

Socio-Legal NEWSLETTER No 92 SLSA

THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION AUTUMN/WINTER 2020

SLSA CARDIFF 2021

From 30 March to 1 April 2021, socio-legal scholars will gather for the first ever virtual SLSA Annual Conference, which will be hosted by Cardiff University's School of Law and Politics.



As the capital of Wales, Cardiff is a vibrant and bilingual city with a rich history steeped in the coal trade, popular music and literature, and sport. Cardiff is also home to *Senedd Cymru* – the Welsh Parliament – which governs devolved areas including health, education, economic development, transport, the environment, agriculture and local government.

The School of Law and Politics at Cardiff University celebrates its 50th anniversary in 2021. As the home of the renowned *Journal of Law and Society* since 1974, it has a leading international reputation for socio-legal studies. Although the conference will not be physically held at Cardiff University this year, the rich history and context of the city, the university, and the School of Law and Politics will nevertheless underpin the 2021 Annual Conference.

The conference promises a busy three-day programme with around 400 papers across 32 established streams and an exciting range of current topics. Plenary and Roundtable topics this year will include: 'Human Rights, Social Justice and COVID-19'; 'Race, Place, and Nation in the UK'; 'Decolonising the Law School' and 'Socio-Legal Studies in a Time of Emergency'. Due to the virtual nature of the 2021 conference, the organising committee is able to take advantage of the opportunity to bring together a range of distinguished voices from across different continents, such as Lawrence Gostin (Georgetown), Michael Fakhri (United Nations Special Rapporteur on the Right to Food), Penelope Andrews (President of the Law and Society Association), and to encourage international engagement among prospective papers too. In addition, the conference will bring the local communities of Cardiff and Wales to the fore, by creating virtual spaces for discussion with Gaynor Legall (chair of 'Tiger Bay and the World') and Ann James (social worker and academic and policy lead working to deliver the online journal *Rhydian: Social Welfare Law in Wales*). We also celebrate the life and legacy of singer and civil rights campaigner Paul Robeson.

The conference will also extend existing opportunities for PGR members even further in 2021, offering a greater number of PGR-focused sessions, including a session on wellbeing during the PhD, as well as specific networking and publishing opportunities for PGRs. In addition, the conference will continue

to host the esteemed Poster Competition. Poster prizewinners, along with the winners of the prestigious annual SLSA book and article prizes, will be announced on the final day of the conference.

The conference will be held using the Virt-Us Live Virtual Event Platform. This user-friendly platform allows the hallmarks of the SLSA conference to continue online by retaining live face-to-face conversations between presenters and audiences, opportunities to meet and network, and an interactive poster gallery. Delegates will be able to attend plenary sessions and a wide range of parallel streams that display the broad range of expertise and research that the SLSA is proud to accommodate.

Despite the global challenges facing the socio-legal community at present, the Cardiff organising committee is excited by the prospect of bringing us all together again for the first time in many months. In particular, we are energised by the idea that the first fully virtual conference will provide even greater opportunities to maximise the accessibility and inclusivity of this year's conference – with the online platform allowing for a broader range of speakers from various global locations and a schedule designed to ensure the effective participation of scholars working from home and in various circumstances.

The call for papers and posters is now open (see page 10) and will close on **Friday 8 January 2021**. Registration is also open and registration rates reflect the financial hardship that our members are likely to be facing at this time. For conference updates and to get in touch with the organising committee, please visit www.slsa2021.com.

The Cardiff Conference Team

SLSA SEMINAR COMPETITION

This year's Seminar Competition is now open for applications.

Applications are invited from SLSA members for this year's scheme. Awards can be used to support the delivery of an individual seminar or short conference, or a series of events with relevance to the socio-legal community. Given the ongoing pandemic, the award can also be used to cover IT support for online events.

If you are considering an application, please ensure that your proposal accords with the published guidance. Full details on how to enter are to be found on the [www.slsa website](http://www.slsa.org.uk). If you have any queries, please contact the subcommittee chair, Flora Renz [e f.renz@kent.ac.uk](mailto:f.renz@kent.ac.uk). Closing date: 20 December 2020.

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The *Socio-Legal Newsletter* is sponsored by a consortium of law schools interested in promoting socio-legal studies in the UK. If your institution would like to become involved in this initiative, please contact SLSA Chair e [Rosie Harding](mailto:Rosie.Harding).

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The newsletter is also sponsored by the *Journal of Law and Society*.



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SLSA RESPONSE TO UKRI OA CONSULTATION

The SLSA responded to the UKRI consultation on Open Access (OA) in May of this year. John Harrington, Cardiff University and chair of the SLSA OA subcommittee, summarises the SLSA position.

UKRI proposals included a requirement that articles supported by research council funding, published after 1 January 2022, be accessible immediately upon publication without an embargo and free of charge – known as ‘Gold OA’. That would also be a condition for the eligibility of outputs to be entered in REF exercises after the current one.

We responded to this central proposal by affirming our support for OA, which will ensure the widest availability of scholarship, not only in the UK, but around the world. But we challenged at length the methods by which UKRI proposed to reach this goal. The extension of Gold OA to most article-length outputs would see publishers recouping their costs through article processing charges (APCs) rather than levies on libraries. The author pays, not the reader. More correctly, the author’s institution or funder pays. This introduces the risk of substantial inequalities which undercut the universalist ideal of OA. Researchers based at wealthy universities and those whose projects appeal to current interests of research councils are favoured. Those at less privileged institutions or researching on unfashionable topics are less likely to be published.

The problem is even more acute for colleagues based at resource-poor institutions in the global south, whose research priorities are often set unilaterally by partners and funders in the global north. Extractive forms of knowledge production will be reinforced.

Academic freedom, inventiveness, and solidarity, as well as efficiency, demand that we look again at how OA is achieved. We suggested that a better approach would be to return to the idea of ‘Diamond OA’, which avoids charges either to authors or readers. There are several flourishing examples in legal studies. Of course, producing journals to a high academic and technical standard is not cost free. But the UKRI proposals would route off taxpayer funds through commercial publishers and their shareholders in order to do so. We propose a transformative approach instead, which takes seriously the promise of OA and is likely to be more cost-effective. Resources intended for APCs should be transferred directly to journal boards themselves in order to cover costs and compensate editors, reviewers and administrators, many of whom go unpaid even in the present commercial system.

The UKRI Gold OA regime would also extend to monographs, edited collections, and chapters therein published after 1 January 2024. In that context too we recommended a more transformative approach. We recognised, however, that moving to Diamond OA presented greater challenges for books and that a staged approach would be appropriate.

Finally, we responded to the proposals regarding the most effective means of protecting the moral interests of authors in what is done with their work. We criticised the UKRI proposal that, as a default rule, OA outputs be subject to a CC-BY licence only. The latter protects authors against misattribution, but it does not preserve the integrity of the text against misrepresentation or misuse. Our recommendation was for the more wide-ranging CC BY-ND licence which would meet all of these objectives.

The SLSA Open Access Working Group members are John Harrington (Chair), Chris Ashford, Smita Kheria, Antonia Layard and Marie Selwood.

SLSA ANNUAL PRIZE 2020 AWARDED TO DAVID COWAN

The SLSA Board has announced that this year’s prize for contributions to the Socio-Legal Community will go to David Cowan, Professor of Law and Policy at the University of Bristol and former vice chair of the SLSA. Former SLSA chair Sally Wheeler explains why she nominated him.

I am so pleased that Dave is being awarded this prize. Over the years his contribution to the socio-legal community has been immeasurable, often in ways that academic life does not reward properly. He is also one of the nicest and most generous people I know.

Dave has forged a field of research in housing law and attracted a great deal of research council and other funding, often working in partnership with NGOs. He has built a vibrant community of scholars around him through his strong peer support and creation of opportunities.

He is a well-published academic in his own right and is also editor of the socio-legal book series, launched by Palgrave Macmillan in 2012 (which currently contains 36 titles, including a number that have won SLSA prizes). This is a role he takes incredibly seriously and devotes a considerable amount of time to. The series is a success because Dave has made it one. A lot of first-time authors have published monographs in the series, often working with Dave to transform their PhD theses into books, for example, Faith Gordon and Emilie Cloatre.

In addition, he was an extremely effective vice chair of the SLSA through some of its most financially difficult years (serving in the role for over five years in two separate terms), and he contributed to the annual SLSA Postgraduate Conference for around 20 years. Many of his PhD students have gone on to be successful academics in their own right, including Morag McDermott and Jess Hambly. His mentoring of early career scholars and his broader contributions have significantly shaped the field of socio-legal studies.



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Next copy deadline: 25 January 2021

Next publication date: 1 March 2021

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FREE RESOURCE FOR DEVELOPMENT OF ANTI-RACIST LAW CURRICULA

Law-school teachers across the UK can begin to develop anti-racist curricula and classrooms by downloading 'Towards Anti-racist Legal Pedagogy: A Resource', launched in September at the Society of Legal Scholars Annual Conference. Suhraiya Jivraj led the project at Kent Law School which was also supported by a £2726 SLSA research grant.

Currently, we know from Advance HE data that Black Minority Ethnic (BME) students graduate with lower degree marks than their white peers, despite entering university with similar or even better A-level results. We therefore know students of colour are experiencing barriers to achievement in the university setting which may be down to the awarding gap, as well as other factors occurring at universities, including experiences of racism and the ways we teach or don't. We also know that one in three law students is from a BME background, so it is highly likely that the overall attainment gap figure will be, as in the national attainment gap figure, reflected in many law schools and also translates into inequalities in the legal professions and judiciary. Whilst the systemic inequalities require significant redress beyond what some teachers will be able to tackle, we can all start where we are and begin taking steps.

The resource, supported by SLSA funding, is designed to help teachers develop anti-racist pedagogy in their teaching in five of the six foundation subjects currently required for a qualifying law degree (QLD). Underpinned by a theoretical framework of critical race theory, the resource explores experiences of racism in higher education and provides practical solutions for overcoming barriers to inclusion. It's not a one-size-fits-all solution but one step towards ensuring and supporting law-school teachers so that they can embrace and

reflect the diversity of their BME students. It comprises four easy-to-read chapters.

- Chapter 1 outlines the drivers for change underlying the emerging regulatory framework seeking to address inequalities relating to race and education more broadly in HE and in relation to gaps in legal education. It also explores the experiences of racism in HE and highlights the work of the HEFCE Consortium of five universities which have developed an inclusive curriculum framework which acts as a benchmark of current good practice in the sector.
- Chapter 2 outlines the methodology, theoretical framework and tensions in terminology from inclusion to decolonising.
- Chapter 3 draws on existing literature and inclusive curriculum resources, highlighting key elements to assist teachers to prepare the ground for developing a more anti-racist curriculum and classroom.
- Chapter 4 highlights existing examples of good practice in legal education gathered through interviews, specifically with law-school teachers, an online survey in the five QLD subjects and an 'Introduction to Law' module.

Student movements such as **Decolonise UoK** (the decolonising movement at Kent University) are a key impetus for producing the resource. Decolonise UoK was a two-year student-staff collaborative research project funded by a Teaching Enhancement and Innovation Project that emerged from my 'Race, Religion and Law' module. The project resulted in the production of a **Manifesto** of recommendations, launched at a packed **conference** in March 2019 and subsequently featured in the NUS/UUK **#ClosingtheGap report** (2019). Project members have also co-authored a recently launched book: *Towards Decolonising the University: A Kaleidoscope for Empowered Action* (Counterpress 2020) now available to **download on a pay-what-you-can basis**.

The new resource is intended to be a working document that can evolve through crowdsourcing – teachers are invited to add their comments via the **► Towards Anti-racist Legal Pedagogy website** that accompanies the document.

Fieldwork grants

The interplay of state and non-state legal orders in Kabul's premier money bazaar

Nafay Choudhury, Dickson Poon School of Law, King's College London, £3000

My research seeks to understand how state and non-state legal systems interact with one another in unstable settings in the production of legal order. I examine this matter through the constituting of order in Afghanistan's central money exchange bazaar, *Sarai Shahzada*, a market of some 400 stores in the heart of Kabul where millions of dollars exchange hands each day. Money exchangers in the bazaar play an essential role in supporting the entire Afghan economy. They are responsible for currency exchanging, informal money transfers (*hawala*), deposit safekeeping, trade financing, informal credit, holding funds in escrow, and controlling the money supply. Despite the precariousness of the government, economy and security conditions, money exchangers have been able to carve out an integral space within society in which they conduct their financial affairs. The money bazaar is unique not only because of its ability to operate based on its own community norms, but particularly because the scale of its activities is so extensive that it permeates virtually every aspect of the country's economy.

Based on 14 months of fieldwork in Kabul, speaking to money exchangers, businessmen, central and commercial bankers, government officials and justice actors, as well as frequenting the

central money bazaar (also visited by insurgent groups), I observed the flows of information that filtered through the market, the anxieties of exchangers over recalcitrant or dishonest clients, the incremental accretion of trust between parties, and the strategic use of the state and banks by exchangers – all of which produce an overarching sense of stability that facilitates the various financial transactions. By studying a well-functioning, private community in Afghanistan, I explore the way in which state and non-state legal systems interact, transform, co-opt one another, and come into violent conflict. I am intrigued by the fragmented and plural forms of order that exist *within* the state, *alongside* the state, and *beyond* the state.

The SLSA fieldwork grant played an indispensable role in allowing me to conduct my fieldwork. It provided me with the opportunity to travel to Afghanistan, carry out interviews, and translate and transcribe my interviews. My study required devising a plan where I could spend significant time in the markets of Kabul while remaining safe given the unpredictability of conducting research in Afghanistan. To assist in both assessing safety concerns and arranging interviews, I hired a research assistant who was familiar with Kabul's markets and who possessed street-smart intuition. Together, we worked out a schedule that permitted me to regularly visit the various research sites without attracting undue attention. Interviews were normally recorded, after which my research assistant would transcribe them. Over the course of my research, I spoke with over 100 individuals and spent hundreds of hours noting the mundane routines of daily life in the markets.

Speaking with a variety of actors in different settings allowed me to gather a diversity of perspectives on the functioning of the bazaar and the normative forces at play. Market actors would speak about the internal practices of the bazaar that influenced their behaviour, while government officials would speak about the official laws that governed the bazaar's activities. Through this bricolage of information, I have been able to develop a detailed, complex and nuanced representation of the money exchange bazaar, thereby shedding light on the dynamic interplay of state and non-state legal systems in sustaining order in precarious settings.

Transboundary water conflict and pacification in Palestine/Israel: water commodification through agricultural production and the dispossession of land and livelihoods

Mia Tamarin, Kent Law School, University of Kent, £2200

I am very grateful for the financial support I was given in the form of an SLSA Fieldwork Grant in relation to my doctoral research at Kent Law School. The award enabled me to spend three months in Palestine/Israel to conduct semi-structured interviews with water and agriculture policy-makers, collect archival materials and to visit key sites. Preliminary results were presented at the Law and Society Association's 2018 meeting in Toronto in a paper entitled 'Pacifying food (in)security'.

My research investigates how transboundary water management is in part shaped by capitalist relations and how, in turn, the social and material aspects of water management define water use and appropriation through a process that I call 'water commodification'. My thesis, thus, aims to critically understand the process of water commodification within the Palestine/Israel context, and how it ultimately facilitates a violent pacification of the conflict over water and beyond. My research questions are: how is water understood and conceptualised by scholars and practitioners of water and agriculture? And how has a particular understanding of water, on the one hand, and its materiality, on the other, shaped water resources as such, water management and the social relations around it, within the terrain of Palestine/Israel?

My fieldwork entails semi-structured interviews with 25 policy-makers, government officials and NGO executives involved at different levels of water policy-making in Israel and Palestine. I define 'policy-makers' as those involved within the varied institutional practices around water management in all sectors and levels. I followed up interviews with archival research on the history of the 'water conflict' between Israel and its Arab neighbours; and the direct observation of major relevant sites, such as herding communities and settler outposts in the Jordan Valley, Palestine, and the battle places of the historical water wars in the northern region of Israel. The aim of my fieldwork was, firstly, to learn how individuals within the water and agriculture context understand water relations and the related law/regulation of its management. Secondly, to observe how these understandings manifest in the first-hand management of water. Receiving the accounts of those involved with water and agriculture policy-making, I could pay particular attention to terminological and discursive intricacies, especially as these help legitimise how water is conceived, commodified and shared.

In summary, my thesis begins by engaging critically with alarmist scholarship that poses water conflicts as threats to international security. In contrast to theories of 'water peace' and 'water war', and also in conversation with virtual water scholarship (which proposes that what we are witnessing is best understood via trade relations), I argue that the ways in which water scholars and practitioners conceptualise water itself – as a commodity – necessarily have effects on how the sharing of water is managed. Accordingly, I analyse the process of water

commodification and how this process attends to the particularities of water. To do that I pay attention to the function and indirect operations of commodification, drawing on a theoretical method inspired by political-ecology theories, whilst also deploying socio-legal research methods with Palestine/Israel as a contextual case study. This methodological combination enabled me to focus on the legal aspects, as well as the material-discursive dimensions of water commodification in order to enrich critical understanding and further the current discourse of the socio-legal commodification of water.

Within the agricultural sector, in particular, I identify two historical manifestations of such commodification: the appropriation of land and the dispossession of livelihoods through agricultural production. I show how the embeddedness of water within the material-social world enables the indirect dispossession of both land and people, without the need of brute force *per se* (yet with violence as an ever-imminent threat). Therefore, I argue that, ultimately, commodification leads to a violent pacification of (water) conflicts, which enables the continued control over not just water resources, but over an entire people's livelihood (their employment, food and overall development).

Research grants

Exploring feminist academics' experiences of teaching gendered and intersectional socio-legal issues

Marian Duggan, University of Kent, and Charlotte Bishop, Exeter University, £2577.88

Criminal justice professionals increasingly have a background in law or criminology. This makes the ways in which these subjects are taught at degree-level of particular importance in equipping these professionals with the awareness of the overt and covert bias and discrimination within the criminal justice system and with the desire to challenge this at both personal and institutional levels.

Furthermore, bias against female academics within higher education persists, particularly against those who incorporate feminist/gendered perspectives into their teaching and whose views are clearly feminist. In light of the wider socio-political backlash against feminism, there is merit in identifying how feminist academics can, and do, negotiate any resistance from ideologically opposed students and colleagues.

This project, comprising an online survey and semi-structured interviews, aimed to explore feminist academics' experiences of teaching gendered and intersectional socio-legal content linked to criminal justice issues in university settings. We were interested in levels of institutional support; opportunities for inclusive curriculum design; concerns about unfavourable teaching evaluations linked to gender bias and/or feminist content; and how participants negotiate/navigate personal and professional roles or responsibilities linked to being a feminist academic delivering socio-legal content.

We identified a range of challenges faced by respondents and participants when attempting to incorporate feminist and intersectional perspectives into programmes, two of which are:

- *Navigating barriers to gender mainstreaming*: there was a clear indication that feminist and intersectional issues need to be embedded using feminist teaching methods rather than just included as an 'add-on' to mainstream courses so that teaching itself does not simply reproduce the same privileging of certain individuals, voices and viewpoints that is evident within the criminal justice system. However, barriers to this included student resistance to feminist ideas and teaching pedagogies, negative teaching evaluations, practical constraints, such as time to redesign courses, as well as institutional bias against feminist content and approaches.

- *Managing emotional labour while affecting transformative pedagogy*: participants sought to ensure that their teaching had relevance and resonance with their students' present and future lives, so engaged in transformational teaching that was designed to impact on students' knowledge and understanding of social justice issues in meaningful and ongoing ways. Furthermore, many participants embodied aspects of identity that resonated with the addressed issues or topics, thus experiencing how the 'personal is political', but in some cases this took an additional toll on their emotional well-being. We discovered that those who expected to encounter student hostility or resistance towards their feminist identity had developed ways to navigate this, but when it came from colleagues it was more difficult to address in a way that maintained their personal integrity without sacrificing career prospects.

We are currently writing up the findings for publication, whereupon we will be showcasing instances of best practice and disseminating pedagogic toolkits derived from our analyses of participants' insights. We would like to thank all those who took the time to be part of this project, and we are very thankful to the SLSA for funding it.

Perceptions of sexual consent in Northern Ireland: rape, responsibilisation and reasonable belief

Eithne Dowds, Queen's University Belfast, £1714

I was delighted to receive a 2019 SLSA grant for the project 'Perceptions of sexual consent in Northern Ireland: rape, responsibilisation and reasonable belief'. This research was conducted in the wake of an independent judge-led review into how the criminal justice system handles sex offences in Northern Ireland (NI) (the Gillen Review). The Gillen Review was born out of a joint call from victim organisations following the increased public interest in sexual violence and the judicial process as a result of a high-profile rape trial, now known as 'the Rugby Rape Trial'. Significantly, this case sparked important social, legal and cultural debates on the nature of sexual consent within NI. These debates form part of wider conversations on sexual consent, with increasing attention being paid to the fact that, according to formulations of rape law across many Western jurisdictions, the guilt or innocence of a defendant rests not only upon whether there was consent or not but whether the defendant's belief in consent was reasonably held (see e.g. Article 5 Sexual Offences (Northern Ireland) Order 2008). Although, according to the 'reasonable belief threshold', consideration can be given to any steps taken by the defendant to ascertain consent, the defendant is not legally obliged to take steps, and this threshold has been criticised for placing a disproportionate focus on the actions of the complainant.

The Gillen Review engaged with these critiques, proposing changes to the legal provisions on consent as contained within the Sexual Offences (NI) Order 2008, including the proposal that the wording of the reasonable belief threshold should be amended so that the defendant's *failure* to take steps to ascertain consent is considered. In this respect, the core aims of this research project were to: provide an insight into perceptions of the requirement for reasonable belief in consent in the definition of rape in NI; the specific proposals on reform to this requirement advanced in the 2019 Gillen Review; and consider whether there is a need for further clarification/reform in relation to the formulation of consent and the element of 'reasonable belief'. The research involved qualitative semi-structured interviews with 16 individuals from within the sexual violence sector in Northern Ireland (NI), including victim/survivor advocates; police officers; members of the judiciary; members of the Public Prosecution Service; defence barristers; sexual violence educators; health professionals; and government representatives. It thus adds to a small body of

empirical research, in comparative jurisdictions, on community and professional workers' perceptions of consent and the reasonable belief threshold.

The research found that, while Gillen's recommendation on reasonable belief in consent was, generally, positively received, there were reservations around the practical implications of the law. In light of this, I argue that Gillen's proposal can be strengthened through, for example, the creation of jury instructions dealing with the defendant's failure to take steps to ascertain consent and providing some clarity around what is meant by a 'step'. The research findings are set out in two policy papers, *Reforming Sexual Consent in Northern Ireland: Reflections on 'Reasonable Belief'* and *Sexual Consent in Northern Ireland: The Social and Legal Dimensions*, and will form the basis of a future academic article.

Gendering asylum determination: understanding how victims of gender-related violence experience the asylum tribunal

Helen O'Nions, Nottingham Trent University, £2850

In 2018 I was very grateful to receive an SLSA Research Grant to enable the voices of asylum seekers to directly inform my research that sought to understand how victims of gender-related harm experience the First-tier Tribunal (Immigration and Asylum Chamber).

During spring 2019 I interviewed 14 women who had been refused asylum and had undergone an appeal before the tribunal. These interviews lasted between 45 minutes and two hours and took place either in the offices of a local refugee support organisation or at the participants' homes.

The primary purpose was to identify common challenges experienced by those seeking protection from harm that included gender-related violence. It was informed by an interdisciplinary literature review which suggested that such harm could have a profound psychological impact on its victims which would in turn undermine their ability to provide a fully accurate and open account of their experiences. Given the central importance of individual testimony in the asylum process, I wanted to examine how this impact was understood and negotiated by tribunal personnel.

The participants came from a variety of countries including Zimbabwe, Malawi, Nigeria, Eritrea and Bangladesh. In two cases the services of an interpreter were required. Although all had experienced gender-related violence, the nature and degree of this harm was different in each case, and it was not necessarily the primary ground for protection. These interviews were accompanied by five day-long tribunal observations that took place in Birmingham.

Research challenges

Most participants were identified through mutual contacts. Unfortunately, on the day of the interview it quickly became obvious that one participant had not experienced a tribunal hearing, and another was a dependent in her husband's case. In both cases the interviews were not transcribed, as we talked more generally about the asylum process.

During the second interview the participant asked what they would receive for telling their story. I did not want to undermine the authenticity of the interviews by offering a financial incentive, but I was acutely aware that some of these women were destitute and not in receipt of support. I therefore made the decision to give all participants a £20 shopping voucher after the interview was completed.

The use of the interpreter posed a particular challenge for the interviewer in ensuring that the participant's voice was accurately reflected in the translation. It was noted that the interpreter had a tendency to summarise the participant's

account, and there was no way to verify the accuracy of the statements. This is a commonly recognised problem during the substantive asylum hearing.

A further challenge arose from the nature of the semi-structured narrative interview method. It was very important for me to capture the experience of the participant without interruption. However, this impacted significantly on the time required for transcription. The budget allowed for a research assistant to transcribe half of the interviews, but the time that had been allocated for this task was insufficient.

The final challenge related to the expectations and hopes of the participants themselves. The sharing of traumatic and intimate experiences established a personal bond between interviewer and interviewee. I have therefore remained in contact with many of the women and have continued to take an interest in their cases and their lives. The usual academic detachment from the interview subject did not seem appropriate in these cases. I have made some wonderful friends, but at times I have been forced to decline requests for legal assistance. This is particularly difficult when there is such limited legal advice and support available for refused asylum seekers.

Research findings and outcomes

Whilst common experiences were observed during data analysis, they typically centred on the culture of disbelief and the participant's sense that no one believed what they were saying. This is reflected in academic literature which suggests that women are less likely to be believed in asylum claims. All the participants were frustrated that the standard of proof

seemed impossibly high. A recurrent theme was their detachment from the tribunal hearing. This is corroborated by several of my tribunal observations where appellants were not given an opportunity to speak but had to witness repeated attacks on their character and evidence from Home Office presenting officers. The tribunal waiting area was a particularly fraught environment as clients sat alone or with a family member waiting for their representative. It was clear that on several occasions the client had never met their legal representative in advance of the hearing. In more than one case the representative did not show up at all, leaving the client confused and anxious.

The observations and testimonies led me to change the direction of the research. The most significant issue impacting on the appellant in the tribunal was not the nature of the harm they had experienced but the overwhelming feeling of detachment and alienation from the legal process that would determine their fate. This was not exclusively a gendered issue, as the observations confirmed. I would suggest that it is in part attributable to the adversarial nature of the immigration tribunal process, but it goes much deeper than this. Restrictions to legal aid have impacted significantly on the time and resources available to represent clients, whilst policies pursuant to the hostile environment leave failed asylum seekers destitute and outside the normal societal safety nets. It is now my intention to develop these intersecting themes using the transcribed data along with interview data from a project looking at access to justice for persons with insecure status. This will be completed by the end of 2020.

A History of Regulating Working Families: Strains, stereotypes, strategies and solutions (2020) by Nicole Busby and Grace James, Hart £54: use code SLSADIS for 20% discount. This book critiques how working families in the UK have been subject to regulation. It charts the development of the UK's law and policy framework by focusing on the post-war era and the growth and decline of the welfare state, considering a longer historical trajectory where appropriate. The authors favour an alternative policy approach based on Martha Fineman's vulnerability theory in which the vulnerable subject replaces the liberal subject as the focus of legal intervention. This enables a more inclusive and cohesive policy approach and has potential to contribute to the reconciliation of the unresolved conflict between paid work and care-giving.

Contemporary Issues in Criminal Justice and Procedure

This series deals with aspects of criminal justice and procedure in both practical and theoretical terms. From a theoretical standpoint, the series, from Routledge, invites analyses (from all jurisdictions) of the way in which different jurisdictions make changes to their justice systems, highlighting and examining the ramifications of such changes. The series will offer monographs, focus titles (20,000–50,000 words) and edited collections. See **w guidelines** for details or, to discuss your proposal, please contact Ed Johnston edward2.johnston@uwe.ac.uk.

Concessionaires, Financiers and Communities: Implementing indigenous peoples' rights to land in transnational development projects (2020) Kinnari I Bhatt, Cambridge University Press £85 222pp

Unrelenting demands for energy, infrastructure and natural resources and the need for developing states to augment income and signal an 'enterprise-ready' attitude mean that transnational development projects remain a common tool for economic development. Yet little is known about the fragmented legal framework of private financial mechanisms, contractual clauses and discretionary behaviours that shape modern development projects. This original perspective on transnational development projects explains how the patterns of poor rights recognition

and implementation, power(lessness), vulnerability and, ultimately, conflict routinely seen in development projects will only be fully appreciated by acknowledging and remedying the pivotal role and priority enjoyed by private mechanisms, documentation and expertise.

Respect and Criminal Justice (2020) Gabrielle Watson, Oxford University Press £80 256pp

This is the first publication in the Clarendon Studies in Criminology series on 'respect' in criminal justice. It presents a rare joint discussion of policing and imprisonment in England and Wales and marks a refreshing departure from established patterns of working by reconciling abstract theory and concrete discussion of criminal justice practice and reform while also setting up an interdisciplinary dialogue between the humanities and social sciences.

Work in Challenging and Uncertain Times: The changing employment relationship (2020) Patricia Leighton and Tui McKeown, Routledge £96hb/£27.99pb

Written as the coronavirus pandemic took hold, the book highlights many deep-seated, longstanding challenges to employment relationships, including uncertainties and fears about the impact of technology, concerns about safety and wellbeing and controversies around emerging business and employment models. It calls for a radical rethink and reassessment of the core values underlying employment relationships.

Journal of Law and Society: call for book reviews

The *Journal of Law and Society* (JLS) invites early career scholars and PhD students to offer a book review to the JLS. Reviews are approximately 2000/2500 words. Reviews are neither plaudits nor descriptive and possibly critical. They are intended to both capture and, importantly, add to the body of knowledge advanced in the book. The book must be socio-legal, recently published or about to be published. The JLS seeks to provide an opportunity for young scholars to be published. Suggestions should be addressed to Jiří Přibáň priban@cardiff.ac.uk who will evaluate proposals and drafts.

UKRI Future Leaders Fellowship scheme

Professor Linda Mulcahy, director of the Centre for Socio-legal Studies, and Professor Rosie Harding, Professor of Law and Society at Birmingham Law School and SLSA Chair, have both recently been appointed as members of the UKRI Future Leaders Fellowship Panel College.

The Future Leaders Fellowships scheme aims to grow the strong supply of talented individuals needed to ensure a vibrant environment for research and innovation in the UK. The scheme is open to researchers and innovators from across business, universities and other organisations. The Future Leaders Fellowships scheme has been developed with unprecedented levels of flexibility to support applicants from a wide range of experiences, disciplines and sectors. The goals of the scheme fit in well with the Centre for Socio-Legal Studies' strategic plan in which it aspires to be an international training centre for socio-legal work.

Round 6 of the Future Leaders Fellowship scheme is open for applications. Closing date for outline proposals: **10 December 2020**. Closing date for full applications: **19 December 2020**.
Linda Mulcahy, CSLS

CCRC: invitation for proposals for new research projects

The Criminal Cases Review Committee (CCRC) is inviting new proposals for research projects. Such projects can be of any length and on any subject, provided that the research is of arguable benefit to the CCRC and to the wider criminal justice system. Please see [w announcement](#) for full details. Among the topics of particular interest are: young people in the criminal justice system; human trafficking/modern slavery cases; digital evidence in the criminal justice system; cases involving expert medical evidence; and historical sexual abuse cases.

Funding is not available, but the CCRC can offer access to data, relevant contact details, support for funding applications if appropriate, and publication of resulting theses/reports/papers on its website and, where appropriate, reference to relevant findings in its annual report. Closing date: **29 January 2021**.

Forthcoming SLSA events

Each year the SLSA runs or supports a number of workshops, seminars and conferences both in the UK and abroad, either independently or in partnership with academic institutions or other learned associations.

- **Benefits in Wales: Opportunities and challenges for social security devolution**, 24 November 2020, online, hosted by Ulster University
- **SLS-JAC-SLSA Workshop on Judicial Appointments: 'Academics as judges'**, 27 February 2020, Coventry University
- **SLSA Postgraduate Conference**, 6–7 January 2021, online, hosted by Cardiff University
- **SLSA 2021**, 30 March–1 April 2021, online, hosted by Cardiff University
- **Decolonising the Criminal Question: Colonial legacies, contemporary problems**, 16–17 September 2021, University of Warwick
- **Interdisciplinarity as Resistance** – date and venue tbc
- **Legal Design: Concepts, Methods, Norms and examples** – date and venue tbc

Discharge of care orders

Researchers from the School of Policy studies, University of Bristol, have been awarded £276,000 by the Nuffield Foundation for 'Discharge of Care Orders: A National Study'.

This work builds on a series of studies on care proceedings, funded by the ESRC, in the Law School at the University of Bristol. The study, one of the first under the umbrella of the Nuffield Family Justice Observatory (NFJO), will use the NFJO-curated datasets on care proceedings held in the Secure Anonymised Information Linkage (SAIL) databank at Swansea University. These data, sourced from Cafcass and Cafcass Cymru case-management systems, make it possible to identify the proportion of discharge applications that result in care orders being discharged; how long orders last; and variations in discharge rates across England and Wales.

A more detailed analysis of the characteristics of discharge applications will use Cafcass and Cafcass Cymru e-casefiles. Interviews and focus groups with professionals will provide further perspectives. The NFJO data held in SAIL is an important resource for those wanting to undertake quantitative research on aspects of family proceedings involving children. For further details of the research, contact [e jo.staines@bristol.ac.uk](mailto:jo.staines@bristol.ac.uk).

Judith Masson, University of Bristol

New graduate funding opportunities for under-represented groups

The Oxford Centre for Socio-legal Studies is keen to disseminate information about new opportunities for under-represented groups – including new Black Academic Futures scholarships for the DPhil in Socio-Legal Studies – to study on its research degree programmes. Potential students interested in applying to the Centre for Socio-legal Studies and planning to apply for a scholarship are invited to contact the director, Linda Mulcahy [e linda.mulcahy@csls.ox.ac.uk](mailto:linda.mulcahy@csls.ox.ac.uk) for an informal talk.

The University of Oxford and its colleges are working hard to increase the number of promising postgraduate students from under-represented groups at Oxford. As part of a programme to transform its graduate population by creating more funding opportunities for such groups, the university has announced a major new PhD scholarship scheme: **w Academic Futures**. Academic Futures will offer full scholarships for up to 10 UK black and mixed-black students applying to start DPhil/PhD study in 2021/2022. Applications are due by the January deadline for the student's chosen course.

Find out more about funding opportunities for under-represented groups and the Oxford's graduate access initiatives on the **w Graduate Access** website.

Union Académique Internationale: Early Career Research Prize Awards

Applications for the 2020/2021 round of Brepols Prize and Kwang-Soo Lim Prize awards are invited from candidates who hold a PhD in linguistics, philology, sociology, law or political science. The awards of €6000 over two years are intended solely to be grant-in-aid awards to cover the cost of individual research such as visiting major libraries, taking part in fieldwork and attending academic conferences.

Please see the **w Union Académique Internationale website** for details. Closing date: **15 December 2020**.

REMEMBERING REZA BANAKAR

Roger Cotterrell looks back over the life and career of Reza Banakar who died in August.



Reza Banakar's death on 28 August 2020 took from us one of the most prolific and consistently committed scholars of contemporary sociology of law, a researcher who combined a deep interest in the theoretical foundations and problems of the field with an enduring allegiance to empirical research. And he was an active supporter of the international socio-legal community through his involvement with the SLSA,

the International Institute for the Sociology of Law, where he had taught and served on its governing body, and the Research Committee on Sociology of Law, of which he was secretary for some years.

With his co-author Max Travers, Banakar was one of the very few contemporary legal sociologists who devoted serious and sustained attention to questions of research method – a particularly important focus given the uneasy location of the socio-legal field between legal studies and the academic social sciences with their contrasting analytical approaches. Banakar's and Travers' edited books on *Theory and Method in Socio-Legal Research* (2005) and *Law and Social Theory* (2nd edn, 2013) filled an important gap in the range of accessible general texts for researchers and students orienting themselves in socio-legal studies. Banakar was much concerned to map out a secure place for sociology of law, which he saw as an intellectual 'stepchild' nestling between disciplines. He tried to do so by carefully clarifying its intellectual resources, perhaps especially for those approaching it from the law school world.

At the time of his death, he held the chair of Sociology of Law at Lund University, a position he took on returning to Sweden after holding academic posts in Oxford and London. He had been born in Shiraz in Iran in 1959 and then came to England in the 1970s and went to school in Shrewsbury. At university, in Aberystwyth, he studied applied mathematics and then moved to Sweden for postgraduate studies at Lund. There he came under the influence of Per Stjernquist, the charismatic and popular professor of sociology of law who taught the subject to a wide range of students from diverse intellectual backgrounds. Banakar soon found an absorbing interest in this field and switched his studies from maths to concentrate on law, philosophy and sociology of law. He settled in Lund, taught socio-legal subjects there from 1988 to 1997 and obtained his doctorate in sociology of law. During that time, he quickly began to publish, especially on the processing of race discrimination issues in Sweden, which he studied through empirical research.

In 1997 he changed countries again to take up a research fellowship at the Oxford Centre for Socio-Legal Studies and then in 2002 transferred to the University of Westminster Law School where he was promoted to a professorship in socio-legal studies. Stimulated by new academic environments, he broadened his theoretical concerns about sociology of law, its nature, scope, methods and disciplinary engagements. But he also loved Lund, and on the retirement of Håkan Hydén, Stjernquist's successor in the chair of sociology of law there, the

invitation came to Banakar and he moved back to Sweden to succeed to the chair in 2013.

He set out his general ideas about his field mainly in two wide-ranging and richly scholarly books: *Merging Law and Sociology* (2003) and *Normativity in Legal Sociology* (2015). In the last years of his life, ended prematurely and tragically by illness while he was at the height of his powers, he devoted socio-legal attention to his native Iran, producing a thoughtful, imaginative book on the legal culture of the country, which he explored partly through empirical study of its strikingly unique road traffic culture. He also engaged more directly with political sociology, writing about the conditions that had produced Brexit and populism, and those underpinning the idea of solidarity in EU law. Observing events from Sweden, he remained always deeply interested in British politics.

It is tempting to think of Reza as, in some respects, a wanderer. He moved between countries and initially, in a remarkable way, between intellectual interests as he left his early maths studies behind. About that, he told me, 'I wanted to do something more related to the real world.' But having made his choice for sociology of law he stayed with it. The personal mentorship of Stjernquist, who had single-handedly established sociology of law in Sweden in the 1960s (but could institutionalise it only at Lund), strongly impacted on Banakar. Otherwise, however, the influences on his scholarship were very disparate.

He was a private person, as many of his friends can attest, and tended to say little about the factors that had made him the individual he was. The only member of his family I met was his vivacious daughter Jasmine who joined Reza and me for dinner once in Lund. Her early death was a terrible blow to him. But, in my experience, he rarely liked to talk much about himself, and his life was fully bound up with the intense commitment to scholarship that made his contribution to sociology of law so notable.

REMEMBERING DONALD HARRIS

Linda Mulcahy, current director of the Centre for Socio-Legal Studies (CSLS), pays tribute to one of her predecessors in the role.



Donald Harris, QC (Hon), BA LL.M. New Zealand, BCL MA Oxf, LLD Keele, who died on 10 August 2020, was a key figure in the development of socio-legal studies in the UK and mentored many of the first generation of academics who undertook work in the field. Don was a fellow and tutor in jurisprudence at Balliol College from 1956–1976, senior research fellow from 1977–1993 and emeritus fellow from

1993. He was a specialist in contract and tort and had a particular interest in remedies and the day-to-day reality of contractual relations. His book on *Remedies in Contract and Tort*, the second edition of which was co-authored with Dave Campbell and Roger Halson, was unusual on drawing on law and economics in its analysis of the notion of obligations and discussing long-term contractual relations, self-help and relational contract theory in a field in which doctrinal accounts still dominate. He had an impressive academic career as a tutorial fellow at Balliol and taught on the BCL for many years.

Perhaps most significantly, Don played a central role in establishing the Centre for Socio-Legal Studies (CSLS) at

Wolfson College Oxford in 1972 and was its director for 21 years. This placed him at the forefront of the move in legal scholarship from traditional black-letter approaches to one supplemented by a socio-legal perspective, making use of the insights of the social sciences in the study of law and legal phenomena. It is no exaggeration to say that in his time at the CSLS Don made the most important contribution of the era to securing the institutional foundations of socio-legal studies in the UK through the research conducted at Oxford and the staff and research students brought there to be schooled in multidisciplinary analysis of law, its institutions, its processes and impact. He was lead author of *Compensation and Support for Illness and Injury* in 1984, which drew attention to the roles of government agencies, local authorities, employers and informal organisations in providing such services as social security, criminal injuries compensation, sick pay and private insurance and which helped to establish the reputation of the CSLS.

Don had an enormous capacity for hard work, though it was through the force of his personality that he made the CSLS an exciting and pleasant place in which to work and created a strong sense of collective effort and community. His former colleagues remember him most for his personal qualities, his sheer humanity and decency, his modesty and willingness to forsake any kind of personal recognition, his optimism, sense of fun and, not least, his shining integrity.

It is fashionable to think that leadership skills can be learnt, but Don was a natural. He inspired enduring loyalty, respect and friendship in all those he worked with. He was instrumental in appointing and mentoring at least two generations of socio-legal scholars, many of whom became leaders in the field in the UK and abroad. Don also worked behind the scenes in supporting and nurturing the SLSA. The lessons he taught those who worked with him about the importance of establishing a supportive community were long-lasting. This is reflected in the fact that the first four chairs of the SLSA and three of the winners of the SLSA Prize for Contributions to the Socio-Legal Community have worked at the CSLS. His legacy continues to be enjoyed by socio-legal scholars across the world.

When I was interviewed for the Directorship of the CSLS I was asked how I would judge my success after 10 years, and the answer was simple. I can be judged a success if I manage to do even 10 per cent of what Don did while he was director.

Once government restrictions allow, the CSLS will be organising a celebration of the work and life of Don. If you would like to find out more please contact [e linda.mulcahy@csls.ox.ac.uk](mailto:linda.mulcahy@csls.ox.ac.uk).

***Social and Legal Studies* 30(1) (February 2021)**

Special Issue: Genealogies of Indefinite Detention

Edited by Mehera San Roque

Introduction – Mehera San Roque

Vitoria's *On the Indians, Legal Subjectivity and the Right to Travel* – Nan Seuffert, University

Indefinite detention, colonialism, and settler prerogative in the United States – Natsu Taylor

Sexual violence and the border: colonial genealogies of US and Australian immigration detention regimes – Suvendrini Perera and Joseph Pugliese

Troubling law's indefinite detention: disability, the carceral body and institutional injustice – Linda Roslyn Steele

Medicalizing the detention of Aboriginal people in the Northern Territory: a new/old regime of control? – Janet Ransley and Elena Marchetti

'Perverts', 'terrorists', and business as usual: Pether and preventive justice scholarship – Tamara Tulich

SLSA 2021 CALL FOR PAPERS AND POSTERS

The 2021 call for papers and posters is now open and will close at 6pm on 8 January 2021.

If you wish to present a paper at the conference, please submit an abstract of no more than 300 words on one of the current topics or streams. Abstracts must be submitted via the EasyChair online system. In line with the SLSA's ethos, papers may be interdisciplinary in nature and submissions from outside of law are welcome. Similarly, papers concerning socio-legal issues beyond the UK are also welcome. If you have any queries about whether your paper is suitable for a particular current topic or stream, please contact the relevant convenors listed below. Full details of individual streams are available on the [w SLSA 2021 website](#).

Current topics

A current topic is a one-off grouping for the purposes of a single conference which reflects a current topic of debate or an issue of emerging importance.

Disability, law and social justice: times of change

Luke Clements [e l.j.clements@leeds.ac.uk](mailto:l.j.clements@leeds.ac.uk),

Beverly Lough [e b.clough@leeds.ac.uk](mailto:b.clough@leeds.ac.uk),

Emily Kakoullis [e kakoullise@cardiff.ac.uk](mailto:kakoullise@cardiff.ac.uk),

Ann Lawson [e a.m.m.lawson@leeds.ac.uk](mailto:a.m.m.lawson@leeds.ac.uk) and

Alison Tarrant [e tarrantae2@cardiff.ac.uk](mailto:tarrantae2@cardiff.ac.uk)

Epistemic injustice and socio-legal studies

Mark Flear [e m.flear@qub.ac.uk](mailto:m.flear@qub.ac.uk),

Tamara Hervey [e t.hervey@sheffield.ac.uk](mailto:t.hervey@sheffield.ac.uk) and

Daniel Wincott [e WincottD@cardiff.ac.uk](mailto:WincottD@cardiff.ac.uk)

Hybrid civil/criminal procedures

Jen Hendry [e j.hendry@leeds.ac.uk](mailto:j.hendry@leeds.ac.uk)

Interdisciplinarity in socio-legal research and education

Jiří Příbáň [e priban@cf.ac.uk](mailto:priban@cf.ac.uk)

Registering the everyday: documents, bureaucracy, and the socio-legal

Jessica Smith [e jessicaegsmith@gmail.com](mailto:jessicaegsmith@gmail.com)

Socio-legal exits from the EU

Konstantinos Alexandris Polomarkakis

[e konstantinos.alexandrispolomarkakis@brunel.ac.uk](mailto:konstantinos.alexandrispolomarkakis@brunel.ac.uk) and

Lisa Mardikian [e lisa.mardikian@brunel.ac.uk](mailto:lisa.mardikian@brunel.ac.uk)

Socio-legal studies in Wales

Huw Prichard [e pritchardH3@Cardiff.ac.uk](mailto:pritchardH3@Cardiff.ac.uk)

Conference streams

Administrative justice

Chris Gill [e chris.gill@glasgow.ac.uk](mailto:chris.gill@glasgow.ac.uk)

Art, culture and heritage

Janet Ulph [e ju13@leicester.ac.uk](mailto:ju13@leicester.ac.uk) and Sophie Vigneron

[e s.vigneron@kent.ac.uk](mailto:s.vigneron@kent.ac.uk)

Banking and finance

Alison Lui [e a.lui@ljmu.ac.uk](mailto:a.lui@ljmu.ac.uk) and

Steven Montagu-Cairns [e s.cairns@leeds.ac.uk](mailto:s.cairns@leeds.ac.uk)

Children's rights

Naomi Lotte [e naomi.lott@nottingham.ac.uk](mailto:naomi.lott@nottingham.ac.uk) and

Ruth Brittle [e ruth.brittle@ntu.ac.uk](mailto:ruth.brittle@ntu.ac.uk)

Civil justice systems and alternative dispute resolution

Masood Ahmed [e masood.ahmed@le.ac.uk](mailto:masood.ahmed@le.ac.uk)

Criminal law and criminal justice

Kirsty Welsh [e kirsty.welsh@ntu.ac.uk](mailto:kirsty.welsh@ntu.ac.uk) and

Samantha Pegg [e samantha.pegg@ntu.ac.uk](mailto:samantha.pegg@ntu.ac.uk)

Empire, colonialism and lawRaza Saeed e raza.saeed@warwick.ac.uk**Environmental law**Amy Lawton e a.lawton1@lancaster.ac.uk andBen Mayfield e b.mayfield@lancaster.ac.uk**Equality and human rights**David Barrett e d.barett@exeter.ac.uk**Exploring legal borderlands**Pedro Fortes e pfortes@alumni.stanford.edu andIoannis Kampourakis e ioannis.kampourakis@csls.ox.ac.uk**Family law and policy**Annika Newnham e a.newnham@reading.ac.uk andRachel Treloar e r.treloar@keele.ac.uk**Gender, sexuality and law**Flora Renz e f.renz@kent.ac.uk andNora Honkala e n.a.honkala@reading.ac.uk**Graphic justice: law, comics, and related visual media**Angus Nurse e a.nurse@mdx.ac.uk andThomas Giddens e t.giddens@dundee.ac.uk**Indigenous rights**Sarah Sargent e sarah.sargent@buckingham.ac.uk andAliza Organick e organick@law.unm.edu**Information technology, law and cyberspace**Mark O'Brien e mark.obrien@brookes.ac.uk andBrian H Simpson e brian.h.simpson@gmail.com**Intellectual property law**Jasem Tarawneh e jasem.tarawneh@manchester.ac.uk andSmita Kheria e smitta.kheria@ed.ac.uk**International economic law in context**Mervyn Martin e m.martin@tees.ac.uk andMaryam Shadman Pajouh e m.shadmanpajouh@tees.ac.uk**Interrogating the corporation**Colin R Moore e c.r.moore@essex.ac.uk,Johanna Hoekstra e jhoeks@essex.ac.uk andRenginee Pillay e r.pillay@greenwich.ac.uk**Labour law and society**Margaret Downie e m.downie@rgu.ac.uk andSarah Arnell e s.arnell@rgu.ac.uk**Law and emotion**Emma Jones e emma.j.jones@sheffield.ac.uk andJohn Stannard e j.stannard@qub.ac.uk**Law, culture and the humanities (formerly Law and literature)**Julia J A Shaw e jshaw@dmu.ac.uk andDavid Gurnham e d.gurnham@soton.ac.uk**Lawyers and legal professions**Andy Boon e andy.boon.1@city.ac.uk andJohn Flood e j.flood@griffith.edu.au**Legal education**Anthony Bradney e a.bradney@keele.ac.uk andFiona Cownie e f.cownie@keele.ac.uk**Managing and protecting people on the move**Ben Hudson e bhudson@lincoln.ac.uk**Medical law, healthcare and bioethics**Glenys Williams e gnw@aber.ac.uk andJo Samanta e jjasamanta1@gmail.com**Mental health and mental disability law**Peter Bartlett e peter.bartlett@nottingham.ac.uk andAmanda Keeling e a.keeling@leeds.ac.uk**Property, people, power and place**Jill Dickinson e jill.dickinson@shu.ac.uk andEmily Walsh e emily.walsh@port.ac.uk**Sentencing and punishment**Gavin Dingwall e gdingwall@dmu.ac.uk andTim Hillier e thillier@dmu.ac.uk**Sexual offences and offending**Susan Leahy e susan.leahy@ul.ie**Social rights, citizenship and the welfare state**Ciara Fitzpatrick e c.fitzpatrick@ulster.ac.uk,Mark Simpson e m.simpson@ulster.ac.uk andJed Meers e jed.meers@york.ac.uk**Socio-legal jurisprudence**Adrienne Barnett e adrienne.barnett@brunel.ac.uk andTom Webb e t.webb@lancaster.ac.uk**Transnational organized crime**Mary Young e mary.young@uwe.ac.uk andSimon Sneddon e simon.sneddon@northampton.ac.uk***Social and Legal Studies 29(6) (December 2020)***

Editorial: 'Remembering Peter Fitzpatrick'

The ubiquity of state fragility: fault lines in the categorisation and conceptualisation of failed and fragile states – Raza Saeed

Culture, milieu, phenotype: articulating race in judicial sense-making practices – Irene van Oorschot

On judgment: managing emotions in trials of crimes against humanity in Argentina – Noa Vaisman and Leticia Barrera

Enhancing participatory strategies with designerly ways for sociolegal impact: lessons from research aimed at making hate crime visible – Amanda Perry-Kessaris and Joanna Perry

Contesting visions of Hong Kong's rule of law and young people's political discontent – Man Yee Karen Lee and Yan Lam Lo

Decentred deterrence and the effects of social relations: explaining pesticide regulatory compliance in China – Huiqi Yan and Juan Li

Are conflicts property? Re-examining the ownership of conflict in restorative justice – William R Wood and Masahiro Suzuki

Journal of Law and Society (winter 2020)**Articles**

Beyond social constructionism? Cicourel and the search for ecological validity – David Nelken

Disability law as an academic discipline: towards cohesion and mainstreaming? – Anna Lawson

Reinterpreting law's silence: examining the interconnections between legal doctrine and the rise of immaterial labour – Emily Rose

Labour constitutions and occupational communities: social norms and legal norms at work – Ruth Dukes and Wolfgang Streeck

Reviewing directors' business judgements: views from the field – Andrew Keay, Joan Loughrey, Terry McNulty, Francis Okanigbuan and Abigail Stewart

Gendering 'the legal complex': women in Sri Lanka's legal profession – Dinesha Samararatne

Book reviews*Fiscal Sociology at the Centenary: UK perspectives on budgeting, taxation and austerity* by Ann Mumford – Tony Prosser*The People in Question* by Jo Shaw – Devyani Prabhat
Justice and Profit in Health Care Law by Sabrina Germain – Keith Syrett

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