

Socio-Legal NEWSLETTER

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THE NEWSLETTER OF THE SOCIO-LEGAL STUDIES ASSOCIATION

SPRING 2005

APPLYING FOR SLSA RESEARCH GRANTS

John Flood reviews last year's small grant process and provides some valuable advice for members considering future applications to the fund. We also have reports from 2003 grantholders and announce the names and project details of 2004's successful applicants.

There was a strong field of 11 applicants in the 2004 round and the Small Grants Sub-committee supported six of them, awarding £7999 out of a possible £8000. The successful candidates submitted an excellent group of research applications: interesting, original and well thought-out.

However, there were some that didn't make it through the first cut and the sub-committee gave limited constructive feedback to these unsuccessful applicants. Their failure to progress was not due to problems with their ideas, but rather in the way the application was composed and presented. To assist applicants in the 2005 round, we would like to proffer some constructive hints and tips to help your application become one that receives serious attention and possibly wins an award.

First, be aware to whom you are addressing your application. Since the SPTL changed its name, its acronym is now not too dissimilar from ours: SLSA/SLS. Both associations run research grant schemes. Send yours to the correct one. Also, we prefer to fund actual research rather than conferences or seminars. If the research applications outnumber conference/seminar support, the latter will be placed at the bottom of the pile.

Second, you have a single A4 page with 11-point font to present your ideas. It's not much. You need to say what the research is about, give us your theoretical framework (this is socio-legal studies) and specify your methodology. Clarity and succinctness are the watchwords here. We are looking for good ideas (preferably with some originality), interesting theoretical approaches (we are catholic in our views on this) and methods that are spelled out so we know what you are going to do. A vague reference to 'carrying out some interviews with local notables' is insufficient. Tell us whom you are interviewing, why and give some indication of what you might ask. If you are part of a larger network or research group, let us know and tell us how your research fits into this larger pattern.

Third, you may be asking us to give you as much as £1500 to spend on your research. The SLSA is not wealthy and we husband our resources to get the most bang for our buck. Your costings must be precise. It is no good saying you would like £1500 to fly to the Azores where you will study legal pluralism. We need fares, per diems, material costs, etc. If we know how you are going to spend this money, we can give it to you with confidence. Also, let us know if you have funds from other sources – that suggests your research has strength – or if you are applying to other funders. Not having funds from elsewhere is not a drawback. In part, this will depend on whether your project is a self-contained piece of work or part of a larger research activity.

Finally, what will the result be: a monograph, an edited collection, a journal article, a website? Tell us what the outputs will be. After all, it was Karl Popper who said knowledge wasn't objective until it was published. e.j.a.flood@wmin.ac.uk

Turn to pp 3–5 for small grant final reports from 2003.

SLSA 2005 LIVERPOOL 30 MARCH-1 APRIL

Don't miss the opportunity to attend this friendly and welcoming event. Not only are there more than 20 streams – from Access to Justice to Social Theory – it's also a chance to meet fellow members and your representatives on the Executive Committee. Plus, there's an opportunity to air your views at the AGM.

Included in the programme is the *Journal of Law and Society* Annual Lecture, by Professor Mariana Valverde, Professor of Criminology, University of Toronto. The session is entitled **How law knows**. Mariana Valverde did a PhD in Social and Political Thought but then turned her attention to social history and women's studies before becoming a sociologist. She did theoretical and historical work on gender and sexuality from the mid-1980s until the mid-1990s. Two publications from that time are *Sex, Power and Pleasure* (1985) and *The Age of Light, Soap and Water: Moral reform in English Canada 1880s–1920s* (1991).

Since the mid-1990s, she has devoted herself to the sociology of law. Her main current research interest is the deployment of low-level administrative and lay knowledges of vice, sex and race in various legal complexes. Her 1998 book, *Diseases of the Will: Alcohol and the dilemmas of freedom* (Cambridge) won the Law and Society Association's Herbert Jacobs biannual book prize in 2000. Her most recent book is *Law's Dream of a Common Knowledge* (2003) Princeton UP.

She teaches theory at the Centre of Criminology, University of Toronto, and is currently engaged in a socio-legal research project on urban-municipal law and bylaw enforcement.

As well as a full programme during the conference there is plenty of opportunity to explore Liverpool which has many great attractions and places of interest. These include the **Albert Dock** which opened in 1846 and now is one of Liverpool's busiest and most cosmopolitan centres and a top heritage attraction. Here you will also find numerous bars, restaurants and plenty of places to shop. www.albertdock.com

Tate Liverpool is the region's major centre for contemporary art and houses two main types of exhibits: art selected from the Tate Collection and special exhibitions of contemporary art. www.tate.org.uk/liverpool

The **Merseyside Maritime Museum** is the largest of its kind in Europe and is hosting the conference reception in the evening of 30 March. www.liverpoolmuseums.org.uk/maritime

The **Walker Art Gallery** houses one of the best collections of fine and decorative art in Europe. www.liverpoolmuseums.org.uk/walker

For more information and booking details go to:

www.liv.ac.uk/law/slsa2005

SLSA 2006 - plenary speaker

The *Journal of Law and Society* regularly sponsors the plenary session at the SLSA annual conference. This year Mariana Valverde's lecture is entitled **How law knows**. We are interested in hearing from members with suggestions for SLSA 2006. Those suggestions could include ideas about format, theme and/or suggested participants/speakers. Please email ideas to Carol Black black@cardiff.ac.uk.

UNDERSTANDING THE RESEARCH GRANTS SCHEME

Dermot Feenan, chair of the Research Grants Committee, 2010–2012, reports on the scheme, including how the committee works, and offers advice on enhancing the prospects of success for an application.

The Research Grants Scheme funds socio-legal research projects in annual competitive application from members. Projects up to £2000 are eligible. In the last two years the number of eligible applications averaged 22 annually.

Socio-legal research

The scheme funds socio-legal, not simply legal, research, but there is no collective or immutable definition of 'socio-legal'. Empirical research is eligible. Most of the successful applications are well-justified with reference to theoretical issues. Other research is also covered, but the nature of the scheme limits funding to certain eligible costs – for example, accessing documentary materials.

Our procedure

The deadline for applications is 31 October each year. We usually advertise the scheme by way of e-bulletin to members and in the *Socio-Legal Newsletter*. In the last few years we have clarified our criteria, tightened the process of decision-making, and improved the format for applications. But there is always room for improvement, upon which we would be pleased to hear any view.

Details of the scheme, including a bespoke Application Package, are available on our website. A sub-committee of the Executive Committee assesses the applications. Applicants are notified by the end of January each year.

The sub-committee assesses each application according to published criteria, which are repeated as headings in the Application Package. We rate each of these broad criteria on a scale of 1 to 5, as follows: 1=weak, 2=fair, 3=sound, 4=strong, 5=outstanding.

Each member of the sub-committee (there are generally four to five) scores each application independently of the other members. Scores are then collated to calculate average scores for each applicant, which allows a preliminary ranking of candidates. If there is a compelling reason for seeking references, such as a tie-break, we may request them. The committee then discusses the top-ranked applications, with reference to our budget and taking into consideration any further views amongst us on the respective strengths of the applications before agreeing a final ranking.

The committee then recommends to the Executive Committee at its January meeting those final ranked applications which it believes most meritorious for funding. Only top-quality applications will be funded. This may mean that not all the money allocated in one year is spent. In 2011–2012 the success rate among eligible applications was 18 per cent.

Aims and objectives

Applicants are asked to identify aim(s) and objective(s) of the research. The best applications tend to be brief, clear and precise in these respects. They will usually have one aim and a few objectives. There is a limit to how far a small grant can take you. Will aims and objectives be realistic? Avoid confusing language, e.g. in the same section saying: 'main purposes *x* & *y*' and 'principal aim *z*'. Delimit, if necessary, temporal, spatial and other parameters. Aims and objectives should be congruent with the title of the project and the methodology. High-scoring

applications tend also to neatly embed the aims and objectives into a précis of relevant issues in the literature.

Original, innovative and important

Applicants are asked to describe the extent to which the research is original, innovative and important (including reference to the existing literature). It is not enough to state that it is 'socio-legal'. Justify your research question(s). Why this research? What's its novelty and distinctiveness? This invariably requires thorough knowledge of salient literature. The best applications show a selective and nuanced knowledge of the key work (and usually cite name, title and year).

Methods

We ask applicants to describe their methodology, which should be coherent with the aim(s) and objective(s), practicable and, if applicable, include ethical considerations. If the application relates to a research visit, we also ask for a schedule of arrangements, interviews and personnel.

An explicit justification for the choice of method may help. If, for example, a face-to-face interview is chosen, why is this indicated rather than, say, a telephone interview or a questionnaire? High-scoring applications where interviews are proposed tend to specify the issues to be explored in interview.

Ethics

Stating something like: 'institutional ethics approval will be sought' is less helpful than showing whether you have considered specific ethical issues. This consideration need not be complex in the application, but could at least identify key issues. Study of the SLSA Statement of Principles of Ethical Research Practice may help. Obtaining ethics approval can be time-consuming and complex, so a conscious factoring of this into the proposed timescale will help.

Budget

We ask that applicants set out their budget. This should be precise. If the research will involve, for example, various modes of travel, accommodation, transcription of interviews, and subsistence, set out costs fully and accurately. Reasonable assessment of specific future costs is acceptable. See the example below for a fictional research trip from London to Glasgow for three days of interviews at three government agencies:

- transcription of interviews: 10 interviews x 1.5 hours at 75p/minute = £675 (cost based on estimate from Acme Transcribers Ltd);
- 1 standard return train fare London–Glasgow = £70;
- 2 nights' accommodation in Glasgow: £90/night x 2 = £180;
- public transport to and from rail stations @ £8/fare x 4 = £32;
- 3 days' subsistence: £30 x 3 = £90;
- public transport in Glasgow to and from interviews @ £5/fare x 6 = £30.

Total: £1077

The committee has no preferred budgetary scale. We have recently funded projects costed from several hundred pounds to the maximum allowable. In 2011–2012, the average sum sought in successful applications was approximately £1500.

The SLSA is concerned in the current economic situation to ensure value for money. The budget should reflect this. For instance, could five 20-minute largely fact-finding interviews with officials in Hawaii be better conducted by email, phone or video-conferencing? Or, for example, is a stay of two nights overseas to conduct three interviews and to do fieldwork possible rather than three nights?

It's best if the application stands alone for a discrete project, and is not contingent on funding from another application. However, we are also keen to support projects if they will

augment complementary research, including enhancement of the prospects of securing funding for additional research. If so, make clear that relationship and specify the likely sources of funding.

Impact

We also ask for an explanation of potential impact from the research. This need not be policy impact. We ask applicants to include details of any dissemination plans and/or the enhancement of the prospect of obtaining future research grants from other grant-making bodies.

Vague or imprecise plans, e.g. 'the research *may* lead to a series of papers and *might ultimately inform* a book', are less helpful than specific plans: an article, monograph, edited collection, chapter, working paper, conference presentation etc. Better still if you provide full details, e.g. 'completion of an article for submission by [year] to *Law and Society Review*; completion of a chapter in a book [title] under contract with [publisher, due for publication (year)] and presentation of a paper at the SLSA annual conference [year]'. These are perhaps now standard modes of dissemination, so alternative and innovative pathways to impact – such as grassroots impact and new media – are also welcome. But, be realistic. 'At least three articles' may be too ambitious.

General

It should go without saying that correct presentation is important. Errors in grammar or spelling may undermine confidence in, and the coherence of, the application. If necessary, have it spellchecked and/or proof-read by a friend or colleague.

Study past successes

We have funded some excellent applications – well-designed, theoretically informed, methodologically solid and innovative – which are often also modestly costed. These are worth checking. Each year the *Socio-Legal Newsletter* lists awards and publishes reports. A notable recent example is Professor Richard Collier's survey of fathers, lawyers and the work-life balance (SLN 65:5). We do also provide feedback to unsuccessful applicants who are not precluded from re-applying in future.

Note: the criteria for the scheme are subject to amendment from year to year with a view to improving the clarity and transparency of our procedure. Always use the current criteria. Details of the 2012–2013 scheme will be announced in due course.

The internalisation of European Minority rights law: emerging tensions and challenges

Elizabeth Craig, University of Sussex, £980

The overall aim of the project was to identify lessons that could be learnt from some of the controversies that arose over the proposed inclusion of culture, identity and language provisions in a future Bill of Rights for Northern Ireland. The project focused on the reasons for some of the problems encountered with regard to the proposed internalisation of the requirements of European minority rights into domestic law. Particular emphasis was placed on the controversy over the proposed inclusion of 'the right freely to choose to be treated or not to be treated' as belonging to a minority group with no disadvantage resulting from that choice, a right enshrined in Article 3 of the Council of Europe's Framework Convention for the Protection of National Minorities. The intention was to acquire a deeper understanding of some of the tensions that have emerged between the liberal and communitarian agendas and between the 'politics of recognition' and the 'politics of redistribution' discourses.

The funded element of the project involved one research trip to Germany and two research trips to Northern Ireland. The trip to Germany involved library-based research in a jurisdiction that places considerable importance on the individual right to self-identification. Particular focus was placed on the interpretation of Article 2(1) of the German Basic Law on the right to the free development of one's personality, and on Article 3, the provision dealing with equality. The research revealed the particularity of the constitutional context within which the right was developed as well as ongoing tensions with the equality framework and with the requirements of the Framework Convention, particularly in relation to the issue of data collection.

The research visits to Northern Ireland involved interviews with political and civic representatives of parties and organisations that had from the outset adopted a clear position on culture, identity and language issues within the context of the work of the Northern Ireland Bill of Rights Forum. Interviewees were selected on that basis. The interviews were used to supplement documentary research drawing upon party

and sector position papers as well as other official documentation. Reasons identified for the failure included different interpretations of the Framework Convention and the tendency towards a 'pick and mix' approach, as well as the influence of different political philosophies and of identity-based politics. The research also revealed that the underlying tensions, which prevented a consensus being reached, remain unresolved. The extent to which language rights claims in Northern Ireland are needs- or identity-based was raised in a number of interviews, as was the appropriateness of including socio-economic rights in a Bill of Rights and the relationship between the equality and human rights frameworks. There was also considerable discussion of the continued appropriateness of the 'two communities' paradigm enshrined in the Belfast Agreement of 1998 with particular concern raised by some interviewees about the problems encountered in the development of the Cohesion, Sharing and Integration Strategy and of the 'good relations' paradigm.

It became clear during the course of the research that tensions between different agendas and discourses are reflected within European minority rights law more generally. An initial summary of these tensions was presented at the W G A Hart legal workshop on 'Comparative aspects on constitutions' in July 2010 and at the inaugural conference of the Minority Research Network held at Erasmus University, Rotterdam, in October 2010. However, the research conducted in both Germany and Northern Ireland led the researcher to the preliminary conclusion that such tensions should be addressed first and foremost at the local level. The research findings are currently being written up in an article focusing on the problems and tensions encountered in the internalisation of European minority rights law into domestic law. Wider dissemination depends on further developments in the political process.

This project was the researcher's first experience of conducting interviews for research purposes, of university ethics procedures and of the use of NVivo. There were a number of practical problems encountered (e.g. in relation to the availability of interviewees) as well as significant changes in the political context. The lessons learnt informed the researcher's input into the teaching of the dissertation option at Sussex in 2010–2011 and have led to more effective supervision of postgraduate students engaged in empirical legal research.

SLSA GRANT APPLICATIONS: SOME DO'S AND DON'TS

Jessica Guth, chair of the SLSA Grants Subcommittee, provides advice on putting together an effective application.

Putting together a good grant application takes time, effort and head space, so make sure you give yourself plenty of opportunity to think through your project, discuss it with colleagues and peers and that you follow the guidelines and information given in the documentation.

This short piece has been written with the SLSA grant schemes in mind – offering up to £3000 for Research Grants and PhD Fieldwork Grants – however, much of what I outline below is also true for other grant schemes. Please read carefully the guidance which comes as part of the Application Package on our website as I don't intend to go over the same ground here. You might also want to look at Dermot Feenan's 'Do's and don'ts' published in the spring 2012 edition of the newsletter for additional advice (available here www.slsa.ac.uk/index.php/prizes-grants-and-seminars/small-grants).

First, make sure that your project actually fits within the remit and the scope of the grants scheme. As the SLSA, we fund a wide variety of socio-legal projects – before you apply it may be worth having a look at the grant reports in back issues of the newsletter to get a sense of the sort of work we support.

While it doesn't happen often, we do occasionally receive applications for purely doctrinal work and, even where these projects look interesting, they fall outside the scope of the scheme. Equally, make sure that the project is a research project and doesn't fall within the remit of the seminar prize or research training fund and that it is feasible within the amount of money on offer. In other words, do your background work and make sure you match up the project with an appropriate funding source.

Once you have decided that your project is a good fit with the scheme, let's think about some basics.

- Fill in the form – all of it. If a section doesn't apply to you, say so. Remember that most sections will apply to most people, so maybe it requires something you just haven't thought about yet. If in doubt, talk to colleagues and/or seek advice from the Grants Subcommittee.
- Check, double check and triple check your contact details – we can't get in touch with you if your details are incorrect (yes, this does happen).
- Stick to the word limit or page limit given for the application. We set these to ensure a fair process in which everyone has the same opportunity to provide information.
- Follow the instructions: all of them and to the letter. Instructions are there for a reason and make the administration of the grants process much easier all round which means we can get to decisions more quickly.

In terms of the substance of your application, remember that the Grants Subcommittee considering the application doesn't know you or your work. We are not even likely to be specialists in your field, so you need to be really clear in your writing and in outlining what your project is about, what it is hoping to achieve, how it will achieve that and what resources you need to make it happen. Spend time on these sections, ask colleagues to sense-check your work and focus on clarity.

Title

Make sure that your title is engaging, but also tells us what your work is about.

Aims and objectives

It is surprising how often this section is weak. You just need to set out in a few sentences what it is you hope to achieve with this project. For a Fieldwork Grant, tell us what it adds to your overall PhD project and why you think that's important. Good applications are generally short here and very specific in setting out an overall aim, plus three to four objectives. In addition, be realistic. You can only do so much with a £3000 grant! Weaker applications tend to use this as a general background section, or promise the world.

Originality/innovation/importance

This section is also often rather weak. This is your opportunity to show how your project would add to research in the area and as such you must refer to existing literature and state clearly how your project adds to it. In other words, justify your project. Why is it worth doing? What will we know when you're done that we don't know now? Why is it important that this work is done? You don't need to write *War and Peace* here – just show us that you understand how your research fits into the wider context and why it's important.

Methodology/methods

The best applications summarise their general approach to the research in one or two sentences and then set out in some detail how they will carry out their research. It's not enough to say, for example, that you plan to conduct some interviews. We need to know why you are using interviews, what sort of interviews, whom you will interview, how you will find and select your interviewees, how you will collect the data and how you will use it. Justify your approach and explain what you are planning to do and why in as much detail as you can. Weak applications tend to have very short methods sections which just say that a socio-legal approach will be taken and some semi-structured interviews will be carried out.

This is also the section in which you should cover any ethical issues arising from your research and how you will deal with them. You can find further guidance in the SLSA ethics statement on the website www.slsa.ac.uk/index.php/ethics-statement.

Budget

Good applications are fully costed. Don't guess. Also think about what it is reasonable for us to fund. Justify why you need money for particular items. Link back to your methods here if that helps clarify a particular point. If you have made the case for face-to-face interviews rather than telephone ones, then asking for funding for travel is reasonable. Make sure that it is clear why you are including items and give as much detail as possible. We understand that some things are best guesses, but we need to see that you have fully thought through your project and checked costs wherever possible.

Impact

We don't want to fund research that nobody is ever going to hear about. Please explain what impact your research will have and how you can ensure that it reaches as wide an audience as possible. Tell us where you might present or publish your work. We want to know both about traditional academic dissemination and other less traditional methods, such as blogs. Be specific. Poor applications often just say that the results will be published in an academic journal. Good applications list specific conferences and/or journals to be targeted. If your project is a pilot project, tell us how you will secure future funding to develop it.

Most importantly – believe in your project and convince us that we should too! Good Luck.