

<b>Institution: Aberystwyth University</b>
<b>Unit of Assessment: 20 - Law</b>
<p><b>a. Overview</b></p> <p>The Department is committed to research of national and international significance which has policy and societal relevance and impact. Our Research Strategy recognises that for our research to be sustainable and vibrant it must contribute to the needs of Legal Wales and the development of Welsh law; the needs of the United Kingdom, its component nations, and its role within Europe; and the needs of the international community. Staff, individually or collectively, may focus on one of these, whilst others may adopt cross cutting thematic approaches. In order to support and sustain its research strategy the Department has in place a research environment designed to promote the vitality and sustainability of a strong research culture.</p> <p>The Department is committed to the promotion of an individual and a collaborative research culture and working environment including research mentoring, and monitoring of individual and collective research output. The Department also undertakes research in collaboration with other research institutions and individuals, both nationally and internationally.</p> <p>The Department has consolidated its research strength in the areas of International and European Law, Legal Theory, Information Technology Law, and Social and Welfare Law. These were priority areas following the 2008 RAE. However, a significant development has been the development of Criminology as a major area of teaching and research, building on an already substantial field of research activity in relation to Criminal Law, Criminal Justice and History of Crime and the Penal System.</p>
<p><b>b. Research strategy</b></p> <p>The outcome of the 2008 RAE was reviewed by the departmental Research Committee and collectively by the departmental Board. A number of areas were identified as requiring strengthening. Priorities were set for the current research assessment period. A key issue pre 2008 was the way in which support was provided for individual members of staff in particular, but not exclusively, to newly appointed research active staff. Since the RAE2008 support for staff has been considerably strengthened. For example, the Research Committee is now responsible for monitoring individual staff research output. This takes the form of twice yearly meetings between one or two members of the Committee and individual staff. In addition, staff meet with the full committee at least once a year. These meetings are supportive rather than inspectorial. The Committee has particular regard to individual research plans and measures progress against those plans. Staff are required to be ambitious but, importantly, realistic in their plans. Confidence building is essential. However, failure to meet agreed plans is discussed with the member of staff and any shortcomings identified and addressed.</p> <p>A further issue identified was the failure to fully exploit internal collaborative research potential. The Department has one formal research centre, the Centre for Welsh Legal Affairs (CWLA). Given the important role of law schools in Wales in the development of Legal Wales, a formal centre is appropriate. CWLA is the mechanism for collaborating with the Public Policy Institute for Wales funded by the Welsh Government, as well as a research centre in its own right. However, in addition to CWLA, staff with cognate research interests have developed specialist research clusters. These include Access to Justice for Older People, International Law, Legal Theory, and Law and Society. In the previous research exercise period, similar developments took place through very informal mechanisms. Whilst not denying the role that informal mechanisms sometimes play in collaborative research, the Research Committee introduced a strategic approach and mechanism for improving and promoting such research developments. The nurturing of a collaborative research culture is critical and maintains the sustainability of research activity. Our strength in a particular area is not dependent upon one individual, but rather on a group. Departmental support for the development of clusters includes financial support (in addition to that</p>

provided by the University), light teaching loads, support by a designated member of the administrative staff, and financial assistance for research clusters to present at conferences (for example, Clark, Williams and Wydall presented as an Aberystwyth panel at the 2013 International Academy of Law and Mental Health conference in Amsterdam; Harding and Edwards at the European Criminal Law conference in Warsaw).

The Department's Research Strategy is based on achieving three objectives. These are (1) capitalising on the research capacity of staff within the Department; (2) transferring research resources towards research active staff whilst protecting the career aspirations of those who are not; and (3) developing a strong research environment that is supportive, sustainable, demanding and target driven. The need to maximise the impact of our research beyond academia and the continued development of a strategic approach to this will feature strongly in the 2014-20 research strategy, as outlined in the Impact Statement.

Realising these objectives involves staff in many research related activities. The publication of research outputs by means of journal articles and monographs is a key measure of research success. The mechanisms for individual support and review outlined above ensure that publication plans are focussed, strategic and measurable. For some staff this involves ensuring that a series of publications on a specific area demonstrates a clear research agenda focussing on the further development of their ideas. This entails rigorous internal review of final drafts and, when necessary external review.

In addition to this formal mechanism, the research culture in the Department is such that informal support is available by way of reading early drafts of articles or conference papers. The weekly staff research seminar programme is a valuable vehicle for testing research ideas and obtaining feedback on research projects. All research active members of staff and research postgraduate students are required to attend these seminars. This also includes advice on placement of research outputs. This is one example of the collegiate nature of the departmental research culture. The expectation is that research active staff will raise their ambitions beyond producing good quality, but descriptive outputs. The importance of descriptive publications both as impact drivers and as confidence builders cannot be underestimated. However, the production of research which provides information, analysis and reflection, and develops critical argument and insights into law and criminology is the main driver of the strategy.

The Department has a strong commitment to developing the interdisciplinary profile of its research output. This has been actively promoted by the Research Committee. The challenges of interdisciplinary research and co-authorship feature in our research training programme. In part this has been achieved by having law and criminology within the same unit, (for example, the work of Clarke, J Williams, Wydall; Harding; Ireland; Olusanya; K Williams). However, departmental interdisciplinary work goes beyond these two disciplines (for example, Cox, Emeseh, Huws, Ireland, Odello, Salmon, J Williams, Wydall). The importance of reaching beyond a traditional legal or criminological audience resonates with our approach to impact, but also creates a challenging and dynamic research culture within the Department. Many papers have been presented at conferences not restricted to law and criminology (for example the British Psychological Society, American Psychological Association, European Consortium of Political Research, Association of Social Anthropologists).

Sabbatical leave for research active staff has been enhanced since the 2008. However, the award of sabbatical leave is now subject to a rigorous approval and monitoring procedure. Applicants have to make a case for sabbatical leave and identify the intended outcomes, including any research funding applications. The Research Committee decides whether to forward an application to the University Research Committee; applicants may be required to meet with the Committee to discuss their application. The Research Committee provides support to staff in drawing up their application, particularly for early career researchers. The University Research Committee decides whether the application should be approved; revision of the application may be required or in some cases an application is refused. Following a period of sabbatical leave, a written report must be presented to both the departmental and University research committees. The member of staff must also make a presentation to a staff research seminar on the outcome of their period of leave. Staff are also encouraged to share their general experience of their period of sabbatical leave. This procedure is indicative of the fact that the sabbatical research resource is used selectively and is outcome focussed. Linked to the full sabbatical has been the use of mini sabbaticals (typically one

month) providing short term relief from teaching and administration; this is used strategically to enable staff to complete particular projects on time and, for example, to work on research funding applications.

The introduction of Criminology into the Department provides an opportunity to widen our research portfolio. In addition to research activity within Criminology it has, as noted above, created a number of opportunities for interdisciplinary collaboration. In addition, a number of research active criminologists have experience in obtaining research funding. During the next research review period a key priority will be to increase the total research income generated within the Department. A number of successful bids have already been made (see (d) below); several significant bids are underway. Within the Department a strong support network exists for those staff preparing research applications. This is in addition to the support of the University Research Support Officers.

In addition to increasing the amount of research income within the Department, a number of other areas of priority development have been identified. Developing research areas include food law and policy, rural policing, migration law, internet providers and the law, and restorative justice and elder abuse.

The Department is also committed to research outreach and is developing a programme of research seminars involving academics and practitioners on topics such as policing in Wales, domestic abuse, people trafficking and children's rights. This builds upon the success of the successful CWLA bid to the ESRC Festival of Social Science fund to host a seminar on the future of Legal Aid in rural Wales. In addition to the impact of such events, it is intended they will enrich the knowledge base for our research activity. Funding will be sought for these initiatives. With regard to the work of CWLA there is now a shift of emphasis from studying the process of devolution itself, to the study of the substantive law emanating from the Welsh Assembly. (for example, Huws, J Williams, Wydall, Clarke and Sherlock).

### **c. People, including:**

#### **i. Staffing strategy and staff development**

The staffing strategy of the Department is informed by the teaching and research demands. In order to further develop the research capacity the decision was taken to create a number of teaching only posts to enable research active members of staff to engage in research. In the main, these teaching posts have been new appointments, although in some cases existing staff have had their contracts converted to teaching only. This policy reduces teaching loads to reflect research activity, and increases the opportunity for sabbatical leave and for mini sabbaticals. The Department has special responsibility towards new entrants to the profession to enable them to fully develop their research potential. A system of mentoring is in place during the three year probationary period of a new research active lecturer. Although, as noted above, mentoring is in place for all staff, for new entrants the approach is designed around the specific profile of the individual. A three year research strategy is agreed with the member of staff, their mentor and the University. This includes publication plans, attendance and participation at conferences, and proposals for research funding. Performance is measured against this plan and the mentor has a specific responsibility to provide on-going support, advice and to act as a critical friend.

Our recruitment strategy is driven by the need to ensure that we recruit and retain research active lecturers of the highest potential and with the ability to achieve excellence in research. Research achievements or potential is one of the key criteria of the selection process. It features prominently in the selection and interview process. Shortlisted candidates are required to give a short presentation to the whole Department on their research plans for the next three years. Referees are also asked to comment specifically on research achievement or potential. Many new entrants are nearing completion of their PhD. This is factored in to the probationary agreement. Three of our recent appointments are completing PhDs at Aberystwyth or elsewhere. Our use of departmental and University scholarships has enabled us to nurture aspiring members of the profession by supporting their research, but also providing them with teaching opportunities. Some eight of our existing staff were recruited by this route.

The staffing profile of the Department is diverse with people from a wide range of educational backgrounds and cultures, with over 50% of the academic staff coming from outside of the

United Kingdom. There is an equal gender balance amongst the academic staff in the Department. All research active staff have equal access to the research support within the Department. This includes conference funding, sabbatical leave, access to University research support, and continuing professional development.

The length of service profile of the Department is reasonably balanced as between early, mid and senior. However, the importance of succession planning and competence building is central to the sustainability of our staffing strategy. In a research context, this is reflected by the diversity of membership of the Research Committee, which includes a number of mid-career staff. A new generation of research leaders is being nurtured. It is recognised by the Department that research leadership is a major responsibility of senior members of staff, particularly of the professoriate. However, mid-career staff are encouraged and supported to develop the role of research leader. This is done through research seminars, research cafes, and continuing professional development activities. For example, Kohl is a member of the Research Committee with a special responsibility for developing the impact strategy; Boshoff has a leadership role in the Legal Theory research cluster; and Huws is director of CWLA. New entrants are also encouraged and supported in introducing new research initiatives. For example, we can cite Blaustein's role in developing the Law and Society research cluster.

Research active staff are expected to engage with the wider research community, especially through participation in conferences and other research meetings, both in the UK and abroad, and via any appropriate collaborative work with researchers elsewhere in the same field. Funding is provided to support such contacts and engagement, principally from the Departmental budget earmarked for this purpose (£1K pa per member of staff, more when a convicting case is made), and indirectly through the Department and University's research infrastructure including the Research and the Conference funds.

The Department welcomes visiting scholars from abroad and makes available working space and library and technical support (for example, Maciej Koszowski from the University of Krakow who was funded by the Polish Ministry of Science and Education on a post-doctoral fellowship to spend eight months research in Aberystwyth in 2013; Prof. J Lozano Miralles, University of Jaen, to research on human rights implementation in the UK legal system in 2011). Professor Eric Drogin from Harvard University Medical School is an honorary professor of the Department and visits twice a year. He advises on research projects involving psychology and the law, and is centrally involved in the work on elder abuse and access to justice.

The dissemination of national and international research policy is fostered via the involvement of researchers in national research bodies (for example, Harding is a reviewer for the AHRC Peer Review College; K Williams' role within the Welsh Centre for Crime and Social Policy; Clarke as a reviewer for the ESRC and the Ministry of Justice Research Consultation Group).

## ii. Research students

The Department attaches considerable importance to the development of its PhD community. Currently there are 26 PhD candidates. Our postgraduate activity has been enhanced by the introduction of Criminology (within five years there are now 6 PhD Criminology candidates). The quality of postgraduate students is evidenced by the number who have been appointed to academic posts at other universities (for example, Birmingham, Reading, Swansea, the Open University, Cork, Southern Cross, Kuwait, Reading, UEA, Chester, Bangor, UWE, Newcastle, and Aberdeen) and the publications they have produced, both during their period of registration (for example, Esterling, John Hopkins, Young, Duah) and upon completion of their degrees (for example, Young, as a postdoctoral fellow).

Research postgraduates are fully integrated into the research activities and culture of the Department. They are required to attend the departmental research seminars and to make a presentation in relation to their own research activity annually as part of this programme. They are involved in organising academic conferences (Jurasz on Women in War), and are expected to join one or more of the research clusters, to work with established researchers (for example, Boaler's work with Wydall, Clarke and J Williams on Access to Justice for Victims of Elder Abuse, and two criminology postgraduates on Restorative Justice in Schools, with K Williams (H Norris and McGleish). The Access to Justice Project

is an example of interdisciplinary work, involving law and criminology staff and postgraduates.

Research students are supported in attending and presenting at conferences and academic seminars, including international events (e.g. Boaler attending the International Academy of Law and Mental Health in Amsterdam; Edwards attending an EU Criminal Law conference in Warsaw). All research students are monitored twice yearly within the Department and by the University Graduate School. A detailed report on progress is submitted by the first and second supervisors.

The student has the opportunity to comment on this report before it is submitted to the departmental PG Committee. This Committee reviews progress measured against agreed objectives and submits its report to the Graduate School. The Graduate School then decides whether a first year student can progress to full registration. For second and third year students any concerns are identified and a plan of action agreed. Progress against this plan of action is closely monitored by the departmental PG Committee and a report made to the Graduate School. The Department has an established programme of research training, complementing and supplementing the University's programme of research training for PGRs. The departmental provision also provides the core of a Masters course in research training offered as a free-standing qualification which also provides a route to a PhD. The Department currently offers five modules in research training and two research methods modules for the new PG Criminology degrees covering core skills and methodology in Law and Criminology. These expose students to more experimental and interdisciplinary approaches when undertaking and disseminating their research. Postgraduate training and monitoring is undertaken in conjunction with the Graduate School programme.

#### **d. Income, infrastructure and facilities**

The Department has increasingly attracted external research income from a number of sources over the review period. The number of applications and awards has increased since the RAE. Members of staff have used small grants from different sources, including the University Research Fund, to develop embryonic research ideas. Examples of small grants awarded include Clarke, Wydall and K Williams (Dyfed-Powys Criminal Justice Board, £4,000, 2008); Cox (AU research fund, 6,000, 2011 on transnational organised crime); Clarke, J Williams and Wydall (£1500 from the Older People and Ageing Research and Development Network), and Harding (AU research fund, £6,000, 2012). Smaller grants (£2,500 each) under the Strategic Insight Programme funded by the HEFCW to link with non-academic institutions have been awarded to Odello (at the Foreign & Commonwealth Office) and to Norris (on The use of Multi-media applications in teaching). Sherlock received a David Hughes Parry funding award (£700, 2012) to conduct a pilot study in primary schools in South Wales regarding teachers' knowledge and awareness of the UN Convention on the Rights of the Child. Smaller grants can be used to develop applications for larger grants (for example, Clarke, J Williams and Wydall's small grant from the Older People and Ageing Research and Development Network was the basis for the successful applications to the Welsh Government and the Older People's Commissioner).

Larger awards have been made from the European Union Lifelong Learning Fund (Odello as UK investigator, parental participation in child education, €72,000, 2009); the Home Office (Clarke, Wydall and K Williams, interventions to deal with anti-social behaviour, with Swansea University, £222,000, 2010); the Leverhulme Trust (Harding, the impact of anti-cartel sanctions, £87,000, 2012); Wydall (Home Office/WAG, £10,000, £15,000, 2010); Clarke, Wydall and J Williams (Welsh Government, £25,000, 2012); Wydall (Office for Older People's Commissioner, £29,000, 2013). Some of these awards involved the appointment of research assistants (StGeorge, for the EU project; Edwards, full-time post-doctoral for the Leverhulme project; Young, 6 month research assistant for the project on transnational organised crime).

As noted elsewhere, the Department's research activity benefits from departmental and University support. The expertise of the designated University Research Officers is called upon regularly. They meet staff to discuss funding opportunities, provide guidance on the making of funding applications and the preparation of proposals. Specific advice is provided in relation to deadlines, costing and managing of research grants. Participation in the University's Research Café initiative enables discussions with staff from other Departments on possible interdisciplinary work. The Department has developed its own internal peer review procedure to support individuals and research groups in the drafting of research applications. This is further supported by the regular

**Environment template (REF5)**

meetings with individual researchers and the Research Committee (twice a year) to discuss research plans and to provide advice and support in relation to available resources. Regular attendance by the Director of Research at the University Directors of Research Round Tables provides an effective way of sharing and discussing the University research strategy and its implementation, how to develop support for researchers, and the identification of good practice.

The Department and University provide significant IT and database support for research, which support the development of research funding proposals, for instance the Funding Opportunities database. All staff are trained in the use of the PURE database to store and disseminate their research activities. Furthermore, as noted above the Department provides financial support for travel, conference attendance, study visits and meetings for staff to engage in national and international research events and networks. Early career researchers are invited to attend an induction day to introduce them to the research resources and environment within the Department and the University. Formal and informal mentoring and advising at departmental level has been mentioned above.

The Department is able to draw upon a significant library provision and excellent access to a wide range of online material. All the electronic resources for law and criminology can be found through Primo which includes key resources such as citation databases, e-journals and e-books, selected websites, subject gateways, data and media resources, news, reference materials and library catalogues (for example, Lexis-Nexis; HeinOnline; SwetsWise). Cadair is an open access repository to access Aberystwyth University higher degree theses and research. With the relocation of the Department to the refurbished Llanbadarn Campus, the Thomas Parry Library has special sections with very well-stocked Law & Criminology Library and a dedicated subject specialist librarian from the Information Services Department (Stephenson). The National Library of Wales with its extensive deposit collection and archival holdings is an invaluable resource for our research community.

**e. Collaboration or contribution to the discipline or research base**

Staff in the Department contribute to the disciplines and research base of Law and Criminology in a number of ways, both individually and collectively. Such contribution comprises both the supply of subject expertise and work which feeds into the development of academic and professional infrastructure, networking and significant impact activities (for example, Piotrowicz, J Williams and Ireland). Other contributions operate at local, UK and international levels by providing expertise through refereeing and reviewing, external examining, development of collaborative projects, advising on research policy, participation in and organising conferences and research meetings. Peer review activity, as a significant critical contribution to the standard of scholarship in the disciplines, is a well-established feature of the departmental culture. This activity is carried out by a number of staff through refereeing journal submissions and book proposals for publishers, internal and external output reviews for REF, and reviews of applications for research funding applications. A similar critical and standard-setting role is carried out through the examination of postgraduate research theses at other universities in the UK and overseas. Ninety per cent of our senior staff have examined PhDs during the census period; in addition the UK they have examined in Malaysia, Spain, Australia, Germany, Italy, Belgium, Switzerland and the Netherlands. Some experienced staff advise generally on research policy and standards (for example, Harding as a reviewer for the AHRC Peer Review College; K Williams' role within the Welsh Centre for Crime and Social Policy; Clarke as a reviewer for the ESRC and the Ministry of Justice Research Consultation Group; Odello as peer review panel member of the Italian Ministry of Research and University; Emeseh expert of the African Capacity Building Foundation for the 2013 Africa Capacity Indicators Report).

The award of visiting fellowships by other universities enable staff to engage with researchers elsewhere and contribute to the activities and culture of the latter (for example, Harding, University of Leuven, 2011; Odello, Research Associate at the Institute of Commonwealth Studies since 2012, and Visiting Fellow at the University of Cagliari between 2009 and 2012; J Williams as a participant in the Program in Psychiatry and the Law at Harvard Medical School).

Engagement with the professional sector in carrying out or reporting on research is an established

part of the Department's activity which enhances our individual and institutional impact. These activities include organising conferences (for example, Boshoff and Gibbs, Critical Legal Studies Conference 2011; Boshoff, Piotrowicz and Jurasz, Women in and at War conference 2012), invitations to give keynote addresses and consultancy arrangements (for example, in 2012 Odello gave keynote lectures at the Magistrate Academy and the Lima Bar Association and gave advice to the Ministry of Justice, Peru). Some staff are standing members of public sector advisory bodies (J Williams, United Nations on older people and human rights; Piotrowicz, since 2008, elected member of the European Commission's Group of Experts on Trafficking in Human Beings, and in 2012 elected member of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings - GRETA); and Sherlock on children and human rights (Welsh Government). Some members of staff provide reports for NGOs (Salmon, J Williams), or engage in international activities (for example, Odello and the International Institute of Humanitarian Law and OIHEL – Geneva; J Williams and Age International). Wydall and Boaler gave a presentation at Dyfed-Powys Police Headquarters in 2012 on the findings from a three-year study profiling the multi-agency response to victims of domestic abuse across the four counties of Dyfed Powys.

The Department supports a number of both established and innovative collaborative research groups. The Centre for Welsh Legal Affairs (CWLA) facilitates research initiatives, networks and contacts in relation to the emergent Legal Wales and comparative regional legal development. CWLA members (Sherlock, J Williams and Huws) were invited to present written and oral evidence to the Silk Commission on expanding the legislative powers of the National Assembly for Wales. CWLA has organised a seminar on healthcare and rural Wales (September 2013) and has been awarded a grant by the ESRC to host a seminar on Legal Aid and its impact on the provision of legal advice in rural areas, aimed primarily at practitioners (November 2013). CWLA is editing an edition of the Cambrian Law Review (Issue 2013) focussing on the issue of substantive Welsh law. The Legal Affairs Committee of the Welsh Centre for International Affairs is part-funded by the Department. The Centre for European Studies promotes research collaboration between members of the Department of Law and criminology and the Department of International Politics and the School of Business and Management, and hosts presentations by external speakers (for example, Dr Kay Swinburne, MEP; Baroness Eluned Morgan; Mr Andy Klom – Head of EU Office in Wales). The international law cluster has developed joint research activities within the Department with the involvement of external contributors (for instance, a conference in 2008 on the Universal Declaration on Human Rights, and in 2012 on Women in War). It also hosted informal discussion meetings and more formal events, such as interdisciplinary debates and workshops (symposium on Money Laundering, April 2008; workshop on the Impact of Anti-Terrorism Measures on Democracy and Human Rights, 2011), seminars (for example, Odello, Brunelli and Arregui on the EU Project on parental rights in education) and individual presentations by guest speakers. In 2013 the Department in collaboration with the Welsh Centre for International Affairs in Cardiff, has co-organised a public lecture by Prof. C Tomuschat (emeritus professor of International and European Law, Humboldt University Berlin). A research cluster addressing access to justice for victims of elderly abuse (J Williams, Clarke and Wydall) has developed a series of research projects, linking law and criminology, which have a direct impact in Wales and at UK level. The research cluster on legal theory (Ahiauzu, Boshoff, Gibbs, Ireland, Jurasz) has organised a Critical Legal Conference (2011), contributes to joint seminars with the Department of International Politics, and has edited the monographic issue (2012) of *The Cambrian Law Review*. In July 2013 a new research group has been launched to create more synergies among members of staff who work in the field of Law and Society (Olusanya and Blaustein) to develop and support interdisciplinary research within and outside the Department.

All of these groups encourage collaborative activities among members of staff, researchers at other institutions, and with postgraduates in order to integrate academic staff at different stages of their career. It also helps a more organic integration of research students into the Department's research community and culture, in line with the University's objectives.