

Institution: Keele University
Unit of Assessment: Law
<p>a. Overview</p> <p>The School of Law sits within the Faculty of Humanities and Social Sciences. Research within the Faculty is managed and supported by the Research Institutes for Humanities and Social Sciences, led by a single Research Director. Legal Research is supported through the Centre for Law, Ethics and Society whose Research Director works closely with the Head of School and the Faculty Research Institute Director in developing research strategy. The School's research environment has strengthened since 2008, with considerable investment in research support and management structures, and significant growth in both research income and PGR numbers. The research strategy supports excellence across different fields, but focused support during the census period has been on the particular themes of Gender, Sexuality and Law; Healthcare Law and Ethics; and Legal Education and Professional Practice, and a developing strength in International Law and Human Rights.</p>
<p>b. Research strategy</p> <p>Keele's strategy is to 'deliver international excellence and impact in focused areas of research'. Law's strategy during the census period has been to provide focused support for four research groups, but also to support international excellence and impact in the work of individual scholars.</p> <p>Within Law, ambitious University-level research targets have been met through a strengthened research environment, the development of clear plans, shared expectations in terms of publication output and grant applications, and increased research support. In addition to regular research events (including a work-in-progress series, external speakers and away days), research planning has been substantially strengthened through an annual research planning and monitoring process.</p> <p>Since the last RAE, research strategy has been to consolidate existing areas of expertise in Gender, Sexuality and Law; Healthcare Law and Ethics, and to use the experiences and interdisciplinary perspectives generated within these groups to provide the foundation and framework for strategically supported clusters in International Law and Human Rights and Legal Education and Professional Practice.</p> <p>Building on an 'outstanding' evaluation of the AHRC Research Centre in Gender, Sexuality and Law (Keele, Kent and Westminster) (2009), Gender, Sexuality and Law (GSL) has remained an important dimension of Law's research strategy. Post-2009, Law's strategy has been to use the experience and skills gained through the AHRC Centre to inform emerging research in methodological and thematic terms. This has generated major publications (e.g. on transgender and sex trafficking), including prize winning publications (Harding, Barker), innovative networks which build on collaborations established during the AHRC's Centre's lifetime (e.g. the AHRC ReValuing Care network with Adelaide and the UK India Education Research Initiative funded exchanges with the Tata Institute for Social Sciences (TISS) in India) and the recruitment of excellent research students and staff.</p> <p>Healthcare Law and Ethics has been a key research priority, drawing down external funding from the AHRC and the Wellcome Trust, producing prize-winning research (Jacob, Fox, and Thomson) and recruiting excellent PGR students (e.g. McCandless, Gordon and Baines). New expertise, external funding opportunities and collaborations have pushed Healthcare Law and Ethics in new directions. Legal and ethical questions around research integrity have been cast anew through inquiry into the professional understanding of scientific misconduct (Jacob). Established links between Gender, Sexuality and Law and Healthcare Law and Ethics have generated research</p>

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projects such as the investigation of the authority of medicine in marking out transgender experience and the ethical assessment of the treatment of intersex children.

Legal Education and Professional Practice (LEAPP) draws on socio-legal methods and doctrinal research to explore the meaning and value of the legal profession and legal educators, and to improve professional practices, particularly those of academics, lawyers, judges and social workers. Scholars in this group have generated novel research projects on the history of the Society of Legal Scholars, diversity in the legal profession, and the role and purpose of legal education. Furthermore, this work has developed new analytical frameworks (Francis) and posed fundamental questions about the nature of the legal academic vocation (Bradney), while producing direct engagement with key policy-makers, such as the Ministry of Justice, the Law Society, and Inner Temple.

The commitment to interdisciplinary and internationally engaged research helped create the conditions for the emergence of **International Law and Human Rights** as a strategic research priority. Building on long-standing interest in International Law among a strong but small group, our current aim is to develop International Law with a particular commitment to critical perspectives, new field-based methodologies and practical impact. Current projects include Obokata's AHRC funded project on Transnational Organised Crime, which combines theoretical, empirical and interdisciplinary research, Prost's developing critiques of international environmental law, Davitti's work on the intersections between international investment law and international human rights, and Krishnadas' work on developing internationalist approaches to socio-legal advocacy in India and the UK.

Not only does legal research at Keele benefit from intellectual engagement within the interdisciplinary structures of the Faculty, but the sharing of research overheads at Faculty level enables the discipline to maintain and foster areas of research excellence. This is crucial in enabling the delivery of our strategy to support the work of **individual scholars**, see for example, Danaher (science and evidence), Haley, (business leases), Nehushtan (public law and religion), Varney (disability and access to technology), and Wasik (sentencing). This has been particularly important in maintaining and developing research in 'core' legal subject areas such as Crime, Jurisprudence, Public, Property and Tort, which is critical to maintaining the overall academic shape of Law at Keele for both education and research.

Future Strategy

Keele's strategy for Law post-REF is to consolidate clusters of strength, and review developing areas for new synergies and research questions. Recent appointments (Cruz, Fay and Thompson) add new perspectives to existing expertise in private law and characterise the outward-looking engagement that will continue to be a key feature of the School's approach to research, education and impact (e.g. Cruz's work with sex-work activists, Thompson's work with the Law Commission). The appointment of Tzanou broadens our expertise in international law and human rights through her innovative conceptualisation of data privacy as a human right. The appointment of Thompson, together with the work of Brammer and Krishnadas (supported by the UKIERI grant), sets a foundation for future funding opportunities in family law and social work. Intellectual exchange between scholars working individually or in other clusters has also laid the groundwork for a developing jurisprudence cluster (Bradney, Danaher, Nehustan, Keren-Paz, Prost).

Law researchers are planning a series of ambitious grant applications within different areas of strength. In **International Law**, Obokata will apply for AHRC Follow-on Funding for the dissemination of the team's findings on action against cross-border organised crime, and Prost will be applying for AHRC funding to conduct archival work on early histories of international environmental law and their relationship with colonial culture, life and power. Building from existing strengths in **Professional Practice**, Brammer plans to develop a Nuffield application to explore the role of lawyers in safeguarding adults as an emerging area of social work law. Cownie is planning

to generate research income to investigate the early history of 'Women Law Professors' through archival work and interviews, and Francis is working with the University's Strategic Lead on Ageing (Psychology) to develop a major interdisciplinary research application on Generational Change in the Legal Profession. Jacob's application for Follow-on Funding to the AHRC is designed to maintain dialogue with non-academic users and create impact through working with a performance artist to take research findings to different audiences.

c. People, including:

i. Staffing strategy and staff development

We have a clear strategic priority to recruit and invest in excellent early-career staff. Their excellence has been recognised through prizes and awards, promotion, and significant impact on research. All current academic staff members are on indefinite contracts. Alongside this, the research success of colleagues within the School (e.g. Jacob, Obokata) has given opportunities for a researcher, Payne, and a fixed-term lecturer, Roche, who has gone on to secure a permanent appointment at Manchester. In relation to mid- or late-career appointments we appoint responsively with an eye to developing particular kinds of research experience and expertise.

The growth in International Law provides a recent example of both kinds of appointment strategy. Thus, recent appointments Davitti and Tzanou have added strength with early significant publications and expertise in new areas at the intersections between human rights and investment law, and data protection respectively. Obokata was appointed to a Chair in International Law and Human Rights from a senior lectureship at Queen's University Belfast, adding a crime dimension to expertise in International Law. Moreover, his experience of managing a large AHRC grant with a significant impact component (highlighted as best practice by RCUK) adds another important resource to the research grouping.

Staff at all levels are supported in the development of their research aspirations through allocated research time, access to funds (on both an individual basis and as part of a collective fund for Law) and support in planning and delivery of research agendas. All early-career staff are supported by additional allocated time to conduct research during their first three years of appointment, and meet regularly with the Head of School, Research Director, and mentor to establish probationary expectations and to receive development support. Mentoring is an important aspect of our research culture, and all junior staff members have a mentor. A key expectation of the mentoring role is that all papers will be read by the mentor before submission. This mirrors the peer review college established within the RI to strengthen the quality of grant applications.

As part of the annual research planning and performance monitoring process, led by the RI Director and the School Research Director, staff can expect to secure a period of research leave of one semester in eight, following the successful approval of a detailed research plan for the period and a demonstrable history of producing high-quality research outputs. The timing of the leave is agreed with the Head of School, who is also able to provide guidance to individuals who may require additional support throughout these periods. This planning process also enables the identification of collaborative research opportunities.

We also encourage staff to share experiences across all career stages through practical workshops on publishing or grant applications. Jacob for example won a competitive place at Columbia Law School's Junior Scholar Interdisciplinary Workshop, which contributed to the development of her *Biosocieties* piece. The success of mentoring and career development is evident in the promotion of staff at Keele (Keren-Paz, Jacob, Francis, Varney, Prost) and in the recruitment of Keele staff to other institutions where they have had a significant impact (Barker, Fletcher, Fox, Harding, McGuinness, Thomson, Wilkinson).

The long-standing research interest in equality and diversity issues within Law at Keele (GSL

generally and Cownie, Francis, Cocks) has engendered a culture of tolerance and support in the discussion and development of research ideas, and informs staff development and support strategy. All policies relating to research management within the University are subject to an Equality Impact Assessment, and all staff engaged in recruitment and appraisal undergo training in equal opportunities and diversity issues. University promotion and appraisal policies explicitly take account of any special circumstances. During the census period members of staff took maternity leave, and two of those secured promotion to Senior Lecturer on the basis of research excellence. Keele has recently achieved the European Commission's HR Excellence in Research Award.

The internationalist ethos and commitment to diversity has been reflected in our recent appointments. Since 2008, we have recruited staff from Greece, Japan, Ireland, Israel and Italy to join researchers originating from France, Canada, Israel, Romania, Greece and the UK. This jurisdictional diversity contributes to a reflexive and creative research environment.

ii. Research students

Law made a strategic decision to support PGR recruitment through creative use of Faculty funds, partnership income and external funding, and by ensuring that training and monitoring processes are in place to ensure the most supportive environment for PGR students. Since 2008, Law has been successful in delivering a very significant increase in doctoral awards – from 5 in RAE 2008 to 14 in REF 2014. We currently have 28 PGR students, and so anticipate a further very substantial increase in awards at the next REF.

Francis has drawn on his collaboration with Inner Temple to develop a fully funded PhD project. This was supported by matched funding from the University's Acorn Scheme. The international reputation of scholars within Law has also attracted self-funded PGR students from the UK and overseas (Haley, Prost, Obokata, Wasik).

The training and development of PGR students within Law is managed by the Research Institute with a dedicated PGR Director. As a result of the experiences generated within the discipline, three of the last four RI Directors have come from Law (Cownie, Fletcher, Bradney). In addition, an Associate Director (Sharpe) has direct responsibility for Law PGR. Clear support and expectations are in place for research students and supervisors through the PGR Code of Practice. All supervisors undergo a mandatory training programme and are allocated an experienced mentor for their first supervision, and all PGR students have two supervisors. Students and supervisors must complete a monitoring report every six months. The progression panel, at the end of a student's first year, is a rigorous oral and written examination of a student's ability to progress to the final years of doctoral study. Wider support for PGRs is provided through a PGR mentoring scheme co-ordinated centrally.

The PhD training environment makes use of resources at Keele and the active subject level networks established by Keele academics. Within Law, PhD education requires 200 hours of training in research skills and enables students to take advantage of specialist legal provision, cross-disciplinary courses across the Faculty and opportunities for supervisor-led individualised research modules. The strength of the research environment for Law PGR students, which is sustained by the Faculty Research Office, will be further enhanced by Keele's participation within the prestigious AHRC Northwest Consortium, which is to be funded as an AHRC Doctoral Training Partnership (DTP). Not only will this enhance our capacity to recruit PGR students in the future, but these students will benefit from the shared training and support across the partnership.

Law researchers are also active in supporting cross-institutional research training. Cownie and Bradney have been involved in the delivery of the Socio-Legal Studies Association (SLSA)'s postgraduate conference since 1995, which provides an important annual international meeting for socio-legal PGRs, attended in recent years by Atherton and Freer. PECANS, the Postgraduate and

Early Careers Network of Scholars in GSL, provided PhD students from Keele and elsewhere with important Research Council funded opportunities to present at and organise workshops, and to visit partner institutions such as the University of British Columbia (July 2011). Krishnadas has secured £50,000 from the British Council (2012) to develop exchange opportunities for PGRs between Keele and Tata Institute of Social Sciences (TISS).

Law PGR students are encouraged to develop their own research initiatives by designing research events and participating in networks and projects, and are fully involved within the research culture of the School. They have drawn on Faculty research development funding to programme day seminars with visiting speakers on their own individual research topics (e.g. Jenkins 2008). PGRs have also gained experience in research collaboration and the development of grant applications as employees/assistants on a range of research projects. Atherton, for example, is currently assisting with Legal Education Research Network (LERN), convened by Cownie; Rumbold has published with his supervisor, Wasik; and Dasgupta assisted Francis in the Work Experience project.

Law PGR students have successfully built careers, both in the UK and internationally, including McCandless (LSE), Travis (Exeter) and Cao (Hunan University, China).

d. Income, infrastructure and facilities

Infrastructure and Income

The University has made a significant investment in enhancing research support infrastructure through the establishment of the Faculty Research Office, which provides dedicated, specialised research support for grant applications, project finance, PGR training, ethics and governance, research events and marketing, augmented by central support from Research and Enterprise Services (RES). This structure provides a multi/inter-disciplinary approach to research across the institution.

A central element in our research strategy is to increase grant income through targeted support for applications. All funding applications of more than £40,000fEC are subject to rigorous internal peer review; all bids are assessed by specialist Faculty Research Office staff and approved by both the Social Sciences Research Institute Director and Head of the Law Research Centre.

Through this infrastructure, and the mentoring and support within the discipline, Law has significantly increased its grant income from £475,000 in RAE2008 to £628,000 in 2013, representing a substantial increase in funding per FTE (and per annum) by focusing on key areas of research strength, using a range of different funding streams, drawing out research potential from teaching and professional relationships, and maximising the use of the Faculty's research support and peer review mechanisms.

In the area of **International Law**, Obokata's (£200,000) AHRC grant on Transnational Organised Crime has developed Law's expertise in this area by adding an international crime dimension. Krishnadas' £50,000 UKIERI grant, for the development of critical socio-legal methodologies in the field of international human rights, illustrates the way in which Law researchers (with extensive Faculty Research Office support) have been able to draw out funded research potential from carefully crafted partnerships. The Faculty Research Office, with support from the Contracts team in RES, was able to support Francis in building on his UK Centre for Legal Education (UKCLE) grant (£5,380), to develop initiatives such as the funded studentship with Inner Temple (£26,127), which benefitted from expertise within the Faculty for such partnership work.

In the area of **Healthcare Law and Ethics**, there is a strong record of success in securing Research Council, Wellcome Trust, British Academy and EU monies to develop research leadership and enhance research capacity. Jacob, in particular, strengthened her successful

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AHRC application with close support from the Faculty Research Office, beginning with the identification of funding opportunities and support throughout the application process, to support with grant management and her wider impact and wider public engagement activity. This application also benefitted from detailed feedback and guidance from an experienced Principal Investigator in Music during the peer-review process. This cross-disciplinary expertise and input is made possible by the Research Institute structure and has made a major contribution to the increase in research income in the census period. Significant support was also put in place by the RI for Wilkinson's successful Wellcome Trust Senior Investigator Award in Ethics and Society (£970,087).

Law researchers have also made good use of smaller amounts of external research monies in order to scope out new projects, investigate one dimension of a larger project, or support writing time, and also have access to Faculty/RI support for individual research needs (conferences, etc.) and for organising events for the group as a whole (£2,500 p.a.).

Facilities

The University has made strategic use of HEFCE Capital Funding and institutional funding to support areas of research excellence, improve research environment and infrastructure, and provide support for ECRs and PGRs, including IT provision. The Moser Research Centre for Humanities and Social Sciences is the central hub for the Faculty's research. This new £3.5 million facility, built with HEFCE SRIF and University funding, was completed in 2008. It houses the Faculty Research Office (FRO), office space and facilities for research projects, offices for visiting scholars and postgraduate students, and meeting rooms. It underpins an efficient and flourishing inter-disciplinary research environment, with exceptional office and ICT facilities beyond Research Council minima for PGR students. Spending on PCs and other equipment specifically for PGRs in Law was £4,000 in 2012-13 with a further £2,865 allocated for 2013-14. In addition, £266,600 was spent on refurbishing the Faculty's PGR space between 2011 and 2013 (from HEFCE and University funding). The allocation of office space and hot-desking facilities results from a systematic survey of student needs, with the Moser Building serving as a social and intellectual hub for PGRs with weekly social events and drop-in sessions. In particular, Law has benefitted from the dedicated space provided within the Moser building for workshops, PGR training and PGR offices. The research environment is also enhanced with much improved library and IT facilities, including 24-hour opening and significantly increased journal provision (Law, in particular, has made investments in its international law stock to support the development of this area, with an additional £4,000 invested in the last two years). Moreover, the University has provided strategic leadership in this area through establishing a new Library and Information Strategy Committee, which specifically considers research Library and IT needs, chaired by the recently established Pro Vice-Chancellor for Library and Information Strategy.

Within Law, we have secured funding totalling over £50,000 from the University and alumni groups to develop a Moot Court Room. This is a high-quality multi-use learning environment which provides an excellent environment to host external speakers, internal work in progress sessions, and functions as a site for interactions between staff and external organisations as part of the strategy to deliver the broadest possible impact for our research. In addition, we have established permanent office space for all our GTAs (2 per room) and hot-desking facilities for other PGRs.

e. Collaboration or contribution to the discipline or research base

The AHRC Centre developed collaborations between scholars at Keele, Kent and Westminster Universities and with the Tata Institute for Social Sciences, Mumbai and the University of British Columbia in hosting over forty-eight visitors at all career stages and programming regular events. These working relationships have generated a new collaboration through the AHRC ReValuing Care Network between Keele, Birmingham and Adelaide universities.

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Law colleagues have developed publications through **research affiliations** at a wide range of academic institutions (e.g. Prost, Research Affiliate at the Critical Research Laboratory in Law and Society, Osgoode Hall Law School; Sharpe at the Somatechnics Research Centre, Macquarie University since 2008). They have produced **jointly authored publications** (Wasik and Walden (QMUL), Brammer and Cooper, (City)) and **cross-disciplinary partnerships** (Keren-Paz and El Haj, Keele). They have grown new research expertise as **producers of research reports** on human rights and long-term imprisonment (Emmerich and van Zyl Smit, 2009), on child-centred research (Uí Chonnactaigh *et al* for the Irish Ministry of Health and Children), on Human Rights Protection following commissions by the Fundamental Rights Agency of the EU (Tzanou *et al*) and as **project co-investigators** of legal work experience (Francis and Sommerlad, Birmingham).

Research collaborations with non-academic partners have generated novel questions and innovative projects and outputs. Keren-Paz's collaboration with Nomi Levenkron, a leading anti-trafficking activist, culminated in a co-authored article in *Legal Studies* and contributed to the arguments developed in his 2013 book. Jacob's current collaboration with the Committee on Publication Ethics (COPE) in investigating research misconduct adds another dimension to her AHRC-funded research into medical science as part of a larger project on research integrity.

Law's outward looking commitment is not only reflected in its engagement with non-academic stakeholders, but in academic visits and exchanges. Thus, Prost was invited to be a Visiting Professor at the Université Libre de Bruxelles (Winter 2013); Sharpe was a Visiting Professorial Fellow in the Faculty of Law at Lund University, Sweden (May 2012), Nehushtan was an HLA Hart Visiting Fellow at Oxford (Summer 2013), and Brammer and Krishnadas were Visiting Fellows at (TiSS, 2012-2014).

Event organisation

During the census period, Keele legal researchers organised fifteen major research events, many supported by external funding. For example, 'Research with Living Beings', an interdisciplinary research symposium including medical researchers, was funded by the Wellcome Trust in 2011 and organised by Jacob and Fox (then Keele, now Birmingham). 'Embryonic Hopes' was organised by Jacob and Fox (with Prainsack, KCL) and sponsored by Social and Legal Studies conference fund and Sociology of Health and Illness symposium grant. The Society of Legal Scholars (SLS) One-Day Conference 'Reviewing Legal Education' (2012) was organised by Cownie (sole conference organiser). In addition, the School hosts the regular Royal Institute of Philosophy funded 'Healthcare Law and Ethics' lectures organised by Uí Chonnachtaigh, and maintains a regular work in progress series (approx. three to four papers per semester), four external speakers per academic year, and a research away day.

In addition to programming a range of topic focused research events, Law researchers have played a significant role in contributing to the discipline through regular conferences and seminars. Both the Social Legal Studies Association and the Society of Legal Scholars have involved Keele colleagues in **organising streams** (e.g. Bradney and Cownie on Legal Education 2008-13, Bradney for open stream at SLS). Law scholars have also been involved in **programming committees** (Jacob for Law and Society Association; Prost for the American Society of International Law 2012), and as **association/programme chairs** (Cownie).

Editorships

Keele law academics make a major contribution to the discipline through their work as editors of series, journals, special issues and edited collections. Thus, Brammer is a Series Editor for a Palgrave Series on *Social Work Law* and Obokata is on the editorial committee for Hart's Series in *International and Comparative Criminal Law*. Jacob and Sharpe have both been editors of special issues for *Social and Legal Studies* (2009 and 2010). Keele staff are represented on the boards of eight leading international journals, including the *Journal of Law and Society* and the *Criminal Law Review*, and during the census period had editorial responsibility on eight Journals including *Social*

& *Legal Studies*, the *Quebec Review of International Law* and the *Journal of Adult Protection*.

Textbooks/Practitioner Outputs

Keele staff are also active in the production of textbooks and practitioner outputs. This work represents underpinning scholarship, providing a foundation for research outputs and a basis for collaborations with other academics and the wider professional community. See, for example, Brammer's (with Boylan) Continued Professional Development Guide for Social Work and her role as a Trustee of the Practitioner Alliance for Safeguarding Adults (PASAUK); Wasik's contributions on Sentencing in *Blackstone's Criminal Practice*, his authorship (with David Ormerod) of a monthly e-letter distributed by Judicial College to all judges sitting in criminal cases and his continued service as a Recorder in the Crown Court; and Haley and McMurtry's text on Equity and Trusts. Dugdale was, until his retirement in 2010, one of the General Editors of *Clerk and Lindsell on Torts*.

Reviewing and Examining

Keele staff have undertaken reviews for 24 different international legal and interdisciplinary journals including *the Modern Law Review*, *Social and Legal Studies*, *Feminist Legal Studies*, *Law and Critique*, and the *International Journal of Refugee Law*. They have reviewed for prestigious presses including Routledge; Cambridge University Press; Oxford University Press; Hart; and for Research Councils (ESRC, AHRC) and other funding bodies including the Research Grants Council, Hong Kong and the Israel Scientific Fund.

Major contributions can also be seen in the involvement of Keele staff in external PhD examination in the census period - Obokata x3, Bradney x4, Cownie x4, Prost x2, Wasik x3 - at the Universities of Paris, Waikato, LSE, New South Wales, Leeds and UCL.

Professional associations

Cownie sits on the Council of the Academy of Social Sciences. Bradney and Cownie have both been ex officio members of the Executive Committee of the Society of Legal Scholars for all but one year of the assessment period. Bradney has been on the Research Committee on the Sociology of Law, International Sociological Association. Bradney and Cownie are both Board Members of the International Working Group for Comparative Studies of Legal Professions. Cownie is an Advisory Board Member for the Institute of Advanced Legal Studies. Jacob served on the Board of Canadian Association of Law and Society until 2009, and Prost became Executive Director of the European Society of International Law from 2010.

Recognition of contribution to discipline through honours and awards

Keele's contribution to the discipline has been recognised by a range of research prizes, honours and awards. In 2010, Jacob won the Socio-legal Studies Association article prize for her paper in the *Law and Society Review*, which also contributed to the development of *Matching Organs with Donors*. Harding was awarded the SLSA book prize (2011) for *Regulating Sexuality* (produced while at Keele). In 2013, the SLSA article prize was awarded to Fox and Thomson, for work produced while at Keele, and the SLSA book prize (also 2013) was awarded to Barker for work substantially written while at Keele. In 2008 Wasik was awarded a CBE for services to criminal justice. Cownie (2011) and Bradney (2012) were elected as Academicians by the Academy of Social Sciences. Cownie was appointed to the Consultation Steering Panel of the Legal Education and Training Review in 2011 as one of only two academic representatives. Francis was appointed one of the first five Academic Fellows of Inner Temple 2010-2013.