive use of story across the spectrum of lawyering skills. The call for proposals document and further information about the conference are available via [w www.lwionline.org](http://www.lwionline.org). The deadline for submissions is 7 December 2010. Questions should be directed to Robert McPeake at [e r.j.mcpeake@city.ac.uk](mailto:r.j.mcpeake@city.ac.uk).

- **INTERNATIONAL ROUNDTABLE FOR THE SEMIOTICS OF LAW: INTERCULTURAL AWARENESS IN LEGAL LANGUAGE**

11-13 November 2011: *Fluminense Federal University, Niterói/Rio de Janeiro, Brazil*

The roundtable will focus on the contribution of legal semiotics to the different ways of thinking the 'legal' in a world's cultural diversity. It will put together scholars of legal semiotics to discuss the influences of cultural and linguistic diversity on the construction of meaning in national law and international law. Proposals in English, Spanish, French or Portuguese (max 300 words) should be emailed by 15 May 2011 to [e irsl2011@gmail.com](mailto:irsl2011@gmail.com), Evandro Carvalho [e evandro.carvalho@gmail.com](mailto:evandro.carvalho@gmail.com) and Anne Wagner [e valwagnerfr@yahoo.com](mailto:valwagnerfr@yahoo.com). Selected papers will be published in a special issue of the *International Journal for the Semiotics of Law*.

- **LEGAL BIOGRAPHIES PROJECT**

2010-2011: *London School of Economics (LSE)*

Ken Clarke: an interview with Mr Justice Cranston: 9 December 2010: Sheikh Zayed Theatre, LSE 6.30pm

Loy et Loyauté: Lord Sumner (1859-1934): 'Hopelessly reactionary', political Law Lord or bold knight-errant of the common law and constitution? by Professor Tony Lentin: 18 January 2011, Moot Court Room, 7th floor, New Academic Building, LSE, 6.30pm

A Tour of Judicial Portraits at Lincoln's Inn by Professor Leslie Moran: 8 February 2011 5.30pm. To attend this event, please contact Bradley Barlow at [e b.barlow@lse.ac.uk](mailto:b.barlow@lse.ac.uk). Numbers are strictly limited and admission is by ticket only.

SLSA CONFERENCE 2011 BRIGHTON

Call for papers

We welcome abstract submissions for all the streams and themes listed below. You are also invited to contact the stream/theme organisers if you want to discuss your idea for a paper prior to submitting an abstract. Submission of abstracts must be made as Word documents to the following email address: [e slsaconference@sussex.ac.uk](mailto:slsaconference@sussex.ac.uk).

Once your abstract has been submitted, it will be sent to the relevant stream or theme organiser for their consideration.

Abstracts should be a maximum of 300 words and must include your title, name and institutional affiliation and your email address for correspondence. State in the subject section of your email that you are submitting an abstract for SLSA 2011 with the name of the stream or theme. Deadline for the submission of abstracts is **17 January 2010**.

Full details of the call for papers and all other information relating to the conference can be found at: [w www.sussex.ac.uk/law/newsandevents/slsa-conference/](http://www.sussex.ac.uk/law/newsandevents/slsa-conference/).

Themes

Auditors, advocates and experts: monitoring, negotiating and (re)creating rights

Convenor: Heath Cabot, Princeton University
[e hcabot@princeton.edu](mailto:hcabot@princeton.edu)

Challenging ownership: meanings, space, time and identity

Convenors: Penny English, Anglia Ruskin University
[e Penny.English@anglia.ac.uk](mailto:Penny.English@anglia.ac.uk)
Sarah Blandy, University of Leeds
[e s.blandy@leeds.ac.uk](mailto:s.blandy@leeds.ac.uk)
Helen Carr, University of Kent
[e h.p.carr@kent.ac.uk](mailto:h.p.carr@kent.ac.uk)

Criminalising commerce?

Convenors: Christine Parker, University of Melbourne
[e c.parker@unimelb.edu.au](mailto:c.parker@unimelb.edu.au)
Fiona Haines, University of Melbourne
[e fsh@unimelb.edu.au](mailto:fsh@unimelb.edu.au)

Modalities of law, violence and state practice in South Asia

Convenors: Pratiksha Baxi, Jawaharlal Nehru University
[e pratiksha.baxi@googlemail.com](mailto:pratiksha.baxi@googlemail.com)
Anupama Roy, Jawaharlal Nehru University
[e royanupama07@gmail.com](mailto:royanupama07@gmail.com)
Ujjwal Kumar Singh, University of Delhi
[e ujjwalksingh@gmail.com](mailto:ujjwalksingh@gmail.com)

Socio-legal approaches to international economic law: text, subtext, context

Convenor: Amanda Perry-Kessaris, School of Oriental and African Studies, University of London
[e a.perry-kessaris@soas.ac.uk](mailto:a.perry-kessaris@soas.ac.uk)

Systems, complexity and autopoiesis: critical perspectives and applications

Convenor: Tom Webb, Lancaster University
[e t.webb@lancaster.ac.uk](mailto:t.webb@lancaster.ac.uk)

If your proposed paper does not fall within one of the above streams/themes, please send your abstract to Dave Cowan [e d.s.cowan@bristol.ac.uk](mailto:d.s.cowan@bristol.ac.uk). Any abstract submitted to a stream or theme listed above which, in the judgment of the convenor does not fit within that stream or theme, will be passed to the appropriate convenor.

Subject streams and convenors

Administrative justice

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

Banking and finance law

Clare Chambers [e clare.chambers@uwe.ac.uk](mailto:clare.chambers@uwe.ac.uk)

Conflict and security law

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Noelle Higgins [e noelle.higgins@dcu.ie](mailto:noelle.higgins@dcu.ie)

Constitutionalism and governance

Craig Lind [e c.lind@sussex.ac.uk](mailto:c.lind@sussex.ac.uk)

Criminal law and justice

Heather Keating [e h.m.keating@sussex.ac.uk](mailto:h.m.keating@sussex.ac.uk)

European Union

Jackie Jones [e jackie.jones@uwe.ac.uk](mailto:jackie.jones@uwe.ac.uk)

Family law and policy

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

Gender, sexuality and the law

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Human rights and international criminal law

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Information technology law and cyberspace

Mark O'Brien [e mark.o'brien@uwe.ac.uk](mailto:mark.o'brien@uwe.ac.uk)

Intellectual property

Jasem Tarawneh [e jasem.tarawneh@manchester.ac.uk](mailto:jasem.tarawneh@manchester.ac.uk)

Intersectionality

Charlotte Skeet [e c.h.skeet@sussex.ac.uk](mailto:c.h.skeet@sussex.ac.uk)

Labour law

Michael Jefferson [e m.jefferson@sheffield.ac.uk](mailto:m.jefferson@sheffield.ac.uk)

Law and literature

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Lawyers and legal professions

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John Flood [e john@johnflood.com](mailto:john@johnflood.com)

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Sports law

Ben Livings [e ben.livings@sunderland.ac.uk](mailto:ben.livings@sunderland.ac.uk)

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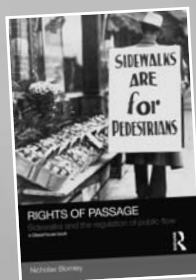
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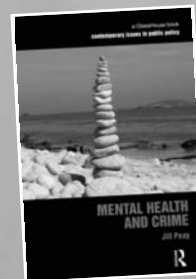
December 2010: 240pp
Hb: 978-0-415-57539-3: ~~£75.00~~ £63.75



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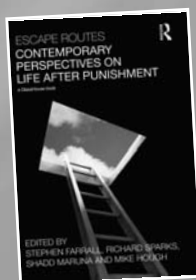
Series: *Social Justice*
October 2010: 144pp
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Mental Health and Crime Jill Peay, London School of Economics and Political Science, UK

Does mental disorder cause crime? Does crime cause mental disorder? And if either of these could be proved to be true what consequences should stem for those who find themselves deemed mentally disordered offenders? *Mental Health and Crime* examines the nature of the relationship between mental disorder and crime, and concludes that the broad definition of what is an all too common human condition – mental disorder – and the widespread occurrence of an equally all too common human behaviour – that of offending – would make unlikely any definitive or easy answer to these questions.

Series: *Contemporary Issues in Public Policy*
September 2010: 232pp
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Escape Routes *Contemporary Perspectives on Life After Punishment* Edited by Stephen Farrall, Richard Sparks, Shadd Maruna and Mike Hough

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