Liverpool Law and Sociology
Postgraduate Conference

14th—15th September 2016
Rendall LT7 and LT8
Welcome!

The annual PGR/PhD student conference is an important event in the School’s academic calendar. The ability to make effective conference presentations is a vital skill in academic life and the conference provides excellent opportunities for all doctoral research students to develop, sharpen and polish such skills in a mutually supportive environment. Further, the conference comprises a celebration of the breadth and depth of the innovative research being undertaken within and across the School’s PGR community. It provides both students and staff with a unique opportunity to learn about the collective research vitality that is embedded within our PGR community and, as such, it represents a highly significant component of the School’s research culture. Many thanks to the organising team for the time and effort that you have invested in arranging what promises to be an excellent event and thanks too to each and all of the individual presenters’. Enjoy!

Professor Barry Goldson
School Director of Postgraduate Research
September, 2016
Greetings from the Conference Team

This is the first year in which sociology and law will come together to discuss their ideas and engage with colleagues both old and new. This year is also a first in other respects. This is the first time we have included a keynote speaker to introduce the conference. This year we are privileged to host a presentation from Professor David Whyte. In addition this conference will conclude with a panel, consisting of current Liverpool academics, discussing their time as researchers and scholars.

As you will see from this program, the conference subjects vary greatly, from transgender rights to historical developments within magistrates courts; from International Law to the development of ‘boredom’ (obviously not a reflection of the conference itself). Of course no conference is complete without the obligatory networking lunches; a perfect time to socialise with your fellow students and get to know people from other departments.

Presentations will last 15 minutes. Once each presentation is completed the panel will reconvene for a further 15 minutes for questions and answers. We would like to thank all of the staff who have given up their time today to chair the panels. Furthermore we would like to thank everyone that has contributed to setting this event up. A special thanks to Leah, for all her help and hard work getting everything organised. Lastly, and most importantly, we would like to wish you the best of luck for the upcoming year! We hope you enjoy your conference experience!

Our hashtag for the event:

#LivPGRConf

All the Best!

Jasmin, Jayne, Katie, Rachel, Ruari and Will.
Wednesday 14th September

<table>
<thead>
<tr>
<th>Time</th>
<th>Location</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:30 - 10:00</td>
<td>Rendall foyer</td>
<td>Registration/Tea/Coffee</td>
</tr>
<tr>
<td>10:00 – 10:40</td>
<td>Rendall 7</td>
<td>Keynote speaker—Professor David Whyte</td>
</tr>
<tr>
<td></td>
<td></td>
<td>“The accumulated treasure of thoughts: the politics of research in the neo-liberal university.</td>
</tr>
<tr>
<td>10:40 – 12:00</td>
<td>Panel 1—Rendall 7</td>
<td>Morning Panels</td>
</tr>
<tr>
<td></td>
<td>Panel 2—Rendall 8</td>
<td>Morning Panels</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Morning Panels</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Panel 1—International Law</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chair—Dr Padraig McAuliffe</td>
</tr>
<tr>
<td>Jasmin Nessa</td>
<td></td>
<td>Self-defence against non-state actors in international law: is there an emerging evidentiary standard?</td>
</tr>
<tr>
<td>Ben Murphy</td>
<td></td>
<td>Accounting for ambiguity: a suggestion for a reorientation of accountability in light of united nations security council resolution 2249 (2015)</td>
</tr>
<tr>
<td>Patrick Butchard</td>
<td></td>
<td>Back to San Francisco: Explaining the Inherent Contradictions of Article 2(4) of the UN Charter</td>
</tr>
<tr>
<td>Thomas Phillips</td>
<td></td>
<td>The historical links between the right of self-determination and imperialism</td>
</tr>
<tr>
<td>Julie Hana</td>
<td></td>
<td>Proposal for a reflexive and critical ethnographic study.</td>
</tr>
<tr>
<td>Seamus Byrne</td>
<td></td>
<td>Child-Led Research in Education: Methodological Approaches</td>
</tr>
<tr>
<td>Clare Kinsella</td>
<td></td>
<td>Life Histories, Liverpool and Home: Maggie and Joanne</td>
</tr>
<tr>
<td>Ian Shannon</td>
<td></td>
<td>How do chief police officers understand the right to exercise power? Emerging findings.</td>
</tr>
<tr>
<td>12:00 – 13:00</td>
<td>Rendall 3</td>
<td>Lunch</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lunch</td>
</tr>
</tbody>
</table>
# LivPGRConf

### Wednesday 14th September

#### Early Afternoon panels

<table>
<thead>
<tr>
<th>Time</th>
<th>Panel 3 — Medical Law and Regulation of Health</th>
<th>Panel 4 — Human Rights and Society</th>
</tr>
</thead>
<tbody>
<tr>
<td>13:00 — 14:00</td>
<td>Chair — Mr Jared Ficklin</td>
<td>Chair — Dr Ashley Savage</td>
</tr>
<tr>
<td></td>
<td>Ruari McAlister</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Procreative liberty: redefining relational autonomy within the reproductive arena</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nikhil Gokani</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Reducing Health Inequalities: Towards Greater Behavioural Insights in EU Consumer Law</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Emma Walmsley</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Is there a Legal Right to Procreate and Found a Family through Surrogacy: Challenging the European Court of Human Rights’ Treatment of Article 8 ECHR?</em></td>
<td></td>
</tr>
</tbody>
</table>

#### Mid Afternoon Panels

<table>
<thead>
<tr>
<th>Time</th>
<th>Panel 5 — Governance and the Third Sector</th>
<th>Panel 6 — Emotions, Space and Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>14:00 — 14:15</td>
<td>Chair — Dr Firat Cengiz</td>
<td>Chair — Dr Roy Coleman</td>
</tr>
<tr>
<td></td>
<td>Wilson Wanjiku</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Incentivised securities integrity: Designing a robust and responsive whistleblower model for Kenya's securities sector.</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dejian Li</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Rethinking the Role of Donors in Charity Governance</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brett Crumley</td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Developing Charity Governance Law in the Charity Tribunal</em></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Time</th>
<th>Panel 5 — Governance and the Third Sector</th>
<th>Panel 6 — Emotions, Space and Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>14:15 — 15:15</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### End of Day 1
<table>
<thead>
<tr>
<th>Time</th>
<th>Panel</th>
<th>Chair</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:00 – 11:20</td>
<td>Panel 7—Vulnerability and Power</td>
<td>Dr Ross McGarry</td>
<td>Katie Hunter: Institutional Inequalities: The Criminalisation of Vulnerability in England and Wales</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kerry-Ann Barry: McKenzie Friends and the litigant in person: Widening access to justice or faux amis?</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Jennifer New: The experiences and needs of lesbian, gay, bisexual and/or trans people seeking asylum and refugees in Liverpool</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Jayne Price: Exploring pathways and transitions between juvenile and adult penal institutions</td>
</tr>
<tr>
<td>11:20 – 11:40</td>
<td>Break/Tea/Coffee</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11:40 – 12:40</td>
<td>Panel 9—Youth and Life Course</td>
<td>Dr Zoe Alker</td>
<td>Liam Wrigley: Not so ‘NEET’? The Genealogy of youth unemployment</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>David Lane: Child-centredness in Decision Making in Public Child Law Proceedings in England and Wales – Perspectives of the Judiciary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Emma Watkins: The life course of Nineteenth-century Juvenile offenders</td>
</tr>
<tr>
<td></td>
<td>Panel 10—Methods/Methodology 2.0</td>
<td>Dr Michael Mair</td>
<td>Jacob Nielson: The UK Governments labour exploration policies: issues and the developments</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rachel Heah: The Ethics of Researching with Children and Young People</td>
</tr>
<tr>
<td>12:40 – 13:30</td>
<td>Lunch</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
# LivPGRConf

**Thursday 15th September**

<table>
<thead>
<tr>
<th>Time</th>
<th>Panels</th>
</tr>
</thead>
</table>
| 13:30 – 14:30 | **Panel 11** — Gender, Sexuality & Equality  
Chair — Professor Marie Fox  
Yayun Wang  
Amina Elmi  
Ruari McAlister  
*Is Liverpool still entrenched in the racism outlined nearly thirty years ago in the Gifford Report?*  
Andrew Woodhouse  
*National Parliaments in the European Union after Brexit*  
Katy Sowery  
*The relationship between the primary sources of EU law: to what extent may the general principle of legal certainty outweigh the principle of primacy under EU law?*  
Angelica Rutherford  
*Security Concerns in the Brazilian Energy Legal System* |
|            | **Panel 12** — EU Law and International Energy Law  
Chair — TBC |
| 14:30 - 15:30 | **Panel Talk**  
Dr. Zoe Alker — *Making the most of your PhD*  
Dr. Robert Knox — *Getting your first job*  
Dr. Andrew Kirton — TBC  
Dr. Gregory Messenger — *From viva to publication, turning your thesis into a book* |

**Drinks Reception**
Abstracts

**Kerry-Ann Barry**

**Paper title:** *McKenzie Friends and the litigant in person: Widening access to justice or faux amis?*

**Keywords:** Litigants in person, McKenzie Friends, access to justice, regulation, legal profession.

The withdrawal of legal aid from family law matters has resulted in a growth in the number of litigants who have no option, but to appear in court without legal representation. Having a right to reasonable assistance in court, many of these litigants have sought the services of so called ‘Professional’ or ‘Fee Charging’ McKenzie Friends. These unqualified and unregulated legal assistants have been enthusiastically granted rights of audience by the judiciary as a means of improving access to justice. However, negative anecdotal evidence about how McKenzie Friends operate has led to concerns being raised as to whether access to justice is being promoted at the expense of consumer protection.

Drawing on the author’s own qualitative research involving litigants in person, this paper will explore the history and rules relating to McKenzie Friends, as well as providing an insight into their behaviour both inside and outside the courtroom. The paper will conclude by examining the judiciary’s recent Consultation on McKenzie Friends and their proposals for reform. What does the future hold for litigants in person in need of assistance and a legal services market that is witnessing fundamental change?

**Patrick Butchard**

**Paper Title:** *Back to San Francisco: Explaining the Inherent Contradictions of Article 2(4) of the UN Charter*

**Key Words:** International Law, Use of Force, Conflict and Security

This paper investigates two apparent contradictions that are inherent in the prohibition of force under Article 2(4) of the UN Charter: firstly, in its nature as a purported norm of *jus cogens* status from which no derogation is permitted; and, secondly, as a principle within the UN system of collective security, in accordance with which the Security Council and UN Members must act when undertaking any enforcement action within the powers of the Security Council. In particular, this paper suggests that the more popular and simplistic interpretation of Article 2(4) today overlooks the more complex issues that were debated in 1945.

By offering a new hypothesis to the interpretation of the prohibition of force, it raises the question as to whether the Security Council itself is bound by Article 2(4), and what this would mean for the Charter’s collective security system. By looking back at the original intentions of the Charter, this paper will uncover revealing principles and practice that can clarify the interpretation of one of the world’s most fundamental norms. By investigating precisely and carefully the wording of Article 2(4), and its relationship with the rest of the UN Charter, this paper seeks to better understand the scope and limitations of the Security Council’s far-reaching powers.
Abstracts

Seamus Byrne

Title of Paper: Child-Led Research in Education: Methodological Approaches

Key Words: Child Led Research, Education, Methodology

English education is in a period of uncertain transition. The recent publication of the White Paper, Educational Excellence Everywhere, provides a timely reminder to reflect on the many issues which are of concern within the education system. Of the multitude areas of concern, school exclusions have undoubtedly anchored themselves as an institutional and material reality within the English education system, at both primary and secondary level. Such a phenomena, whilst the subject of much scrutiny, has to date been largely bereft of a child-led focus. This paper will delineate the researcher’s approach to examining school exclusions from a child-led perspective and outline the methodological challenges which accompany such an endeavour. The paper will highlight the manifold benefits of such an approach and challenge a dominant research model, in this field, which largely conceives of children as subjects of research as opposed to active agents in their own right.

Brett Crumley

Paper Title: Developing Charity Governance Law in the Charity Tribunal

Key words: Tribunals, Charities, Governance

One of the Charity Tribunal’s aims is to develop the law. In every case before it, the Tribunal has the opportunity to do so. There are several categories into which all these Tribunal decisions fall. One category is charity governance, which concerns charity trustees and their decisions. This paper asks, Has the Tribunal developed the law of charity governance? The question is pertinent because the mere fact that it is presented with the opportunity to develop that law does not guarantee the Tribunal will do so or has done so. The answer to this paper's question, then, will indicate whether the Tribunal has satisfied its overarching aim, to develop the law.

The paper argues the Tribunal has contributed to the law of charity governance in two ways: directly and indirectly. By analysing the Tribunal's contributions under these two headings, it becomes clear that legal development itself is a difficult phrase. The paper’s argument is framed in light that difficulty.
Abstracts

Wesley Doyle Foulkes

Paper Title: ‘At Her Majesty’s Pleasure... Service to Sentence: A Critical Analysis of the Propensity for Violence amongst Military Offenders.’

Keywords: Military sociology, masculinity, life stories, ex-offenders

The majority of research on the military continues to be orientated towards positivist methodologies, in what Jenkins et al. (2011) calls ‘hypothetico deductive’ methods. These studies are highly psychological in nature, produced at an alarming rate and typically focussed on the concept of ‘causality’ (KCMHR, 2015). These positivist concepts are uniquely suited to serve a political agenda for a government seemingly more preoccupied with the ‘how many’, as opposed to the ‘why’ (DASA, 2010a; 2010b). My research is grounded in the perspective that the ‘State’, through its Armed Forces, ‘legitimates’ the management and application of violence in service of its foreign policy agenda. In support of this, the military has a mandate to train and maintain its soldiers in a manner that is indicatively masculine, institutionalised and violent as a de facto means of accomplishing the will of the state (Giddens, 1985).

From a sociological context, the military is a lifestyle predicated on hegemonic masculinity that, in conjunction with the lack of resources devoted to the deinstitutionalisation of exiting personnel, accounts for the overrepresentation of violent ex-military personnel within the Criminal Justice System; lending further weight to the assertion that violent offending is largely a by-product of military service itself. My research does not attempt to count or define ‘causality’, rather it will develop a greater understanding of the socio-biographical trajectories of violent ex-military offenders by identifying commonalities and divergences across a range of ‘life stories’, which will enable a greater depth of analysis of the subjective experiences of participants.

Angela Fowler

Paper title: The International Counter-terrorist Finance Framework: What does this mean for the Non-profit Sector?

Key Words: Terrorist financing – International regulatory framework- Non-profit organisations

International regulatory bodies have recognized the potential for NPO’s (non-profit organisations) to be exploited, and in some cases created, for the purpose of raising and transferring funds for terrorism. The Financial Action Task Force (FATF), the global standard-setter for money-laundering (ML) and counter-terrorist finance (CTF) obligations, in its ‘Special Recommendations’ on terrorist finance made shortly after 9/11, identified NPOs as a key area on which member states should focus their counter-terrorist finance efforts.

The potential for the misuse of NPO funds was again highlighted by the FATF in the 2012 revision of the recommendations, where those addressing ML and CTF were largely integrated, but recommendations concerning NPOs remained unique to TF. Whereas there is undoubtedly the potential for abuse to take place, the actual level of abuse of NPOs as a vehicle for the financing of terrorism is open to debate.

Although the majority of recommendations concern the global financial services sector and certain non-financial businesses and professions, this spotlight on NPOs has resulted in the imposition of certain similar obligations upon the sector. This paper aims to highlight some of the effects of the regulatory framework on NPOs in the UK in particular, as well as highlighting the consequences of actions taken by financial institutions as a result of obligations imposed upon them, having serious ramifications for certain NPOs operating in extremely challenging situations.
Abstracts

Amina Elmi

**Paper Title:** Is Liverpool still entrenched in the racism outlined nearly thirty years ago in the Gifford Report?

**Keywords:** Liverpool, racial discrimination, employment, Gifford Inquiry, mixed methods

This paper discusses the initial findings of a mixed method research project investigating whether racism is still prevalent in employment practices for the Liverpool born black community. Over the last two years this research study has reproduced some of the research methods carried out by the Gifford inquirers in 1989 (Gifford, 1989), when racial discrimination was cited as being uniquely horrific in the social and economic conditions of Liverpool’s black community (Nelson, 2000). In order to reproduce the key components of the original report, this study has placed a great deal of emphasis upon the value of in-depth interviews and oral testimonies, in order to understand the life experiences of those from the Liverpool born black communities’ when it comes to the issue of racism and employment. In this presentation I will outline the initial findings, which have shaped the opinion and experiences of the communities involved in this research, in order to see whether Liverpool has become inclusive in its employment practices and can truly be called home by one of the oldest black communities in Europe (Reiterer, M. Magedera, I, 2008).

Cerian Charlotte Griffiths

**Paper Title:** Magistrates in the Metropolis: a study of pre-trial fraud in the later 18th century

**Keywords:** Old Bailey, magistrates, fraud, 18th century

Little systematic work has been undertaken regarding the petty juries at the Old Bailey. It is understood that Middlesex juries heard cases committed by Middlesex Magistrates, and the City juries heard cases committed either by the Guildhall or the Mansion House. However, the proportion and nature of the cases committed to the Old Bailey by each jurisdiction have received little or no attention. This paper will use the collection of offences relating to fraud as a case study to question not only which Old Bailey juries heard more fraud offences, but to question the process of magisterial committal which resulted in those cases reaching the Old Bailey.

Magistrates in the 18th and 19th centuries have received far less academic attention than the workings of the more senior courts. However, to truly understand why the Old Bailey heard particular cases, in this instance fraud, we must look to the earlier stages of the prosecution process.

This paper will use the records of both the City of London magistrates and the Middlesex magistrates to draw some conclusions about the pre-trial decision making process, from criminal complaint to disposal. The prosecutor, magistrates and the magistrates’ clerks all played fundamental roles in the magisterial process and the options and decisions available to them will be explored in order to reveal why some fraud accusations made it to the Old Bailey and why others were disposed of alternatively.
Abstracts

Nikhil Gokani

**Paper title:** Reducing Health Inequalities: Towards Greater Behavioural Insights in EU Consumer Law  
**Keywords:** non-communicable diseases, health inequalities, Europe, consumer law

This presentation will assess, from a behavioural research perspective, interventions introduced by EU consumer law to reduce health inequalities associated with non-communicable diseases. After discussing the ubiquity of European health inequalities, it will review the determinants of these inequalities and demonstrates that these are in fact inequities which demand regulatory action. The presentation will then broadly examine the range of interventions the EU legislature has introduced in order to reduce NCDs and why these have failed to both prevent NCDs and reduce health inequalities. This will focus on the EU’s heavy reliance on regulating the consumer information environment. It will demonstrate that the measures the EU has introduced in its consumer policy are not meaningful enough to prevent NCDs and reduce health inequalities – in fact, they are more likely to increase health inequalities because they are more ineffective for members of lower socioeconomic groups. With this in mind, the presentation will then analyse the controversial debate on the extent to which behavioural research should play as a core consideration in consumer information policy.

Julie Hanna

**Paper Title:** Proposal for a reflexive and critical ethnographic study  
**Keywords:** Dance, health, ethnography, reflexivity

This will be a presentation of a qualitative research study proposal exploring the role of the dance artist in facilitating improvised dance and movement for individuals excluded from mainstream dance provision. The rationale for this study will be briefly summarised in the context of the field of arts and health. Although a body of evidence now exists that is strongly suggestive of the benefits for health and wellbeing in engaging in the arts, that body of evidence continues to struggle for proper recognition (Clift et al., 2009). My role as researcher will be explored including the tension of being an insider/outsider researcher. Dance and wellbeing will be defined. The study aims and ethnographic design will be discussed.
Abstracts

**Rachel Heah**

**Paper Title:** The Ethics of Researching with Children and Young People  
**Keywords:** Children and young people, participation, research ethics

All university-based empirical research projects require ethical approval from university (and sometimes external) Research Ethics Committees (RECs) prior to commencement. Where the research in question involves children and young people, there is an automatic presumption of ‘vulnerability’ of participants, and the ethics application has to proceed to a full hearing (as opposed to an expedited review) before the ethics committee. In most cases where the research participants are below 16 years of age, there is also a requirement that researchers seek the consent/assent of participants’ parents or guardians before involving participants in research.

In this paper, I argue that the automatic presumption of ‘vulnerability’ and the requirement for parental consent/assent undermine the view of the child as a competent social actor in their own right, and inhibits the development of the ‘right to participate’ under Article 12 of the UN Convention on the Rights of the Child (UNCRC) in relation to research with children and young people. I will also discuss whether the current research governance system potentially discourages research methodologies which allow for the highest levels of participation of children and young people in research.

**Katie Hunter**

**Paper Title:** Institutional Inequalities: The Criminalisation of Vulnerability in England and Wales  
**Keywords:** Youth justice, vulnerability, looked after children, ethnicity

In the last decade the population of child prisoners in England and Wales has diminished dramatically. The average number of children (aged 10-17) in penal custody has fallen by over two thirds since 2008 (YJB, 2009; YJB, 2016). This downward trend cannot be attributed to a decrease in youth crime or overt policy reform from central government (Allen, 2011; Bateman, 2012; Goldson, 2015). It seems that the shift has been political and pragmatic rather than ethical; the depoliticisation of youth crime has allowed for instrumental cost reduction during a period of economic austerity (Goldson, 2015). Most significantly, this decarceration has not been evenly applied. Two groups of particularly vulnerable children; black and minority ethnic (BME) children and ‘looked after’ children have essentially been bypassed by the overall decline. The proportion of BME child prisoners has increased from 25 percent to 40 percent (YJB, 2009; YJB, 2016). Similarly, the proportion of boys held in Young Offender Institutions who reported having been in care has increased from 24 percent to 38 percent (Tye, 2009; Redmond, 2015). Furthermore, looked after children who are black are ‘substantially more likely’ to be held in juvenile detention than looked after children of other ethnicities (Ofsted, 2015: 21). This paper will draw on 30 in-depth interviews with senior youth justice and children’s services professionals and policy-makers to examine the deep-rooted causes of criminalisation and overrepresentation. It will argue that depenalisation, whilst welcome, has done little to assuage institutionalised inequalities that sit at the heart of the ‘justice’ system.
Abstracts

**David Lane**

**Paper Title:** Child-centredness in Decision Making in Public Child Law Proceedings in England and Wales – Perspectives of the Judiciary

**Keywords: **Public Child Law, Child-centredness, Decision-making, Children’s Rights

Currently there are over 75,000 children in the care system, most of whom have been subject to decisions made in Public Child Law Proceedings (*Care and Adoption*). Such decisions affect profoundly the lives of children and their families, yet there is a lack of research on the perspectives of Judges about what constitutes child-centred decision-making. This study interviewed and explored with District, County and High Judges in England and Wales, the core factors/elements of child-centred decision-making in Public Child Law Proceedings including, talking directly with children.

**Aim of Research**

To identify core factors/elements of child-centredness in decision-making in public child law proceedings in England and Wales from the perspectives of the Judiciary.

**Research Objectives**

To explore with members of the judiciary their ideas of what constitutes a child-centred public child law system

To identify factors - human, legal, cultural, systemic and structural that present barriers to a transparent, child-friendly, child-accessible public child law system

To obtain the views of the judiciary about the principles of public child law that may conflict / collide with child-centred decision-making

**Clare Kinsella**

**Paper Title:** Life Histories, Liverpool and Home: Maggie and Joanne

**Keywords:** Oral history, Liverpool, storytelling

Qualitative methods of sociological enquiry are, at times, viewed as less solid, and therefore less valid, mechanisms for data collection than quantitative methods. Yet, as well as harvesting contextual data, often more ‘meaningful’ than statistical data, it also has the potential for allowing greater participant engagement with, and shaping of, research projects. This paper will look at the nature and merits of oral history/life history research methods, and how they are interpreted as ‘meaningful’ to research participants. Specifically, it will focus on two social research participants, Maggie and Joanne, and how they have interpreted and understood both the research topic (the ‘Liverpool home’) and the research method (oral/life history interviews) as mechanisms for storytelling, secret sharing, and catharsis in relation to family tragedy, marital crisis, destitution and grief.
Dejian Li

**Title:** Rethinking the Role of Donors in Charity Governance

**Key words:** Donors; Charity Governance; Agency Costs;

From the economic perspective, donors are not owners of any charity. Thus, to reduce the relevant monitoring costs relating to donors, although they play an important role in supervising the performance of charities directly, and charity trustees indirectly, donors’ rights should be reasonably limited in charity governance. For example, the law should make clear that a donation should not have conflicts with charities’ charitable purposes and the fiduciary duties of charity trustees, or the relevant charity has right to refuse this donation. And donors should be imposed on the similar fiduciary duties to charity trustees in making decisions for a charity or supervising charity trustees. In addition, the law should not empower donors to recover the donated property if charities do not perform their duties, but can allow donors to transfer the property to another organisation with similar purposes. With regard to the rules associated with the cy-près scheme, subject to specific terms relating to the distribution of property between donors and charities, the law should expand the occasions applying the cy-près scheme and provide more detailed rules governing procedures and rights and duties of charity trustees, donors and governmental regulators.

Ruari McAlister

**Title of paper 1**- Advancing Transgender reproductive rights; ensuring the rights of transgendered individuals to form families.

**Title of Paper 2**- Procreative liberty; redefining relational autonomy within the reproductive arena.

**Keywords** - Transsexual, parentage, right to found a family

**Abstract**

Over the years academic scholars have advocated the reproductive rights of a range of individuals and groups including; infertile heterosexuals, homosexual couples, those with a variety of ailments and diseases and even those currently under state incarceration. However, one group has continuously been left out in the cold; the transgendered community. In light of the recent report by the Women and Equalities Committee, Transgender Equality, this PhD thesis will strive to promote the rights of transsexuals within the reproductive arena.

**Paper 1**- This paper will set out to achieve three goals. First it will outline the trajectory of my thesis, surmising the research conducted in the last 12 months before briefly discussing future avenues of research. Secondly, after the general introduction, discussion will turn to current research interests, specifically the difficulties surrounding transgendered individual’s ability to form families, both biologically and legally. Thirdly, this paper will explore both Article 8, and Article 12 of the European Convention on Human Rights, and discuss whether they can offer a legal right to found a family for the transgendered community.

**Paper 2**- This paper will examine the concept of ‘procreative liberty’. In particular I will examine the use of relational autonomy within the area of reproduction. Having outlined the theoretical concept, I will turn to examine the applicability of such theories to transgendered reproduction.
**Andrew Moretta**

**Paper Title:** *The European Court of Human Rights: Young, James and Webster v UK [1981] and The Closed Shop – A World Turned Upside Down.*

**Keywords:** Human rights, employment, trade unions

This case is frequently, and erroneously, cited as the ECtHR decision which proscribed the ‘closed shop’ - the Union Membership Agreement. I will argue that it would better be characterised as the case which triggered the destruction of the post war reconciliation of labour and capital.

I will show that the applicants were effectively backed by the British Government; I will argue that the defence was deliberately undermined by Solicitor General Sir Ian Percival, and that the court’s ruling was misrepresented in order to secure support for the long planned and ultimately successful attack on collective bargaining which started in earnest within weeks of the judgement. The arrangements which protected and promoted workers’ terms and conditions of employment, were presented by the Government, and by its allies in the press, as if they were breaches of their human rights.

I will argue that Union Membership Agreements were an effective basis for industrial relations, that they were in accord with international and regional rights instruments, and that the shadow cast by the political battle over the closed shop, and by *Young, James and Webster*, is such that current proposals for new legislation on trade union recognition may require re-consideration.

**Ben Murphy**


**Key words:** Security Council, Ambiguity, Accountability

The question of United Nations Security Council accountability in the exercise of its immense powers under Chapter VII of the United Nations Charter has seen its stock rise in recent times. An emerging orthodoxy would seem to hold that accountability is intrinsically linked to the international responsibility of the Security Council, in that it presupposes that the Council has made an affirmative decision, against which the Court can assess whether an international obligation has been breached, thus giving rise to the Security Council’s international responsibility and accountability processes. It is therefore mute in instances where the Security Council has either not acted at all, or has simply made a recommendation short of an affirmative decision. It is against this backdrop that this paper ponders how we should understand the concept of accountability in light of Security Council Resolution 2249 (2015). The resolution is inherently ambiguous in that the operative paragraph ‘[C]alls upon Member States … to take all necessary measures … on the territory under the control of ISIL … in Syria and Iraq’. It is almost definitely the case that the Security Council did not intend to authorise the use of force in this instance, for resolutions of this kind traditionally ‘decide’ or indeed expressly ‘authorise’, but the resolution could be interpreted in a number of ways. The full ramifications of this resolution remain to be seen, but at the very least the Security Council can be said to have provided its imprimatur to ongoing uses of force in Iraq and Syria, the legal bases of which are not unanimously accepted by member states. This begs the question: how can the Security Council be ‘held to account’ when it is not at all clear what it has actually decided? How can we account for ambiguity?
Abstracts

Jasmin Nessa

Paper Title: Self-defence Against Non-State Actors in International Law; is there an Emerging Evidentiary Standard?

Keywords: International law, use of force, peace and security self-defence, terrorism

The phenomenon of modern terrorism, post the September 11, 2001 attacks on the World Trade Center, has posed new challenges to international law. The rise of Daesh has resulted in States increasingly being faced with the dilemma of invoking their inherent right of self-defence when responding to an armed attack or being faced with a pending attack.

Despite self-defence frequently being claimed by States, there is still no clear or well-established set of rules governing the standard of evidence that needs to be proven for such claims. This means that there are currently no effective evidentiary limits on the use of force by state parties at a time when international armed violence is widespread.

The first part of my paper will address the issue of self-defence against non-state actors. In particular, I will discuss how States have responded to the threat emanating from the non-state actor, Daesh.

The second part of my paper will begin the discussion of the evidentiary standard of self-defence in international law, which is the focus of my thesis. I will briefly examine recent state practice against Daesh to identify, if any, developing trends of standards for assessing evidence when invoking the right of self-defence against Daesh.

Jennifer New

Paper Title: The experiences and needs of lesbian, gay, bisexual and/or trans people seeking asylum and refugees in Liverpool

Keywords: LGBTI, asylum process, refugees, Liverpool

In the world today, individuals who identify themselves as, or are perceived to be, lesbian, gay, bisexual, trans or intersex face and fear real acts of persecution, torture, sexual violence, abuse, stigma and discrimination. These are not only enacted upon them by state actors and non-state actors, but by members of their families and communities too. Seeking asylum in countries that can provide LGBTI people with the rights and protections they are entitled to as human beings may therefore be some individuals’ only option to live a safe and secure life. However, in the UK, the process of seeking asylum is a significantly complex, multifaceted and traumatising process to experience and manoeuvre through as an LGBTI person.

My PhD thesis explores how lesbian, gay, bisexual and/or trans (LGBT) people seeking asylum and refugees experience the UK Asylum Process and social support organisations in Liverpool. This project seeks to provide evidence of experience from LGBT people seeking asylum and refugees that can be used to develop relevant services and training provision in Liverpool.

This paper will provide an overview of my PhD research to date and reflect on the project’s methodological, theoretical and action orientated approach in order to demonstrate how the project’s research findings can be used to develop practical outcomes in Liverpool. In particular, this paper will reflect on the establishment of ‘Many Hands One Heart: Liverpool Asylum and Refugee Support Network’ that was established in March 2016 as an outcome of my research partnership with Sahir House.
Abstracts

Jacob Nielsen

**Paper Title:** The UK Government’s Labour Exploitation Policies: Issues and Developments

**Keywords:** Trafficking, modern slavery, exploitation, labour

Within the last few years tackling labour exploitation has emerged as one of the UK government’s policy priorities. Starting with the November 2014 Modern Slavery Strategy, followed by the 2015 Modern Slavery Act, and with upcoming legislation on a new labour enforcement agency soon to receive royal assent, the government has initiated a range of policies that “aim to deal with those who commit all forms of labour exploitation, and so profit from the misery of others and undermine responsible businesses” (Department for Business Innovation & Skills, 2016).

In relation to these policies a range of arguments, narratives, and research outputs has emerged that contests and solidifies particular views on what constitutes labour exploitation. In this paper I will look at some of the ways the state, the ‘rescue industry’ and academics has tried to define labour exploitation as separate from other economic and social practices and how particular notions of victims, offenders, and transnationality has formed a central part in supporting particular claims. This paper will lay out some of the problems surrounding these key concepts and illustrate how the different narratives employed by so called stakeholders often on the surface fails to into account the complexity of labour exploitation. However, I will also contend that we cannot assume that these particular concepts and narratives are used uncritically by the stakeholders that employ them. Finally, I will argue that one way to advance our understanding of labour exploitation is to conduct more ethnographic research which allow us to attain a fine-grained understanding of the various ways labour exploitation are shaped and take form through various sites and social, economic, political and situational practices.

Marlene Pavva

**Title:** Human rights and climate change

**Keywords:** Human rights, climate change, development

The international community has seen in the last years how the role of human rights has slowly and gradually been accepted in different fields of the climate change debate. The scope and potential of this role remains to be seen. A few decades ago, it would have been unthinkable to consider human rights and its machinery as having a space in the climate change debate, which was almost consensually regarded as scientific and technical. Today, there is no doubt that human rights have a role to play in addressing the major global challenge of climate change. The Paris agreement consolidates the universal recognition of the importance of human rights in addressing the challenges that climate change poses to humankind. The question is not anymore whether or not human rights have a role in climate change. The question now is how? Given its complexity and cross-cutting nature affecting many aspects of people’s lives, climate change should be addressed in a comprehensive manner whereby human rights have a key role to play in conjunction with other areas such as development, the environment, refugees and migration to name some issues. However, climate change poses several obstacles for its regulation from a human rights perspective which should be sorted out before becoming suitable to make a solid contribution to the problem.
Abstracts

**Thomas Phillips**

**Paper title:** *The historical links between the right of self-determination and imperialism*

**Keywords:** Human rights, international law, imperialism

The right of self-determination is one of the rallying cries frequently adopted by liberation movements across the globe, including, for example, various Kurdish liberation movements.

In order to gain a full understanding of the right, it is necessary to investigate its historical context. This paper aims to demonstrate that although the modern roots of self-determination can be traced at least as far back as Marxist philosophy, the right quickly came to be utilised as an instrument for and justification of imperialism.

This paper will highlight the important differences between the Wilsonian and Leninist concepts of self-determination and seek to demonstrate that, ultimately, self-determination became a political principle that justified imperial reorganisations in the Mandated Territories and other non-self-governing territories, and the eventual creation of a new and reduced form of state sovereignty.

In short, Wilsonian self-determination was, to a considerable extent, an attempt to penetrate revolutionary self-determination and refashion it into a tool of domination. It was employed as a method to reinforce the unjustified hierarchies that colonised peoples were trying to destroy. Any attempt to understand and deploy the modern concept of self-determination must reckon with its dark side and seek to understand its modern relationship with power.

**Jayne Price**

**Paper Title:** *Exploring Pathways and Transitions between the Juvenile Secure Estate and Adult Penal Institutions*

**Keywords:** youth, transitions, prisons

The vulnerabilities of young prisoners is well documented in academic research (Goldson, 2002, Beal, 2014). This was acknowledged within a Her Majesty’s Inspectorate of Prisons (1997: 5) thematic report; “of all the parts of the Prison Service that we inspect, the one that gives all of us in the Inspectorate greatest cause for concern is the Young Prisoner estate”. Upon turning eighteen, young people transition from the juvenile secure estate to the adult services and establishments. Children are considered such until the age of eighteen, however maturity is much more difficult to define due to; “a range of complicated variables, including biological changes, social transitions and life experiences” (Maruna, Coyle and Marsh, 2015: 158-159). Outside of the penal context, the life-stage experiences that guide the passage from ‘childhood’ to ‘adulthood’ such as education to employment (Roberts, 2009: 13), are extended and stretched in contemporary society. Within England and Wales, young people aged 18-25 represent one-third of the prison system, yet only 10% of the population (Livingstone, Amad and Clarke, 2015).

Drawing on Her Majesty’s Inspectorate of Prisons survey data of children and young people and inspection reports, it appears that they don’t glean much information regarding their transitional experiences. What the data does show reflects wide variation across establishments of staff training, planning and information sharing. This demonstrates the need for the provision of services to go beyond the age of 18 to support the individuals’ and make the transitional experience less of a rupture. The vulnerability of young people who experience incarceration leaves them susceptible to wider negative outcomes (Beal, 2014) and a poor transitional experience stands only to exacerbate this. It can be argued that the demographic of individuals that are scheduled to transition is so small, that it is similarly ill-prepared for and overlooked.
Abstracts

**Sarah Rennison**

**Paper title:** Anti-Money Laundering Regime Compliance Issues in Top 50 Commercial Law Firms in England and Wales

**Key words:** anti-money laundering, compliance, legal profession

Money laundering is a global problem and there is evidence to suggest that the services provided by UK law firms are being used to launder the proceeds of crime. In an attempt to combat their use as a money laundering vehicle, law firms are required to comply with an array of anti-money laundering (‘AML’) legislation and regulations.

This thesis will identify the compliance issues faced by UK Top 50 law firms (by reference to turnover) when implementing the AML regime in the UK. It will utilise a combination of library based and empirical research methods, with the latter element being conducted by way of qualitative ‘expert’ interviews with legal professionals and compliance personnel, each of whom are able to provide differing perspectives on the AML regime. This thesis will use the research findings to identify solutions to any compliance issues. It will also recommend proposals to amend the overarching AML regulatory framework itself.

---

**Angelica Paiva Rutherford**

**Paper Title:** Security Concerns in the Brazilian Energy Legal System

**Keywords:** International Energy Law, energy security, green energy

Energy discourse is saturated with securitisation jargon. However, despite the tendency to address energy as a securitised resource, little is known about the interplay between energy security concerns and their impact on shaping national green energy policies. In this context, this work undertakes a socio-legal discourse analysis of primary legislation, regulatory texts, policy documents and position statements from Brazil across a fifteen-year period from January 2001 to January 2016. The data collection arises from the analysis of 160 documents obtained from the Brazilian National Archive, the President of the Republic Archive and the Federal Senate Archive in Brazil. The initial analysis aims to uncover the socio-legal factors underpinning the emergence of national rules that encourage the promotion of green energy initiatives through national policymaking. Following the finding of socio-legal factors, the direction of this research is on the interplay between security concerns and their impact on shaping national green energy policies within a given social context. The aim is to reveal: (i) the surfacing of the emergence of ‘energy security’ and the conditions of its appearance; (ii) how the discourse is construed as ‘security’; (iii) the implications of ‘security’ in the discourse; and (iv) how the securitisation discourse shapes green energy policies.
Abstracts

**Maria Martinez-Serrano**

**Paper Title:** Emotional Governance and the City

**Keywords:** Emotion, place, power

For this talk I introduce my main research questions. These focus on how cities and states exercise, develop and generate power through governing emotional ‘ambiences’, ‘landscapes’ and ‘identities’. I will present some ideas in this presentation concerning core questions. How do governing agencies construct and choose emotional narratives of ‘place’ and why? How do perceptions of the local area (the ‘relevant publics’, cultural history, inherited institutional landscapes) play a part in this process? What emotional, sentimental and affective dimensions are included and which are excluded? To what extent do place-makers allow for emotion as elements in their day-to-day working and in fermenting what a ‘seduction of place”? For this talk I will limit myself to theoretical problems and issues that my research will develop and peruse. Therefore I will raise some questions around state theory, emotion and power and where some of the strengths and gaps exist in the literature and relation to my research. This may take the form of highlighting some of the key approaches to the relationship between states and emotional governance – and how Durkeimian, Marxist and Feminist ideas might be developed in relation to my themes and issues.

---

**Ian Shannon**

**Paper Title:** How do chief police officers understand the right to exercise power?

**Emerging findings**

**Keywords:** Power, Police, Legitimacy

How chief police officers understand the right to exercise power may have significant implications, positive or negative, for those over whom power is exercised; particularly as chief officers may significantly influence the environment in which more junior officers operate.

From the perspective of a former senior ‘insider’ and current post graduate researcher, this paper explores emerging findings from his PhD research, including 16 semi-structured qualitative interviews with assistant chief constables, deputy chief constables and chief constables (and equivalent Metropolitan Police ranks) in England and Wales.

This paper examines the varied understandings held by these officers about the right of police to exercise power and their individual right to exercise power. In particular, a variant of a utilitarian justification for the use of power emerges, with a focus not so much on the greatest good for the greatest number but rather the least harm for the most vulnerable.
Abstracts

Katy Sowery

**Paper Title:** The relationship between the primary sources of EU law: to what extent may the general principle of legal certainty outweigh the principle of primacy under EU law?

**Key words:** EU law, EU constitutional law, and constitutional theory.

The thesis is broadly concerned with the relationship between the different sources of EU primary law. It looks at how those sources are organised by the Court, and what their organisation might reveal about their status and role within the EU legal order more generally. The legal issue that is relevant for present purposes concerns the general principles of Union law, in particular legal certainty, in circumstances where they interact with the direct obligations under Union law, such as the foundational principle of primacy established by the Court. Interactions of this kind necessitate some form of a balancing exercise between the interests reflected at the level of primary law. More specifically, the interplay between legal certainty and primacy may have the effect of determining whether (and, if so, when) substantive EU law may be enforced within the national legal order.

When it comes to exploring how the Court has structured the relations between these primary law sources in practice, it appears as though two ‘models’ emerge from the case law. Each of these models seems to be accompanied by their own practical and constitutional implications. For example, the way in which the primary sources of EU law are organised in the hands of the Court might reveal something about the Court’s own intellectual ‘hierarchy of primary norms.’ In particular, should legal certainty considerations outweigh the enforcement of an individual’s substantive rights and/or obligations conferred under Union law? Moreover, it is possible that these models might reflect different understandings of the relationship

Litao Song

**Paper Title:** ‘Community’ by Way of Community Construction: Place and Space

**Keywords:** Community, place, China, social relationships

My research is based on a new settlement which was constructed by community construction in Shandong province, north China. By drawing largely on empirical materials, it explored residents’ perceptions, experiences and responses to the transformation of place and spaces in community construction and the impacts on their daily life through their interactions with, and relationships to the newly-created community they are living now. The old villages and the new settlement in this research, which had been intervened by community construction, becomes an integrated process of ‘being’: 1. As Low and Altman (1992, p.7) affirmed that ‘places are repositories and contexts within which interpersonal, community and cultural relationships occur, and it is to those social relationships, not just to place qua place, to which people are attached’. Place attachment is utilized to explore the essences of community construction by the continuity/discontinuity in the process of transformation. 2. Residents’ reconnections (Lofland, 1998, p.10) in the new settlement are related to private spaces as well as public spaces; neighbours’ change and community activities are used to understand residents’ reconnections by their experiences in the new settlement.
Michelle Waite

**Paper Title:** Exceptional Case Funding and Complexity

**Key words:** legal aid, ECHR, complexity

In some circumstances signatories to the European Convention on Human Rights (ECHR) are required to provide legal aid where, without it, an individual’s convention rights would be breached, or are at risk of being breached. In England and Wales, the Exceptional Case Funding (ECF) scheme created by s.10 Legal Aid, Sentencing and Punishment of Offenders Act 2012 is in place to ensure that where legal aid is not ordinarily available but is required for this reason, it is provided. The principal test for deciding whether ECF should be granted is “…whether the withholding of legal aid would mean that the applicant is unable to present his case effectively and without obvious unfairness.”

In assessing whether this threshold is met a number of factors must be taken into account, one of which is whether a legal problem or proceedings are complex. A review of decisions made in response to applications for ECF, interviews with legal practitioners and ECF decision makers has revealed complexity to be a significant area of dispute when applications for ECF are refused. This paper explores the initial research findings in this area and draws some preliminary conclusions.

Keith Walker

**Paper Title:** Does Boredom have a History?

**Keywords:** Emotions, boredom, history, social constructionism, Foucault

This examination of the concept of 'boredom' begins with a brief review of both the biological and cognitive psychological approaches to the examination of emotions generally and includes a definition of boredom drawn from this psychology. This section concludes with the observation that psychological approaches are characterised by Evolutionism, Universalism and Realism. These cannons are then interrogated using historical evidence ranging from examples drawn from the classical period to the 20th century. The objective is to establish whether a socio-historical context can be seen to be useful in understanding the nature and experience of boredom. The argument is made that the historical evidence suggests that socio-historic variations within boredom-like experiences suggests that a historical contextually sensitive and social constructionist perspective can contribute to an understanding of 'boredom'. The presentation concludes with the observation that emotional responses such as boredom can be usefully seen within specific and local socio-historic contexts and are better understood using social constructionist ontology. Reference is then made to future directions including Foucault's observations on the socially malleable ‘docile body’ and the possible application to the concept of boredom as a discursively formed ‘docile emotion’.
Emma Walmsley

**Paper Title:** Is there a Legal Right to Procreate and Found a Family through Surrogacy: Challenging the European Court of Human Rights’ Treatment of Article 8 ECHR?

**Keywords:** Surrogacy, procreative liberty, Article 8 ECHR

UK surrogacy regulation is unduly obstructive to those individuals who seek to procreate/found a family through this method. Commercial surrogacy is illegal. The ban intends to ‘protect’ women and children from commodification and exploitation; contracts are unenforceable; and the surrogate is the resulting child’s legal mother. This paper asks three key questions: (1) whether Article 8 of the European Convention on Human Rights (ECHR) supports a legal right to procreate; (2) whether this right adequately protects UK intended parents using surrogacy; and (3) what positive obligations, if any, the UK should develop in respect of intended parents. This paper explores recent cases including, *Mennesson v. France, Labassee v. France* and *Paradiso and Campanelli v. Italy* to analyse the scope of Article 8 in the surrogacy context.

Lu Wang

**Paper Title:** State-owned Enterprise Investments and National Security Concerns: Issue, Practice and Implications

**Keywords:** State-owned enterprises (SOEs); national security; international investment agreements

The growth of State-owned enterprise (SOE) investments has given rise to various concerns in particular including national security concerns. As a result, an increasing number of States have taken measures to respond to national security risks by SOE investments at both domestic and international levels, including establishing national security reviews for foreign investments and providing national security exceptions in international trade and investment agreements. Although States have the sovereignty to regulate foreign investments including imposing restrictions on national security grounds, the uncertainty and unpredictability of national security test and restrictive actions for national security safeguards may cause considerable negative impacts on the investment climate and discourage foreign investors. Additionally, it is disputable whether a restrictive measure taken by the host State falls within the national security exceptions or can be justified by other defences. This paper focuses on SOE investments and national security concerns, exploring whether and to what extent national security concerns on SOE investments are addressed in both domestic and international contexts. In particular, it aims to assess whether national security reviews and national security exceptions are sufficient and ideal to address national security concerns by SOE investments. It concludes that with the development of foreign SOE investments and resurgence of investment protectionism, it is important to review relevant rules and strike a right balance between establishing an open environment for foreign investments and addressing the regulatory right of host States in particular safeguarding national security.
Abstracts

**Yayun Wang**

**Paper Title:** TBC

**Keywords:** Gender, education, social development, China

In China, gender stereotype has been found have negative impacts on the ultimate achievement of gender equality. This study aims to focus on social partners (both inside and outside schools) which may influence the school students during the process of construction and reproduction of gender stereotype. They are: 1. Peer groups. Given the amount of time students spend in school, their classmates can have significant effects on their academic and social development (Fabes et al. 2015; Kindermann and Skinner, 2009). Since most schools in China adopt mixed-gender education, these peers include same-gender and the opposite one. 2. Teachers. Teachers can be regarded as the main delivery tool of education, their attitudes, expectations and their interactions with students may reinforce the existing gender inequality (Biemmi, 2015; Yang, 2012). 3. Parents. Family habitus play an important role in constructing students’ gender ideology. Since China adopted the One Family One Child Policy, most Chinese students in high schools (my planned target group) have no siblings. In this situation, parental habitus, which include parents’ beliefs and expectations, may shape students’ behaviours on the basis of gender (Dumais, 2002; Sheng, 2015)

**Wilson Wanjiku**

**Paper Title:** Incentivised securities integrity: Designing a robust and responsive whistleblower model for Kenya’s securities sector.

**Keywords:** Incentivised securities integrity, whistleblowing, gatekeeper complacency, securities regulation and enforcement

As the United States Securities Exchange Commission tightens its whistleblower laws, other jurisdictions are gradually introducing whistleblower programs within their financial markets. In 2016 both the Financial Conduct Authority and Ontario’s Securities Commission launched whistleblower programs to supplement enforcement their enforcement efforts. Similarly, Kenya’s Capital Markets Authority has introduced anonymous whistleblowing through a website dedicated for the same. While these jurisdictions face distinct regulatory challenges, they share several similarities. First, information asymmetry attenuates the regulatory and enforcement efforts. Second, traditional gatekeepers have increasingly been complacent to financial misfeasance. Third, regulatees have increasingly resorted to cosmetic compliance. Finally, regulators are themselves susceptible to internal and external pressures that weaken their ability to enforce regulation and protect investors hence the increased appreciation of whistleblowing.

Be that as it may, the whistleblower models adopted by these jurisdictions differ significantly. This presentation will, therefore, provide an analysis of the primary features of these whistleblower models. This analysis serves as a starting point for deducing the requisite design features for a robust whistleblower model for incentivising whistleblowing, preventing regulatory arbitrage and supplementing enforcement by Kenya’s securities regulator.
Abstracts

Emma Deborah Watkins

Paper Title: The Life Course of Nineteenth-century Juvenile Offenders

Keywords: Life course, history, young offenders, 19th century

This research has traced juveniles <14 years old, found guilty at the Old Bailey and transported to Australia, in the period of 1816-1850.

This paper will demonstrate how nominal data-linkage, of digital records, can be used to build-up a picture of the lives of offenders caught up in the criminal justice system as juveniles. While such juveniles will inevitably be tied to the criminal records in which they are found, it is possible to use these records - coupled with newspapers, birth, death and marriage records - to uncover the social and familial of these offenders.

Through identifying the common factors and experiences present in the lives of these juveniles a database formed of offenders can be formed, which allows the analysis of trends. These trends will help reveal the interaction of variables including turning points such as social factors including marriage and children, as well as structural factors including punishment. Then through picking out typical and atypical offenders, detailed biographies can be created. These narratives of petty offenders help humanise offenders, and allow the interrogation and further understanding of identified trends.

Andrew Woodhouse

Paper title: National Parliaments in the European Union after Brexit

Key words: National Parliaments, European Union, Constitutional Law

In the negotiations between the UK government and the European Union prior to the In/Out referendum, a new power was given to national parliaments in the European Union. A mechanism was created, whereby if enough of them objected to a piece of Union legislation, it would be blocked. However, following the decision of the UK public to leave, this power has not come into force.

The question now becomes; what future role for national parliaments in the European Union? The remaining Member States have agreed following the vote on “a political reflection to give an impulse to further reforms”. Given the fact that there has already been political agreement on the further strengthening of national parliamentary powers, it seems clear that their role is set to grow in the future.

My research asks what this new power ought to look like. Is it aiming to make national parliaments part of the conversation in order to alter legislation, or, is it simply intended to block legislation where enough of them object? The type chosen will affect the ability of the Court of Justice to control the power, and ensure that the legislative process is still able to function effectively.
Abstracts

Liam Wrigley

Paper Title: *Not so ‘NEET’? The Genealogy of Youth Unemployment*

Keywords: Youth, employment, welfare, Foucault

The purpose of this presentation is to review the historical socio-political debates surrounding young people who are ‘not in education, employment or training’ (NEET’s). Some of the key influences in formulating the ‘NEET’ phenomenon such as the post war welfare consensus surrounding educational/ workfare reforms, and later post 1970’s policy developments such as the ‘YTS’ (Youth Training Scheme) and ‘YOP’ (Youth Opportunities Program), will be reviewed (Roberts, 2013; Furlong, 2006) in order to reveal how the NEET label became populist assumption within successive UK Governments and throughout Europe (Wills, 1977; Maguire, 2013). The overall rationale for this presentation is concerned with how such policies promote a labelling process (such as ‘NEETs’) that depicts young people as a ‘deficit’ on society; which can only disempower young people in finding suitable employment or training (Allatt and Yeandle, 1992). This will be grounded in a genealogical approach as advocated by Michel Foucault. Here, Foucault acknowledges that ‘power labels’ (such as NEET), create a harmful discourse which acts upon exclusion and marginalisation of certain groups, yet encourages discipline as a mechanism to exhibit control (Foucault, 1980). This will highlight how young people have been subjected to control throughout successive policy agendas, and give gravitas towards such government imposed labels.