

# Socio-Legal NEWSLETTER No 50



THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION AUTUMN/WINTER 2006

## SLSA 2007 KENT

*Kent Law School's Helen Carr brings news of two very special plenary sessions and announces a new combined streams and keywords approach to organising papers.*

The SLSA annual conference will take place from Tuesday 3 April to Thursday 5 April 2007 at the Canterbury campus of Kent Law School. We are particularly pleased to host this conference as 2007 is the law school's 40th birthday. The conference website is now up and running and provides full details of all aspects of the conference including booking forms and contact details – see [www.kent.ac.uk/law/slsa07](http://www.kent.ac.uk/law/slsa07).

### Plenary sessions

SLSA 2007 will continue the tradition of innovative and lively legal debate informed by scholarship which is common to both the SLSA and to Kent Law School. We are delighted that Professor Nick Blomley from Simon Fraser University has accepted our invitation to deliver the first plenary lecture. Nick is currently Professor of Geography at Simon Fraser University, in British Columbia, Canada. He has a PhD in Geography from the University of Bristol (1986) and has taught at UCLA and Boston. He has a long-standing interest in critical legal geography and recently completed a project on everyday conceptions of public and private property in relation to garden spaces in inner-city Vancouver. He is currently exploring the geographies of rights in relation to anti-begging law in Canada. His most recent book is *Unsettling the City: Urban land and the politics of property* (2004, Routledge). Nick's title is **Homelessness and the delusions of property**.

In a new departure for 2007 there will be a second plenary. Professor Martin Partington CBE, one of the founder members of the SLSA, will reflect upon the past, present and the future of socio-legal studies. During his long career, he has taught at Bristol, Warwick and Brunel Universities and at the LSE. He held visiting posts in Osgoode Hall Law School, Canada, and the University of New South Wales, Australia. He is now an Emeritus Professor of the University of Bristol, and Senior Research Fellow at the Institute of Advanced Legal Studies. He has sat on many public bodies, including the Lord Chancellor's Advisory Committee on Legal Aid, the Council on Tribunals, the Judicial Studies Board and the Civil Justice Council. He was an expert adviser to Sir Andrew Leggatt's Review of Tribunals, and Janet Gaymer's Review of Employment Tribunals. He chaired the Advisory Committee for the Nuffield Inquiry into Empirical Research in Law which reported in 2006. From 2000–05 he was a Law Commissioner and he has been retained as a Special Consultant to the commission until the end of 2007. He is also advising Sir Robert Carnwath, Senior President, on research relevant to the development of the new Tribunals Service. A barrister, he still does some part-time practice from Arden Chambers, London. He was appointed CBE in 2002 and elected a bencher of Middle Temple in 2006. Martin's title is **Back to the future: the success and challenge of socio-legal scholarship**.

### New approach: streams and keywords

For this conference the SLSA is moving away from organising papers solely around streams. While streams are being retained, a keyword approach is also being introduced. Those offering papers can therefore choose to submit their abstracts to the

organising committee, selecting one or two keywords from a predetermined list which best reflect the theme of their paper.

For 2007 the chosen keywords are:

- becoming legal
- class
- development
- embodiment
- governance, governing and governability
- justice
- narrative
- networks
- order/ordering
- participation
- resistance
- risk
- sovereignty
- space and architecture
- technologies

Alternatively, abstracts may be submitted, as usual, to stream convenors. Details of the streams that have so far been confirmed can be found on the website.

Delegates are also encouraged to organise their own panels around a keyword. The SLSA discussion board provides a useful forum for contacting other members who may be interested in forming a panel. [www.slsa.ac.uk/boards](http://www.slsa.ac.uk/boards)

### About the venue

The city of Canterbury is within easy reach of London and the rest of the UK and a variety of international airports. Rail and road links to mainland Europe are good and the campus itself is a short bus or taxi ride away from either of the city's stations. Canterbury is an attractive city set in pretty countryside and it (usually) has some of the best weather in the UK! We are organising some social activities for early arrivals and those who wish to stay on after the conference. The members of the conference committee – Donald McGillivray, Helen Carr and Rosemary Hunter – are very much looking forward to welcoming you to Canterbury and SLSA 2007. Any queries about the conference should be directed to the organising committee at [e slsa07-organiser@kent.ac.uk](mailto:slsa07-organiser@kent.ac.uk)

## SLSA STUDENT BURSARIES

The SLSA has a healthy student bursary fund and is keen to support postgraduate members who would otherwise not be able to attend Kent 2007. The SLSA Executive Committee recently allocated an additional £1000 to the fund making a total of £3000. For more information on how to apply for a bursary, go to [www.slsa.ac.uk/students](http://www.slsa.ac.uk/students).

### Also in this newsletter . . .

SLSA Executive Committee announces new **Seminar Competition**: p 3

Details of our free **Postgraduate Conference 2007** in Bristol: p 3

Update on **Socio-Legal Meeting**, Berlin 2007, including SLSA student bursaries: pp 4–5

SLSA response to **RAE consultation on metrics**: p 3

## SLSA Executive Committee 2006-2007

### CHAIR

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

### VICE-CHAIR

Anthony Bradney  
Department of Law, University of Keele  
e a.bradney@law.keele.ac.uk

### SECRETARY

Julian Webb  
University of Warwick  
e julian.webb01@warwick.ac.uk

### TREASURER

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

### MEMBERSHIP SECRETARY

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

### RECRUITMENT SECRETARY

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

### NEWSLETTER, DIRECTORY, WEBSITE CONTENT, EMAIL NETWORK AND BULLETIN BOARD

Marie Selwood  
e m.selwood@tiscali.co.uk

### WEBMASTER

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

### KENT 2007 CONFERENCE ORGANISERS

Helen Carr  
e h.p.carr@kent.ac.uk  
Donald McGillivray  
e d.mcgillivray@kent.ac.uk  
Rosemary Hunter  
e r.c.hunter@kent.ac.uk

### STIRLING 2006 CONFERENCE ORGANISER

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

### LIVERPOOL 2005 CONFERENCE ORGANISERS

Helen Stalford  
e stalford@liverpool.ac.uk

Fiona Beveridge  
e f.c.beveridge@liverpool.ac.uk

### SLSA EXECUTIVE MEMBERS

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

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

Dave Cowan  
University of Bristol  
e d.s.cowan@bristol.ac.uk

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

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

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

Dermot Feenan  
University of Ulster  
e d.feenan@ulster.ac.uk

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

Simon Halliday  
University of Strathclyde  
e simon.halliday@strath.ac.uk

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

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

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

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

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

Bronwen Morgan  
University of Bristol  
e b.morgan@bristol.ac.uk

### Newsletter contact details

Marie Selwood, Editor *Socio-Legal  
Newsletter*, 33 Baddlesmere Rd, Whitstable,  
Kent CT5 2LB *†* 01227 770189  
e m.selwood@tiscali.co.uk. The next copy  
deadline is **Monday 27 January 2007**.

## SLSA website and directory

The SLSA website is currently undergoing an extensive redesign and restructuring. This also includes the process of integrating the directory into the website in its new electronic format. Members will be contacted in the near future via the email network with news on developments.

**W** [www.slsa.ac.uk](http://www.slsa.ac.uk)

## . . . people

At Queen's University Belfast, **DR HANS-DIETER PESENDORFER** has joined the Law School as a senior lecturer in regulation (he was previously at the University of Salzburg), **DR ALISON MAWHINNEY** and **DR TARIK KOCHI TOM OBOKATA** (previously at Dundee), and **AOIFE NOLAN** have been appointed lecturers and **KAREN BRENNAN** has begun a two-year post. **SARA RAMSHAW** and **DR PHILIP LARKIN** have been appointed as permanent lecturers. **DR PETE SHIRLOW** (senior lecturer in Criminology) and **DR PETER DORAN** (lecturer in sustainable development) will go to Queen's Law School in the new year as will **MS CLARE DWYER**, for an 18-month post. **DR CIARAN O'KELLY** will also join the School of Law at Queen's University as a lecturer in financial architecture and to strengthen the staff complement for the new Masters in Law and Governance that will be launched next academic year.

**CELIA WELLS** has moved from Cardiff to the University of Durham and has been elected President of the Society of Legal Scholars for the coming year e celia.wells@durham.ac.uk.

**PROFESSOR MICHAEL GUNN** has been appointed Pro Vice Chancellor (Learning, Teaching and Scholarship) at the University of Derby.

From 1 September 2006, **PROFESSOR FIONA COWNIE** moved from the University of Hull to the Law Department at the University of Keele. Her new details are Law Department, Keele University, Keele, Staffs ST5 5BG *†* 01782 584 130 e f.cownie@law.keele.ac.uk.

The School of Social and Political Studies at Edinburgh University is pleased to announce that **DR FRAN WASOFF**, the leading socio-legal researcher on family law and family policy in Scotland, has been promoted to a Personal Chair in Family Policies; **DR KAY TISDALL**, well-known for her research and publications in the field of children's rights, has been promoted to a Readership in Social Policy; **ELAINE SAMUEL**, who has undertaken a great deal of socio-legal research for the Scottish Executive, has been seconded to a senior research post in civil justice in the Scottish Executive Justice Department which she will combine with her part-time Senior Lectureship in Social Policy; **ANDY AITCHISON**, who is completing a PhD in Criminology at Cardiff University on the reconstruction of criminal justice in Bosnia, has been appointed to a Lectureship in Social Policy.

**DR ANDREAS RAHMATIAN** has left the University of Stirling and moved to the Law Faculty at the University of Leicester e ar183@le.ac.uk.

At Brunel, **CHRISTINE PIPER** has been promoted to a Chair and **FELICITY KAGANAS** has been promoted to Reader, both posts are in the School of Social Sciences and Law.

Sussex Law School is delighted to welcome **SUSAN MILLNS** who took up her position as Chair in Law in October 2006, joining from Kent Law School. **PROFESSOR HARRY RAJAK**, who made a significant contribution to the development of Law at Sussex, retired in July.

**ABBE BROWN** has been appointed Lecturer in Information Technology Law at the University of Edinburgh.

From 1 September 2006, **MATTHEW WAITES** moved from Sheffield Hallam University to become Lecturer in Sociology in the Department of Sociology, Anthropology and Applied Social Sciences at Glasgow University. **DESPINA KYPRIANOU**, an advocate and a PhD student at the London School of Economics (Law Department) has been appointed by the President of Cyprus as one of the five members of the newly formed Cyprus Independent Police Complaints Commission.

At an ESRC award ceremony in London recently, **DR MICHAEL NAUGHTON** was runner-up for the first ESRC Michael Young prize. There were nearly 200 applicants (across the social sciences) of whom seven were selected as finalists. The Michael Young prize was founded to encourage new social scientists to communicate their research in a lucid way to non-academic audiences, and 'rewards work which is of relevance to a wider audience, based on research of evident social and economic value and which achieves insight into contemporary society and the patterns and dynamics of social change'. There was one prizewinner and two runners-up, all of whom received cash prizes.

**NICK WIKELEY** has retired as Hon Secretary of the Society of Legal Scholars and been succeeded by **PROFESSOR STEPHEN BAILEY** of the University of Nottingham. e stephen.bailey@nottingham.ac.uk.

## THE MERRY WORLD OF METRICS

*SLSA vice-chair Tony Bradney explains why metrics and socio-legal studies don't mix.*

Research Assessment Exercises have become ubiquitous in academic life. Whilst each exercise has been different their basic format has remained the same. Departments are asked to return a range of data for the RAE period including things like numbers of research students and amounts of research income. These returns are then read by the RAE panel and an overall judgement of the quality of research in the department is reached and published. In law the panels have always been clear that the most important information returned by departments concerns the publications that have been produced during the assessment period. It is the peer assessment of this material that has determined the overall rating given to the law school. The merry world of metrics promises to change this approach.

The idea of metrics was first raised by Gordon Brown in a budget speech. The basic idea is that the RAE should be simplified and departments asked to provide only quantifiable data, taking out the element of peer assessment. This would mean adding to the range of metric data that is already given and finding some mechanism to judge the quality of publications in a mechanical manner. The most obvious way of doing this would be to resurrect the idea, mooted by the AHRC, of a list of top journals.

The main thrust of metrics is to make the research audit process cheaper. For universities it has the attraction of reducing some of the bureaucracy attendant on producing returns. A metrics approach is already said to dominate some of the hard

science assessments in the RAE. It has only one problem for the social sciences and humanities in general and socio-legal studies in particular. There is no conceivable metrics approach that could ever come close to producing a defensible judgement of research quality. In a context where government ministers vie with each other to produce ever-more inane ideas about higher education, Gordon Brown is to be commended for producing something that takes us to a new level of silliness. Both the SLSA and the Society of Legal Scholars rejected the AHRC's call for a list of leading journals on the grounds that there is no way of arriving at agreement on such a list. Repeated RAE law panels have noted that research of international quality was found in a huge range of journals and in books from a wide range of publishers. Things like amounts of research income are important for some scholars' work and inconsequential for others. In an area like socio-legal studies, where new areas of work are constantly emerging, metrics would be deeply problematic since, because of its quantitative approach, it would tend to value mainstream, majority scholarship. In judging the quality of research there is no metrical proxy for peer judgement.

Early reactions to the call for metrics have been mixed. The Research Councils seem to be in favour, either because they genuinely believe that the approach would be good for the universities or because they think it would enhance their own status. The academic community across a range of social science and humanities disciplines seems hostile to the approach because of the problems noted above. Changes to the RAE process are inevitable; each exercise has been slightly different to that which preceded it. However it is too late to change the 2008 exercise now and, whatever additional merits are put into future exercises, the peer review element is essential if the academic community is to take the exercise seriously.

## SLSA POSTGRADUATE CONFERENCE 2007

*Bristol, Wednesday 10 and Thursday 11 January*

The SLSA regards the encouragement and support of postgraduates working in the field of socio-legal studies as one of its most important roles. Our successful postgraduate conference is completely free for members and non-members alike. At this event, members of the socio-legal research community give their time to host this event for their junior colleagues. The conference is free – a refundable £50 deposit is required – and all accommodation and refreshments are also included in the package. The deadline for registration has been extended to **15 December 2006**.

The 2007 conference will be run principally through small group workshops. Sessions will be led by socio-legal academics from the SLSA – some at the beginning of their careers in socio-legal studies, others with established research and publication records. Students will be able to choose sessions reflecting both their interests and the stage they have reached in their own career.

The conference is aimed at students who are contemplating a career in research. This year, for the first time, we are inviting some final-year undergraduate students who may be thinking of progressing to socio-legal research to join the conference.

One of the principle aims of the conference is to facilitate networking between postgraduate research students with similar interests, theoretical or methodological approaches. Everyone who attends will be invited to submit a synopsis of their research interests. These will be distributed to all students attending the conference and will be used to construct workshop sessions of students working in compatible areas.

The topics covered in the conference workshops will be: giving a conference paper; getting published; time management and managing your supervisor; academic job-hunting; socio-legal studies as an academic discipline; submitting a research proposal – for students at the beginning of research training; exploring different methodologies; ethical issues in research.

If you have any questions about the conference, contact Morag McDermont at Bristol University School of Law: [emorag.mcdermont@bristol.ac.uk](mailto:emorag.mcdermont@bristol.ac.uk).

The conference programme and registration form can be found at [www.slsa.ac.uk/conferences/future\\_pg](http://www.slsa.ac.uk/conferences/future_pg).

## SLSA SEMINAR COMPETITION

*The SLSA is delighted to announce a new annual seminar competition to complement our well-established SLSA small grants scheme.*

The total seminar competition fund will be £5000 per year which may be awarded to a single proposal or divided between a number of applicants. The money can be used to support the delivery of either an individual seminar or short conference, or a series of events. There are no restrictions concerning the subject matter, provided applicants can show relevance to the socio-legal community. Lead applicants must be members of the SLSA. Applications will not be considered where the amount of support required from the SLSA is less than £300, or where the event is targeted at staff or students of a single institution. The full competition criteria are on the website at [www.slsa.ac.uk/prizes&grants/seminars.htm](http://www.slsa.ac.uk/prizes&grants/seminars.htm). Applications should be submitted by email or post to: Professor Julian Webb, SLSA Secretary ☒ School of Law, University of Warwick, Coventry, UK CV4 7AL ☎ 0247 6150231 ✉ [julian.webb@warwick.ac.uk](mailto:julian.webb@warwick.ac.uk). Closing date: 5.00pm on **31 January 2007**.

## UPDATE ON BERLIN 2007

*Preparations for the large and exciting international socio-legal meeting to take place in Berlin next year are now well advanced. Bronwen Morgan summarises developments.*

As mentioned in previous newsletters, the meeting is co-sponsored by, in addition to the SLSA, five other socio-legal organisations from all over the world. It will take place at Humboldt University in Berlin from 25–28 July 2007. The theme of the meeting – **Law and Society in the 21st Century: Transformations, Resistances, Futures** – is intended to encourage debate on the transformations that are redefining law and society in the new century. However, papers on all socio-legal topics are welcome.

If you're interested in participating, you need to start planning very soon. We encourage the participation of those who otherwise would not have thought to attend, especially newer and junior socio-legal scholars and graduate students. This article provides a variety of pointers to the different ways in which you can get involved. If you have further questions, please contact Bronwen Morgan [e b.morgan@bristol.ac.uk](mailto:b.morgan@bristol.ac.uk).

The Call for Participation is now live on the SLSA website and also on the LSA website. There is also an additional website hosted in Germany providing instructions in German and Japanese (see weblinks box for details). The LSA provides clear instructions for on-line submission of papers or full panels, and all submissions will be accommodated if the closing date of 12 January 2007 is observed. You can submit an individual paper, or you can get together with three or four other people and submit a proposal for a full session. You can also choose to present your research in poster form. If you don't want to present a paper, you are still encouraged to attend, perhaps by volunteering to act as a discussant or chair for panels. You can also do this through the online registration system.

If you don't know other people but would still like to form a session, you can put out a call for interested people via the discussion board on the SLSA website or a similar board on the LSA website (see weblinks box opposite).

Alternatively, if you don't know other people but would like to make some connections before suggesting something as concrete as a session – or would simply like a bit more focused supportive feedback – then you should venture into the world of acronyms! The conference features Collaborative Research Networks (CRNs), Working Groups (WGs) and International Research Collaboratives (IRCs), which are all really variations on the idea of 'streams' familiar from our own SLSA conferences. You can contact the people running these stream-like initiatives, saying you are interested in their broad theme and ask for support or suggestions on how to participate.

CRNs are open-ended groups of scholars interested in particular themes, located in the LSA. WGs are open-ended groups of scholars interested in particular themes, located in the Research Committee on Sociology of Law. IRCs are focused on specific time-limited research projects and therefore some of them may not accept additional members after a certain date, but you can always contact those who lead them to find out (see weblinks box).

There is a Berlin Blog, for everyone – whether compelled or confused by all this information – where anyone can read information and offer comments or questions about any of the aspects of the conference.

Finally, if none of the above is helpful, you are encouraged to contact individual members of the Programme Committee who share your interests. Their names, contact details, interests, and the 'keyword' areas they are responsible for are all available on the LSA website.

If you are a postgraduate student, you can take advantage of everything described above, but in addition the meeting will include a Graduate Student Activity (GSA). The SLSA is providing funding subsidies to our members to help postgraduate students attend this (see p 5). The LSA is also offering travel subsidies open to all (details available on the Call for Papers website).

In short, there are many features of this meeting that promise to make it a very exciting one for anyone interested in socio-legal approaches to law and legal systems and want to explore the international and global possibilities of their work.

## SLSA SMALL GRANT PROJECT REPORT

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

Penny Martin (independent researcher)

This project considered the socio-legal impact of the European Convention on Human Rights (ECHR) (given effect by the Human Rights Act (HRA) 1998 and the Scotland Act (SA) 1998) on law, policy and practice in Scotland since devolution.

Few analyses of the implementation of the ECHR in the UK take into account the specific legal, political and social context in Scotland. This research sought to consider the ECHR's impact in Scotland using the theory of 'legal cultures'. This holds that law can only be understood in its social context, such that legal change takes place and can only be effective to the extent that the existing 'internal' and 'external' legal cultures (the former being legal and political insiders, and the latter the public, non-governmental organisations, the media etc) accept, adapt and interpret the introduced legal norms. This approach appeared particularly apt in the case of human rights norms, with the focus in UK political discourse on the development of a 'culture of human rights'.

This grant supported the conduct of in-depth semi-structured interviews at different locations in Scotland and

England with the following parties selected with the assistance and guidance of the project's Advisory Board: the Scottish judiciary; members of Scottish Parliament (MSPs); members and staff of Scottish Parliament cross-party committees; the Faculty of Advocates; solicitors and Solicitor Advocates; senior Justice Department civil servants; senior civil servants at Whitehall; the Judicial Studies Committee; the Scottish Law Commission; political party spokespersons; Scottish Legal Aid; parliamentary researchers; parliamentary legal advisers; academics; and non-governmental organisations. The interview data were supplemented by research of primary and secondary materials from Scotland and other 'bill of rights' jurisdictions.

The interviewees were asked pre-seen questions based on a funnel structure regarding their views on the trajectory of human rights since devolution, the key devolved areas in which human rights issues have or have not been raised, the responses of the key Scottish institutions, the general attitudes towards human rights in the broader community, the drivers and inhibitors to implementation, possible reforms and the impact of the ECHR on the processes of their workplaces and their individual professional duties.

The predominant perception was that the ECHR has had a 'moderate' impact in Scotland, after an apparent novelty period in the first year that was driven by a small group of lawyers and caricatured by the media.

The response of the courts was considered to have been the most conservative of the Scottish institutions. The key direct

The unprecedented co-sponsorship by six socio-legal organisations will facilitate a truly diverse, international group of participants. Special graduate student activities will foster the development of international connections among the next generation of socio-legal scholars. The presence of IRCs, WGs and CRNs will provide easily accessible spaces for international collaboration and dialogue. We think that this meeting will be a real milestone in socio-legal studies and an event not to be missed. Join us!

## Graduate Student Activities and SLSA Bursaries

The Graduate Student Activities (GSA) are a series of events for postgraduate students attending the Law and Society Association Annual meeting in Berlin. The overall theme of the GSA will be Building Dialogue in Socio-Legal Studies – a dialogue among scholars of different methodological and regional/intellectual traditions, and between scholars and those they study, about the relation between socio-legal studies and politics. Events begin with an informal social for postgraduates on the Thursday evening. On the afternoon of Friday 27 July there will be a panel discussion amongst invited international scholars, followed by small group discussions and workshops in which postgraduates can discuss their own research. During the weekend there will be workshops on getting published and getting a job, plus a chance to meet informally with established academics working in the field of your research.

The GSA will require advanced registration and a small fee (US\$5). Information on the programme will be available later on the conference website (see weblinks box).

The SLSA will be providing 10 bursaries of £100 to postgraduate members of the SLSA to help with the costs of travel to Berlin and with their accommodation. The programme for the GSA and a bursary application form can be found on the SLSA website Berlin 2007 page. For further information contact Morag McDermont at [e morag.mcdermont@bristol.ac.uk](mailto:morag.mcdermont@bristol.ac.uk).

legal impact has been in the field of criminal law, in particular, Article 6 arguments relating to fair trial, judicial independence and delay, and less so in other areas such as planning and employment and least so in the areas of housing, education and health. Even though the HRA and SA empower the Scottish courts to strike down legislation of the Scottish Parliament, these rules were overlaid on a legal culture that was, until relatively recently, more sceptical about international norms than the English legal system. This background was felt to affect current attitudes to ECHR arguments and often result in a deferential and conservative approach.

Some interviewees questioned whether the Scottish legal system has the capacity to ensure that all potential human rights issues are drawn out, as legal practitioners were perceived to lack training on human rights issues, standing rules are restrictive and legal aid is limited. A test case culture does not exist in Scotland and the non-governmental sector is small and struggles to obtain adequate funding.

According to a number of interviewees, the Scottish Parliament and Scottish Executive have responded reasonably proactively to the ECHR after initial legal challenges, hence averting the risk of any successful challenges to the validity of Scottish primary or secondary legislation. However, the Scottish Executive has also pushed the limits of the HRA, for example in the case of *Napier* (relating to slopping out in prisons), forcing the courts to take a more robust stance.

## New CRN - collective human rights

Just in time for the call for papers for Berlin 2007, the LSA has approved the establishment of this new CRN, to focus on the area of collective human rights. The network has been established to provide a forum for cooperation in relation to an often-overlooked field of human rights research, which is particularly well-suited to socio-legal study, in the sense that socio-legal approaches are capable of giving voice to those whose concerns are often stifled by dominant states and dominant law. Researchers from around the world will use the network to collaborate and promote debate on a range of collective rights areas, including self-determination and sovereignty, women's rights, the rights of indigenous peoples, language rights, minority rights, and the rights of refugees and asylum seekers. Research will cover the spectrum from theory and philosophy, to implementation and enforcement of collective human rights. As well as facilitating collaboration through a mailing list and discussion board, the organisers will organise a stream of panels and papers as part of the 2007 Berlin joint socio-legal meeting. The network will then continue to operate into the future, with plans to promote publication and future conference activity in the area of collective human rights.

Organisers: Amy Maguire, University of Newcastle, Australia [e amy.maguire@newcastle.edu.au](mailto:amy.maguire@newcastle.edu.au) and Paddy Hillyard, Queen's University Belfast [e p.hillyard@qub.ac.uk](mailto:p.hillyard@qub.ac.uk).

### Berlin 2007 weblinks

[www.slsa.ac.uk/conferences/berlin07](http://www.slsa.ac.uk/conferences/berlin07)

[www.lawandsociety.org/ann\\_mtg/am07/call](http://www.lawandsociety.org/ann_mtg/am07/call)

[www.lsa-berlin.org](http://www.lsa-berlin.org) (German and Japanese)

CRNs: [www.lawandsociety.org/CRN/crn4.htm](http://www.lawandsociety.org/CRN/crn4.htm)

WGs: [www.ucm.es/info/isa/rc12.htm](http://www.ucm.es/info/isa/rc12.htm)

IRCs: [www.lawandsociety.org/international/ic\\_sum.htm](http://www.lawandsociety.org/international/ic_sum.htm)

Blog: <http://berlin2007.wordpress.com>

PC: [www.lawandsociety.org/ann\\_mtg/am07/PC\\_bio.htm](http://www.lawandsociety.org/ann_mtg/am07/PC_bio.htm)

### Discussion boards

[www.slsa.ac.uk/boards/index.php?c=2](http://www.slsa.ac.uk/boards/index.php?c=2)

[www.lsaboard.org/pbb](http://www.lsaboard.org/pbb)

The Scottish Parliament was seen by some not to be doing enough to hold the Executive to account on human rights issues, although the cross-party committees of the Parliament were seen to be quite effective. It was felt that many MSPs lack comprehensive knowledge of Scotland's human rights obligations and understanding of the basic concepts of Strasbourg jurisprudence, for example proportionality. The resulting risk is the development of a 'checkbox' mentality to human rights compliance.

Almost all interviewees supported the appointment of a Scottish Commissioner for Human Rights to enable the system to mature and develop institutional capacity. Interestingly, few interviewees believed that there was anything identifiably Scottish about the response to the ECHR. Furthermore, many interviewees believed that Scottish civil society has a negative perception of ECHR rights, mainly due to the media depiction of human rights litigation. Many interviewees felt that a Scottish Commissioner could go some way towards addressing these issues.

During the project, the grantholder also spent three months as a Visiting Research Fellow at Queen Mary, University of London. The research is currently being completed as a report and developed into a journal article to be submitted for publication in 2007. The award of an SLSA Small Grant was greatly appreciated as it made it possible to undertake this research. [e penny\\_martin@hotmail.com](mailto:penny_martin@hotmail.com)

## Policing and defending in a post-PACE World

Next year marks the 21st anniversary of the implementation of the Police and Criminal Evidence Act (PACE) 1984. The time has come to address the question – has PACE come of age, or should it be pensioned off? The Government appears to have lost virtually all interest in research into the fairness, effectiveness and impact of safeguards for suspects. We are unlikely to see a repeat of the kind of overview of PACE that David Brown of the Home Office Research and Statistics Directorate carried out on PACE a decade ago ('PACE Ten Years On', Home Office Research Study no 155). For this reason, we are organising a one-day conference on 29 March 2007 to bring together academics, researchers, defence lawyers, police officers and policy-makers to examine the critical questions and issues surrounding PACE (see p 15 for details).

PACE was an innovative and controversial attempt to regulate the investigation of crime and, in particular, the detention and questioning of suspects. Based upon the recommendations of the Royal Commission on Criminal Procedure, which envisaged that it would represent a balance between 'the interests of the community in bringing offenders to

justice and . . . the rights and liberties of persons suspected or accused of crime', it was founded upon the principles of 'fairness', 'openness' and 'workability'.

PACE now operates in a very different context than that in the mid-1980s. On the one hand, crime rates have declined and the Human Rights Act 1998 has resulted in a greater awareness of the human rights implications of policing powers. On the other, PACE and the Codes of Practice have frequently been amended to give the police greater powers, attitudes have changed with regard to the collection and retention of personal information, and the demands on those suspected of crime to co-operate with the police have increased. Relations between the police and suspects (and their defence advisers) have been further complicated by the growing recognition of victims' interests at the pre-charge stage, and by the fact that responses to terrorism have resulted in a parallel system of regulation which is, nevertheless, closely interrelated with PACE.

There have also been substantial shifts in the organisations and groups that operate within the PACE framework. The police service, for example, has become increasingly professionalised, but also increasingly driven by government inspired incentives, objectives, targets, inspection and audit. And there are now

far fewer defence firms of solicitors, subject to far greater governmental regulation, than was the case in the mid-1980s.

At the one-day conference, national and international speakers from diverse practitioner and academic standpoints will systematically scrutinise different aspects of PACE in the context of policy and legal developments and research evidence. Speakers will also consider whether the particular approach to regulation embodied in PACE – especially the Codes of Practice – has been effective, and whether it forms an adequate basis for regulation in the future. Speakers include David Dixon, from the University of New South Wales, and John Jackson, from Queen's University, Belfast, who are at the forefront of thinking concerning pre-trial regulation. Police perspectives will be provided by Chief Constable Barbara Wilding and Chief Superintendent John Long and defence perspectives by Ed Cape and Anthony Edwards. Andrew Sanders (Manchester University), Richard Young (Bristol University) and Eric Shepherd (a consultant forensic psychologist) complete the line-up of speakers. For details contact Susan Harris [e susan.harris@uwe.ac.uk](mailto:susan.harris@uwe.ac.uk).

*Richard Young and Ed Cape*

## Sport and EU politics at Loughborough

The Department of Politics, International Relations and European Studies at Loughborough University recently hosted a workshop on 'Sport and the EU 10 Years after Bosman: Situation and Perspectives'. The seminar, organised jointly with Sport&EU, the Association for the Study of Sport and the EU ([www.sportandeu.com](http://www.sportandeu.com)), was sponsored by the Department of Politics, International Relations and European Studies, the School of Sport and Exercise Sciences and the East Midlands Eurocentre. It brought together 21 academics and practitioners from 14 institutions in three different countries with the aim of assessing the origins, current status and possible future developments of the EU's involvement in sport-related matters and to review the state of academic research on the topic.

The seven papers presented, plus the guest speakers, covered a range of issues from a truly interdisciplinary perspective. Dr Richard Parrish (Edge Hill University, UK) provided an introduction drawing delegates' attention to issues relating to the extent of legal certainty in the regulation of professional sport and the possible emergence of a space of supervised autonomy for sports governing bodies. He also emphasised the need for appropriate analytical frameworks in the study of the discipline.

The conference was relatively football-centric despite the best efforts to secure papers on a wider range of sports. Papers covered subjects such as stakeholder representation in the governance of football; the development opportunities open to British basketball players after the ruling of the Bosman case; the new transnational efforts to create a regime against doping; the new FIFA rules for international transfers in force since 2005; the tension between representation and power in football; attitudes

of EU citizens towards an increased EU role in the field of sport; and the question of what European integration studies can get out of analysing football. It was evident in the debates that, in the study of sport and sport policy at European level, we are dealing with a multiplicity of actors and venues with 'joined-up thinking' often lacking. It is also important to be careful about treating sport as unique or exceptional. Some systematic comparison with other EU policy arenas would be welcome. We must also be careful about confining ourselves to the EU level: it is also necessary to know more about sports policy at Member-State level. As Professor Wyn Grant (Warwick University, UK) concluded, this workshop illustrated 'that the study of sport and the EU is now being taken much more seriously than it was, that interest in the area does not simply reflect a perception that it offers light relief and that the quality of work is improving by leaps and bounds'.

More information about the workshop, including downloadable versions of the papers can be found at [www.sportandeu.com/workshop](http://www.sportandeu.com/workshop).

*Borja Garcia*

## DEFRA review of environmental legislation

Professor William Howarth of Kent Law School has been part of a team commissioned by the Department for Environment, Food and Rural Affairs to research and report on the effectiveness of enforcement of environmental legislation in the UK. Prepared in conjunction with the leading environmental consultants, WRc, the report is due for publication later this year and contributes to a wider review of environmental enforcement being undertaken by DEFRA.

## Building the legal education gateway

Do you use resources created by other academics, whether from law or another discipline, in your teaching? Do you share the resources you create? New services aimed at enabling the average academic to find and contribute learning and teaching resources are now available, with the Jorum repository going live in the spring and SOSIG, including the SOSIG law gateway, relaunched in July as Intute.

The UK Centre for Legal Education has launched leGATE, a new service aimed at highlighting key resources to support law teachers. A database of learning and teaching resources, leGATE includes details of both web-based and offline resources. It can help you identify examples of how other law teachers have used a particular approach, or to find out about research in the legal education field. Articles from a number of journals are already included, as well as the best websites and learning resources we have run to ground so far, and we aim to expand coverage of the database over the coming year.

However it is recognised that there are significant barriers to the widespread take-up of resource sharing among law teachers – and not just of a technical nature. UKCLE's Good Practice in Sharing Resources in Law project investigated the landscape in law, aiming to find new ways to promote the sharing of resources and to increase the findability of resources supporting law teachers. Work on the project fell into two main areas: gathering the views of the legal education community and mapping law participation in existing services.

The project has identified five key themes around the issue of resource sharing, with some pointers to effective practice in relation to those themes.

1. The reusability paradox – resources need context to be effective, but reusability is best without context. Reusing aims to prevent 'reinventing the wheel', but institutions may require materials to be written to a specified format or style. Resources you create yourself reflect your own personality and teaching style – and can be fun to create. On the other hand, reusing other people's resources can be inspiring – it is rewarding to see others using your work and to help colleagues in return for their help.
2. If we build it will they come? Building and sustaining a user community is not trivial. The factors needed to sustain a 'community of practice' are not yet clear, and substantial support is required in terms of both technical development and information management. While a user community must emerge rather than be imposed, there is still a need for a facilitating role, and the community 'home' must have a baseline of content at the start.
3. What type of service? It is essential to be realistic about what can be achieved, and to be clear about the service(s) on offer. What is to be reused – content, tools, processes? Authors should be encouraged to take responsibility for depositing

and describing their resources. Services need to make a trade-off between quantity and quality, in particular given the inherent difficulties in identifying best practice. A peer rating and reviewing system is a useful feature.

4. Technical, metadata and copyright issues – technical churn is a fact of life. It is important to allow for slippage in the development of tools and to keep the platform simple, while 'future proofing' as far as possible. If services are to be interoperable it is important to create and maintain high quality metadata records, while also exploring complementary and more informal modes of resource description. Despite the apparent lack of clarity and knowledge regarding the copyright of learning and teaching resources, intellectual property rights are not as significant as many may fear, at least until fully customisable resources are on offer.
5. The legal education information environment – our survey indicates that law-based services are the most attractive solution, however a certain amount of advocacy work will be required on behalf of enthusiasts in order to engage their peers. The prevailing law school culture is a factor – notably the presence or absence of a team culture amongst law teachers. The nature of the information landscape for law, with a large and complex map of services and a reliance on proprietary datasets, may also be a barrier. Current information-seeking behaviour may have a significant impact on the sharing of resources – but that is a question calling for further research!

As academics, law teachers are comfortable with, or at least accustomed to, the prevailing academic publishing model of submitting articles to peer-reviewed journals. This publishing process has a recognised system of rights and rewards, and is the key outlet for thinking in relation to academic research. However, new forms of electronic publishing are leading to attacks on this traditional model, with digital repositories offering an alternative or additional route to peer-reviewed journals.

UKCLE is developing a range of support services aimed at encouraging the legal education community to make its knowledge visible in new and hitherto unaccustomed ways and to enable law teachers to explore more informal modes of publishing – see for example our new e-learning weblog, 'Digital Directions'.

Further information on the Good Practice in Sharing Resources in Law project can be found at [www.ukcle.ac.uk/research/projects/sharing.html](http://www.ukcle.ac.uk/research/projects/sharing.html). Find out more about leGATE and search the database at [www.ukcle.ac.uk/legate](http://www.ukcle.ac.uk/legate). We would welcome submissions of new resources for the database – contact [ukcle@warwick.ac.uk](mailto:ukcle@warwick.ac.uk).

*Ann Priestley*

## Consultations

### Nuffield Council on Bioethics: the forensic use of bioinformation

The Nuffield Council on Bioethics would like to hear about views on a number of questions raised by the ethical issues surrounding the forensic use of bioinformation. The period of consultation will last for three months. The forensic uses of bioinformation have the potential to raise a number of ethical, social and legal issues. The council has formed a Working Group to examine the issues further and it will consider all responses. The council plans to publish its report in autumn 2007. Deadline for responses: 30 January 2007. A consultation paper and more information is available at: [www.nuffieldbioethics.org](http://www.nuffieldbioethics.org).

### Scottish Executive: Abolition of Priority Need

The Ministerial Statement on the Abolition of Priority Need published in December 2005, confirmed that Ministers intend to legislate this year to make changes to the current local connection provisions within homelessness legislation. This consultation paper is part of that process and is intended to ensure interested parties can express their views on the changes proposed and the effective monitoring of these. Deadline: Friday 15 December 2006. Details of all consultations issued by the Scottish Executive can be found on the SE website at: [www.scotland.gov.uk/consultations](http://www.scotland.gov.uk/consultations).

## RSPMB Research Group

The Regulation of Socially Problematic Medical Behaviour (RSPMB) Research Group is based at the University of Groningen in the Netherlands. Its work consists of a number of research projects involving the interdisciplinary and comparative study of questions concerning the regulation of socially problematic medical behaviour. The group has recently enlarged the scope of its interests to situations in which the death of a patient is not necessarily involved.

A major current project is a new edition of *Euthanasia and Law in the Netherlands* (J Griffiths, A Bood and H Weyers, 1998). The new book (planned for 2007), by John Griffiths, Heleen Weyers and Maurice Adams, is entitled *Euthanasia and Law in Europe (with special attention to the Netherlands and Belgium)*. It will cover law, medical practice and the legal control regime for all medical behaviour that shortens life (including, for example, a chapter on termination of life in neonatology). It will contain a comprehensive treatment of the situation in Belgium, where euthanasia was made legal in 2002, and legal developments in the Netherlands since 1998 (including the euthanasia law of 2002, the Regional Assessment Committees, and new case law, such as *Brongersma* which rejected the availability of physician-assisted suicide for persons whose suffering is not medical). Data from a large number of empirical studies in the two countries will be featured as will overviews of the law and available data in a number of other European countries.

In 2004, Heleen Weyers published a comprehensive history of the ethical, medical and political debate on termination of life on request between 1945 and 2002 (*Euthanasia: The process of legal change*, Amsterdam University Press). Her research since then has included explaining why legalisation of

euthanasia first occurred in the Netherlands and the effectiveness of legislation regulating smoking.

Graciela Nowenstein Piery's work examines the failure of the French attempt to modify organ donation behaviour by means of a law presuming consent. Following the law from inception to practice, the study shows that professionals with the power of presuming consent used it only occasionally before the late 1980s and ceased doing so in the 1990s. In practice, presumption of consent is not applied when in conflict with the views of donors' relatives. From 2007, Nowenstein Piery, recently awarded a European Commission Marie Curie Fellowship, will join Groningen's Department of Legal Theory to work on a two-year continuation of this research in relation to Italy and the Netherlands.

Another current project, by Nicolle Zeegers, concerns the regulation of research using human embryos and stem cells.

The RSPMB also has a strong doctoral programme. Completed theses include, for example, Cristiano Vezzone's recent doctoral study on treatment (or advance) directives. This included a critical survey of the legal status of treatment directives in a large number of jurisdictions and of the rather limited empirical data available. The study of the practice in the Netherlands, where these documents are legally binding on doctors, concluded that treatment directives are more frequent there than elsewhere in Europe but low relative to North America and that they probably have little effect on medical decision-making. This may be because doctors do not promote their use, are not inclined to accept their binding nature, and policy measures to complement the legal position have not been put in place. Dick Kleijer's work on regulating life-prolonging treatment in Dutch intensive care units was an empirical study of decisions to withhold or withdraw treatment. It includes a

proposed national protocol based on the research findings, the opinions of respondents (doctors and nurses), Dutch law, medical ethics and the international literature. Donald van Tol's dissertation on the classification of euthanasia and other medical behaviour that shortens life explored how GPs, coroners and prosecutors classify cases in which death is hastened by something the doctor does or does not do. It concludes that there are fundamental differences between the legal and medical perspectives that are responsible for the unsatisfactory reporting rate of euthanasia. Doctors do not regard as euthanasia many cases that prosecutors would expect to be reported as such. Van Tol is now researching unbearable suffering, a crucial requirement for lawful euthanasia in the Netherlands.

Ongoing doctoral research includes Kim Goossens' project seeking to explain the different outcomes in judicial decision-making concerning medical end-of-life decisions. Landmark cases from the Netherlands, UK, US and Canada concerning active voluntary euthanasia, physician-assisted suicide and the termination of life of newborns with severe birth impairments are being compared and analysed. Sofia Moratti's interdisciplinary and comparative research analysing the concept of medical futility – as a criterion for clinical decision-making on withholding and withdrawing interventions in individual cases – aims to explicate its function in the context of the ethical and legal rules governing the practice of medicine and to explore its role in case-by-case decision-making.

If you would like to know more about the RSPMB Group please contact Sofia Moratti [e s.moratti@rug.nl](mailto:s.moratti@rug.nl) or visit [w www.rug.nl/law/faculty/departments/rth/rechtssociologie/onderzoek/rspmb/index](http://www.rug.nl/law/faculty/departments/rth/rechtssociologie/onderzoek/rspmb/index).

## Sussex Law School news

In September 2006, Susan Millns began work on a three-year European Community FP6 Strategic Targeted Research Project involving nine partner institutions and entitled *The Strasbourg Court, Democracy and the Human Rights of Individuals and Communities: Patterns of Litigation, State Implementation and Domestic Reform*. For further details see [w www.eliamep.gr](http://www.eliamep.gr).

Dr Marie-Benedicte Dembour is currently co-editing a volume on *Paths to International Justice: Social and cultural perspectives* which is the result of a workshop held in September 2005 with the support of the ESRC and the British Academy. It explores the social life of international criminal and human rights judicial institutions by paying attention to the way ordinary people turn to (or avoid) these institutions and what they expect and get from them. [w www.sussex.ac.uk/law](http://www.sussex.ac.uk/law)

## European Group of Public Administration

The European Group of Public Administration (EGPA) is a Regional Group of the International Institute of Administrative Sciences (IIAS) which exists to strengthen contacts and exchanges among European specialists in public administration, both scholars and practitioners. Its annual reunion is held in various European universities. In addition to meetings on the general workshop theme, research and study groups meet to present papers and work on subjects of common interest. A new study group on administrative law, inaugurated by Professor Jacques Ziller of the European University Institute, Florence, met at Milan in September and would welcome new members. EGPA provides an excellent opportunity for public lawyers to meet with political scientists, public administrators and other students of the administrative sciences from around Europe. More information is available on the IISA website [w www.iiasiisa.be/egpa](http://www.iiasiisa.be/egpa) or from Professor Ziller [e jacques.ziller@iue.it](mailto:jacques.ziller@iue.it).

## Australian Research Council projects

### Australian Innovations in legal aid services: balancing cost and client needs

Cate Banks, Rosemary Hunter and Jeff Giddings recently completed this project which aimed to evaluate the effectiveness of recent Australian innovations in legal aid service delivery and to examine the impact that new legal aid services have on their consumers. The project involved a series of qualitative case studies of duty-lawyer services, group-based services, self-help kits and technology-based services. Major themes arising from all of the case studies included issues of the planning and design of services, the need for services to be user rather than provider-centred, the need for coordination with related services and providers, and the need for systematic monitoring and evaluation of service performance and cost-benefits. While a few of the case studies provided exemplars of effective service provision, most were susceptible to significant improvement and some appeared no longer to serve any valuable purpose.

### Women and legal aid: identifying disadvantage

This research, by Rosemary Hunter, Tracey De Simone and Louise Whitaker, with Jane Bathgate and Alicia Svensson, was undertaken in conjunction with Legal Aid Queensland and examined barriers to access to legal aid for indigenous women, women from non-English-speaking backgrounds, women with a disability, older and younger women and women living in regional and rural areas. It examined statistical patterns of applications for and refusals of legal aid and analysed the files of women refused legal aid. Interviews were conducted with women refused legal aid and women representing themselves in court. Lawyers, community workers and legal aid grants officers were also interviewed. The study identified a range of barriers to women applying for and receiving legal aid, communicating with the legal aid funding body, appealing against decisions to refuse legal aid, and achieving satisfactory outcomes to their legal problems. Some of the problems applied to particular target groups of women while others applied in different locations or across the board. It concluded with a series of recommendations aimed at achieving a greater level of equity among legal aid applicants between offices, over time and regardless of personal characteristics. The executive summaries and full reports of both legal aid projects can be found at [www.griffith.edu.au/centre/slrsc](http://www.griffith.edu.au/centre/slrsc), by following the links to 'publications' then 'reports'.

### Collections, creators and copyright

Andrew Kenyon and Andrew Christie were awarded funding from the Australian Research Council for their three-year project, Cultural Collections, Creators and Copyright: Museums, Galleries, Libraries and Archives and Australia's Digital Heritage. The project investigates current and emerging ways of using digital collections in museums, galleries, libraries and archives, in the light of copyright law and the interests of creators. It will assist Australia to manage its digital cultural collections more effectively and balance the interests of creators, institutions and public accessibility. As well as project funding, the grant includes an APA(I) award for PhD research. Along with the Australian Research Council, 10 organisations are partners in the project: Arts Law Centre of Australia, Australian Centre for the Moving Image, Australian Film Commission, Museum Victoria, Museums Australia, National Gallery of Victoria, National Library of Australia, National Museum of Australia, Powerhouse Museum and the State Library of Victoria. More information is available at [www.law.unimelb.edu.au/cmcl](http://www.law.unimelb.edu.au/cmcl).

## Centre for the Study of the Child, the Family and the Law, Liverpool University

For the last 18 months Centre Director, Professor Christina M Lyon, has been working with Mike Jones – now of the centre, formerly with The Children's Society (TCS) – to run a series of Agenda Days. This research also involved colleagues from Investing in Children, TCS, Edinburgh University, the European Yes Forum, young people from the Just Don't Tick the Box Group and children and young people from Liverpool, Newcastle, London, Bath and Durham.

The project was set up in response to concern by researchers about the requirement – related to so much government development of policy or funding of projects for children and young people – of being able to tick the participation box (typified by Virginia Morrow's labelling of the situation as the crisis of participation). At the Agenda Days, the children and young people were invited to decide what they might want to do about issues which concerned them. They decided that they wished to run 'adult-free zones' to enable them to put forward, unprompted by adults, those issues of concern to them in their daily lives. The Agenda Days are running until January 2007.

Out of these sessions, some of the participants might want to do follow-up research themselves on what steps might be taken to help address their concerns or do something about a particular problem. This could involve contacting schools, neighbourhood groups, local councillors, the Children's Commissioner or MPs. The results will then be fed into a Showcase Day in spring 2007 for children and young people from the English Agenda Days to put forward what they have done so far. They will be supported in all this work by staff from the centre, TCS, Investing in Children and the Yes Forum. The children and young people from Liverpool will also be encouraged to take their findings to the Liverpool Children's Festival 2007. Following on from this, the researchers are also hoping to set up Agenda Days in Scotland, Wales and Northern Ireland. There will be further showcases held in those countries in 2007 but the hope is that the whole will build into a major children and young people's event to be held as part of the Children's Festival for the Capital of Culture in Liverpool in 2008. European partners will also be invited and it is hoped that the event could attract children and young people from all over Europe and other parts of the world to talk about the issues which most concern them and to find common ground with their counterparts in the four UK jurisdictions.

The study is being written up by Christina Lyon together with the children and young people. Articles by Christina Lyon referencing this ongoing work and its history will also appear in *Representing Children*, and the *Journal of Social Welfare Law*. The Just Don't Tick the Box Group was also supported by the partners in this research in making a submission to the UNCRC Discussion Day on 15 September 2006. The paper can be found on the UNCRC website for the Discussion Day (wrongly entered as a submission from an NGO rather than by a group of children and young people). It will also be published in *Young People Now*. For further information on this work contact Professor Christina M Lyon on [e.c.m.Lyon@liverpool.ac.uk](mailto:e.c.m.Lyon@liverpool.ac.uk).

For more information about the centre's events, see p 15.

## UKCLE resources

New resources available from the UKCLE include a set of materials for teaching EC law developed by Middlesex University for the Enterprise in Law project, case studies on the use of virtual learning environments in law schools and a tutorial on citing the law. For links to all these and a host of other resources visit [www.ukcle.ac.uk/resources/new.html](http://www.ukcle.ac.uk/resources/new.html).

## Housing research from Bristol

### Governing and governance: a social housing case study

The aim of this research was to examine the extent to which models of corporate governance are exportable from their private sector context to non-profit-making organisations. In particular, we examined the issues raised when corporate governance models are adopted. The context is the foundation of the 'market' in welfare services, such as social and health care, education, administration and housing.

In this case study of a social housing organisation, we looked at the role of the governing body – the board – in a newly registered social landlord (RSL), an organisation specifically created to take the transfer (under large-scale voluntary transfer – LSVT) of all of the housing stock owned by a local authority. From the outset this new organisation was constrained, by guarantees given to tenants, requirements of government departments and regulators, and a large loan and concomitant expectations of financiers. Within this complex environment the board of the association, made up of equal proportions from each of three constituencies – tenants, councillors and 'independents' – must govern. The research focused on the role of tenant board members, but raised issues of wider applicability.

Board membership by tenants, as well as councillors and independents, portrays a strong message that accountability to tenants, to the public at large, and to financiers are all valued. By reserving places on boards for tenants and councillors, LSVT RSLs have adopted an approach which is (ostensibly) more democratic and accountable than that in the traditional housing association sector.

The governance model adopted has been 'read across' from private sector models of governance – it requires that board members owe no allegiance to their 'constituency', but solely to the board. We call this the 'neutral allegiance model'. There are doubts, however, whether this model reflects either the theory or empirical reality of private sector corporate board membership. Although our key actors and board member interviewees mostly subscribed to the model, they all recognised that there were difficulties in its implementation. The greatest sources of tension arose for councillor board members who had been elected to represent the interests of constituents; and for tenant board members who are elected by tenants on a platform that they will represent tenants, but then cannot do so because of the need for neutrality.

Our second set of observations concerns expertise. There was strong evidence that in the early stages of the board's development, the expertise of the tenant members was highly valued. However, we suggest that expertise can be used as a 'dividing practice': dividing the board from the communities they are working for, and tenant governors from others because of their lack of professional or business expertise. Expertise divides paid staff from the board because the latter do not possess the highly specialised knowledges of the former, particularly in the area of private finance; and it de-politicises the role of the board, with board members assuming the role of providing a 'second opinion' to officers' proposals. Therefore, the overall world-view of the association is left unchallenged; and can produce over-reliance on individuals, whether they are board members with expertise, consultants or staff.

Given the central position that expertise appears to hold in the emerging forms of governance for public services, our research suggests the need for a greater understanding of the interplay between lay and expert knowledge, and the ways in which both can be understood as valuable to governing processes.

The research was funded by the ESRC through the Centre for Market and Public Organisation. The research report (Working Paper No 06/149) can be found on the CMPO website, [www.bris.ac.uk/depts/cmpto/workingpapers/workingpapers](http://www.bris.ac.uk/depts/cmpto/workingpapers/workingpapers).

*Dave Cowan, Morag McDermont and Jessica Prendergast,  
University of Bristol*

### Risk, trust and betrayal: a case study of social housing

Professor Dave Cowan and Dr Morag McDermont of the School of Law, University of Bristol, have also recently been awarded an ESRC grant of just under £100,000 for this new research project. The focus is the often conflictual relationship between local authorities and housing associations to provide housing for homeless households through nominations agreements. The project will examine the way in which organisations use contracts or simple agreements to govern ongoing relationships so as to balance risks and maintain trust between the different organisations. The research is due to begin in January 2007 and will run for 12 months. For further information contact: Morag McDermont [✆ 0117 331 5122](tel:01173315122); [e morag.mcdermont@bris.ac.uk](mailto:morag.mcdermont@bris.ac.uk) or Dave Cowan [✆ 0117 954 5224](tel:01179545224) [e d.s.cowan@bris.ac.uk](mailto:d.s.cowan@bris.ac.uk).

### Database on European experts

A new fully searchable database of people with experts on European (especially EU) affairs, including law, politics, economics and other disciplines has recently been launched: [www.expertoneurope.com](http://www.expertoneurope.com). The website is owned and maintained by the University Association for Contemporary European Studies (UACES). The people who appear on the website are all members of UACES, and are entitled to be included in this directory as a benefit of membership. More about membership of UACES is available at [www.uaces.org](http://www.uaces.org). The database will be useful for academics, other researchers, journalists and any member of the general public interested in European affairs.

### Current COMPAS research

COMPAS recently announced a new project, The Role of Migrant Health and Social Care Workers in Ageing Societies: Planning for the Future. The aim of the project is to examine the future need for migrant health professionals and less-skilled care workers in the context of ageing societies and workforces, and the implications this will have for immigration and integration policies. This is a two-year international project which started in October 2006 and is funded by Atlantic Philanthropies and the Nuffield Foundation.

The European Foundation is launching the Network of Cities for Local Integration Policy (CLIP) to support the social and economic integration and full participation of migrants. The CLIP Network brings together 25 large European cities in a joint learning process

which will extend over several years. The cities are supported in their peer review process by a group of expert European research centres in Oxford (COMPAS), Vienna, Liege, Amsterdam and Bamberg. This initiative will provide useful opportunities for cities in the EU which are in the start-up phase of new integration policies.

COMPAS is also developing its partnership with the community organisation Kalayaan. Kalayaan is a charity that provides advice, advocacy and support services for migrants working in private households in the UK. It recently obtained funding from the Big Lottery to undertake research on migrant eldercarers in collaboration with COMPAS. The project will further develop the centre's work on migration and care work and begins in January 2007. For more information on all these projects visit [www.compas.ox.ac.uk](http://www.compas.ox.ac.uk).

## Courses

### MA in Migration and Law

As facets of an increasingly globalised world, migration and law are matters of growing importance. The new Masters in Migration and Law, offered jointly by the Department of Politics and the Department of Law at Queen Mary, University of London, enables the student to correlate the theoretical and empirical, and the legal and social science aspects of the migrant experience. The degree will introduce the main theoretical and legal issues in the study of migration and equip students with knowledge of key themes and conceptual approaches used in analysis of movement of peoples. At the same time, the programme emphasises analytical and critical approaches to the study of migration and law.

By approaching migration issues from an interdisciplinary perspective, the degree is relevant for those pursuing a career in law, in local or national government, or with NGOs. The degree aims to extend students' knowledge and understanding of the ways in which migrants are affected by law and vice versa. The programme will also provide a sound theoretical and methodological foundation for an MPhil or a PhD degree by research. For further details, please contact: Dr Anne Kershen at [e a.kershen@qmul.ac.uk](mailto:a.kershen@qmul.ac.uk).

### Graduate criminology at Oxford

The University of Oxford's Centre for Criminology offers top quality taught masters courses and a doctoral research programme in criminology and criminal justice. Courses currently available include: MSc in Criminology and Criminal Justice; MSc in Criminology and Criminal Justice (Research Methods) for which some ESRC studentships may be available for some applicants; one-year, full-time MPhil research degree

available only as an add-on to the taught MSc degrees; and DPhil for which some ESRC studentships may be available for some applicants.

The centre considers applications for the MSc programmes and DPhil study between January and May. Places on the MSc degrees are limited and early applications are therefore encouraged. The deadline for those who wish to be considered for ESRC funding is early May and applications must be made in advance of that date.

The centre currently comprises the following members who are involved in both teaching the MSc programmes and supervising research students: Professor Andrew Ashworth, Dr Mary Bosworth, Dr Ros Burnett, Dr Benjamin Goold, Dr Carolyn Hoyle, Dr Liora Lazarus, Professor Ian Loader, Professor Julian Roberts, Professor Federico Varese and Professor Lucia Zedner.

For details of application procedures and links to college information, contact [e ccr@crim.ox.ac.uk](mailto:ccr@crim.ox.ac.uk) or visit [w www.admin.ox.ac.uk/postgraduate](http://www.admin.ox.ac.uk/postgraduate) [w www.crim.ox.ac.uk](http://www.crim.ox.ac.uk).

### New LLMs at Sussex

In October 2006, the Sussex Law School launched a new LLM programme in Family, Responsibility and the Law. The aim of this programme is to explore family law through a thematic analysis of the notion of rights, responsibilities and obligations in family relationships encouraging students to think about the expectations and ambitions of family law in a more critical light. Further changes to the LLM programmes, reflecting the specialisms within the Law School, include the introduction of a stream of courses in the LLM Master of Laws enabling students to specialise in International Law in advance of a new programme, LLM International Law: Rights and Responsibilities which will commence in October 2007.

[w www.sussex.ac.uk/law](http://www.sussex.ac.uk/law)

### LLM programmes at University of Kent at Brussels

Kent Law School is now offering three taught LLM programmes at the Brussels School of International Studies (BSIS); the Brussels campus of the University of Kent. Established in 1998 the University of Kent at Brussels now offers a total of 10 taught MA and LLM courses, all of which have been designed to reflect the international and politically dynamic environment of the city very much at the political heart of Europe.

An LLM in International Law and International Relations has been offered at the Brussels School since 2000, and although a relatively rare combination, the course perfectly exemplifies this interrelation between two heavily connected academic disciplines. The LLM in International Economic Law was launched in 2004. Focusing on issues of trade and development, the programme builds on the interdisciplinary approach of the Brussels School by integrating political economy and sociology into the study of economic globalisation in a legal context. The continued increase in choice of modules has led this academic year to the offer of a highly specialised and focused LLM in Public International Law. The expansion of provision and popularity of the campus has led to the Brussels School moving into new premises for 2006, its third upward move in six years.

The Brussels School works in close collaboration with the Vrije Universiteit Brussel and the Université Libre de Bruxelles with students at the University of Kent at Brussels having shared use of the library and computing facilities of these two long-established and highly rated institutions.

More information about the Brussels School of International Studies can be found at [w www.bsis.be](http://www.bsis.be) and more information about Kent Law School is available at [w www.kent.ac.uk/law](http://www.kent.ac.uk/law).

#### **Social and Legal Studies 16(1)**

Debate and Dialogue: Law and Knowledge, Law as Knowledge – led by David Nelken  
Mixed messages: housing associations and corporate governance – M McDermont  
Framing same-sex marriage in Canada and the United States: Goodridge, Halpern and the national boundaries of political discourse – M Smith  
In the shadow of Canada's camps – French  
Coercive normalization and family policing: the limits of the 'psy-complex' in Australian penal systems – McCallum  
Governance and susceptibility in conflict resolution: possibilities beyond control – Brigg  
Relocating the master's domain, social and legal locations of gender from post-disaster to everyday life – Krishnadas

#### **Journal of Law and Society 16(1)**

##### **Articles**

Rights of non-humans? Electronic agents and animals as new actors in politics and law – Gunther Teubner  
State, citizen and character in the French criminal process – Stewart Field  
District judges and possession proceedings – David Cowan, Sarah Blandy, Emma Hitchings, Caroline Hunter & Judy Nixon  
English law's epistemology of expert testimony – Tony Ward  
Foucault, law and power: a reassessment – Gary Wickham  
Fairness in context – Michael Adler

##### **Book reviews**

J Hodgson: *French Criminal Justice* – John Bell  
R Nobles & David Schiff: *A Sociology of Jurisprudence* – Michael King  
S Mullally: *Gender, Culture and Human Rights* – Aileen McColgan

. . . books . . .

**Who Believes in Human Rights?: Reflections on the European Convention** (2006) Marie-Bénédicte Dembour, Cambridge University Press, Law in Context Series £29.99 338pp Many people believe passionately in human rights. Others – Bentham, Marx, cultural relativists and some feminists amongst them – dismiss the concept of human rights as practically and conceptually inadequate. This book reviews these classical critiques and shows how their insights are reflected in the case law of the European Court of Human Rights. At one level an original, accessible and insightful legal commentary on the European Convention, this book is also a groundbreaking work of theory which challenges human rights orthodoxy. Its novel identification of four human rights schools proposes that we alternatively conceive of these rights as given (natural school), agreed upon (deliberative school), fought for (protest school) and talked about (discourse school). Which of these concepts we adopt is determined by particular ways in which we believe, or do not believe, in human rights.

**Regulating Social Housing: Governing decline** (2006) David Cowan and Morag McDermont, Routledge Cavendish 250pp £22.95 What is social about social housing? *Regulating Social Housing* examines the conditions which make possible the present-day imagining of social housing, arguing that ‘social housing’ is a contingent term that has become linked to ideas about regulation, government and control. Drawing upon Foucauldian analyses of governmentality, the authors contend that social housing must be understood according to a range of political rationalities that saturate current practice and policy. They critically address the practice of dividing social from private tenure; situating subjects such as the purpose and financing of social housing, the regulation of its providers and occupiers, and its relationship to changing perceptions of private renting and owner-occupation, within the context of an argument that all housing tenures form part of an understanding of social housing. The authors also take up the ways in which social housing is regulated through the invocation and manipulation of obscure notions of housing ‘need’ and ‘affordability’. And, finally, they consider how social housing has provided a focus for debates about sustainable communities and for concerns about anti-social behaviour. Social housing has always been a site for the moral regulation of households. And as *Regulating Social Housing* addresses its contested place in our social and political imagination, so it provides a rich and insightful analysis that will be of value to legal scholars, criminologists and other social scientists with interests in housing, urban studies and contemporary forms of regulation.

**Rethinking Evidence: Exploratory Essays**, 2nd edn (2006) William Twining, Cambridge University Press, Law in Context Series £29.99 532pp The law of evidence has traditionally been perceived as a dry, highly technical, and mysterious subject. This book argues that problems of evidence in law are closely related to the handling of evidence in other kinds of practical decision-making and other academic disciplines, that it is closely related to common sense and that it is an interesting, lively and accessible subject. These essays develop a readable, coherent historical and theoretical perspective about problems of proof, evidence, and inferential reasoning in law. Although individual essays stand alone, all are woven together to present a sustained argument for a broad inter-disciplinary approach to evidence in litigation, in which the rules of evidence play a subordinate, though significant, role. This revised and enlarged edition includes a revised introduction, the best-known essays in the first edition, and new chapters on narrative and argumentation, teaching evidence, and evidence as a multi-disciplinary subject.

**Consent in the Law** (2007) Deryck Beylveled and Roger Brownsword, Hart Publishing £40/€60 372pp Consent features pervasively in both moral and legal discourse as a justifying reason: stated simply, where there is consent, there can be no complaint. However, without a clear appreciation of the nature of a consent-based justification, its integrity, both in principle and in practice, is liable to be compromised. This book examines the role of consent as a procedural justification, discussing the prerequisites for an adequate consent – in particular, that an agent with the relevant capacity has made an unforced and informed choice, that the consent has been clearly signalled, and that the scope of the authorisation covers the act in question. It goes on to highlight both the Fallacy of Necessity (where there is no consent, there must be a wrong) and the Fallacy of Sufficiency (where there is consent, there cannot be a wrong). Finally, the extent to which the authority of law itself rests on consent is considered.

If the familiarity of consent-based justification engenders confusion and contempt, the analysis in this book acts as a corrective, identifying a range of abusive or misguided practices that variously undervalue or overvalue consent, that fictionalise it or that are fixated by it, and that treat it too casually or too cautiously.

**Documents of the African Commission on Human and Peoples’ Rights, Vol II: 1999-2005** (2007) Rachel Murray and Malcolm Evans (eds), Hart Publishing £45/€67.50 1022pp Once again the aim of the work is to provide not only the basic documents, but also the less well-known material related to the jurisprudence emanating from the consideration of communications. This volume therefore includes, amongst other material, the most recent activity reports adopted by the commission, resolutions and final communiqués from the sessions. Together with Volume I this is the most comprehensive set of documents available on the African Commission.

**Global Governance and the Quest for Justice, Vol II: Corporate Governance** (2006) Sorcha MacLeod (ed), Hart Publishing £22.95/€34.43 270pp Against the backdrop of perceived abuse of corporate power – alleged violations of human rights, degradation of the environment, abuse of labour, Enron-style financial scandals, and the like – the papers in the first part of this collection examine the nature and function of the corporation as well as the way in which we should understand corporate governance and the power of transnational corporations. Central to the question is the issue of accountability, as well as the questions of social and environmental responsibility – here the authors ask whether corporations should be more accountable relative to the broader public interest, and suggest that public law approaches to accountability may offer a way forward. The second part of the book considers the most appropriate regulatory locus (local, regional, or international) and the most effective form of response to the deficit in corporate responsibility and the abuse of corporate power. For example, are transnational corporations most effectively regulated internationally (eg by the United Nations), regionally (eg by the EU or NAFTA) or locally (eg through stringent reporting requirements and implementation of triple bottom-line standards)?

**Law in Social Theory** (2006) Roger Cotterrell (ed), Ashgate, International Library of Essays in Law and Society, £125/US\$250 527pp Taking a broad view of social theory, this book shows the importance of this theory for the study of contemporary law. Through studies of the work of Weber, Durkheim, Gurwitsch, Habermas, Luhmann, Derrida, Bourdieu, Foucault, Schmitt, Neumann, Kelsen and others, the essays address such fundamental topics as the changing forms of regulation, law’s relations with morals and beliefs, law and democracy and prospects for the rule of law in the context of globalisation.

**Judicial Review and Bureaucratic Impact: International and interdisciplinary perspectives** (2004, eBook 2006) Marc Hertogh and Simon Halliday (eds), CUPress US\$32 How effective are the courts in controlling bureaucracies? What impact does judicial review have on the agencies which are targeted by its rulings? For the first time, this book brings together the insights of two intellectual disciplines which have hitherto explored these questions separately: political science and law/socio-legal studies. Leading international scholars from both fields present new research which focuses on the relationship between judicial review and bureaucratic behaviour. Individual contributors discuss fundamental conceptual and methodological issues, in addition to presenting a number of empirical case studies from various parts of the world: the United States, Canada, Australia, Israel, and the United Kingdom. This volume constitutes a landmark text offering an international, interdisciplinary and empirical perspective on judicial review's impact on bureaucracies. It will significantly advance the research agenda concerning judicial review and its relationship to social change.

**British and Canadian Perspectives on International Law** (2006) Christopher PM Waters (ed), Martinus Nijhoff €125/US\$ 169, 408+xxpp *British and Canadian Perspectives on International Law* examines the impact of public international law on the UK and Canadian domestic legal systems. It also analyses the contributions of British and Canadian practice to the development of international norms. Topics addressed include international criminal law, international humanitarian law, human rights and human security, asylum, trade, jurisdiction, 'reception law' and media portrayals of international law. Whereas international law scholarship usually takes a global, regional or national approach, this book's chapters are written by leading scholars and practitioners from both countries and provide unique comparative views. While there remains much in common between the two states' understandings of international law, recent developments have shown significant points of departure.

**Child Support Law and Policy** (2006) Nick Wikeley, Hart Publishing £35 520pp This book analyses the current child support legislation in its broader historical and social context, synthesising both doctrinal and socio-legal approaches to legal research and scholarship. It draws on the historical and legal literature on the Poor Law and the development of both the public and private law obligation of child maintenance. Modern child support law must also be considered in the context of both social and demographic changes and in the light of popular norms about child maintenance liabilities. The main part of the book is devoted to an analysis of the modern child support scheme, and key issues that are addressed are, for example: the distinction between applications in 'private' and 'benefit' cases and the extent to which the courts retain a role in child maintenance matters; and the basis for, and the justification for, the exception from the obligation for parents with care on benefit to co-operate with the Child Support Agency where they fear 'undue harm or distress'. The final chapter examines compliance issues and explores various models for reform of the child support scheme.

**Fathers' Rights Activism and Law Reform in Comparative Perspective** (2006) Richard Collier and Sally Sheldon (eds), Hart Publishing £14.95 182pp This book brings together leading international commentators to provide a careful, critical and comparative analysis of the work of fathers' rights activists, the role law has played in their campaigning, their legal strategies, their success (or otherwise) in achieving legal reform, similarities and divergences with the women's movement, and the relationship between fathers' rights movements and the societies that frame them. In addition to Collier and Sheldon, contributors include: Susan B Boyd, Jocelyn Crowley, Maria Eriksson, Keith Pringle, Helen Rhoades and Carol Smart.

**Law, Culture and Society: Legal ideas in the mirror of social theory** (2006) Roger Cotterrell, Ashgate, Law, Justice and Power Series £60/US\$114.95 and £22.50/US\$39.95 199pp This book offers a distinctive approach to the study of law in society, focusing on the sociological interpretation of legal ideas. It explores links between legal studies and social theory and relates its approach to socio-legal studies, on the one hand, and legal philosophy, on the other. It argues for a rethinking of the concept of law to take account of new forms of legal and cultural pluralism and the growing significance of transnational law. The book also develops an original approach to theorising law's relations to culture, with many implications for comparative legal studies. Through a range of specific studies, closely interrelated and building on each other, it integrates the sociology of law with other kinds of legal analysis and engages with current juristic debates in legal theory and comparative law.

**Law's Practical Wisdom: The theory and practice of law making in new governance structures in the European Union** (2007) Katerina Sideri, Ashgate £55 This book develops a sociological understanding of law-making in the EU. In particular, it focuses on the social function of law in new governance structures promoting decentralised and flexible procedures that encourage deliberation, participation of stakeholders and public dialogue. It pays attention to both the practical knowledge and the power relations underpinning law making, while seeking to bring to the foreground the importance of compromise in the process. The empirical substantiation of the argument discusses the regulation of technology in the EU and is premised on case studies of governance of the internet, patents of high technology, filters used on the internet to block harmful material, trademark law and domain name dispute resolution by ICANN. To this effect, the book studies the dynamics of constructing a legal argument inside the European Commission, and its role in the process of coordinating the creation of networks, securing enforcement in self regulatory regimes, and steering activity on the part of autonomous groups of actors.

**Law, Infrastructure, and Human Rights** (2006) Michael B Likosky, Cambridge University Press From attacks on oil infrastructure in post-war reconstruction Iraq to the laying of gas pipelines in the Amazon Rainforest through indigenous community villages, privatised infrastructure projects are sites of intense human rights struggles. Many state and non-state actors have proposed solutions for handling human rights problems in the context of specific infrastructure projects. Solutions have been admired for being lofty in principle; however, they have been judged wanting in practice. This book analyses how human rights are handled in varied contexts and then assesses the feasibility of a common international institutional solution under the auspices of the United Nations to the alleged problem of the inability to translate human rights into practice.

**New Dimensions in Privacy Law: International and Comparative Perspectives** (2006) Andrew T Kenyon and Megan Richardson (eds), CUP (table of contents and introduction at [www.cmcl.unimelb.edu.au/cmcl](http://www.cmcl.unimelb.edu.au/cmcl)) This collection examines challenges faced by privacy law in changing technological, commercial and social environments. It encompasses three overlapping areas of analysis: privacy protection under the general law; legislative measures for data protection in digital communications networks; and the influence of transnational agreements and other pressures toward harmonised privacy standards. Leading authors discuss developments across these three areas in the UK, Europe, USA, APEC, Australia and New Zealand. Chapters draw on doctrinal and historical analysis of case law, theoretical approaches to both freedom of speech and privacy, and the interaction of law and communications technologies, in order to examine present and future challenges to law's engagement with privacy.

**Kinship Matters** (2006) Fatemeh Ebtehaj, Bridget Lindley and Martin Richards (eds) for the Cambridge Socio-Legal Group, CUP £35/€55 326pp This is the fifth in a series by the Cambridge Socio-Legal Group and comes out of a three-day conference in 2005. It concerns the evolving notions and practices of kinship in contemporary Britain and the interrelationship of kinship, law and social policy. Assembling contributions from scholars in a range of disciplines, it examines social, legal, cultural and psychological questions related to kinship. Rising rates of divorce and of alternative modes of partnership have raised questions about the care and well-being of children, while increasing longevity and mobility, together with lower birth rates and changes in our economic circumstances, have led to a reconsideration of duties and responsibilities towards the care of elderly people. In addition, globalisation trends and international flows of migrants and refugees have confronted us with alternative constructions of kinship and with the challenges of maintaining kinship ties transnationally. Finally, new developments in genetics research and the growing use of assisted reproductive technologies may raise questions about our notions of kinship and of kin rights and responsibilities. This book explores these changes and continuities from various disciplinary perspectives and draws on theoretical and empirical data to describe understandings and practices of kinship over time and across social groups in contemporary Britain.

### . . . other publications

Information about the ESRC seminar series, *Changing Social Norms, Changing Family Law?* (2004–05) is available on the series website at: [www.bradford.ac.uk/familylaw](http://www.bradford.ac.uk/familylaw). This contains the programme, a briefing paper, paper abstracts and an annotated bibliography.

*Ancilla Iuris* is a new free online journal that is dedicated to contributions on Constellations of Law and Society. Following a interdisciplinary approach, the journal brings together law with its neighbouring disciplines such as political sciences, economy, sociology, linguistics, philosophy, history, art, psychology etc. At the end of the year, articles will be made available to libraries in the form of an edited volume. To help European contributors gain access to the important English speaking audience, non-English publications are translated into English in order to make them available to readers in both languages simultaneously. In this way, all internet published contributions of *Ancilla Iuris* will become immediately part of global academic networks, while at the same time preserving and making available the important background of the original language. Editors-in-chief are Andreas Abegg and David R Wenger. [www.anci.ch](http://www.anci.ch)

The *Cambridge Law Journal* publishes articles on all aspects of law. Special emphasis is placed on contemporary developments, but the journal's range also includes other subjects such as jurisprudence and legal history. For more information, visit [www.journals.cambridge.org/jid\\_clj](http://www.journals.cambridge.org/jid_clj).

A selection of essential articles from recent issues of the *Journal of Law and Society* are available free online by authors such as Lucia Zedner, William Twining, David Sugarman, Kieron McEvoy and Heather Conway, Maureen Spencer and John Spencer, Didi Herman and Martin J Sweet. [www.blackwell-synergy.com/loi/jols](http://www.blackwell-synergy.com/loi/jols).

Also available from Blackwell are online tables of contents for two other journals: *Criminology* and *Criminology & Public Policy*. See respectively [www.blackwellpublishing.com/crim](http://www.blackwellpublishing.com/crim) and [www.blackwellpublishing.com/cpp](http://www.blackwellpublishing.com/cpp).

The entire October edition of *SCOLAG Legal Journal* is available at [www.scolag.org](http://www.scolag.org). Of particular interest are several articles and an editorial on legal education, as well as coverage of human rights, employment law and administrative law. A small number of hard copies remain and are available on request while they last.

- **LAW AND SOCIETY CONFERENCE, AUSTRALIA**  
13-15 December 2006: *Legal Intersections Research Centre, Wollongong*

An annual event bringing together academics, researchers and postgraduate students from Australia and abroad to examine the relationships between laws and legal institutions, and citizens and communities. This year's theme is 'Right or racket? The protection of law'. [www.uow.edu.au/law/lirc/law&socconference2006.html](http://www.uow.edu.au/law/lirc/law&socconference2006.html)

- **LEARNING IN LAW ANNUAL CONFERENCE AND VOCATIONAL TEACHERS FORUM: UKCLE**  
*University of Warwick: 4-5 January 2007*

These two events are combined for the first time to showcase what is best in the scholarship of learning and teaching in law. The conference will be based around a number of broad themes and will include a clinical legal education stream, a panel session on getting published – for postgraduate teaching assistants and new law teachers – and a discussion forum on teaching and learning issues.

[www.ukcle.ac.uk/newsevents/ukcle.html](http://www.ukcle.ac.uk/newsevents/ukcle.html)

- **CLASSCRITS: TOWARD A CRITICAL LEGAL ANALYSIS OF ECONOMIC INEQUALITY**

*25-26 January 2007: Baldy Center for Law & Social Policy, University at Buffalo Law School, USA*

Organised by University at Buffalo Law School Professors Martha McCluskey and Athena Mutua, the workshop will address three questions: Why 'classcrits'?; What are we doing and what do we want? How might a focus on economic class differ from other approaches to analysing economic policy and economic inequality in law?; and how can a focus on class build on and add to other anti-subordination projects in law, taking an intersectional approach?

Details: [www.law.buffalo.edu/baldycenter/events.htm](http://www.law.buffalo.edu/baldycenter/events.htm)

- **NEW PERSPECTIVES ON THE INDUSTRIAL RELATIONS ACT 1971: SEMINAR**

*1 February 2007: Centre for Legal Research, Middlesex University*

Speaker: Robert Simpson, Reader in Law, London School of Economics. Chair: David Lewis, Professor of Employment Law, Middlesex University

The Industrial Relations Act 1971 has a number of interesting features for students of labour relations. It can be seen as the first major step towards the current labour law regime in which trade union action is circumscribed and relations between workers and management juridified. The Act attempted a comprehensive reform of labour law, sweeping away the old system of 'collective laissez-faire' but it remained in force for a short period only. This seminar is the second in a series on the Act and will be of interest to public and labour lawyers, industrial relations specialists, trade unionists and contemporary historians. Admission is free but numbers will be limited. For further details and bookings contact Dr Maureen Spencer [e m.spencer@mdx.ac.uk](mailto:m.spencer@mdx.ac.uk)

- **11TH ANNUAL SEMINAR IN FAMILY LAW: YOURS, MINE AND OURS?**

*3 February 2007: Staffordshire University Law School*

Featuring a series of presentations on money, property and children. For more information contact [e p.j.booth@staffs.ac.uk](mailto:p.j.booth@staffs.ac.uk)

- **LAW AND ECONOMIC DEVELOPMENT: TOWARDS CONSTRUCTIVE ENGAGEMENT IN THE MIDDLE EAST**

*22-23 February 2007: Faculty of Law, Vrije Universiteit Brussel*

The conference offers a forum for scholarly debate to explore Middle-Eastern issues from an academic perspective in a spirit of mutual respect and respect for the right of all people to live in freedom and dignity. There is ample room for different legal approaches including law and economics, socio-legal, critical legal studies, etc. For more information contact Professor Koen Byttebier [e kbyttebi@vub.ac.be](mailto:kbyttebi@vub.ac.be) or Professor Dr K Van de Borgh [e kvdborgh@vub.ac.be](mailto:kvdborgh@vub.ac.be) [www.vub.ac.be/ECOR](http://www.vub.ac.be/ECOR). Questions of a practical nature may be addressed to Mrs S Demeue [e sdemeue@vub.ac.be](mailto:sdemeue@vub.ac.be) or Mrs A Maertens [e amaerten@vub.ac.be](mailto:amaerten@vub.ac.be).

● **NATIONAL CRITICAL LAWYERS GROUP 2007 CONFERENCE**

24-25 February 2007: University of Kent

Planned plenaries are: critical legal studies and practice; Palestine, Israel and Lebanon, criminal justice system conflict in the Middle East; the impact of the Human Rights Act; the 'War on Terror' and; civil liberties, controlling damage to the environment; and many other equally contentious topics. To contribute as a speaker or participant, contact Ian Grigg-Spall e i.m.grigg-spall@kent.ac.uk. National Critical Lawyers Group w www.nclg.org.uk

● **ACCOUNTABILITY FOR HUMAN RIGHTS VIOLATIONS BY INTERNATIONAL ORGANIZATIONS**

Brussels: 16-17 March 2007

To explore manners, mechanisms and fora in which accountability can be realised for violations of human rights committed by, or attributable to, international organisations and their staff. Enquiries should be directed to Eva Brems, Ghent University: e eva.brems@ugent.be.

● **POLICING AND DEFENDING IN A POST-PACE WORLD**

29 March 2007: UWE, Frenchay Campus, Bristol

Jointly organised by the Criminal Justice Research Unit, UWE and the Law and Policy Research Unit, Bristol University. A one-day conference to bring together academics, defence lawyers, police officers, and policy-makers to examine the critical questions and issues surrounding PACE, 21 years on. National and international speakers from diverse academic and practice backgrounds will systematically scrutinise different aspects of PACE in the context of policy and legal developments, and research evidence. Speakers will also consider whether the particular approach to regulation embodied in PACE has been effective, and whether it forms an adequate basis for regulation in the future. e susan.harris@uwe.ac.uk.

● **ALIENS AND NATIONS: CITIZENSHIP, SOVEREIGNTY AND GLOBAL POLITICS IN THE 21st CENTURY: Call**

19-21 April 2007: Keele University, UK

The UK Association for Legal and Social Philosophy (ALSP) conference aims to stimulate debate about the nation-state. Keynote speakers: Seyla Benhabib; Stephen Macedo; Bhikhu Parekh; Andy Dobson; Judith Squires. Global crime networks and international terrorists, for instance, defy the executive will of nation-states, while states' integrity seems sapped by porous borders, cultural conflict and breakaway or irredentist movements. These problems hit failed states hardest, but often defeat even well-ordered polities. At the same time, supra-national bodies have proved largely impotent against the global challenges of climate change, capital mobility, nuclear proliferation, the AIDS pandemic, human rights abuses, and trafficking in drugs, weapons and persons. Contributors are invited to consider the role of the nation-state within these and other contemporary problems. 300-word abstracts by 15 December 2006 to alsop07@ilpj.keele.ac.uk. Details at w www.keele.ac.uk/research/lpj/alsp

● **JOURNAL OF PRIVATE INTERNATIONAL LAW CONFERENCE 2007: Call**

26-27 June 2007: University of Birmingham

The editors invite submissions for two presentation categories. Academic Conference Papers should be submitted to Jonathan Harris e j.m.harris.law@bham.ac.uk. Postgraduate Research Papers should be submitted to Martin P George e mpg514@bham.ac.uk. For full details go to: w www.law.bham.ac.uk/conflicts.

● **RIGHTS, ETHICS, LAW & LITERATURE INTERNATIONAL COLLOQUIUM: CALL**

6-8 July 2007: School of Law, Swansea University

Plenary speakers: Professor Richard Weisberg and Professor Desmond Manderson. Abstracts should be sent to Professor Melanie Williams at e m.l.williams@swansea.ac.uk by 10 December 2006.

● **EUROPEAN SOCIOLOGICAL ASSOCIATION CONFERENCE: CONFLICT, CITIZENSHIP AND CIVIC SOCIETY: Call**

Glasgow: 3-7 September 2007

RN Sociology of Professions, deadline for submission of abstracts 15 February 2007. A PhD workshop will be held immediately prior to the conference, deadline for submission 30 January 2007. Co-ordinator Ellen Kuhlmann e e.kuhlmann@zes.uni-brennb.de w www.esa8thconference.com

● **CENTRE FOR THE STUDY OF THE CHILD, THE FAMILY AND THE LAW**

Annual Seminar Series 2006-07: Liverpool Law School

No charge for attendance, all welcome – especially young people Please notify attendance to Christina Lyon e c.m.lyon@liverpool.ac.uk or Mike Jones e m.jones7@liverpool.ac.uk

- 7 December 2006: 'Institutionalised violence? Child imprisonment, abuse and accountability in England and Wales' – Barry Goldson: Professor of Criminology and Social Policy, University of Liverpool

- 1 February 2007: 'Child protection: children's rights and human rights' – Caroline Forder: Professor of in European Family Law, University of Maastricht

- 15 February 2007: 'Children and young people: participants or recipients' – Liam Cairns: Director, Investing in Children

● **GENDER AND MIGRATION IN 21ST CENTURY EUROPE: WORKSHOP SERIES**

Feminist Legal Research Unit of the Liverpool Law School

This series explores issues such as 'The impact of migration on family life' (6 December 2006); 'Gender, migration and EU enlargement' (7 February 2007); 'The impact of migration on women's careers' (14 March 2006); and 'Gender perspectives on forced migration' (25 April). Further details at: w www.liv.ac.uk/law/flru. Alternatively, email Helen Stalford to book a place e stalford@liv.ac.uk.

● **CENTRE LGS: FORTHCOMING EVENTS**

Gender and Human Rights: 5-6 January 2007: University of Westminster

Jointly organised by Centre LGS, Liberty and LAG. Funded by the *Modern Law Review*. Confirmed plenaries include Zillah Eisenstein, Pragna Patel (Southall Black Sisters and Women Living Under Muslim Laws) and Justice Yvonne Mokgoro (Constitutional Court of South Africa). This two-day international conference will bring together academics with activists and practitioners to explore critical perspectives on the intersection of gender issues with human rights. Questions include: whether the structural and philosophical basis of the Act, and of human rights instruments generally, obscures a gender analysis; whether and how gender-based litigation on human rights can be effective in the long-term; whether the theoretical and political problems associated with making rights claims are outweighed by their strategic utility; and what lessons can be learned from other jurisdictions about litigation and campaigning. For further information, contact Emily Grabham e e.grabham@kent.ac.uk or see w www.kent.ac.uk/clgs/events/clgslibertyhrconf.htm.

Call for papers: 'Gender Unbound': 9-11 July 2007: Keele University

An international, inter-disciplinary conference in the area of law, gender, and sexuality, broadly defined. Plenary speakers: Hazel Carby, Sander Gilman, Rosemary Hennesey, Carol Smart, Sylvia Tamale. Abstracts and/or panels should be submitted online by 31 December 2006. Particularly encouraged are papers exploring the intersections between gender and sexuality, as well as how other social relations (eg, race, disability) impact on and are shaped by these. w www.kent.ac.uk/clgs/events/genderunbound.htm

● **THEMATICS: A WORKSHOP SERIES**

January 2007: Birkbeck Law School, London

The Birkbeck Thematics Workshops are supported by the AHRC. The series focuses on theoretical perceptions that are reshaping conceptions of law. Dates and themes for future workshops in the series are as follows:

- 12 January 2007: Globalism
- 9 February 2007: Secular Theology

Each of the workshops will be a full-day event, leaving substantial time for discussion and intense engagement with the papers. Attendance is free, but numbers will be limited to 35 in order to facilitate discussion. Registration is essential. Queries and expressions of interest may be directed to Richard Joyce at e r.joyce@law.bbk.ac.uk.