

# Socio-Legal NEWSLETTER

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THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION

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## WHAT IS THE STATE OF SOCIO-LEGAL TRAINING IN UK LAW SCHOOLS?: SLSA QUESTIONNAIRE RESULTS

*In a recent questionnaire to UK law schools the SLSA Executive asked 'Who is training tomorrow's researchers?' Here, the results of this survey are analysed.*

This newsletter has carried a pretty clear message in recent issues about a present and coming crisis of research capacity. However, we know little about the research training offered in law schools both to undergraduates and postgraduates, or, indeed, about numbers of research students conducting socio-legal work. Responding to these concerns, a questionnaire was sent to heads of law schools, seeking information about the type and level of research training they provided. Mike Adler's discussion (SLN 35) about lack of postgraduate applications to the ESRC prompted us also to ask about any emerging issues as a result of the recent recognition exercise. Additionally, we sought the views of respondents as to what the SLSA should be doing.

The questionnaire appeared in SLN 37, and was sent out in September 2002, and repeated in November. There were 21 respondents (a response rate of about 25 per cent), the names of which appear at the end of this article. With such a disappointing response rate, we do not know if this is a representative sample of law schools and obviously there is considerable hesitation about generalising from the data. However, we feel the views expressed are interesting in themselves and clearly have implications for the future development of socio-legal studies.

The purpose of this article is, first, to discuss some broad themes in the returns, and, second, to discuss what role the SLSA will be playing in the future.

### Responses – general

**Law school mission:** The responses suggest that, despite the importance of socio-legal studies to various external exercises, the internal reception of socio-legal studies is less clear. This view was most forcefully expressed by one respondent: 'Our view is that law schools should be interested in legal scholarship and training of lawyers and leave sociology to schools of sociology.' But others expressed this view in different ways, suggesting that the law school mission retains a narrow focus on doctrinal scholarship. Few respondents said that their law schools offered training in socio-legal methods – most training offered is of the type to facilitate the development of legal skills. The exception to this was those respondents whose institutions offered joint degrees with criminology, where most often there were core units in research methods.

**ESRC recognition:** Given that view about the law school mission, it was unsurprising that few respondents had, in fact, applied for ESRC recognition in the most recent round. Indeed, 18 respondents had not made an application, although most had given thought to making an application. The most often-cited reason was that no application was made because it was likely to be unsuccessful (low completion rates, small department, insufficient numbers of research students).

Other than this, the most often cited reason for non-

application was that few research students in law require the type of training which is the prerequisite of a successful ESRC application. Equally, as one respondent put it, the 'ethos of the school is not social-scientific'.

Perhaps more worrying were those who did not make an application for recognition as a result of past experience or the 'image' of the process. One major provider of postgraduate socio-legal research made the following argument:

*Some staff in the department who have experience of working in departments with ESRC recognition did not feel it was 'worth the candle' in terms of the additional bureaucracy and pressures presented by such recognition. There are mixed views about this in the department. At the moment though, the prevailing view is that the drawbacks outweigh the benefits.*

Other past experiences concerned the 'cumbersome' application procedure, a belief that the process was weighted against post-1992 universities, that it was too difficult to attain, and the 'perception that the effort required is disproportionate to the benefit'.

A further issue was institutional. Two reasons appeared here. First, other related parts of the university had made an application (most often criminology and social science) and, as one respondent noted, 'were criminology located in the law school rather than in ... Social Sciences, things might be different'. Socio-legal research students could take modules offered by these schools. Second, internally within the law school, some respondents felt that the programmes they offered were insufficient – 'It became clear that the department did not intend to boost its research capabilities to the standard the ESRC rightly requires.'

Two of the three respondents whose institutions *had* made an ESRC application referred to the difficulty involved. As one put it, the experience was 'a bureaucratic nightmare'. Both commented on the amount of time which had to be put into working out what was required and an over-concentration on the form. The third respondent's department was reviewing whether the application process would be worth the effort in subsequent years because of the small number of students expected to benefit combined with the organisational dilemmas of effectively having two doctoral programmes.

**Socio-legal research student numbers:** Despite the small proportion of respondents who made an application for ESRC recognition, the returns suggested that a significant body of broadly socio-legal research is being conducted at postgraduate level. From this snapshot, most respondents said that they had research students in varying numbers/proportions doing socio-legal research. Of course, this is either positive (numbers of socio-legal research students coming through the system) or worrying (lack of training) or both.

### What can the SLSA do?

The following observations were made by the respondents and these were considered by the SLSA Executive at its January meeting:

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**SLSA Executive Committee  
2002–2003**

**SLSA CHAIR**

Sally Wheeler  
Department of Law, Birkbeck College  
ewheeler@bbk.ac.uk

**SLSA VICE-CHAIR**

Dave Cowan  
Department of Law, Bristol University  
ed.s.cowan@bristol.ac.uk

**SLSA SECRETARY**

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

**SLSA TREASURER (2003 conference  
organiser)**

Mary Seneviratne  
Nottingham Law School, Nottingham  
Trent University  
emary.seneviratne@ntu.ac.uk

**SLSA MEMBERSHIP SECRETARY**

Stephen Whittle  
Manchester Metropolitan University  
es.t.whittle@mmu.ac.uk

**SLSA RECRUITMENT SECRETARY**

Lois Bibbings  
Department of Law, Bristol University  
elois.s.bibbings@bristol.ac.uk

**SLSA WEBMASTER**

Nick Jackson  
Kent University  
en.s.r.jackson@ukc.ac.uk

**SLSA EXECUTIVE MEMBERS**

Anne Barlow  
Department of Law, University of Wales,  
Aberystwyth  
eaeb@aber.ac.uk

Andy Boon  
School of Law, Westminster University  
eboona@wmin.ac.uk

Anthony Bradley  
Faculty of Law, Leicester University  
eney@leicester.ac.uk

Helen Carr  
School of Law, North London University  
ehelen.carr@lawcommission.gsi.gov.uk

Richard Collier  
Newcastle Law School, Newcastle  
University  
erichard.collier@newcastle.ac.uk

Ryan Conlon (*pg rep*)  
Lancaster University

Brian Dempsey  
School of Law, Edinburgh University  
eeditor@scolag.org.uk

Alison Dunn  
Newcastle University  
edunn@ncl.ac.uk

Peter Fitzpatrick  
Department of Law, Birkbeck College  
epeter.fitzpatrick@clickvision.co.uk

Hazel Genn  
University College London  
eh.genn@ucl.ac.uk

Anne Griffiths  
Faculty of Law, Edinburgh University  
ea.griffiths@ed.ac.uk

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

Paddy Hillyard  
School of Social & Community Services  
Ulster University  
ep.hillyard@ulster.ac.uk

Morag McDermont (*pg rep*)  
University of the West of England  
emorag.mcdermont@uwe.ac.uk

Michael Meehan  
Liverpool John Moores University  
em.a.meehan@livjm.ac.uk

Marie Selwood (Newsletter and  
Directory editor)  
em.selwood@virgin.net

Philip Thomas  
Cardiff Law School  
ethomaspa@cardiff.ac.uk

Lisa Webley (email network  
administrator)  
School of Law, University of  
Westminster  
ewebleyl@westminster.ac.uk

## SOCIO-LEGAL STUDIES ASSOCIATION ANNUAL CONFERENCES

### *Glasgow 2004*

The SLSA Annual Conference 2004 will be hosted by Glasgow University School of Law from 6–8 April. The conference sessions will all take place on the main campus in the west end of Glasgow. The conference website will be up and running shortly. In the meantime, for further information contact: Tom Mullen ☒ School of Law, Glasgow University, Glasgow G12 8QQ ☎0141 330 4179 et.mullen@law.gla.ac.uk

### *Nottingham 2003*

SLSA members will be heading for Nottingham Trent University for the annual conference from 14–16 April. There is still time for latecomers to book a place (subject to a £30 late booking fee). Please contact: emary.seneviratne@ntu.ac.uk.

#### *JLS/Blackwells Student Bursaries*

The *Journal of Law and Society* and Blackwells generously offered £2000 to fund student bursaries in order to encourage postgraduates to attend the Nottingham conference. The full amount has now been awarded for 2003.

### To contact the *Socio-Legal Newsletter*

If you would like to write an article, contribute a news item or place an advertising insert for a forthcoming issue of the newsletter or if you have any other ideas for consideration, then contact: Marie Selwood, Editor ☒ *Socio-Legal Newsletter*, 33 Baddlesmere Road, Whitstable, Kent CT5 2LB ☎01227 770189 em.selwood@virgin.net.

The copy deadline for the summer 2003 issue of the *Socio-Legal Newsletter* is **Monday 16 June 2003**.

### SLSA WEBSITE

The SLSA website is being extensively updated. It contains information about all the SLSA's activities including the annual conference, publications, prizes, grants and bursaries. The webmaster is Nick Jackson and the site is hosted by Kent University Law School. ♥www.ukc.ac.uk/slsa/index.htm

### Journal discounts for SLSA members

Members can currently get discounts on subscriptions to the following journals: *Entertainment Law*; *Industrial Law*; *Howard Journal of Criminal Justice*; *International Journal of Law, Policy and the Family*; *International Journal for the Semiotics of Law*; *International Journal of Sociology and Law*; *Journal of Environmental Law*; *Journal of Law and Society*; *Journal of Social Welfare and Family Law*; *Oxford Journal of Legal Studies*; *Ratio Juris*; *Social and Legal Studies*; *Theoretical Criminology*; and *Legal Ethics*.

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**Funding:** The most often mentioned issue for the SLSA related to funding postgraduate students. It was commonly suggested that the SLSA should fund (or part-fund) studentships, although some recognised that this would be beyond the resources of the SLSA. The Executive's view was that we (and other institutions) would, no doubt, require some form of research training in return for our money, not dissimilar to that required by the ESRC. Furthermore, it has always been the SLSA view that it is for the institution which accepts the student on to its research programme to fund the research, and, as a matter of principle, we feel that all potential postgraduate students should ensure that their funding is secured before embarking on research degrees.

**Conferences:** A number of respondents commented on the need to share experiences and, as one put it, the experience of their students was often 'intellectual loneliness'. Regular conferences which focus on research methods and methodology were said to be important both in terms of informing students and offering

them the opportunity of meeting others with similar interests. One respondent said that, whilst students were well catered for, staff were less fortunate.

The Executive agreed that research training seminars for postgraduates and early career staff were an important part of the SLSA's role. Tony Bradney has taken on the task of co-ordinating these seminars – any suggestions as to location and inclusion gratefully received (see page 9 for details).

It was also suggested that the SLSA should prepare materials and encourage good practice in research training and we will be discussing this with the UKCLE (see SLN 38).

Additionally, the SLSA Chair has agreed with the ESRC to arrange a conference on applying for recognition.

**Dave Cowan, Sally Wheeler and Paddy Hillyard**

*Questionnaire respondents: APU, Birmingham, Bristol, Cambridge, Cardiff, Central Lancashire, De Montfort, Dundee, East London, Greenwich, Keele, Lancaster, Leeds, Leicester, LSE, Newcastle, Northumbria, Reading, Sheffield, Staffordshire, Westminster. Responses were also received from Brunel and Aberystwyth, but too late to be included in this article.*

## 'Useful knowledge' and the 'new economy': an uncertain future for (critical) socio-legal studies?

*Richard Collier argues that socio-legal scholars would be wise to take heed of current debates about the place and purpose of universities in the global knowledge economy.*

*The declines in salary, status and autonomy of academic careers have roots and repercussions far larger than the SLSA or the [Nuffield] Foundation can realistically address.<sup>1</sup>*

In 1997 a collection of essays, *Socio-Legal Studies*,<sup>1</sup> sought to assess the 'state-of-play' of socio-legal research across some key areas of law. Describing socio-legal studies at a 'crossroads', a generally positive picture of a distinct and important area of scholarship emerged; a field which, notwithstanding well-documented theoretical, methodological and political differences, was 'coming of age' in the legal academy and importantly achieving a critical mass across many (if by no means all) law schools. In summer 2002, this newsletter (SLN 37:1) reported, in contrast, a 'crisis in waiting' of research capacity in the socio-legal community. The concerns expressed by funders, policy makers and other 'research users' were focusing, five years later, on the undertaking of empirical socio-legal research.<sup>3</sup> Yet as the dust settles on the publication of the White Paper *The Future of Higher Education* (January 2003), there is reason to ask whether the future of socio-legal studies may be increasingly uncertain in a far broader sense than this.

Within *Socio-Legal Studies* one chapter went against the broadly optimistic tone of the other contributions. In 'The political-economy of socio-legal research' Paddy Hillyard and Joe Sim sought to locate socio-legal research within a political, economic and social framework marked by what they described as 'the cauterising discourses of disciplining, normalization and individualism'. The 'rapidly changing' research context surrounding socio-legal research they describe embraces themes familiar to the contemporary reader; a rapid expansion in student numbers (alongside a marginal increase in resources); a concern about the impact and possible future of the Research Assessment Exercise; a growing allocation of research money by competitive tendering and government contracting; and an intensification in the control and governance of research which was, the authors suggested, increasingly impacting on the dissemination of results and findings. The conclusion was stark: far from facilitating socio-legal research, developments taking place within this broader political economy were making the prospects for constructing a critical socio-legal agenda far more difficult.

How does this argument hold up in 2003? There is reason to believe that events over intervening years have done more than simply heighten processes and developments identified by Hillyard and Sim. Concern about academic pay, levels of workload, the impact of audit and accountability and issues of recruitment, retention and morale are well-documented. The bifurcation of research and teaching, and the erosion of collegiality and democratic control resulting from an increasingly centralised and directive management structure, has been further entrenched. The view of a growing number of scholars across disciplines, however, is that what is now at issue in the debate about universities is not simply the question of core sector funding. It is more profound and fundamental – a debate about the *place* and *purpose* of the university itself in society.

A rich literature has emerged over recent years seeking to explore the implications of the new technologies, managerial styles and cultures associated with neoliberal economic policies for academic research. And this is a debate, taking place in different forms across Anglophone countries (it cannot be confined to the UK), which is dominated by one central and recurring idea: that of the *global knowledge economy*. In seeking to summarise what these processes mean for universities, Slaughter and Leslie<sup>4</sup> point to 'at least four far-reaching implications' for the sector; a constricting of moneys available for 'discretionary' activities such as post-secondary education (and the simultaneous embrace of the 'new entrepreneurialism'); the growing centrality of technoscience and fields closely involved with markets (particularly international markets); a tightening relationship between multinational corporations and state agencies (concerned, in particular, with product development and innovation); and an increased focus on global intellectual property strategies. Taken together, the contemporary research-led university has been seen as a key location where a range of issues concerning the global information economy, the idea and practice of 'knowledge work' and the intersections of gender, race and class can fruitfully be explored.<sup>5</sup>

How does this relate to the UK and, in particular, to socio-legal studies? The dominant political economy of academic research in this country is one in which post-secondary education is increasingly seen as primarily (if not, in some contexts, exclusively) directed towards national wealth creation, rather than what is positioned as a traditional (and increasingly ▶ p4

p34 anachronistic) concern with the 'liberal education' of undergraduates. This is the 'key message' of numerous policy papers and ministerial pronouncements. It underscores the 2003 White Paper and the comments of the present Education Secretary concerning the limited 'use value' of certain academic subjects. Academics, along with other professionals, are being repositioned and redefined as particular kinds of 'knowledge workers' in the new economy; as individuals who will see knowledge, not as something of value *in and of itself*, but as a commodity; a resource to help create wealth and competitive advantage. Of course, there is nothing new in seeing links between universities and commercial interests. What is leading to the anxieties and concerns expressed within this literature, however, is the speed of change and its 'all embracing nature', seeming, as it does, to leave no room for the questions not able to be easily commodified.<sup>6</sup> The market, it is an openly declared feature of governmental policy, is to be the measure of success and failure within the new corporatised world of higher education.

It is time legal studies, and perhaps socio-legal research in particular, considered the implications of this shifting political economic framework. Leaving aside the further entrenching of a 'core' research-elite tier, the restructuring of universities underway in the UK has been marked by features which, taken together, impact profoundly on the nature of established bodies of knowledge *and* on the institutional frameworks in which research and teaching take place. In seeking to explore the interconnections between institutional structures, management and academic practices within the 'corporatised' university, key themes emerge of especial potential relevance for socio-legal studies.

Firstly, what is taking place represents a profound challenge to the epistemological foundations of the university in the way in which it prompts a shift away from westernised, humanistic frames of reference towards an overt technocratic instrumental emphasis in terms of knowledge, language and goals.<sup>7</sup> The emergence and promotion of new [university] work environments and cultures related to this process – practices enmeshed with the imperatives of the global knowledge economy – impact not only on managerial structures and styles of decision making.<sup>8</sup> For many law schools, research suggests, what is presently underway may well be a heightened move towards embracing the imperatives of instrumentalism and vocationalism rather than intellectual inquiry; to meeting the 'market needs' of the student-as-consumer and the corporate law firms in the new economy; to engage in 'third strand' activity and generate money from external grants, regardless of the value of the research which results; to be commercially 'branded' as a viable player in an increasingly competitive market (where only the 'elite' will survive); and to embrace a market-oriented curriculum (and to appoint academic staff appropriate to such a task).

Secondly, and inseparable from the above, academic life is undergoing a complex process of change as a heightened interconnection occurs between the objectives, goals and practices of the corporate and academic worlds. Indeed, the 'academic self', it has been argued, is being restructured within this process. To survive in the academy increasingly means embracing the imperatives of the new knowledge economy; becoming, as Slaughter and Leslie put it, 'academic capitalists'. As Thornton observes, the populist message of neoliberalism is '... that one should not waste time on knowledge lacking use value'.<sup>9</sup> The economic, interpersonal and psychological costs of the related processes of a relentless performativity, the 'new contractualism', casualisation and endemic insecurity (at least for many within the academic workforce) is another matter. Why is it, it is asked, that so many academics appear to be experiencing '... an increasing sense of alienation in their everyday working lives from the central goals *that led many of us into universities in the first place*: the idea that we might be able to

make some contribution, however small, to the forms of knowledge and understanding that make living on this planet a more comfortable and intelligible destiny?'<sup>10</sup>

What of socio-legal studies? At a time when issues of recruitment and retention are pressing throughout the academy – although notably, it has been suggested, in relation to disciplines such as law – a time is coming when a generation of socio-legal scholars will be approaching retirement. When looking to future research capacity what is at issue is the question of what will be deemed 'legitimate' research into law in the new academic world fostered by corporatisation. And, in this regard, the future of socio-legal studies is perhaps, as ever, contradictory. Applied socio-legal research, undertaken by the beneficiaries of new 'path-dependent' PhD programmes, may continue to lend itself well to the demands of the new economy (although the 'current crisis' debate suggests this might not be the case). It is possible the 'liberal law school' will remain strong; that the academic legal community will continue to show a commitment to methodological and epistemological diversity and to a distinctive academic (as opposed to vocational) stage of legal education. Yet if it is the case that the wider political economic framework in which university research is produced and disseminated is, as recent research suggests, changing rapidly, what we are dealing with is a transformation effecting the work individuals do (and for whom they work) *and* the facilities and material conditions which allow for the production of certain kinds of research. It is not difficult in such a context to envisage the kinds of pressures which will play out on early career academics – particularly those outside the 6\* research elite – to orientate themselves to research framed by a narrow, atheoretical empiricism aimed at meeting the needs of government, civil servants and/or business. Research, that is, which will produce 'hard' results with clear and direct policy implications.

Whether there will be many socio-legal scholars around to undertake such tasks is, however, judging by a number of trends, another matter. Underlying the light-hearted 'calls to resistance' which regularly feature in Tony Bradney's 'messages from the (academic) front-line', in the front page editorials of *The Reporter: The Newsletter of the Society of Legal Scholars*, lies a stark picture; of a legal academy, if not in crisis, at a critical juncture. For those who entered legal research and teaching not envisaging a future servicing the demands of the new economy, there may be reason to question how the shifting landscape of higher education is undercutting the foundation of a form of intellectual enquiry and academic life enjoyed by a previous generation. There is an argument to be made that it is time socio-legal scholars, regardless of their orientation to empirical or theoretical work, joined with those in other disciplines presently seeking to give consideration to '... what it is that worries (some of) us about the impact on human beings of developments in education today'.<sup>11</sup>

#### Notes

- 1 S Witherspoon (2002) 'Research capacity: a crisis in waiting?' SLN 37:1
- 2 P Thomas (ed) (1997) *Socio-Legal Studies*, Dartmouth, Aldershot
- 3 See also T Varnava (2002) 'Building research capacity in legal education', SLN 38:4.
- 4 S Slaughter and L Leslie (1997) *Academic Capitalism, Politics, Policies and the Entrepreneurial University*, Johns Hopkins UP, Baltimore, MD
- 5 See eg A Brooks and A Mackinnon (2001) *Gender and the Restructured University*, Open University Press, Buckingham
- 6 M Thornton (2001) 'The demise of diversity in legal education: globalisation and the new knowledge economy', *International Journal of the Legal Profession* 8(1):37–56
- 7 A Brooks 'Restructuring bodies of knowledge', in Brooks and Mackinnon, *op cit*
- 8 *ibid* p 16
- 9 Thornton, *op cit* p44
- 10 A Oakley 'Foreword' in Brooks and Mackinnon, *op cit* p xiii
- 11 *ibid* p xi

# ON WRITING AN ESRC PROPOSAL

*The ESRC receives very few applications for funding from socio-legal scholars. Davina Cooper, in an effort to encourage colleagues to take the plunge, offers some practical advice.*

The Economic and Social Research Council is one of the best UK funding sources for original field research. Its responsive mode supports projects from £2000 to £750,000. This includes the small grants scheme which funds projects up to £45,000 (from April 2003). In 2001–02, 136 small grants applications out of 314 were recommended for funding. With its better odds, new researchers, lacking prior funding experience, are encouraged to start there. For large grants, in 2001–02, 83 proposals were recommended for funding from 362 applications.

ESRC funding supports a wide range of research-related costs. These include staff, travel, maintenance, software, equipment, audio transcriptions, participant expenses and conference attendance, amongst others. The ESRC also pays overheads, currently set at 46 per cent of the staffing bill – an important source of funding for many universities.

Yet, despite the benefits of ESRC funding, the level of socio-legal applications is disappointingly low, currently hovering around 15 applications a year. In the last two years, 10 proposals in total were awarded funding. Socio-legal researchers do not apply to the ESRC for reasons that include: the complicated and time-consuming nature of the application; previous lack of success; and beliefs about what the ESRC does and does not fund. While any competitive funding structure based upon peer review inevitably incorporates a degree of unpredictability – no application can be assured of success – there are things applicants can do to increase their funding chances. Below are some suggestions; these should be read in conjunction with the ESRC's useful website: 'How to write a good application'.

## Writing a 'joined-up' proposal

The broad questions your project seeks to address are the heart of your proposal. Make sure they are clear and communicate to referees why the project is innovative and worth doing. It is usually better not to have too many questions and sub-questions as this can be confusing to read and distract from the project's main focus. But proposals can also be disadvantaged by having a few vague or highly descriptive questions.

Ensure the continuity between the project's overall objectives, questions being addressed and planned field research are clear. This sounds obvious, but proposals frequently fall down on this point. Sometimes, the field research – though interesting – does not seem as if it will help to answer the questions, or the main research questions do not address the project's overarching aims and objectives.

## Why is your project important and timely?

Explain the project's relevance, topicality and value in ways that will convince experts in the field as well as people outside your specialist area. Your proposal will be refereed by a range of academics. In the case of large grant law proposals, this will include people outside the law, as well as non-academic users.

Demonstrate how your proposal builds on existing research in the field. What are the questions or issues that arise from previous research? Are there gaps in the field you are

addressing? But be careful about claiming that previous research 'got it wrong' or missed the point. Referees often criticise proposals for overstating claims for originality or for failing to demonstrate a good knowledge of current and previous work in the field, including by people working in the area from other disciplines.

It is worth checking the ESRC database to see if similar work has already been funded. It does not matter if overlapping projects exist, but it is good practice to show the points of connection between the projects (and ideally that the researchers are in contact with each other), as well as how the projects differ, and so why your research is necessary.

## A 'value-added' application

Your proposal should convey your track record in the field; this usually means publications. It is harder to get ESRC funding for a project that takes you into a completely new area, especially a large grant. If you are new to the area in which you want to research, it can help to involve a more experienced person as a co-applicant, but make sure they are making a reasonable contribution to the project. Someone contributing one to two hours a week may not strengthen your proposal, unless they are bringing in some distinctive skill.

Consider establishing an advisory group for the project: people with whom you can usefully discuss your methods, findings etc. These might meet three to four times a year, and can include academics, policy-makers, practitioners and others. An advisory group can help to identify research participants, keep you informed about developments in the field, ease access, and help in disseminating findings.

## Methodology

Field research choices need to be fully justified. Explain why you have chosen particular case studies, research methods, localities, and examples rather than others. If you are carrying out case studies, are they representative or illustrative?

Would a small pilot study be useful prior to applying for research funding? Pilots can help in demonstrating that the research is viable and worth doing, and they can also flag up possible difficulties. It helps to indicate, in your proposal, the findings of the pilot study and how the new research builds upon them. Referees tend to like a pilot study that produces new questions rather than applications which simply seek to repeat the pilot on a larger scale, unless it is clearly explained why a larger-scale study is worthwhile.

Consider using a variety of research methods to generate data. These might include: focus groups, documentary analysis, questionnaires, semi-structured interviews, (participant) observation, informant diaries. Describe as fully as possible your choice of methods, explore any potential limitations or problems in using them and explain how you will deal with or resolve any difficulties encountered.

## Access and ethics

If access may prove tricky, try to sort it out before applying for funds. It is sometimes helpful to attach letters from bodies you wish to work with showing they support the project and will make access available. If you have had access in the past to the same or similar organisations or individuals, and if you generally have a history of good working relations, say so in your proposal.

Fully consider in your proposal the ethical implications of your proposed research. Detailed consideration is especially important if your research involves children, covert research or illegal activities. More generally, clarify the extent to which **▶ p6**

p5 you are offering research subjects anonymity and confidentiality, and any problems this might pose.

### Analysis and dissemination

Explain the analytical approach you plan to adopt towards your research data. Are you drawing on particular frameworks, methodologies or writers to analyse your material? It helps to give some indication – sometimes all proposals refer to is their chosen software programme. To what extent will your analysis of the data illuminate the field in new ways? Are you problematising particular theoretical frameworks or taken-for-granted approaches to the subject? Does your project have the potential to generate methodological innovation? These questions might be hard to answer before conducting the research, but suggesting some ways in which your analysis might contribute to the field is very helpful.

Explain clearly who are the different audiences for your research. Would a workshop be helpful at the end of the project in order to report on findings? How will you communicate your findings to research subjects/participants? Can you use leaflets, a short article in a practitioner/policy-maker newsletter or magazine, a website? What kinds of academic publications will result (indications of the kinds of journals you plan to approach or possible articles are helpful)? Does the project lend itself to mass media forms of dissemination?

### Finally, a word about costings

Often the most daunting part of the form, it is vital to strike the right balance between over and under-costing. Being good value for money increases the application's chances of success, but it has to be viable on the budget proposed. If you are travelling across the country, fares can be approximate, but avoid fare levels that require booking weeks in advance if this will not be practicable. If you want to employ a researcher, what level of experience do they need? A senior appointment needs to be justified. Do you want to apply for your own time to be bought out with a replacement teacher? Explain clearly why you are needed to do the field research or why you need up to three months later in the project to carry out the analysis and writing.

ESRC applications can feel like a lot of work, but the rewards are worth it. Good luck.

**Davina Cooper is Professor of Law at Keele University and a Member of the ESRC Grants Board (writing here in a personal capacity). For further information, see the ESRC website: [www.esrc.ac.uk](http://www.esrc.ac.uk)**

## CHILDREN, THE LAW AND SOCIO-LEGAL STUDIES

*Judith Masson describes her approach to teaching child law, highlighting the key role played by socio-legal research in the development and reform of this area.*

It has long been accepted that studying law only through legal texts – cases and statutes – provides a very limited and partial view of the way the law operates and its impact on individuals and society. In teaching child law I am seeking to develop students' understanding of the law, its development and operation. Much of child law is based in statute – the Children Act 1989 is the principal source. This, like previous child law statutes, gives wide discretion to the courts, applying the 'welfare principle' to determine disputes about children's upbringing and to local authorities and parents to make decisions about children in their care. Empirical research is invaluable for establishing how this power is exercised; knowledge about what happens in practice is essential for evaluating proposals for the care of individual children and for service development. In addition, understandings developed from research have made important contributions to arguments for reform and the mechanism of delivering legal change. Socio-legal study is therefore not just a way of knowing about child law but has shaped its content and processes.

Although the *Judicial Statistics* indicate the number of child law disputes that come to court and give some information about their outcomes and Law Reports set out the reasoning of Family Division judges and the Court of Appeal, much of the process is only accessible through research evidence. Without empirical research, the ways lawyers advise clients and negotiate settlements, the practices of mediators and the work of children and family reports (court welfare offices) can only be examined through partisan statements of practitioners or anecdotal accounts. Work done by John Eekelaar and Mavis Maclean,<sup>1</sup> by Jan Walker and colleagues,<sup>2</sup> by the Legal Services Commission<sup>3</sup> and by Carol Smart and colleagues<sup>4</sup> amongst others has made it possible to place judicial decisions in context and residence cases in the wide context of the family justice system and the re-ordering of families after separation. Through this work we know that courts rarely make residence decisions that do not confirm the status quo<sup>5</sup> and use various strategies to

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- 'Access to justice after universalism: introduction' – Richard Moorhead and Pascoe Pleasence
- 'Causes of action: first findings of the LSRC Periodic Survey' – Pascoe Pleasence, Hazel Genn, Nigel J Balmer, Alexy Buck and Aoife O'Grady
- 'Alternatives to public provision: the role of legal expenses insurance in broadening access to justice: the German experience' – Matthias Kilian
- 'The Swedish legal services policy remix: the shift from public legal aid to private legal expense insurance' – Francis Regan
- 'The contingency legal aid fund: a third way to finance personal injury litigation' – David Capper
- 'Evaluating the Scottish Public Defence Solicitors' Office' – Tamara Goriely
- 'Large-scale map or the A-Z? The place of self-help services in legal aid' – Jeff Giddings and Michael Robertson

'The law and the desert: alternative methods of delivering justice' – Louise Anderson

'Changing patterns of legal representation in divorce: from lawyers to pro se' – Lynn M Mather

'Adversarial mythologies: policy assumptions and research evidence in family law' – Rosemary Hunter

### *Journal of Law and Society* 30(2) June 2003

- 'Railtrack is dead; long live Network Rail? Nationalisation under the third way?' – Lisa Whitehouse
- 'Regulation and rights in networked space' – Andrew Murray
- 'Policing unauthorised camping' – Dave Cowan and Delia Lomax
- 'Doctors as Good Samaritans: some empirical evidence concerning emergency medical treatment in Britain' – Kevin Williams
- 'A decade of Europe?: Some reflections on an aspiration' – Ian Ward
- 'The Auld Report' – John Jackson

encourage the parties to reach settlement without adjudication.<sup>6</sup> Family assistance orders are rarely made because of uncertainty about their usefulness and the failure of the former Court Welfare Service to allocate resources to this work.<sup>7</sup>

Without research children would largely be invisible from child law. Much has been written by adults about theories of children's rights; case law indicates judicial views about the capacities of individual children, mostly in relation to healthcare decisions. Neither of these sources tell us about children's understanding of their health or the extent to which doctors involve them in decisions about their treatment. Priscilla Alderson's research, interviewing children about their health, challenges the legal orthodoxy of children's incapacity.<sup>8</sup> Similarly, despite the inclusion of 'the wishes and feelings of the child' in the welfare checklist, children's concerns about their care when parents separate or whilst in the public care or after adoption have been given little consideration by adults determining what was in their best interests.<sup>9</sup>

Child law can provide many examples of research evidence contributing to law reform, both through the recognition of problems and the identification of solutions. Research on children in public care<sup>10</sup> raised concerns about lack of power for social services departments and directly led to reforms in the Children Act 1975, expanding the grounds for parental rights resolutions. Findings from research into child care practice in the 1980s helped to shape the Children Act 1989, particularly by refocusing attention on making agreements and working with parents rather than seeking court orders.<sup>11</sup> More recently, evidence of the poor outcomes for children of being brought up in care have contributed to two contrasting legislative initiatives – reform of adoption law to promote adoption and increased obligations on local authorities to young people leaving the care system. A major change in adoption, allowing those who had been adopted access to their birth records at age 18, was introduced largely because of the powerful message from research in Scotland (where access was permitted) that adopted people derived important information from this and felt it was helpful to them.<sup>12</sup> Other changes to adoption in the Adoption and Children Bill, particularly the abolition of freeing and the introduction of support services, owe much to the studies conducted by Murch and Lowe.<sup>13</sup>

Research has also been important in the development of private child law. Once the practice and effects of s 41 hearings became clear, it was no longer justifiable to allocate judicial resources to an exercise which could have so little impact on children's welfare. More recently, Ros Pickford's work on parents' understanding of the position of unmarried fathers,<sup>14</sup> combined with the increasing proportion of births to unmarried, cohabiting couples created a strong imperative for law reform, to extend parental responsibility automatically to many unmarried fathers.

The importance of research to law reform creates another reason for its close analysis. Not only can we explore the origins of legislation but also consider why some research findings lead to reform, whilst others do not. Of course, not even in an area as well researched as child law are all reforms empirically grounded. But those which were not include some notable policy failures. The attempt in the Children Act 1975 to divert step-parents seeking adoption into joint custody was undertaken without any understanding of the motivations for using adoption in this way or how such cases were processed by courts and local authorities. It failed although the numbers of step-parent adoptions declined. Custodianship, a status for carers more limited than adoption, also proved unattractive. It was abolished by the Children Act 1989 less than 10 years after its implementation. It remains to be seen whether its successor

'special guardianship' – introduced by the current Adoption and Children Bill – will be used.

Understanding research is not just an academic exercise for students of law and social policy. It is also vital for child lawyers and for the judiciary. Not because it permits the prediction of outcomes (of course it does not) but because of the development of evidence-based practice in child care. Social work practice now relies less on beliefs and more on what can be empirically demonstrated. A knowledge of what research does or does not establish is essential to examine experts' assessments of what the child's welfare demands. Understanding what has (or has not) been achieved for children in similar circumstances is the necessary backdrop for the evaluation of the viability of the local authority's plan.

Socio-legal research has made a major contribution to child law by making it possible to gain an understanding of the practice of law, its limitations and its impact. It has become possible to explore the ordinary, to view the ice under the water, not just to examine the iceberg tip in the Law Reports. Much remains to be explored in the relationships between family law and individual families, particularly why some individuals and couples seek to legalise their relationships whilst others do not. As new processes and services are developed, for example to promote contact between children and non-resident parents, more research will be required. Research-literate lawyers, and researchers who understand law, will continue to make major contributions to the development and understanding of child law.

#### Notes

- 1 M Maclean *et al*, *Family Lawyers* (2000); M Maclean and J Eekelaar, *The Parental Obligation* (1998).
- 2 J Walker, *Mediation the Making and Remaking of Co-operative Relationships* (1994); B Simpson *et al*, *Being There: Fathers after divorce* (1995).
- 3 S Maclean, *Legal Aid and the Family Justice System* (1998).
- 4 C Smart and B Neale, *Family Fragments?* (1999); C Smart *et al*, *The Changing Experience of Childhood* (2001).
- 5 J Eekelaar and E Clive, *Custody after Divorce* (1977); current research by Carol Smart and colleagues reaffirms this.
- 6 R Bailey-Harris *et al*, 'Settlement culture and the use of the "no order" principle under the Children Act 1989' [1999] CFLQ 53; further details of this study are in articles by Davis and Pearce in [1999] *Family Law* 22, 144 and 237.
- 7 A James and L Sturgeon-Adams, *Helping Families after Divorce: Assistance by order* (1999); L Trinder and N Stone, 'Family assistance orders: professional aspiration and party frustration' [1998] CFLQ 291.
- 8 P Alderson, *Children's Consent to Surgery* (1993).
- 9 C Smart *et al*, *The Changing Experience of Childhood* (2001); J Masson and W Winn-Oakley, *Out of Hearing* (1999); C Thomas *et al*, *Adopted Children Speaking* (1999).
- 10 J Rowe and L Lambert, *Children Who Wait* (1973).
- 11 Principally the studies discussed in Department of Health, *Patterns and Outcomes in Child Care* (1991).
- 12 J Triseliotis, *In Search of Origins* (1973) quoted in the Houghton Report (1972 Cmnd 5107) para. 302.
- 13 Lowe *et al*, *A report of the research into the use and practice of the freeing for adoption provisions* (1993); N Lowe *et al*, *Supporting adoption* (1999).
- 14 R Pickford, *Fathers, marriage and the law* (1999).

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##### Articles

'The denationalisation of money: embedded neo-liberalism and the risks of implosion' – Jane Kelsey

""Rage at Westminister"": socio-legal reflections on the power of sale' – Dave Cowan

'Sexual ethics and violence prevention' – Moira Carmody

'Legal forms and reproductive norms' – Ruth Fletcher

##### Review Essay

'Law, ethics, and the Utopian end of human rights' – Stewart Motha and Thanos Zartaloudis

## SLSA SMALL GRANTS 2002

The SLSA Research Grants Committee has awarded the full amount of its £5000 budget this year. The standard of applications was very high and additional funds were provided by the Journal of Law and Society. Six grants were awarded. Here, grantholders briefly summarise the research projects benefiting from the scheme.

**Amanda Perry-Kessarlis,  
Queen Mary, London University**

*Legal Systems as a Determinant of Foreign Direct Investment in South Asia (£1000)*

Foreign direct investment (FDI) is widely considered to be an essential source of capital for sustainable growth in developing countries. A broad consensus has developed amongst commentators and development practitioners that: states' legal systems are an important factor affecting the location of FDI; that predictable and efficient legal systems are the most effective in attracting FDI; and that efficiency and predictability are best achieved by adopting a Western-style legal system.

The aim of the study is to test the merits of this consensus using a questionnaire (of foreign investors) and semi-structured interviews (with foreign investors, lawyers, judges, government officials and NGOs) in the Bangalore region of India. This methodology has already been successfully applied in a case study of Sri Lanka, the results of which were surprising. It was found that the legal system was not a factor in locational decision making of most respondents; and that many respondents did not react negatively to a legal system which is, according to the dominant view, inefficient and unpredictable. These results are important because they challenge the dominant theory upon which a great deal of development assistance and policy is based. The need to extend the study to India is pressing given that the very notion that legal systems might not be a determinant of FDI is now rarely considered.

**Annapurna Waughray, MMU**

*Caste-Based Discrimination in International Human Rights Law (£1000)*

Caste is descent-based, hereditary and occupation-related – most commonly associated with the caste system in India (although India is not the only society in which such a system occurs). In essence it is a system of institutionalised inequality. Caste-based discrimination has been described as 'the hidden apartheid', affecting an estimated 250m people worldwide of whom 160m in India are 'untouchable' or Dalits. Dalits suffer social ostracism and extreme economic deprivation and are frequently victims of persecution and violence. Although untouchability is prohibited in India, discrimination and persecution is widespread, particularly in rural areas where the majority of Dalits live. Atrocities are commonplace and increasingly well-documented, primarily by Dalit NGOs. Dalit women and girls suffer additional discrimination, on the

basis of gender, including physical and sexual assault, abuse and exploitation.

The International Convention on the Elimination of All Forms of Racial Discrimination 1966 (ratified by India in 1968) makes no specific reference to caste but prohibits discrimination based *inter alia* on 'descent'. Concerted efforts have been made to push for the inclusion of caste in this concept. Although attempts to get caste onto the agenda at the 2001 World Conference against Racism failed, in June 2001 the UN Sub-commission on the Promotion and Protection of Human Rights published a Working Paper on discrimination on the basis of work and descent, of which the caste system was identified as the most notable manifestation. In August 2002 the Race Convention's monitoring body, the Committee on the Elimination of Racial Discrimination, passed a General Recommendation on Descent-Based Discrimination which 'strongly [reaffirmed] that discrimination based on "descent" includes discrimination

**Bronwen Morgan, Centre for Socio-legal Studies**

*The Commodification of Water, Social Protest and Cosmopolitan Citizenship (£1000)*

This research begins from the premise that water is a basic good. Two recent trends have contributed to the politicisation of urban water consumption. First, the private sector's participation in the delivery of water to household users has increased sharply. At the same time, social protests against the commodification of water have multiplied in both developed and developing countries. These developments, which are increasingly co-ordinated on a transnational basis, make it necessary to study the links between the status of 'global consumer' and the trend toward global governance.

The project aims to document the ethical and ideological visions animating organised protest against the commodification of water (including strategic reliance on existing legal obligations owed to consumers); and to understand how local, national and transnational rules and principles shape disputes about urban water consumption practices.

The research will:

- map the transnational networks of actors in the global water sector;
- conduct six qualitative case studies of specific social conflicts over water consumption practices in a range of different national contexts;
- interview key players in the transnational networks that comprise the global water sector;
- study two important international processes that affect the status of water, particularly whether water is a good to be purchased or a basic human right: i) multi-stakeholder dialogues, eg the 2003 Third World Water Forum; ii) negotiations and litigation under multilateral trade treaties.

The SLSA Grant will contribute to a final study that will clarify whether the internationalisation of production conditions in the delivery of water services has catalysed an equally transnational consumer movement in response. It will also describe the political implications of such a response, particularly for the dimensions of cosmopolitan citizenship – ie 'community membership' that cuts across traditional political boundaries.

against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights'.

This research charts the evolution of caste as a category within the context of international declarations and instruments on racial and related forms of discrimination and on the promotion and protection of minority rights and examines the potential effectiveness of international human rights norms to complement domestic legislation, affirmative action policies and activism in tackling caste-based discrimination.

Research outcomes will include a preliminary article and conference paper highlighting this important but under-explored area and offering a perspective on caste-based discrimination in international human rights law through an overview and analysis of the issues in the light of recent developments. [e.a.waughray@mmu.ac.uk](mailto:e.a.waughray@mmu.ac.uk).



**Rachel Murray, Birkbeck,  
London University***Approach of the Organisation of African  
Unity (OAU)/African Union (AU) to  
Human Rights (£830)*

The aim of this research project is to visit Ethiopia and the headquarters of the OAU/AU to interview individuals and collect documentation on the role human rights has played in the organs of this political institution. Legal consideration of the documents and approach of the OAU/AU is lacking, as is consideration of how human rights are dealt with in Africa in general. Although attention has recently been drawn to its African Charter on Human and Peoples' Rights resulting in a number of publications, there has been no real consideration of how the OAU/AU in general and its other organs have approached human rights. The research aims firstly to explore whether the OAU/AU has a policy on human rights and whether an 'African' approach to human rights can be determined from its documents. Secondly, it will examine critically the approach of the OAU/AU organs to issues of human rights. The final outcome of this project will be a monograph analysing the OAU/AU approach to human rights.

**Alison Brown, Stirling University***Conceptualising the Work of International  
Peace Teams (£590)*

The background to this research is the growing presence in the last year or so of 'teams' of people engaged in non-violent conflict resolution or peacemaking in the West Bank and Gaza Strip for a period of weeks or months. The aim of this project is to conceptualise their work:


- how they perceive their task (eg, to resolve conflict, inculcate a culture of non-violence, protect human rights) and how their stated aims compare with actual activities;
- the legal or quasi-legal frameworks or discourses informing their work (eg neutrality, human rights, justice, mediation, conflict resolution, non-violence);
- their relationships with Israeli and Palestinian police and other state, quasi-state and religious authorities, their legal systems and standards;
- the ethos and internal systems of 'law' governing the teams.

Principal research methods will be qualitative (participant observation and face-to-face interview), supplemented by documentary analysis, including peace teams' briefings and reports, and a literature review.

**Christine Barker, freelance  
researcher, Fife***Church-State relations in East Germany  
(£1000)*

The grant will be used to conduct empirical research in Germany investigating the continuing influences of the former German Democratic Republic (GDR) on church-state relationships in modern East Germany and the implications for state regulation in matters of religion, eg religious education and the levying of church tax. Library-based materials were assembled in 2001-02 with a British Academy grant. The SLSA grant will fund travel to East Germany in 2003 for interviews to examine to what extent Communist ideology and the restrictions imposed upon religious freedom in the GDR continue to exert an influence in Eastern re-united Germany, the reasons for this, and the pros and cons of a challenge to the traditional relationship between church and state for the whole country. A large immigrant population means that there is a growing influence from non-Christian cultures, especially in Eastern Germany, increasing the challenge to the special relationship between the state and the two principal (Protestant and Catholic) churches. Interviews will explore the significance of this.  
echristine@drbarker.fsbusiness.co.uk.

**courses.seminars.courses.seminars.courses.seminars****SLSA research training seminars**

Beginning in the spring of this year the SLSA is planning to run a series of seminars on research methodology. The association would like to hear views on what these seminars should contain, where they should be held or on any other related matter. Any comments should be sent to Tony Bradney, either by email [eney@le.ac.uk](mailto:eney@le.ac.uk) or by post  Faculty of Law, Leicester University, LE1 7RH). Look out for details via the SLSA's email list.

**New courses at Queen Mary**

An MSc in Migration has been launched at the Centre for the Study of Migration and the Department of Politics at Queen Mary, London University. The degree has an interdisciplinary focus covering typologies and theories of migration; housing, health and education and empire, race and migration. A new undergraduate course on Ethnic Minorities and the Law is being taught at the Dept of Law. It covers *inter alia* the areas of legal pluralism and its application to the study of ethnic minorities in law; the concept of ethnicity in English law; family law; anti-discrimination law; crime and criminalisation; racial harassment and violence; education and immigration law. Further details from [eprakash.shah@qmul.ac.uk](mailto:eprakash.shah@qmul.ac.uk)

**Two new LLMs at KEELE**

The LLM in Gender, Sexuality and Human Rights aims to provide a practical and theoretical understanding of law and its relevance to issues around gender and sexuality. It combines analysis of current law with a critical exploration of the structures, potential and limits of law and legal reform. The course aims to develop not only subject specific knowledge and skills, but also transferable skills (particular attention is paid to research and analytical ability). It will also provide a foundation for pursuing further study at doctoral level. A limited number of bursaries are available. The LLM in Law and Society will enable students to undertake advanced legal research focusing on socio-legal studies. Specialist research training is provided. Additionally, students are guided in the critical appraisal of legal practices and institutions. For more information, see: [www.keele.ac.uk/depts/la/llmgender.htm](http://www.keele.ac.uk/depts/la/llmgender.htm) or [llmlega.htm](http://llmlega.htm)

**Postgraduate opportunities at Glasgow**

Glasgow's LLM in Human Rights Law offers a range of courses across domestic, European and international law and allows students to select their own course of study and choice of dissertation topic. The course provides detailed and comparative perspectives on key human rights debates. The new MSc in Criminal Justice offers a number of courses that deal with recent theoretical debates about crime, criminal law and punishment and the management of criminal justice and combines the study of current international research on policy and practice with a focus on recent developments in Scotland. For both courses, contact: Isobel McGregor [+0141 548 3119](tel:+01415483119) [isobel.mcgregor@strath.ac.uk](mailto:isobel.mcgregor@strath.ac.uk), [www.gglstrath.ac.uk](http://www.gglstrath.ac.uk)

**Data analysis and collection**

Essex University is running a summer school (7-18 July 2003) entitled Socio-Legal Research Methods: A Practical Guide to provide training in theoretical issues and practical research skills relevant to students and practitioners of socio-legal studies, within a flexible teaching environment that allows maximum student participation. Contact: [esumsch@essex.ac.uk](mailto:esumsch@essex.ac.uk) for general details or [ejaylbar@essex.ac.uk](mailto:ejaylbar@essex.ac.uk) for academic queries.

## Psychology and law: developments and directions

David Carson, Reader in Law and Behavioural Sciences at Southampton University, describes the current state of this developing field in the lead up to a major international conference.

A major international conference on Psychology and Law takes place in July 2003 in Edinburgh. The first such conference, supported by the US and European psychology and law societies, attracted over 550 delegates in 1999. What does this signify about the development of the field, nationally and internationally?

Clearly the field is most developed in North America. Postgraduate courses are plentiful and popular. Leading journals include *Law and Human Behavior* (founded 1977), *Behavioral Sciences & the Law* (1982) and *Psychology, Public Policy and the Law* (1995). Most researchers who would identify themselves with this field of work are from psychology departments although many are also qualified lawyers. Increasingly they have been appointed to enhance the empirical research base of law schools. Uniquely the Australian and New Zealand Association, publishers of *Psychology, Psychiatry and Law* (1994), had a barrister and prodigious writer, Ian Freckelton, as their first President.

There is no UK 'psychology and law' society although there are groups of psychologists who define themselves by their interest in law. The British Psychology Society has a division dedicated to legal and forensic psychology. Academic orientation has tended to be towards Europe (an association was founded in 1992). Before that, UK interest was kept alive by individuals. Thus, it is appropriate that the first UK chair in Law and Psychology should be held by Dr Sally Lloyd-Bostock, now at Birmingham. Several journals are now based in Europe. These include *Expert Evidence* (1992), *Psychology Crime & Law* (1994) and *Legal and Criminological Psychology* (1995). The first has since ceased publication although/because it was the most interdisciplinary.

Whilst the dominant paradigm, both in journal submissions and conference papers, has been controlled empirical research on applications of psychology to legal topics, the field is broadening. It has certainly grown beyond studies of problems with identification evidence and mock juries. To an extent subject-matter reflects national interests. There is, for instance, little European interest in 'death-qualified juries' and the UK has been prominent in the development of good practices for interviewing children and other vulnerable witnesses.

A major issue, although rarely debated, is whether it is and/or should be psychology and law, or psychology of law. Only the former is interdisciplinary. Also it is rather uncritical. Law tends to be taken as given. What it could be is rarely investigated, what it should be is only implicit. Psychology is the junior partner. Even though there are many problems, in applying knowledge based upon sample studies to individual cases, the primary focus is on law in the courts. Its contribution to legislative law reform is under-developed.

Lawyers and psychologists seem to retreat in the face of the possibilities. Expert evidence is limited to what lay people do not know; but how does the court know the bounds of its ignorance? The UK police have been better customers than lawyers in learning from the research on cognitive interviewing and the suggestibility of defendants. There are no psychologists on the UK Law Commission. The US Supreme Court established criteria for determining 'scientific' evidence. But studies suggest that the criteria are neither properly understood nor followed by courts.

But, then, where are the systems for helping legislators and judges to get it right? Proposed laws on capacity to make legal decisions, for example, will incapacitate individuals by requiring 'information overload'. Simply, we cannot cope, understand and evaluate lots of information all at the same time. It needs to be broken down and dealt with sequentially.

And several psychologists are keen to keep away from courts. They emphasise what is not known. They argue that, although there have been important advances, such as in research concerning offender profiling and the detection of deceit, it should not be presented to courts. Although it is insufficiently developed to justify convictions, it does not follow that it could not be called upon to suggest a reasonable doubt by the defence, or be used as one element in a conviction. And it is important that judges and juries have their automatic assumptions challenged: for example untrained people are not good at recognising deceit, particularly when confident, mentally disordered people are only marginally more likely to be violent, memory is not like a tape recorder, and lawyers' questions distort witnesses' answers.

The Edinburgh conference will be significant for the record input of lawyers (not least the financial assistance from the Faculty of Advocates). There will be a pre-conference on Problem Solving Courts involving judges from the UK and some of the 800 such courts in the USA. Another will examine the potential of mediation to reduce the demands for compensation. The future, particularly international, of psychology and law will be debated. [www.law.soton.ac.uk/bsln/psych&law2003/](http://www.law.soton.ac.uk/bsln/psych&law2003/)

### Socio-legal research users' forum<sup>1</sup>

The latest meeting was held on 19 November 2002. As already noted, the Forum now uses meetings to consider general issues of relevance to the socio-legal community, as well as receiving updates on research initiatives/developments.

On this occasion, Nony Ardill (Legal Action Group) raised for discussion the relationship between social exclusion and access to justice. She noted that in the 1970s, for example with the Community Development Programme, there was an assumption that there was a direct link between the provision of legal services and reducing the impact of poverty. These days, this was not an assumption automatically made by government. Although tackling social exclusion was a major priority, the need for legal services was not seen as integral to this. Anyway policy makers seemed to think that the Legal Services Commission was providing all the necessary legal services. A challenge for the research community was to develop research ideas that could explore the relationship between the provision of access to justice and increases in social inclusion.

Mike Bright (ESRC) provided an up-date on the ESRC's research priorities<sup>2</sup> and introduced Donna Dickenson<sup>3</sup> who is leading the development of an ESRC Programme Proposal on Ethics, Trusts and Rights. If funded, this will explore key issues on, for example: the role of ethics in the formation and delivery of public policy; the impact of concepts of rights as a feature of discourse on globalisation and the need for claims to rights to be balanced by the language of responsibility; and the extent to which trust is a core value in the modern world.

Sharon Witherspoon (Nuffield Foundation) reported that the question of research capacity is moving forward (further developments will be reported to the Forum in May).

For information on SLRUF or to raise issues to be considered contact: or [emartin.partington@lawcommission.gsi.gov.uk](mailto:emartin.partington@lawcommission.gsi.gov.uk) or [christine.craig@lcdhq.gsi.gov.uk](mailto:christine.craig@lcdhq.gsi.gov.uk) **Martin Partington**

#### Notes

- 1 For a background note see SLN 36:2, March 2002.
- 2 See [www.esrc.ac.uk](http://www.esrc.ac.uk).
- 3 Director, Centre for the Study of Global Ethics, Birmingham University. See [www.globalethics.bham.ac.uk](http://www.globalethics.bham.ac.uk)

## German funding for Westminster

John Flood (Westminster University) has received a grant for researching lawmaking in large law firms as part of a larger research project on the Changing Nature of Statehood, with Volkmar Gessner and Michael Stuern of Bremen University. The funder is the German Science Foundation.

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## Mediation in neighbour disputes

Alison Brown and a team from Stirling University are undertaking research commissioned by the Scottish Executive entitled *The Role of Mediation in Tackling Neighbour Disputes and Anti-social Behaviour*. The main aim is to compare the cost-effectiveness of mediation and legal remedies such as anti-social behaviour orders and eviction. Cases from community mediation services, local authority mediation services, housing managers and specialist anti-social teams will be analysed, and interviews will be held with participants. In addition, people who have turned down the offer of mediation will be asked about the reasons for this. The project runs from August 2002 to February 2003. [e alison.brown@stir.ac.uk](mailto:alison.brown@stir.ac.uk)

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## 'Government Lawyers' project presents findings

The ESRC-funded research project – *Government Lawyers: Expertise, Involvement, Professionalism* – has completed its main fieldwork, with approximately 50 interviews of lawyers and 20 of administrators. Initial papers, on the legal knowledge of lawyers and administrators, and on lawyers' part in policy-making, were presented for comment at a meeting of academics and civil servants at the Institute of Advanced Legal Studies in December. A conference will be held in Oxford on 17 July 2003, to discuss findings from the research. For more information see [www.users.ox.ac.uk/~lewispsc/govlawyers](http://www.users.ox.ac.uk/~lewispsc/govlawyers), or [www.csls.ox.ac.uk/govlawyers.html](http://www.csls.ox.ac.uk/govlawyers.html) or [e admin@csls.ox.ac.uk](mailto:admin@csls.ox.ac.uk).

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## Cardiff Centre for Ethics, Law and Society

The Cardiff Centre for Ethics, Law and Society (CCELS) based at Cardiff University is a virtual centre connecting researchers and practitioners in medicine, science, the social sciences and the humanities and linking them to policy makers and those working in professional practice, business and industry. CCELS is not a research centre in itself but facilitates research, particularly interdisciplinary research, by enabling collaboration between different departments and different institutions and organisations. In addition to providing a service for academia the centre aims to be a resource providing information and advice to professionals, policy makers and citizens alike. [www.CCELS.cardiff.ac.uk](http://www.CCELS.cardiff.ac.uk) [e ccels@cardiff.ac.uk](mailto:ccels@cardiff.ac.uk)

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## Researching the work of judges

Penny Darbyshire of Kingston Law School has just been awarded a grant from the Nuffield Foundation Access to Justice fund for a project shadowing judges. She plans to shadow 40 judges over the next two years, in an observational study, with the aim of finding out characteristics of modern judges, what they do in their working lives and how they interact with other judges and court users. [ep.darbyshire@kingston.ac.uk](mailto:ep.darbyshire@kingston.ac.uk)

## CARR online research directory

As part of its Outreach programme the ESRC Centre for Analysis of Risk and Regulation (CARR) has launched the first national and international database for risk and regulation research. Containing up-to-date information on academic research, the Risk&Regulation Online Research Directory promises to become a gateway for academics, researchers, students and practitioners to develop intellectual synergies, pull together research and build successful partnerships. CARR hopes to contribute to better co-ordination and communication among academics and professionals in this multi-disciplinary field and enable users to benefit from contemporary research findings. [www.lse.ac.uk/depts/carr](http://www.lse.ac.uk/depts/carr)

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## Pregnancy-related unfair dismissal litigation

Dr Grace James of the School of Law at Reading University has received funding from the Nuffield Foundation to research the operation of current statutory arrangements for pregnancy-related unfair dismissal litigation at employment tribunals in England and Wales. Drawing on the information available in relevant tribunal decisions from 1996–2002 the scope and nature of the litigation will be explored with a view to assessing whether, and with what implications, the law provides women who are dismissed in such circumstances with an adequate form of legal redress. For further information contact [e.c.g.james@reading.ac.uk](mailto:e.c.g.james@reading.ac.uk).

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## Research Leave Scheme

The Research Leave Scheme funds replacement teaching costs for periods of research leave of three or four months, so that an individual scholar may complete a research project by the end of the award period. The employing institution is expected to offer an equivalent period of relief from teaching or other duties in the term immediately preceding that in which the Arts and Humanities Research Board (AHRB) leave will be taken, resulting in a total period of six or eight months relief from teaching and administrative duties. See [www.ahrb.ac.uk](http://www.ahrb.ac.uk) or contact Ian Broadbridge [t 0117 987 6679](tel:01179876679) [f 0117 987 6600](tel:01179876600) [e i.broadbridge@ahrb.ac.uk](mailto:i.broadbridge@ahrb.ac.uk) The AHRB is to become a research council (AHRC). As with other research councils, the AHRC will operate on a UK-wide basis and be funded by the Office of Science and Technology (OST). For further information, please contact: Angela Murphy, AHRB Director of Corporate Communications [t 0117 987 6775](tel:01179876775) [e a.murphy@ahrb.ac.uk](mailto:a.murphy@ahrb.ac.uk)

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## The death penalty in Japan

Dr Richard Wild, lecturer in Criminology at Keele University, was recently invited to undertake a mission in Japan investigating the death penalty for the International Federation for Human Rights. The panel interviewed members of the Japanese Federation of Bar Associations, law professors, Members of Parliament, the Ministry of Justice, prison authorities, journalists, various NGOs, the families of death-row inmates, members of the National Association for Victim Support, and a religious counsellor. The full report was published in January to coincide with debate at the next session of the Japanese Diet on a new bill introducing a moratorium on the death penalty and also the debate in the European parliament on the withdrawal of observer status from Japan and the USA. [er.wild@keele.ac.uk](mailto:er.wild@keele.ac.uk)

## Nuffield news

The New Career Development Fellowship Scheme supports social scientists in the early stages of their post-doctoral research careers to work in partnership with an experienced researcher on projects broadly related to social well-being. The scheme aims to foster research capacity through the exposure of fellows to research skills or a new body of knowledge that they would not otherwise easily acquire. Application materials for the 2004 round will be available from September 2003. Materials for the 2003 are still available for information and details of the awards in the first three rounds of the scheme can be found on the website. The closing date for the 2004 round is likely to be around the end of November 2003. The Nuffield Foundation Social Science Small Grants scheme is a rolling programme with no closing date. Details of both schemes and application materials from [www.nuffieldfoundation.org](http://www.nuffieldfoundation.org).

## Comparative research into defamation law, media practices and public debate

The Australian Research Council has funded the project Defamation Law in Context: Australian and US News Production Practices and Public Debate for the years 2003–05. The research examines the effects of different legal regimes within major and independent media outlets. It seeks to enhance understanding of defamation law's influences on public debate by closely investigating media production practices within their changing political, institutional and cultural contexts.

The project's chief investigators are Dr Andrew Kenyon and Dr Timothy Marjoribanks at Melbourne University. The research team will conduct multiple interviews at a number of media sites in each country, including interviews with editors, journalists and legal advisors. These will be combined with observation at some sites and content analysis of media products from each country. The researchers aim to extend their results to the UK situation and are happy to hear from interested researchers in law, media studies and sociology. More information is available from the Centre for Media and Communications Law [www.law.unimelb.edu.au/cmcl](http://www.law.unimelb.edu.au/cmcl), or from Andrew Kenyon [ea.kenyon@unimelb.edu.au](mailto:ea.kenyon@unimelb.edu.au).

## Housing law research initiatives

The housing law research team (Caroline Hunter, Sarah Blandy, Judy Nixon and Diane Lister) at the Centre for Regional, Economic and Social Research, Sheffield Hallam University, has recently completed research for the Office of the Deputy Prime Minister (ODPM) on Tackling Anti-social Behaviour in Mixed Tenure Areas (Judy Nixon *et al*), with Anwen Jones from the Centre for Housing Policy at York University. The research report was published in March 2003.

Sarah Blandy and Diane Lister are currently conducting research into gated communities, with Rowland Atkinson and John Flint at Glasgow University. The study is funded by the ODPM's New Horizons research programme and is due to be published in autumn 2003.

The team is also undertaking work on Engaging Private Landlords in Tackling Anti-Social Behaviour, as part of the national Evaluation of the New Deal for Communities programme.

## Whistleblowing in schools report

Whistleblowing by employees has received much attention in recent years. Although concerns have been expressed about bullying, sexual abuse, drug misuse, financial irregularities and school admissions, no recent survey of the reporting procedures used by schools and LEAs (Local Education Authorities) has been undertaken. This report, which was funded by the Nuffield Foundation Social Science Small Grants Scheme identifies three key issues. First, schools require a tailor-made model confidential reporting procedure. It is not satisfactory for schools and LEAs to rely solely on the local authority policy. Second, such a procedure should be available to parents, carers, pupils and governors as well as teaching and non-teaching staff. Third, there is potential for confusion because of the number of overlapping policies and procedures in schools, including, for example, anti-bullying, health and safety, and equal opportunities policies and procedures. Thought needs to be given as to how to identify and simplify access to the appropriate procedure. Copies of the report are available from: Professor David Lewis [+4412084115983](tel:+4412084115983) or [ed.b.lewis@mdx.ac.uk](mailto:ed.b.lewis@mdx.ac.uk) or Anne Ruff [+4412084115812](tel:+4412084115812) or [ea.ruff@mdx.ac.uk](mailto:ea.ruff@mdx.ac.uk)

## ... people

**STEVEN GREER** of Bristol University is spending the current academic year as the British Academy 'Thank-Offering to Britain' Research Fellow, studying the reform of the European Convention on Human Rights.

**NICK WIKLEY** of Southampton University Law Faculty has been awarded a Leverhulme Major Research Fellowship with effect from October 2003 for two years. He will be researching and writing a book on child support law and policy [enju@soton.ac.uk](mailto:enju@soton.ac.uk).

**DANIEL MONK** has moved from Keele University to Birkbeck. His new details are: [ed.monk@bbk.ac.uk](mailto:ed.monk@bbk.ac.uk)

**DR THERESE CALLUS** has moved to [em.t.callus@reading.ac.uk](mailto:em.t.callus@reading.ac.uk)

**SIMON GARDINER** has moved from APU to take up an adjunct Professorship in Sports Law at Griffith University in Brisbane and a Senior Research Fellowship at The Asser International Sports Law Centre in The Hague. [es.gardiner@asser.nl](mailto:es.gardiner@asser.nl)

**DR STEPHEN WHITTLE** has been awarded a prestigious Liberty and JUSTICE Human Rights Award 2002 for commitment and dedication to ensuring the advancement of rights for transsexual people through judicial means. More information on his work can be found at [www.pfc.org.uk](http://www.pfc.org.uk).

**DR ANDREW KENYON** has been appointed Director of the Centre for Media and Communications Law in the Faculty of Law at Melbourne University, Australia. The centre is developing a visiting researcher programme covering all areas of media and communications law and policy: see [www.law.unimelb.edu.au/cmcl](http://www.law.unimelb.edu.au/cmcl), or [ea.kenyon@unimelb.edu.au](mailto:ea.kenyon@unimelb.edu.au).

**KAS WACHALA** has moved from Liverpool John Moores University to Edge Hill University College. [ewachalak@edgehill.ac.uk](mailto:ewachalak@edgehill.ac.uk)

**NOEL WHITTY** has moved from Keele University to take up a new position at Strathclyde. His address is [ed.whitty@strath.ac.uk](mailto:ed.whitty@strath.ac.uk)

**DONALD MCGILLIVRAY** has moved from Birkbeck College to Kent University Law School [ed.mcgillivray@ukc.ac.uk](mailto:ed.mcgillivray@ukc.ac.uk)

**PROFESSOR ROSEMARY HUNTER**, former director of the Socio-Legal Research Centre, has been appointed Dean of the Law Faculty at Griffith University. Her new contact details are: [rosemary.hunter@griffith.edu.au](mailto:rosemary.hunter@griffith.edu.au)

**The Lay and Judicial Perspectives on the Expansion of the Small Claims Regime** (2002) John Baldwin, LCD 8/02

The small claims regime in England and Wales has been designed specifically with litigants in person in mind. It provides a cheap and simple mechanism by which people who are unfamiliar with legal procedures can bring their disputes to court. This report considers the consequences of the rise in the small claims limit from £3000 to £5000 from the perspective of both litigants and district judges.

**The Impact on Courts and the Administration of Justice of the Human Rights Act 1998** (2002) John Raine and Clive Walker, LCD 9/02

This report describes the findings of a research project designed to assess the impacts on courts of the implementation of the Human Rights Act 1998. The project examined the planning and preparation work undertaken by courts and related agencies in the period ahead of implementation of the Act; the effects immediately after implementation (in October 2000); and the position almost a year later to assess the longer term impacts.

**Housing Possession Cases in the County Court: Perceptions and experiences of black and minority ethnic defendants** (2002) Sarah Blandy, Caroline Hunter, Diane Lister and Judy Nixon, LCD 11/02

This research examines how far the experience of defendants in housing possession cases is affected by their ethnicity. In particular it explores the perceptions, experiences and understanding of the court functions and processes amongst black and minority ethnic (BME) defendants and more widely within their communities. It also compares the experience of BME and white defendants of the possession process.

**Social Work Law** (2003) Alison Brammer, Pearson Harlow, £20 504pp

Suitable for law modules within the professional social work qualification, the Diploma in Social Work, and for Masters degrees in related areas, a companion website is available at [www.booksites.net](http://www.booksites.net) which includes materials to update the book in this fast-moving area of the law. The text provides a practical and clear guide to the legal framework and substantive law relating to social work. There is equally weighted coverage of the law relating to children and to vulnerable adults, criminal justice issues examined in relation to both groups and additional chapters on discrimination and asylum. The text emphasises the dynamic relationship between the law and social work practice and the growing influence of the Human Rights Act.

**Money Laundering Law: Forfeiture, confiscation, civil recovery, criminal laundering and taxation of the proceeds of crime** (2003) Peter Alldridge, Hart ISBN 1 84113 264 0 £40hb 324pp

In the past 20 years, the 'profits of crime' has moved rapidly up the criminal justice agenda. The Proceeds of Crime Act 2002 is another step towards greater concentration both on the financial aspects of crime and on the internationalisation of criminal law. It will put in place the Assets Recovery Agency, which will have power both to bring civil proceedings to recover proceeds of crime without a prior criminal conviction and to raise assessments to taxation. This book subjects the law of laundering to theoretical critique and to a human rights' audit.

**The Harassment and Abuse of Older People in the Private Rented Sector** (2003) Dr Nancy Carlton, Dr Frances Heywood, Dr Misa Izuwara, Jenny Pannell, Tina Fear and Robin Means, The Policy Press ISBN 1 86134 458 9 £14.99

Help the Aged funded this major study because of concerns that older people living in private rented housing were vulnerable to abuse and harassment by landlords. The report concludes with recommendations including the need for changes in areas such as the regulation of the sector, the rights of older tenants and in the housing benefit system.

**Legal Method: Text and materials** 2nd edn (forthcoming summer 2003) Professors Carl Stychin and Linda Mulcahy, Sweet and Maxwell

**The Handbook of Psychology in Legal Contexts** 2nd edn (2003) David Carson and Ray Bull (eds), Wiley & Sons

As with the first edition, this completely updated new edition is edited by David Carson and Ray Bull. It contains 30 chapters, from leading authorities in North America, Europe and Australia, on developing issues at the interface between law and psychology. From support for police investigations, through developments with restorative and problem-solving courts, to establishing facts and the relationship between behavioural and social sciences.

**Age as an Equality Issue: Legal and policy perspectives** (2003) Sandra Fredman and Sarah Spencer (eds), Hart ISBN 1 84113 405 8 £35hb 224pp

Ageism is on the equality agenda due to the spectre of an ageing population and this has led to a range of policies on 'active ageing'. Most importantly, legally binding legislation prohibiting age discrimination in employment will need to be in place by 2006. This book looks at all the issues in a series of chapters by experts from a wide range of disciplines. It examines the nature of the ageing process, the concept of age equality and critically assesses employment, education, and health in this light.

**Conversations, Choices and Chances: The liberal law school in the twenty-first century** (2003) Anthony Bradney, Hart ISBN 1 84113 248 9 £22.50hb 204pp

Basing itself on a detailed examination of the theory of liberal education, this book looks at what the liberal university law school should be doing in terms of its teaching, research and administration.

**Family Law: Processes, practices, pressures** (2003) John Dewar and Stephen Parker (eds), Hart ISBN 1 84113 308 6 £55pb 604pp

This volume contains an edited selection of the papers by contributors from around the world delivered at the 10th World Conference of the International Society of Family Law. The papers cover three broad themes: innovations in processes for resolving and determining family disputes; changing patterns in family and professional practices; and the political and other pressures operating on family law systems and law reform processes.

**Governing Sexuality: The changing politics of citizenship and law reform** (2003) Carl Stychin, Hart ISBN 1 84113 267 5 £30hb 224pp

This book explores issues of sexual citizenship and law reform in the UK and Europe. Across Europe, lesbians and gay men are making claims for equal status, grounded in the language of rights and citizenship, and using the language of international human rights and European law.

**Responsibility in Law and Morality** (2003) Peter Cane, Hart ISBN 1 84113 400 7 £17.95pb 320pp new in paperback

Lawyers who write about responsibility tend to focus on criminal law at the expense of civil and public law; while philosophers tend to treat responsibility as a moral concept, and either ignore the law or consider legal responsibility to be a more or less distorted reflection of its moral counterpart. This book aims to counteract both of these biases.

**At What Cost? The economics of gypsy and Traveller encampments** (2002) Rachel Morris and Luke Clements, The Policy Press ISBN 1 86134 423 6 £18.99 176pp

This book presents the findings of a comprehensive study of the costs associated with unauthorised encampments. In addition to exploration of the financial costs experienced by local authorities in the UK, the book also examines and places in context the financial, human and social costs suffered by private landowners, police services and travelling people themselves.

**Sports Law** 2nd edn (2003) Simon Gardiner *et al*

This new edition is now published and can be purchased on-line at [www.cavendishpublishing.com](http://www.cavendishpublishing.com).

**Surrogate Motherhood: International perspectives** (2003) Rachel Cook and Shelley Day Sclater, with Felicity Kaganas (eds), Hart ISBN 1 84113 255 1 £35hb 288pp

This book is a multi-disciplinary collection of essays from leading researchers and practitioners, exploring legal, ethical, social, psychological and practical aspects of surrogate motherhood in Britain and abroad. It highlights the common themes that characterise debates across countries as well as exploring the many differences in policies and practices. Surrogacy raises questions for medical and welfare practitioners and dilemmas for policy makers as well as ethical issues of concern to society as a whole. The international perspective adopted by this book offers an opportunity for questions of law, policy and practice to be shared and debated across countries. The book links contemporary views from research and practice with broader social issues and bio-ethical debates.

**The Appeal of Internal Review** (2003) Dave Cowan and Simon Halliday (with Caroline Hunter, Paul Maginn and Lisa Naylor), Hart ISBN 1 84113 383 3 £35hb 224pp

Why do most welfare applicants fail to challenge adverse decisions despite a continuing sense of need? This book addresses this question using English homelessness law as a case study and asks why homeless applicants did – but more often did not – challenge adverse decisions by seeking internal administrative review. Drawing on a diverse literature – risk, trust, audit, legal consciousness, and complaints – the authors lay the foundations for our understanding of the (non-)emergence of administrative disputes.

**Women in the World's Legal Professions** (2003) Ulrike Schultz and Gisela Shaw (eds), Hart ISBN 1 84113 319 1 £55hb ISBN 1 84113 320 5 £30pb 484pp

Women lawyers, less than a century ago still almost a contradiction in terms, have come to stay. Who are they? Where are they? What impact have they had on the profession that had for so long been a bastion of male domination? These are key questions asked in this first comprehensive study of women in the world's legal professions. Answers are based on both quantitative and qualitative analyses, using a variety of conceptual frameworks. Twenty-six contributions by 25 authors present and evaluate the situation of women in the legal profession in 15 countries.

**Politics of Jurisprudence: A Critical introduction to legal philosophy** 2nd edn (2003) Roger Cotterrell, Butterworths 300pp

A new, and substantially expanded, second edition scheduled for publication in April. Roger Cotterrell is Professor of Legal Theory at Queen Mary and Westfield College

**Lawyers and Vampires: Cultural histories of legal professions** (2003) David Sugarman and W Wesley Pue (eds), Hart ISBN 1 84113 3124 £45hb 408pp

This is the first book that directly addresses the cultural history of the legal profession. An international team of scholars canvasses wide-ranging issues concerning the culture of the legal profession and the wider cultural significance of lawyers, including consideration of the relation to cultural processes of state formation and colonisation. The essays describe and analyse significant aspects of the cultural history of the legal profession in 10 countries and seek to understand the complex ways in which lawyers were imaginatively and institutionally constructed, and their larger cultural significance. It illustrates both the diversity and the potential of a cultural approach to lawyers in history.

**Journal of Immigration, Asylum and Nationality Law**

Dr Prakash A Shah of Queen Mary School of Law, London University has been appointed as the new managing editor of this journal and will be seeking contributions from within the academic and practitioner community in this very crucial area of socio-legal studies. [eprakash.shah@qmul.ac.uk](mailto:prakash.shah@qmul.ac.uk)

• **GLOBAL GOVERNANCE AND THE SEARCH FOR JUSTICE**

*Halifax Hall, Sheffield University: 29 April–1 May 2003*

The globalisation phenomenon embraces just about every legal discipline. This conference hopes to make a contribution to underlining the emerging significance of these disciplines to the globalisation debate. Speakers from the WTO, World Bank and Amnesty, plus David Blunkett and leading academics. Contact: Moira Ruff [+44 \(0\)114 222 6776](tel:+441142226776) [e globalisation@sheffield.ac.uk](mailto:globalisation@sheffield.ac.uk) or [www.sheffield.ac.uk/law/conferences/globalisation/globe2003.htm](http://www.sheffield.ac.uk/law/conferences/globalisation/globe2003.htm)

• **VISTA PERSPECTIVES ON PROBATION**

*Birmingham, Botanical Gardens: 15 May 2003*

Theme: Engaging with Local Communities: A Key Role for Local Probation Boards. Chair Prof Sue Richards (Birmingham University). Contact Amanda Williams [+0121 414 7407](tel:+4411214147407) [e a.a.williams@bham.ac.uk](mailto:a.a.williams@bham.ac.uk).

• **WOMEN IN LEGAL EDUCATION/WOMEN LAW PROFESSORS NETWORK WORKSHOP: FEMINIST METHODS IN LEGAL EDUCATION**

*Cardiff Law School: 20 May 2003*

Plenary speaker Joanne Conaghan. Organisers Judy Laing and Celia Wells. Contact Sharon Willicombe [ewillicombesr@cardiff.ac.uk](mailto:willicombesr@cardiff.ac.uk).

• **REMAKING LAW IN AFRICA: TRANSNATIONALISM, PERSONS AND RIGHTS**

*Centre for African Studies, Edinburgh University: 21–22 May 2003*

For details, contact Anne Griffiths [e anne.griffiths@ed.ac.uk](mailto:anne.griffiths@ed.ac.uk).

• **INTERNATIONAL COMMERCIAL ARBITRATION AND AFRICAN STATES**

*Senate House, London University: 4–5 June 2003*

Issues to be discussed at this colloquium include: the development, practices and use of arbitration and ADR in Africa; the practical merits of arbitration and the ADR process in the African setting; the emergence of international and national arbitration institutions, centres and associations in African jurisdictions; and many more. Contact: Laurreta Alexander, King's College London, London WC2R 2LS [e l.a.alexander@kcl.ac.uk](mailto:l.a.alexander@kcl.ac.uk) [+44 \(0\) 20 7848 2265](tel:+442078482265) [+44 \(0\) 20 7848 2465](tel:+442078482465) [www.kcl.ac.uk/BIIIC](http://www.kcl.ac.uk/BIIIC) and [www.biicl.org](http://www.biicl.org)

• **FRAMEWORKS OF UNDERSTANDING: MULTI-DISCIPLINARY PERSPECTIVES ON CHILDHOOD**

*Centre for Research on Family, Kinship and Childhood, Leeds University: 6 June 2003*

Aimed at researchers and practitioners to explore and evaluate new ways of understanding childhood from different standpoints and perspectives. Speakers include: Katherine Gieve, Jan Aldridge, Jennifer Flowerdew, Bren Neale and Elizabeth Such. Contact Angela Jackman [efamily@leeds.ac.uk](mailto:efamily@leeds.ac.uk)

• **NOTTINGHAM UNIVERSITY – FORTHCOMING EVENTS**

- International Criminal Court Summer School: 16–25 June 2003;
- 'Trafficking in People', Portland Building, 27–28 June 2003.

Further details from the HRLC [www.nottingham.ac.uk/law/hrlc](http://www.nottingham.ac.uk/law/hrlc)

• **WG HART WORKSHOP: EU LAW FOR THE 21ST CENTURY – RETHINKING THE NEW LEGAL ORDER**

*Institute of Advanced Legal Studies: 25–27 June 2003*

Organisers: David O'Keeffe and Takis Tridimas. Aims: to assess the state of development of EU law, 50 years after the establishment of the Communities, contribute to the current debate on Europe and identify future trends. Belinda Crothers [e belinda.crothers@sas.ac.uk](mailto:belinda.crothers@sas.ac.uk) WC1B 5DR [+020 7862 5850](tel:+442078625850)

• **INFLUENCES ON THE DEVELOPMENT OF FAMILY LAW**

*Oregon University, School of Law: 26–28 June 2003*

Topics include: defining the family; philosophical, economic, sociological or developmental issues in defining family rights and obligations; family support issues etc. International and comparative approaches to topics are encouraged. Contact Leslie Harris, Oregon University, [+\(541\) 346-3840](tel:+15413463840) [elharris@law.uoregon.edu](mailto:lharris@law.uoregon.edu) [www.law.uoregon.edu/isfl/](http://www.law.uoregon.edu/isfl/)

• **PSYCHOLOGY AND LAW**

*Edinburgh: 7–12 July*

Accepted abstracts available on conference website, programme due in April. Pre-conference practical courses 7–8 July and special series of nine State of the Science lectures on 12 July. Contact Jill Elliott [ejre@soton.ac.uk](mailto:ejre@soton.ac.uk) or [+44 \(0\)2380592376](tel:+4412380592376)  
[www.law.soton.ac.uk/bsln/psych&law2003/](http://www.law.soton.ac.uk/bsln/psych&law2003/).

• **GOVERNMENT LAWYERS: EXPERTISE, INVOLVEMENT, PROFESSIONALISM**

*Centre for Socio-Legal Studies, Oxford: 17 July 2003*

This ESRC-funded research project has completed its main fieldwork. Initial papers were presented at the IALS in December. This conference will discuss findings from the research. Details [admin@csls.ox.ac.uk](mailto:admin@csls.ox.ac.uk)  
[www.users.ox.ac.uk/~lewispsc/govlawyers](http://www.users.ox.ac.uk/~lewispsc/govlawyers).

• **RESEARCH COMMITTEE ON THE SOCIOLOGY OF LAW: ANNUAL MEETING**

*St Anne's College, Oxford: 18–20 July 2003*

Themes include Diversity and the Law, Commensuration of Law, Gender, Family Law and Family Policy, Judiciary and many more. Booking forms available from Mavis Maclean [32 Wellington Square, Oxford OX1 2ER](mailto:32 Wellington Square, Oxford OX1 2ER) or [www.iisj.es/nl14.pdf](http://www.iisj.es/nl14.pdf) pp 19–20.

• **INTERNATIONAL SOCIETY OF FAMILY LAW: DIVORCE – CAUSES AND CONSEQUENCES**

*Beijing, China: 21–24 July, 2003*

Topics include comparative divorce, principles, rules, procedures, practices, issues, and problems in divorce regulation and administration, and the causes and effects of divorce. Contact: Lynn Wardle [518 JRCB, Brigham Young University, Provo, UT 84602](mailto:518 JRCB, Brigham Young University, Provo, UT 84602)  
[+86\(1\) 422-2617 422-0391](tel:+86142226174220391) [lynn\\_wardle@byu.edu](mailto:lynn_wardle@byu.edu).

• **POLICY AND POLITICS IN A GLOBALISING WORLD: Announcement and call for papers**

*Bristol, UK: 24–26 JULY 2003*

To explore key forces shaping policy debates in the contemporary world. It brings together key commentators on and those interested in global processes, policy making and the future of governance. Plenary speakers: Alex Callinicos, Stephen Castles, Bob Deacon, Saskia Sassen and Linda Weiss. Offers of papers in the form of a short abstract are welcome. For more detail [esps-enquiries@bristol.ac.uk](mailto:esps-enquiries@bristol.ac.uk)  
[www.bristol.ac.uk/Depts/SPS/p&pconf/index.htm](http://www.bristol.ac.uk/Depts/SPS/p&pconf/index.htm). Organiser: Dr Patricia Kennett, Editor, *Policy and Politics* [p.kennett@bris.ac.uk](mailto:p.kennett@bris.ac.uk).

• **WORKSHOP ON LAW AND SOCIAL THEORY**

*Lund University, Sweden: 12–18 August 2003*

To explore different perspectives on the relationship between law and social theory and how ideas and analytic resources from different social theoretical traditions can be employed in studying law, legal institutions and legal behaviour [www.ivr2003.net](http://www.ivr2003.net)

• **ALL ABOUT EVE? EXPLORING THE LEGAL AND SOCIAL IMPLICATIONS OF THE GENOMIC REVOLUTION**

*Nottingham University: 2 September 2003*

The Institute for the Study of Genetics, Biorisks and Society at Nottingham University is hosting an SLSA one-day conference. Papers are invited on all aspects of the social and legal implications of the genomic revolution. A limited number of Conference Bursaries are available to PhD students to cover registration and travel. Paper abstracts (up to 500 words) to be submitted by 8 May 2003. Registration by 12 June 2003. For further details, contact: Sue Turner [elqxsc@nottingham.ac.uk](mailto:elqxsc@nottingham.ac.uk) [+0115 846 7173](tel:+4411158467173) [f0115 846 6349](tel:+4411158466349)

• **SEMINAR: EMPLOYMENT PROTECTION FOR WHISTLEBLOWERS**

*Centre for Legal Research, Middlesex University: 4 June 2003*

The Public Interest Disclosure Act 1998 is arguably the most far-reaching whistleblowers' legislation in the world. Expert speakers will lead discussion about different legislative approaches and examine the ingredients of an effective whistleblowing procedure. Contact: David Lewis on [+0208 411 5983](tel:+44202084115983) or [d.b.lewis@mdx.ac.uk](mailto:d.b.lewis@mdx.ac.uk)

• **INTERDISCIPLINARY APPROACHES TO GENDERED VIOLENCE**

*Gender and Violence Inter-Faculty Working Group Bristol University*

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

- **Gender, violence and global conflict** (September 2003)  
[es.thapar-bjorkert@bristol.ac.uk](mailto:es.thapar-bjorkert@bristol.ac.uk) or [ekmorgan88@aol.com](mailto:ekmorgan88@aol.com)

- **Criminalising gendered violence** (January 2004) will critique the use of criminalisation to respond to gendered violence nationally and internationally. [elois.s.bibbings@bristol.ac.uk](mailto:elois.s.bibbings@bristol.ac.uk) or [ec.pantazis@bristol.ac.uk](mailto:ec.pantazis@bristol.ac.uk).

- **Theory, policy and practice: gender violence and violence against women** (July 2004) seeks to link the strands of the series by examining overall developments in the field of gender violence. [egill.hague@bristol.ac.uk](mailto:egill.hague@bristol.ac.uk) or [ellen.malos@bristol.ac.uk](mailto:ellen.malos@bristol.ac.uk).

[www.bris.ac.uk/Depts/SPS/inter/domvio/iagv.html](http://www.bris.ac.uk/Depts/SPS/inter/domvio/iagv.html)

• **3RD ANNUAL SOLON BEHAVING BADLY CONFERENCE: FRAUD\$, FAKES & DECEPTIONS: Call for papers**

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

This conference will explore the impacts of frauds, fakes and deceptions on communities and individuals. It will consider ways in which remedies to prevent and/or punish such activities developed, and identify individuals involved through the lenses of class, gender, race and age. Academics in disciplines including business, law, history, criminology, art, literature, computing etc are encouraged to offer papers illuminating past and present experience and theorisations about these activities. Comparative papers, across disciplines, periods and other perspectives, including workshops and other forums are welcomed. See website for full call for papers, and other conference information. [www.solon.ntu.ac.uk/home.htm](http://www.solon.ntu.ac.uk/home.htm)

• **INTERNATIONAL COLLOQUIUM: INTERNATIONAL GOVERNANCE AFTER SEPTEMBER 11: INTERDEPENDENCE, SECURITY, DEMOCRACY – Call for papers**

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

Two years after September 11, and in the context of interest in the governance of failed states, what is new about the nature of the international arena? How can we best address the problems of international governance? How should our thinking about democratic international governance develop? Proposals for papers and panels are invited in any discipline, and proposals which draw on academic-practitioner collaboration will be especially welcome. Invited (to be confirmed) plenary speakers are Bill Clinton and Gore Vidal. Six themes to be addressed are: new approaches to democratic governance; globalisation, regionalisation and democracy; democracy and sub/intra-state governance; security and democratic governance – international issues; regulation, accountability and democratic governance; democracy and development: towards Cosmopolis?

Contact conference organiser Dr Alex Warleigh [a.warleigh@qub.ac.uk](mailto:a.warleigh@qub.ac.uk) by 30 April 2003.

• **ESRC KNOWING FAMILIES SEMINAR SERIES**

*Leeds University*

- 'Evidence' for Policy? Connecting Research and Policy, May 2003
- Researching Families across Cultures, November 2003
- Combining Qualitative and Quantitative Approaches in Family Research, March 2004
- Visualising Families: Ethnographies of Family Life, May 2004

Contact Angela Jackman [a.s.jackman@leeds.ac.uk](mailto:a.s.jackman@leeds.ac.uk)