

Institution:	University of Northumbria at Newcastle
Unit of Assessment:	20 - Law
<p>a. Overview</p> <p>The Law Unit of Assessment (UoA) has embedded research at the heart of its activities, aligned with significant institutional research investment of £18m between 2008 and 2013. Our strategic plans have produced: a rapid upward trajectory in research culture and outputs; a new research governance and leadership; a new staff dynamic; and a transformed PGR experience. This is evidenced by: (1) the appointment of eight new Professors and three Readers in targeted areas of expertise to provide research leadership and mentoring to colleagues and to develop strategic research centres and groups; (2) recruitment of established senior staff and early career researcher (ECR) staff with excellent research potential and aspiration in order to establish a stimulating community of researchers working in an active and supporting environment; (3) the creation of the Centre for Evidence and Criminal Justice Studies and three Research Interest Groups (Transnational and Comparative Law and Policy; Clinical Legal Education; and Information Rights) to focus research efforts; and (4) development of an active PGR community located in a bespoke graduate hub, increasing PhD student numbers from six full and part-time students in 2008 to 14 in 2013 and agreed plans to increase through investment in studentships by a further 50% over the next two years, and to 30 by 2018.</p>	
<p>b. Research strategy</p> <p>Our research strategy has focused upon creating a dynamic and stimulating research environment which fosters distinctive and high quality research. The mission has been informed by the broad liberal and progressive ethos of Northumbria Law School, which seeks a heightened understanding of law and to make a significant contribution to the development of law in practice, legal education, comparative law and public policy. We have made significant steps in building research capacity and capability across the Unit. In 2008 our research output comprised eight practitioner/student texts, 21 articles (mainly in practitioner journals), two statute books and a variety of conference papers; in 2013 this has increased across all major areas of our research to embrace 26 books, 16 book chapters, 51 articles, 58 conference papers, four consultant editorial posts, eight conferences organised, and seven journals edited.</p> <p>The research strategy during 2008-2013 has been constructed around nine fundamental principles: (1) the investment in a new cadre of eight Professors in key research groupings (see below); (2) expanding and enhancing research strength in selected areas via staff appointments, retention and promotion; (3) a focus on early career and new researchers and their research development; (4) fostering the growth of collaborative and inter-disciplinary work, notably within our beacon areas of Evidence and Criminal Justice Studies and Clinical Legal Education; (5) extension of a well-supported PGR community (14 students in 2013), to incubate research talent; (6) creation of new research leadership roles and enhanced research leave; (7) contributing to the reflective community of legal scholars and engaging with the wider community through hosting international and national conferences (eight in 2013), external and internal seminars and our Visiting Professor scheme; (8) creation of a culture in which academics regularly apply for external research funding; and (9) the continued development and promotion of our research centre and interest groups as part of our reputation enhancement to facilitate formal and informal research collaboration.</p> <p>Centre for Evidence and Criminal Justice Studies</p> <p>The research strategy has focused upon selective investment and development in the Centre for Evidence and Criminal Justice Studies which has: contributed to policy reforms in substantive criminal law and evidence; inter-disciplinary engagement with forensic science; and international collaborative partnerships. This has involved new targeted recruitment of key colleagues (Arthur; Ashford; Badar; James; McCartney; Reed; and Wake). New staff have been appointed from the UK and overseas, building the Centre's profile and geographic coverage (Brants and Edmond). During the period 2008-13 the Centre hosted 19 regional seminars and four national symposia, covering (e.g.): Modern Law Review Seminar on the Reliability of Expert Evidence in Criminal Proceedings (successful MLR seminar series competitively awarded funding); Ashgate</p>	

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Seminar Series In Substantive Criminal Law; series addressing polygraph, hearsay and forensic evidence; UK Consultation on fingerprint evidence led by the Home Office's Forensic Science Regulator; and Law Commission symposia on Mental Disorder and Criminal Justice and Hate Crimes.

The Centre has promoted inter-disciplinary research activity, notably in forensic science, and this has been enhanced by a new professorial appointment attached to the Centre (**Wilson**, Professor of Criminal Justice Policy). **Wilson** brings extensive cognate experience to our research activities from his previous role as head of the Forensic Science and Pathology Unit at the Home Office and his inter-disciplinary research examines transnational exchange of forensic bioinformation, forensic science, the contractualisation of public services within the criminal justice system and resulting interfaces between law, bioethics, science, economics and politics.

One of the Centre's aims has been to broaden its engagement with strategic imperatives. **Edmond** has contributed to the area of international criminal evidence and forensic science evidence and the Centre has greatly benefited from his involvement in related activities in seminars, workshops and mentoring of directed publications. This work has inter-linked with that of **McCartney** in terms of forensic bioinformation, DNA evidence and Australian criminal justice. The overarching international perspective of the Centre has been enhanced by additional appointments as recognition has grown: **Badar** and **Brants** have been engaged in work focused around comparative and international criminal law and justice; **Ashford** has made a diverse contribution in the arena of societal policy and sexual criminal behaviour; and **James**, as an expert in the inter-action of sports and criminal law, has addressed legal issues related to player violence and injuries, the regulation of spectators and aspects of Olympic regulatory law.

The original focus of the Centre on civil and criminal evidence has been broadened during the period to within the field of criminal justice, to coalesce with strategic appointments (**Arthur**, **Reed** and **Wake**). An example is **Arthur's** work on addressing the state's obligations to protect the welfare of children and prevent youth offending under domestic and international law.

Reed has worked collaboratively with Bohlander at Durham University Law School and with the Centres for Criminal Law and Criminal Justice Studies at Durham, Sunderland and Teesside Universities. **Reed/Bohlander** ran an international conference entitled 'The Coroners and Justice Act 2009: Panacea Or Pandora's Box for Partial Defences to Murder', with leading world-wide contributors including Paul H. Robinson (University of Pennsylvania). The conference formed the genesis for an edited collection monograph with Ashgate entitled 'Loss of Control and Diminished Responsibility: Domestic, Comparative and International Perspectives'. The success of this initial initiative has developed into an edited collection monograph series with Ashgate Press, 'Substantive Issues in Criminal Law' (**Reed/Bohlander** joint editors), with contracted volumes over the course of the next nine years addressing domestic, comparative and international perspectives. An international conference on Mental Disorder and the Criminal Justice System was led by **Wake** and **Reed** in October 2013, held in partnership with the Law Commission, and with directed support from the University's Research Development Fund and a Faculty award totalling £5,000; a special edition of the Northern Ireland Legal Quarterly in 2014 will focus on invited contributions to this event and also has promulgated an edited collection monograph with Edward Elgar Press.

Transnational and Comparative Law and Policy-Research Group.

This is a strategically important new development for the Unit, building on a newly-recruited professoriate with linked research specialisms (**Farran**, **Smith**, **Reed**), which has also supported new junior colleagues (**Gill** and **Guinhard**). This research cluster has engaged in a number of contemporary activities, addressing a range of international human rights issues and abuses, comparative evaluations of Polynesian state infrastructures, and Anglo-American private international law and international environmental concerns. **Farran** was appointed as a University Strategic Investment Fund (SIF) Professor of Law, joining the Law School from the University of Dundee in January 2011. **Farran's** contributions draw on her specialised expertise in the legal systems of South Pacific island states and uses these as case studies to illustrate and link with broader global themes such as: human rights; issues linked to sovereignty for least-developed

small island countries and indigenous people; international intellectual property regimes; and the practical and theoretical implications that arise where different legal systems interface. **Smith** has been promoted internally to become Professor of Law, reflective of our current and future plans for organic growth and internal research achievement recognition. **Smith's** work has engaged a variety of activities within the purview of human rights capacity development, engaging partnerships with a variety of stakeholders across higher education and legal practice and engaging diverse groupings in Asia and Africa. Her contribution has increasingly focused on multi-method analyses of the outcome documentation of the U.N. Human Rights Council's first cycle of universal periodic review, and has extended to qualitative analysis of sectors and specific states towards quantitative analysis of the positivity and negativity of state comments during the review process.

A developing theme for this grouping has been engagement within the broad spectra of private international law and evaluation of new European initiatives for contractual and non-contractual obligations in the Rome I and II Regulations (**Reed; Guinchard**). This has been aligned with Anglo-American considerations appurtenant to venue resolution and *forum non conveniens* as part of settlement of international commercial disputes (**Reed**); issues of governance (**Moosavian**); and constitutionality and international environmental law issues within India and Europe (**Gill**). The latter agenda, of environmental law research, forms part of future plans for the Unit. A number of colleagues in this group are collaborating on an Ashgate Press edited monograph addressing transnational contemporary issues in human rights and environmental law, to be published in 2015.

The Clinical Legal Education Research Group. The research activities of this group derive from Northumbria Law School's internationally acclaimed undergraduate and postgraduate clinical pedagogy centre: the Student Law Office (awarded the Queen's Anniversary Prize for Higher Education November 2013). Activities have focused during the period on pedagogical issues, particularly approaches to experiential learning and assessment, ethical dilemmas and professional obligations and clinical perspectives on miscarriages of justice. This has been complemented by legal regulatory research within Information Rights into data protection, privacy, information sharing and whistleblowing (**Ashford, Brants, Craven, Moosavian and Savage**). The Clinical Legal Education Research Group publishes a peer-reviewed bi-annual journal, the *International Journal of Clinical Legal Education*, and organises an international conference each year. The breadth, diversity and spatial research of this grouping has been supported and enhanced by the appointment of Visiting Professors – Professor Beryl Blaustone (City University of New York) and Professor Peter Joy (Washington University, St. Louis), Sir John Laws, Kevin Dunnion OBE (Scottish Information Commissioner) and Professor Phil Thomas (Emeritus Professor of Law at Cardiff University and Editor of *The Journal of Law and Society*), who has also acted as consultant within our overarching research development. These colleagues are significantly engaged in our collaborative research publications, grant preparation, research training and strategic plans to promote further clinical legal education research as a centre of excellence.

b. People, including:

i. Staffing strategy and staff development

There has been a significant investment in new research colleagues (with a demonstrable track record or potential) and mentoring support across the Unit, embracing the new Associate Dean (Research and Innovation), eight Professors, three Readers and 18 new staff appointments. The Unit has mentored and supported all colleagues including new appointments, both early career and new researchers, and every individual has an allocated research mentor who is required to assist in identifying research resources and suitable opportunities for conference presentations, for external funding and for publication. Law has a tailored programme of research training delivered by visiting professors and external consultants and an extensive external and internal staff seminar series. Regular training sessions cover all aspects of research activity and pre- and post-doctoral support, with 32 specific research workshops over each academic year led by senior research colleagues. This is supplemented by the extensive University Staff Development Programme that includes a PgCert in Higher Education Practice (for new academic staff including ECRs) which incorporates a core module on research, as well as opportunities to attend workshops on funding

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sources, research ethics and other research-focused activities. In addition, colleagues must complete a PGR Student Supervisor Accreditation Programme, co-ordinated by the Graduate School, before they are allowed to undertake Principal Supervisor duties, with updates every three years.

The University has a research sabbatical leave scheme which is open to all staff on a competitive basis; it provides dedicated research time to engage on a specific programme of research. Eleven sabbaticals were granted to law colleagues over the past academic year (2012-2013) producing 26 substantive outputs as a direct corollary. In 2013 a number of colleagues have registered to undertake a PhD by Publication, supported internally by research mentors as part of our future strategic investment and support.

We have introduced individual research planning for all our academic staff, including those more practitioner-engaged staff. Individual research plans are updated on an annual basis, subject to senior colleague and research mentor review. In 2011 Northumbria introduced a new on-line tool, the Personal Research and Innovation Plan (PRIP), to support the individual planning and management of all research-related activities over the forthcoming 12 months. PRIPs help ensure that research activities are planned and visible and that appropriate research time for them is included in individuals' workloads. Data derived from the PRIP system provides a means at Unit, Faculty and University levels to plan and manage research activity strategically.

Northumbria is committed to promoting equality and diversity in research, and this is reflected in several initiatives, e.g. research staff are included in the Equal Pay Audit; flexible working opportunities are available; and there is an action plan to deliver the principles of the Vitae Concordat to support the Career Development of Researchers. This action plan has recently been recognised by Vitae and the University has been awarded a badge of HR Excellence in Research.

The University Research Ethics Committee is responsible for overseeing research governance across the institution and for developing cross-University policy.

We have explicitly supported ECRs by: reducing teaching hours; providing individual conference awards of £2000 per annum; and explicitly identifying research time when setting staff objectives. The last of these measures has made an impact on all staff workloads. It is a key part of our strategy, which has allowed the Unit to balance selectivity with an inclusive approach that supports ECRs, developing research areas and established strengths.

ii. Research students

Research students and the development of a research student community has been an important part of our strategy. New supervisory capacity and research specialisms have facilitated growth in PGR numbers from six to 14 over the period: this has been supported by institutionally funded research studentships (three fully-funded PhD awards in Law were made in 2013). Support for research initiatives has been led by an experienced PGR Director (**Smith**) with oversight of all mechanisms.

Research funds are provided each year to all PGR students so that they can deliver conference papers at national and international symposia and encouragement is provided to apply to University bursary funds and external funding agencies. These grants have allowed our research students to deliver papers at the University of Texas, in Sweden, in Greece at the ATINER conference, at Queen Mary, University of London, at the SLSA conference in Leicester and a co-presented paper with staff at Oxford. In 2013, four of our PhD candidates received individual internal awards of £1,500 to facilitate delivery of papers at the Law on the Edge Conference at the University of British Columbia, jointly hosted by the Canadian, Australian and New Zealand Law Associations. In the recent period, Northumbria PhD students have enjoyed publication success in the International and Comparative Law Quarterly, the Journal of Social Welfare and Family Law, and collaborative book chapters with Cambridge University Press and Ashgate. Our PhD students have presented papers at the annual Northumbria Law School Research Conference or other national symposia events and attend all external and internal conferences and seminar workshops

established by the Unit. In 2013 we introduced a Regional PGR conference to be co-hosted annually by Northumbria-Newcastle Law Schools, with invitations to candidates across the region to attend. The first conference held at Northumbria was entitled 'Critical Reflective Analyses of Law in Contemporary Society' with 16 papers and 10 posters (contributors from Northumbria, Newcastle, Durham, Manchester, Lancaster and York Universities).

An important and distinctive feature of our thriving research community has involved the weekly Tuesday lunch session provided for PGR students in their bespoke postgraduate hub, led by the PGR Director and supervisors and regularly attended by other senior research colleagues. The lunches have helped to build our collegiate and supportive environment, aligned together with other opportunities for dissemination of ideas provided via conferences, symposia and internal events in a dynamic unit. Further development has involved: the appointment in January 2013 of two new Graduate Tutors (Kotecha/Shaw) with a 0.5 PhD element within their respective contracts; the appointment of three PhD candidates to academic positions; a fully-funded PhD scholarship in Clinical Legal Education; and the appointment of a Reader in Research Methods and Education (Hall – 0.5 FTE) to support all levels of research engagement and skills' development.

c. Income, infrastructure and facilities

External research income has been embryonic during the review period and our strategic plans have facilitated a shift from legal and professional engagement consultancy income towards more extensive associations leading to research bidding and subsequent award income. This remains progressive, but already the changes brought about through new appointments, the introduction of the PRIP process, research policy and funding managers and a peer review college are stimulating bidding activity and grant success.

There has been recent upswing in the range of our collaborative stakeholders and internationalisation via new appointments. These include: United Nations; Dutch Ministry for Justice; Global Alliance for Justice; the Association of Chief Police Officers; Swedish International Development Agency; the Scottish Human Rights Commission; the National Institute for Health Research; and a collaborative project with colleagues in the Built and Natural Environment relating to an EC and Belgium Government funded project run by the Institut National de Criminologie et de Criminologie, Belgium (INCC).

Competitive tenders have been submitted in 2013 to the Ministry of Justice relating to youth crime and DNA international profiling and in a co-investigative partnership with Newcastle University, funding of £184,384 has been awarded to cover work on decision-making in connection with best interests for dementia patients. €228,932 was awarded in November 2013 (**Wilson**) from the European Commission for a fingerprinting evaluation project.

Our overarching infrastructure strategy is premised upon key aims: (1) the design and build in 2007 of our new £70 million City Centre Campus to create an excellent research facility housing a bespoke postgraduate hub has significantly enhanced staff and PGR communication and engagement; (2) an annual Research Support Fund of £75,000 per year (subject to bids) has facilitated the wider breadth of our research activity. Professors have received individual funding allowances of £5,000 per annum set against detailed targets and prescribed outcomes; (3) a closely managed system of career development applies throughout the University and Unit as part of dedicated policies to support a thriving research environment. An annual promotions' round includes opportunities for colleagues to apply for the title of Reader or Professor; (4) the provision of outstanding library and IT facilities. The Unit benefits from two bespoke libraries: a Law Practice Library – supporting clinical legal research directly - and separate provision in the University Library with a full-time law librarian. Northumbria's Library holds the Cabinet Office accreditation for Customer Service Excellence and we have an excellent record in terms of national award recognition; our library was short-listed for the Times Higher Leadership and Management Award for the Outstanding Library Law Team 2011. In total, we subscribe to 134 electronic databases in Law and related subjects as part of infrastructural research support; (5) extensive funding support is provided to host international and national conferences within the planned activities of our research centres and groups, supported by the University via £2,000

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funding awards from the Research Development Fund. We received two of these awards in 2013.

The research environment is fostered informally by a culture of mutual feedback on work in progress and more directly through our established annual lunchtime seminar programme series, which runs throughout the academic year and attracts scholars from across the continents, from the UK and beyond.

e. Collaboration and contribution to the discipline or research base

Journal editorial contributions

Current contributions include: **Ashford** is Deputy Editor and Editor-Designate of The Law Teacher: The International Journal of Legal Education, Editorial Board member of Porn Studies, and has guest edited special issues of Sexualities, Liverpool Law Review, the Web Journal of Current Legal Issues and Information and Communications Technology Law; **Badar** is a member of the Editorial Board and Reviewer of the International Human Rights Law Review, Editor of the Notes and Comments section of the International Criminal Law Review and a member of the Editorial Board of the Frontiers of Law in China; **Clough** is a Consultant Editor of Criminal Law News; **Edmond** is an Editorial Board member of Law, Science and Society series; **Emmett** is Legal Reviewer of British Journal of Orthodontics; **Farran** is Guest Editor of Pacific Studies and journal reviewer for the Melbourne Journal of International Law and a member of the Editorial Panel of the Journal of South Pacific Law; **Hall** is Editor of The International Journal of Clinical Legal Education and a member of the editorial board of Asian Journal of Legal Education; **Jackson** is Case Note Editor of The Journal of Criminal Law; **James** is Editor of the Entertainment and Sports Journal and an Editorial Board Member of Law in Sport; **McCartney** is Associate Editor for Criminology and Criminal Justice; **Nair** is Deputy Editor of International Review of Law, Computers and Technology; **Reed** is Editor of The Journal of Criminal Law, a member of the editorial board of the Hibernian Law Journal, and collaborates with Professor Bohlander of Durham University as joint editors of the Ashgate Monograph series entitled Substantive Issues In Criminal Law; **Rook** is Consultant Editor of The Journal of Animal Ethics; and **Thomas** (Visiting Professor and Consultant) is Editor of the Journal of Law and Society.

Contributions to legal research associations and collaborative engagements

Ashford is Vice-Chair of the Association of Law Teachers Society and Social Media Officer of the Socio-Legal Studies Association and a member of the Centre for Sex Work Research and Policy, the Scottish LGBT and Sexualities Network, the Obscenity Network and the Global Alliance for Justice Education; and has acted as convenor of the Legal Education section of the Society of Legal Scholars; **Badar** is an international expert for the United Nations Inter-regional Crime and Justice Research Institute (INICRI) and an expert on behalf of the United States Institute of Peace (USIP) on the Model Code for Post-Conflict Criminal Justice; **Brants** is a board member of the NVR (Dutch Association for Comparative Law) and the Dutch-Flemish Association for Criminal Law and is also a member of the Académie Internationale de Droit Comparé and the Association for International Criminal Justice; **Edmond** is a Council Member of the Australian Academy of Forensic Science and a member of the Australasian and New Zealand Forensic Science Society, and the Australasian Association for the History, Philosophy and Social Studies of Science, and Australian Research Council Futures Fellow; **Farran** is an Adjunct Professor at the University of the South Pacific; **Gill** is an Associate Professor at Delhi University, a Visiting Fellow at Cardiff University and contributes to the Welsh Assembly Board, IPR Experts' Group; **James** is a legal consultant to the Football Spectators' Federation, Supporters Direct, Greater Manchester Police, and the Dutch Ministry for Safety and Justice; **McCartney** acted as an E.U. Marie Curie Research Fellow engaged on a project entitled 'Forensic Identification Frontiers'; **Nair** is a member of the Executive Committee of the British and Irish Law, Education and Technology Association, a registered expert on the European Commission's Safer Internet Programme and a member of the Society for Computers and Law; **Reed** is a Visiting Professor at City University and the University of Louisville, U.S.A., has been entered in Who's Who in American Law and is a Fellow of the Royal Society for the Encouragement of Arts, Manufactures and Commerce **Smith** was awarded the Peter Lyon Memorial prize by Routledge Press for best annual policy-orientated article and is a Fellow of the Royal Society for the Encouragement of Arts, Manufactures and Commerce; **Wake** is convenor of the Criminal Justice section of the Society of Legal Scholars and a member of their

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Executive Committee, Council and Libraries Sub-Committee; and **Wilson** acts as lay chair of the Forensic Pathology Disciplinary Committee and is a Fellow of the Forensic Science Society.

Further research collaboration

This is supported in a number of ways, specifically in relation to the extensive hosting and support for research conferences, many of which are interdisciplinary. In 2012-2013, by way of illustration, the Unit hosted: International Journal of Clinical Legal Education conference; the Bileta conference; Mental Disorder and Criminal Justice international conference; Criminal Bar Association Conference; Mental Health conference; Information Rights national conference; Conference on Young Adulthood; and an Animal Law conference. The Animal Law conference related to the use of animals in research and promoted collaboration between lawyers, ethicists, biomedical scientists, social scientists and veterinarians. In addition we supported one-day seminars relating to DNA retention, expert evidence and fingerprint evidence, insanity and automatism, international criminal justice, transitional justice, joint participation in crime, sentencing, hate crimes and expert scientific and medical evidence. The inaugural Ashgate Press Annual Lecture in Criminal Law Series, co-hosted between Northumbria and Durham Law Schools, commenced in 2013 delivered by Professor Andrew Ashworth (Oxford University); and also in 2013 The Hamlyn Lecture was presented at Northumbria by the Rt. Hon. Lord Justice Laws, Lord Justice of Appeal, addressing 'The Common Law and State Power'. We have established international clinical legal education conferences over the past 10 years as part of the legal education research calendar, addressing current issues in pedagogy, professionalism and social justice. Recent conferences have been held at Murdoch University, Perth, Australia (2009), Northumbria University (2010), University of Valencia, Spain (in conjunction with the Global Alliance for Justice Education) (2011), Singapore Management University (regional conference) (2012); and Durham University, UK (2012). In 2013 the conference was hosted by Griffiths University, Brisbane, Australia. The conference activity, supported by special edition publications in the International Journal of Clinical Legal Education, has extended the boundaries of experiential legal learning and pedagogical practice and coalesces with our Impact Strategy in this area.