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THE SHADES OF EXCELLENCE

Those of us who are concerned to promote good legal research in the United Kingdom must surely rejoice at the award of the top ranking in the 2001 Research Assessment Exercise of a five (with or without a star) to 37 of the 60 law schools that made a return. That such a high proportion of our law schools are engaged in research of international excellence must be a comfort to those who are concerned with our legal system. Cynics who suggest that the Law Panel were over generous, perhaps ignore that this national surge of excellence was not confined to law, albeit perhaps less dramatically in a good many other disciplines.

The days when good work was its own reward have sadly long gone in most areas of the academy. It is a regretted fact of life that research in most British universities is, today, a balance between scholarship and 'funding politics'. That reputations can be made and careers undermined by inappropriate and insensitive procedures that do little more than reflect common notions of utility and shared goals of 'excellence' is perhaps unavoidable given the way in which our schools are funded. The strengths and weaknesses of the RAE are well known and require no restatement here. What perhaps is more important is to recognise the importance of research and research-related activity which does not fit nicely into the criteria, perhaps acceptable enough within the limitations of the exercise, for the generality of scholars.

The School of Advanced Study of the University of London and its constituent institutes, which include the IALS, are in this context in a unique position. The institutes have persistently argued that the procedures of the RAE do not sufficiently recognise the vitally important role that they perform in facilitating the work of others whose research is accredited to another university. Given the national significance of the IALS library and its research networks, supported by the Society for Advanced Legal Studies, this is particularly true in our case. Despite many of the institutes receiving acknowledgement, within the RAE, for the excellence of their own research activities, the School was delighted with the recommendation of the committee appointed by the Higher Education Funding Council (HEFCE), sitting under Professor Sir Martin Harris, that the RAE was inappropriate for measuring the contribution made by the institutes. The HEFCE has accepted its committee's recommendations, and its future funding of the Institutes of the School will not be determined by the RAE, but by an alternative system of peer review.

Within the IALS we are particularly pleased by this decision. This is not just because in our view the last two assessments have, in awarding us a four, not done justice to the Institute's national and, indeed, international contribution, but because it emphasises our unique national role in supporting advanced scholarship in the UK. The need for the Institute to strengthen its own research capacity was recognised by the Review Committee chaired by Professor Sir Roy Goode in 1999. Having said that, the Institute's funding is such that every member of its academic staff, with the exception of the Director's post, is funded on 'soft money' mostly derived from their own research activities. In these circumstances it is to be welcomed that the Development and Advisory Committee of the IALS has endorsed proposals to seek funding for additional senior research appointments on a more permanent basis.

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