

<p>Institution: Robert Gordon University, Law School</p>
<p>Unit of Assessment: 20</p>
<p>a. Overview: The Law School sits within Aberdeen Business School (ABS), one of RGU's three faculties. The School offers a suite of undergraduate and postgraduate law programmes. These include in the former the standard Scottish LLB which may be studied by one of two methods, i.e. face-to-face or in blended format. The Law School's <i>raison d'être</i> is to provide high quality, contemporary legal education, underpinned by research and scholarship, equipping graduates for entry into the legal and other professions, as well as providing an entrée to other sectors. Since the 2008 Research Assessment Exercise (RAE) a number of University wide structural changes have been implemented impacting on how research is conducted and supported within the Law School. The principal change has been the creation of three faculty-based Research Institutes, precipitated by the adoption of RGU's new research strategy vision, namely <i>'to be internationally recognised for excellence in applied research in key thematic areas and to demonstrate tangible success in applying that research for the benefit of the wider community'</i>. The most significant change for the Law School has been the creation of IMaGeS (Institute for Management, Governance and Society), the Research Institute based in ABS. Membership of IMaGeS is by application and a number of Law School staff members have successfully been admitted to the Institute's Governance and Society thematic strand. This structure has taken time to embed, however the transition has been relatively smooth with established research active staff maintaining consistent levels of productivity and output, with an increase in multi-disciplinary dialogue.</p>
<p>b. Research strategy: In the RGU 2011 research foresight exercise, subject areas for future development were identified including, inter alia, oil and gas and energy society. This resonates with the Law School's ongoing and projected teaching and research portfolio. However core research areas identified in the 2008 RAE, such as human rights and child law, human rights and business, criminal justice, international law and employment law, have consolidated and spawned research activity in a number of complementary areas. Research activity has been sustained and proved resilient to personnel changes. Individuals who were submitted in the 2008 RAE and have remained on the staff are again being returned, endorsing their subject expertise and consistent level of output. The need to harness the research activity and move it to the next stage has received recognition in the appointment in December 2012 of Rebecca Wallace in a research professorial appointment, namely that of Professor of International Human Rights and Justice. Wallace brought with her a Research Assistant, Ms Karen Wylie.</p> <p>The Law School's overarching research strategy is to promote the research and scholarly activity and development of all members of staff thereby facilitating the realisation of RGU's research strategy <i>'to be internationally recognised for excellence in applied research in key thematic areas and to demonstrate tangible success in applying that research for the benefit of the wider community'</i>. The Law School's research strategy is informed by the Concordat to Support the Career Development of Researchers (2008) which provides benchmarks as points of reference. Accordingly to achieve this the Law School operates a three-pronged strategy:</p> <ul style="list-style-type: none"> • Support and Training • Engagement • Collaboration <p>Support and Training: The Law School staff members take advantage of the opportunities provided University-wide, such as the bespoke event "The Angel's Nest to Dragon's Den", a three day workshop on research applications. This is augmented by Faculty and Law School events for example a law specific seminar on submitting research applications to external funding bodies. Law School staff members submitting responses to calls and speculative proposals to external research funding bodies draw on the support of the University Research Office. Proposals must be registered on the online portal, RES Online. The support includes calculating budgets, facilitating cross-faculty relationships and providing online approval for proposals to external funders. Ethical review procedures and forms are also available via this portal. Alerts to funding opportunities are made through Research Professional as well as those received from the Research Office. The Law School has a mentoring scheme in which newly appointed staff members are allocated a mentor to provide support and guidance in developing as an academic. Mentors are research active and possess a proven track record in publication. The mentoring includes encouraging and supporting staff as well as the reading of draft manuscripts, discussion and advice as to possible</p>

publication outlets, and guidance with the completion of grant application forms. Law specific seminars on getting published reinforce the mentoring scheme.

In line with increasing the number of research students, measures have been taken to enhance the capacity of supervisory academic staff. Attendance at a University-run supervisory training programme is mandatory for all new supervisors and following the initial training, a follow up 'refresher' course is undertaken every three years.

Staff members are encouraged to undertake further study and those pursuing a PhD or other advanced degree are exempt from fees if registering at RGU, or if registering elsewhere they receive a reimbursement of 50% of the fees. Those engaged in doctoral study have a 20% reduction in their teaching load and they are reimbursed for travel costs to relevant meetings, e.g. meeting with a supervisor. Currently two members of the Law School staff are engaged in the writing up of their PhDs. Further support is offered for staff in the final writing up stage of a PhD by way of a semester's sabbatical. One Law School member of staff, **Mr Thorsten Lauterbach**, is currently on such a sabbatical. Post doctorate research time is accorded to allow a staff member to further his/her research development, by way of publications and conference presentations thereby acquiring a research portfolio in preparation for membership of IMAGeS application.

The Law School Research Committee is chaired by the Director of Research and has a regular schedule of meetings. The remit of the Research Committee includes *inter alia* that of formulating, maintaining and reviewing the research strategy and knowledge transfer in relation to the School's and the University's strategic aims.

Engagement: The Law School recognises the importance of discourse and engaging with one's peers. This is promoted through the Law School's lunchtime research seminars which are open to staff and students, where staff members may present their research as a work in progress, or an invited external speaker will give a presentation. IMAGeS also hosts a seminar series and Law School staff members are invited to participate.

Conference attendance is encouraged and in the initial year of appointment a staff member may apply for financial support to attend a conference. However in subsequent years funding is dependent on the staff member presenting a paper at a conference. Applications for conference attendance by members of IMAGeS are referred to the Institute's Director, whereas those non-members of the Institute make an application directly to the Head of the Law School. The Law School may be asked to make a contribution towards the support of an IMAGeS member, particularly if it is for an overseas conference. Law School Staff members have presented papers at a number of fora, for example:

- **Elimma Ezeani** at the African International Economic Law Network Conference, Johannesburg, March 2013;
- **Leon Moller** at the Namibia International Oil and Gas Conference, Windhoek, Namibia, September 2012;
- **Olufemi Ilesanmi** at the Society of Legal Scholars, University of Cambridge, September 2011;
- **Thorsten Lauterbach**, at the 5th Annual Workshop, EIPTN, Prague, Czech Republic, June 2011;
- **Eric Ogilvie-Brown**, at the 8th International Conference in Commemoration of Marco Biagi, Università Degli Studi, Di Modena E Reggio Emilia, Italy, March 2010;
- **Margaret Downie** at the Society of Legal Scholars, Keele University, September 2009;
- **Ken Mackinnon** at the Australasian Law Teachers Association, Sydney, July 2009;
- **Sam Middlemiss** at the Japan International Conference on Business Law and Technology, Long Island, New York, June 2008.

Research features as a regular item on the agenda of Law School departmental meetings, and an update report on research activity is tabled.

Collaboration: Collaboration is encouraged intra-faculty, inter-faculty within RGU and externally across sectors representing business, industry, the third sector and other higher education institutes. For example, in 2013 the Offshore Renewables Institute (ORI) was set up to provide research expertise and avenues for collaborative engagement between the partner Universities of Dundee, Aberdeen and RGU, and the offshore renewables sector. RGU's existing expertise in oil and gas law, and health and safety law, is a key element of the themes identified for the ORI, and

the avowed approach is inter-disciplinary.

Dr Hamish Ross has recently written in collaboration with Dr Martin-Ortega of the University of Greenwich on the UN Committee on the Rights of the Child. This is poised to continue with further collaboration in the area of business and the rights of children. **Ms Laura Sharp** has been working with Derek Auchie of the University of Aberdeen and Dr Sarah Henderson of RGU's School of Applied Social Sciences on a project relating to the reliability of dock identification evidence, which it is anticipated will produce at least one peer reviewed article. **Sharp** has also collaborated with the Law School's **Ms Val Bremner** and **Ms Hayley Green** on written submissions to the Scottish Government's consultation over the Criminal Justice (Scotland) Bill. Likewise **Dr Sarah Christie** submitted a joint response to the Scottish Government's consultation on the Offensive Behaviour at Football and Threatening Communications (Scotland) Bill with Dr David McArdle of the University of Stirling. The joint response, to which McArdle provided information on football banning orders and **Christie** contributed the criminal law doctrine, was referred to in Justice Committee hearings a number of times. **Christie** further used this collaboration for the basis of an article published in the Scots Law Times, *The Offensive Behaviour at Football and Threatening Communications (Scotland) Bill – strong on rhetoric but weak on substance?* (2011 SLT 185).

There have been exploratory discussions between **Wallace** and members of the Faculty of Health and Social Care relating to possible work on instilling a human rights approach to health care delivery and nursing leadership. External collaboration is being actively explored by **Wallace** and **Wylie** who have a network of potential collaborators at all levels, including the College of the Bahamas, Nassau, Keele University, Southern Cross University, New South Wales, University of Western Australia, the Human Rights Institute at Pretoria University, the UN Human Rights Committee, the Children's Hospice Association Scotland (CHAS) and Who Cares? Scotland.

In line with delivering research of practical import, relations with local industry and business community are encouraged. To this end Knowledge Transfer Partnerships (KTPs) are encouraged and given the acknowledged importance of the oil and gas sector to the Law School and local community the team of academics now in situ are ideally placed to explore such opportunities. This is facilitated through the North of Scotland KTP Centre, which has engaged with various members of the Law School individually, and will present School-wide introductory seminars as and when invited. The KTP Office provides the necessary support for the lifetime of the KTP project.

The foregoing is designed to promote and sustain a vibrant research culture which will provide and inform the environment for the increasing post graduate research student community and inform the teaching curriculum so enhancing the student experience. The Law School's strategy is to consolidate and strengthen the research critical mass; to increase external research income; consolidate the knowledge bank; and encourage collaborative partnerships.

Future Plans: RGU has identified areas of research focus for beyond the 2014 REF. These are the outcome of an internal assessment review premised on what would be the key challenges confronting society in twenty years time, and the research necessary to address these. In addition to retaining the established areas of research the Law School will focus on developing a research underpinning to oil and gas energy, of which the creation of the above mentioned ORI is indicative. This will involve further talks with the local business community, and will obviously require encompassing business and human rights as well as developing pedagogical research for leadership and management skills. This demands a more holistic research approach which acknowledges the socio-legal dimension of the oil and gas industries. The Law School is moving towards raising its profile in socio-legal studies. There are now several PhD students undertaking doctorates in topics which fall under the umbrella of socio-legal studies and the Law School has been successful in securing the hosting of the Socio-Legal Studies Association 2014 conference. This is an opportunity for the Law School in particular, and RGU in general to showcase its scholarship and facilities.

The Law School's research strategy will remain that of supporting and sustaining research active staff. The recruitment of research-promising staff provides the opportunity to develop teams within the Law School, and provide stronger bids for funding from external sources. Being a member of such a team will nurture the development of early career researchers.

c. People: The Law School has thirty-four staff members: two Professors, three Readers, five Senior Lecturers, one Teaching Fellow and twenty-three Lecturers. Of that sixteen are male and eighteen female. There have been changes in the Law School since the 2008 RAE including some

research active staff members leaving the School. There has been recruitment but this has predominately, although not exclusively, addressed covering teaching requirements and those who have been appointed are, for the most part, early career researchers whose research trajectory is being supported. However the majority of appointees do hold a professional qualification and have practised, bringing hands on insight as to the operation of law and providing the necessary knowledge base for applied research.

i. Staffing strategy and staff development

The Law School's staffing strategy is closely aligned to its research strategy. Staff recruitment has been concentrated on meeting immediate teaching needs. However, a recognised teaching need is that the student experience is enhanced if teaching is informed by innovative research and students are exposed to contemporary thinking and discourse. Accordingly, one of the criteria used in the selection process is that of a candidate's research activity, experience and capacity. Short listing for any position will always take this into account, and the Law School's Research Director, **Christie**, is involved at the sifting stage and/or sits on the interview panel.

New staff members are allocated mentors to support their developing academic trajectory. Those who do not yet have a track record of research will have a research-active member of staff assigned as mentor.

Staff members with a strong research profile are eligible for membership of the interdisciplinary research institutes of which there are three across the University. The one of most relevance to the Law School is IMaGeS, to which approximately one third of Law School staff members have successfully applied, with more staff approaching a point where they would be able to join. Membership of IMaGeS triggers 20%, 40% or 60% of that person's time being set aside for research activities only, depending on the demonstrated level of his or her research activity. That allocation of time has to be reflected in timetabling teaching and administrative duties. Staff members who are not members of IMaGeS will, as a norm, have a teaching free day which is reserved for research and scholarship.

The Director of Research within the Law School is pivotal in keeping open the lines of communication between the Law School and IMaGeS. The research strategy is to promote research which complements the themes of IMaGeS and which reflects the thematic multi-disciplinary areas falling within its remit.

Each Law School staff member meets formally twice annually with the Head of Law to discuss performance and any development needs and the appropriate support. Research goal setting is part of the process. In the case of members of a Research Institute, there is a second goal setting meeting with the Institute Director, with whom the Head of the Law School liaises. Any tensions which may arise between the demands of the Law School and those of IMaGeS will be dealt with by way of the Head of Law meeting with the Director of IMaGeS and the Leader of the Governance and Society Theme.

In line with the support to staff for research, conference attendance is encouraged and, as mentioned (above, section b) financial assistance is available. In pursuance of the research strategy staff members are supported through attendance at University-wide and School-specific seminars and training on preparing applications for funding, and preparing material for publication. Research also features predominantly in staff progression. Promotion to Professorial and/or Readership title is by way of a self-nominating application based on prescribed criteria. Promotion to Readership demands a proven track record of achievement in research, endorsed by, *inter alia*, peer reviewed publication, record of management and leadership of research projects and invitations to present at conferences. For promotion to Professorial posts research is identified as one of three areas of activity in which candidates are expected to be engaged, and outstanding in one. Applicants for both positions must provide three external references from individuals with the appropriate academic standing.

ii. Research students

The research community has grown exponentially and there are now over twenty doctoral students in the Law School. The range of doctoral topics is diverse and is indicative of the subject expertise in the Law School, as well as reflecting the increase in cross faculty cooperation at RGU. Examples of research topics include Alternative Dispute Resolution Systems in developing countries and access to justice; harnessing the regulatory framework for optimising environmental

compliance in the hydrocarbon sector in Nigeria; the rise and fall of a right to a fair trial; international boundaries, environmental challenges and oil and gas in the Arctic; protecting children from online sexual exploitation and bullying; and corporate social responsibility.

Admission as a doctoral student is subject to there being a staff member who has the subject knowledge and appropriate skill set to assume supervision of the candidate. It is normal practice for prospective students to be interviewed by the Law School's Director of Research and at least one other member of Law School staff, usually a possible member of the supervisory team.

All doctoral students receive support from a supervisory team of two academics. The Law School is strengthening cross-faculty relationships by developing PhD supervisory links. Those which have proved particularly successful thus far include with colleagues from the social sciences when the doctoral study involves a significant social policy element; with the engineering faculty for PhDs in the oil and gas field; and with external supervisors outside the university in these relating to alternative dispute resolution.

Each doctoral student is required to undertake a PG Certificate on Research Methods. RGU is a Member Institution of the Scottish Graduate School of Social Science and as such RGU doctoral students can access a range of specialist master classes offered by other Member Institutions. Research students receive training in qualitative and quantitative methods and are encouraged to present their work at conferences.

d. Income, infrastructure and facilities

Income: External research revenue admittedly has declined during the last five year period. This may be explained in part by **Wallace's** departure in 2009 (see below, section e). However law has not traditionally levered large externally funded awards and the climate increasingly does not favour the lone researcher but rather collaborative partnerships which demonstrate depth and resources, human and physical. It is hoped that the decrease can be stemmed as IMAGeS continues to initiate and promote collaboration while the recent appointment of **Wallace** as a Research Professor heralds a more active approach to sourcing research income. Wallace's Research Assistant, **Wylie**, brings with her a successful track record on securing funding for external projects. In October 2013 **Wallace** was invited, following the successful submission of an Expression of Interest, to continue to the second application stage for a KTP.

RGU has an infrastructure in place to assist and encourage staff in identifying and applying for external research grants. The Research and Enterprise Services department (RES) offers support in developing proposals; facilitation of collaboration by linking relevant members of staff within different faculties; and financial assistance in calculating the requested budgets for research proposals.

Infrastructure: The Principal of RGU has established the Strategic Planning and Resources Group (SPARG) to advise and assist him in all matters pertaining to the leadership, administration and management of the University. One member of SPARG is Professor Peter Robertson, Vice-Principal and Pro Vice-Chancellor (Research and Academic Support Services), demonstrating that the commitment to research is embedded in the infrastructure of RGU.

Administrative support for the Research Degrees Committee is provided by the Research Degrees office located within the centralised Academic Affairs Department. The Research Degrees office maintains the University's quality assurance procedures and systems in support of research students and their supervisors for all aspects of the research student journey, from application to examination.

Each Research Institute has an Executive Committee which meets three times a year and which is responsible for the respective Institute's research governance. The Executive Committees subsequently report to the University's Research and Knowledge Exchange Committee (RKEC) which is chaired by the Vice-Principal and Pro Vice-Chancellor (Research and Academic Support Services). RKEC subsequently reports to the University's Academic Council and Board of Governors.

Each Graduate School has a Graduate School Board, chaired by the Graduate School Leader, responsible for research degree governance. The Graduate School Boards meet four times a year and report to the University's Research Degrees Committee (RDC) which is chaired by the Vice-Principal and Pro Vice-Chancellor (Research and Academic Support Services). RDC subsequently reports to Academic Council for final ratification of research degree governance decisions and confirmation of awards of research degrees.

Environment template (REF5)

Facilities: RGU has excellent facilities for the execution and dissemination of research. For example, OpenAIR@RGU, RGU's Open Access Institutional Repository. This provides a source of open access to the results of research activity conducted at RGU. It provides the full text of research publications produced by staff and research students, as permitted by copyright conditions.

Staff and students all have access to the full range of library resources expected at a modern university. The physical environment, comprised of a mix of closed and open-plan spaces is conducive to both private study and group work. Computer and IT facilities are excellent on and off campus.

e. Collaboration and contribution to the discipline or research base: As already noted the Law School recognises the value of collaboration and engagement at all levels. Collaboration in research has taken place, for example **Sharp's** work with Auchie of the University of Aberdeen and Henderson of RGU's School of Applied Social Sciences on the reliability of dock identification evidence. **Sharp** has also collaborated with Professor Paul Spicker, Grampian Chair of Public Policy at RGU and Director of the Centre for Public Policy and Management. This work, which focussed on complaints against the police, was funded by the Police Complaints Commissioner for Scotland. However collaboration has tended to be somewhat ad hoc, reliant on individual relationships. The Law School recognises collaboration should become more systemised and regulated if it is to be sustained. A benefit of the Research Institutes established is that there is a deliberate thrust to increase multi-disciplinary activity. Exploratory discussions have been initiated between Law School members and Professor Stephen Vertigans, Head of School of Applied Social Studies, Professor Tracy Humphrey, Clinical Professor of Midwifery, and Ms Stephanie Morrison, Lecturer, School of Health Sciences, looking at the application of human rights approaches in different settings.

The appointment of **Wallace** as Research Professor of International Human Rights and Justice in December 2012 further highlights the commitment to research. **Wallace** was on the staff of the Law School until 2009 and when she left was appointed Visiting Professor. She has now returned to RGU on a full time basis, accompanied by a Research Assistant, **Wylie**, and is seeking to build a research active team in the field of international human rights and justice. There are other members of the Law School staff whose work sits well with this, such as **Ms Alison Stuart** and **Mr Bukola Faturoti**, who have written on issues including gender discrimination, freedom of religion and universalism versus cultural relativism.

The development of this international human rights and justice strand of research is already bearing fruit and **Wallace** and **Wylie** have co-authored a number of articles which have been published, or accepted for publication, in peer reviewed journals. The strength of the human rights dimension of the research is endorsed by **Wallace's** external activities which include membership of the Scottish Human Rights Commission's Research Advisory Board and National Action Plan Steering Group, the British Institute of Human Rights and being invited to participate in Police Scotland's development of a code of ethics.

The international law and justice cluster is augmented by **Dr Paul Arnell** through his research and publications on international criminal law, and in particular on jurisdiction. **Arnell** has written with Alan Reid of Sheffield Hallam University on issues falling within international criminal justice, and his work on jurisdiction led him to be invited to speak at an event and offer training to members of the judiciary in April 2013. Similarly, in 2010 **Christie** delivered training on criminal law to new Justices of the Peace for the Scottish Courts Service. **Christie** is currently engaged in a collaborative project funded by the NHS Grampian Endowment Fund, with Valerie Sheach-Leith of RGU's School of Applied Social Studies, and Audrey Stephen and Colin Macduff of the School of Nursing and Midwifery on qualitative study on bereaved relatives' experiences in relation to authorised and procurator fiscal post-mortems. This research team is now engaged in developing a second phase of this project, building on the success of the first.

Dr Sam Middlemiss continues his already recognised work in employment law in general and, in particular, on stalking and harassment. **Middlemiss** has worked with Ann Moulds, the founder of Action Scotland against Stalking, a dedicated resource for all professionals working with victims of stalking. **Middlemiss** undertakes reviews for the ESRC and AHRC, and he is to co-chair the labour law stream at the Socio-Legal Studies Association (SLSA) Conference being held at RGU in March 2014.

Mr William Craig, Senior Lecturer and Course Leader on the Oil and Gas Law Group, is a

member of the Energy Institute and the European Corporate Governance Institute, and is also organising RGU's first energy law and policy conference to be held in November 2013, which will host keynote speakers from Scotland, Denmark and France. **Mr Nicolas Maulet** is co-organising this conference with **Craig**. In keeping with the further development of oil and gas as a research focus, **Dr Leon Moller**, Lecturer in oil and gas law, was invited to co-edit with Mirian Kene Kachikwu, General Counsel, West and Central Africa, ABBNG Ltd., a special issue of OGEL, the Global Energy Law & Regulation Portal, on *Energy Risks and Responses* (OGEL, 2, 2013, <http://www.ogel.org/>).

Ms Margaret Downie sits on the Editorial Board of the Journal of International Trade Law and Policy. **Downie** is the joint organiser, along with **Christie**, of the SLSA Conference being held at RGU Law School in 2014. Other members of staff sit on editorial boards, including **Lauterbach** who is the editor for law contributions to *SCRIPTed - A Journal of Law, Technology & Society*, based at the University of Edinburgh.

Wallace and **Wylie** bring a network of potential collaborators, as highlighted above (see section b, research strategy, collaboration). **Wallace** also has strong links with other higher education institutes, including the College of the Bahamas with which she conducted research on restorative practices. This culminated in the publication of 'Changing on the Inside: restorative justice in prisons, a literature review', co-authored with **Wylie** published in the *International Journal of Bahamian Studies*. Collaboration with the College of the Bahamas also includes the signing of a Memorandum of Understanding (MoU) between it and RGU in 2013. The MoU is designed to foster a mutually beneficial partnership between the two Institutions, with the benefit to RGU being an increase in research opportunities through collaborative partnerships, as well as maximising resources and sharing experiences and information.

The work of **Ross** in the theoretical aspects of children's rights is underpinning the consolidation of a research stream on this topic. **Ross**, along with **Wallace** of the Law School, is a member of the Aberdeen Forum for the Child. This 2013 initiative, based out of the University of Aberdeen, has established a forum for interdisciplinary, cross-faculty and cross-institution discourse on issues relating to the rights of children. **Ross** and **Wallace** are also involved in a Scottish Universities Insight Institute programme on Children's Rights, Social Justice and Social Identities in Scotland. This series of seminars, being arranged by the Universities of Edinburgh and Strathclyde, the Scottish Human Rights Commission and Scotland's Commissioner for Children and Young People, will take place between December 2013 and July 2014. **Ross** has recently written in collaboration with Martin-Ortega of the University of Greenwich, on the work of the UN Committee on the Rights of the Child. Further future collaboration is already being discussed. Such work would further augment both the academic clusters of human rights and of business law.

The child rights dimension of research within the Law School is strengthened by **Wallace's** earlier work on child trafficking having been commissioned by Scotland's Commissioner for Children and Young People to conduct a scoping study into the nature and extent of child trafficking on Scotland. The final report, *Scotland: A Safe Place for Child Traffickers?* was presented to the Scottish Parliament in May 2011. Similarly her work for Plan International on gender discrimination and birth registration feeds into the child rights focus.

Members of staff are regularly asked to review books and other materials, review funding applications for Research Councils and other grant awarding bodies and present at conferences.

Wallace is a member of the Arts and Humanities Peer Review College and its Strategic Group.

The foregoing all goes to demonstrate the entrenchment of a culture of collaboration within the Law School and externally, and staff members continuing to contribute to the socio-legal discipline.