

Institution: University of Derby

Unit of Assessment: School of Law and Criminology's Law in Society Research Group (UoA20)

a. Overview

The School of Law and Criminology which comprises the Unit of Assessment has grown in staff numbers significantly since its inception as a School in 2006, when there were 13 FTE with an exclusive teaching focus and operating with high SSRs and high scheduled contact time (18 hours average) to a current FTE of 22.5 with a reduced SSR and contact time (12 hours average). Unsurprisingly in that context the amount of research conducted in the past was small. However, the situation began to change in 2009 with the introduction of a research group in the School (the Law in Society Research group). Although this was a small group of four active research individuals, three of whom were in the early stages of doctoral study (while the remaining one had recently received his PhD in 2007), the implementation of this group signalled a change of emphasis in recruitment, where there have been significant developments, largely in the engagement of five staff undertaking serious research, and also in the hiring of Professor Bull whose role is to mentor the existing team to enable them to begin research, to disseminate their research and (for the more established researchers) to foster new research ideas with the team and to seek external funding. Currently, there are now eight staff with doctorates, all continuing to actively engage and publish their research (namely; Helen Clarke; David Walsh; Kassim Noor-Mohd; Yog Upadhyay; Antonios Platsas; David Hicks; Philip Hodgson; Mark Pettigrew) alongside Professor Ray Bull (being President-elect of the European Association of Psychology and Law), while five other staff (Nick Howe; Karen Clubb; Lisa Cherkassky; Jamie Grace; Angie Neville) are engaged at various stages of doctoral study. While providing an explanation for the absence of a RAE submission in 2008, this summary indicates an advancement of the position since 2006, and a relatively small but nevertheless established research profile in the School as of the time of this submission. These claims are evidenced in the small amount of published research outputs from the School (where possibly one or two members of staff as ECRs would have been arguably appropriate for submission in 2008), to one now where seven members of staff have been submitted. Evidence for the recent growth in research can also be found in the two submitted case studies where the emphasis emerges from developments largely since 2008.

Support from the management of the School for this growth in a research culture is evident in the focus that has been given to recruitment of staff who have a developed or developing research record, which in turn has helped build a much increased capacity to deliver research which informs an applied teaching curriculum. Unsurprisingly, the research output, income from competitively won University bids, and engagement of the School has grown from being negligible in 2006 to its current state, which is now much more appreciable in relation to each measure. Parallel to this growth in capacity has been a significant investment in developing research capability in existing staff.

The absence of PhD holders in what was a predominantly law department constrained our ability to supervise PhDs. However, a growing number of PhD students are supported by the School and additional staff recruitment has been undertaken to strengthen capacity in this area. Our research strategy, which embraces our diverse research activities and interdisciplinary themes (as well as areas of developing research), is now developing plans to enable a suitable environment for postgraduate training in research. In addition we are developing a community that promotes engagement between more and less experienced researchers as well as a providing continuing professional development in research (especially for early career researchers)

The School has achieved sufficient critical mass to be able to plan to set up credible centres of expertise where research specialism can flourish and seek public funding for research projects in addition to commercial research income.

Individual staff esteem elements have developed substantially, with staff undertaking invited talks, editorships, membership of editorial boards and visiting fellowships (see Section E), as well as seeing the launch of a journal as an outlet for publications in medical law and ethics. During 2008-2013 one member of the team has been promoted to Reader (Antonios Platsas) and we have appointed one Professor (Prof Ray Bull) and two Visiting Professors (Daniel Greenberg and Michael Creedon) with several further Visiting Fellow/Professors planned for appointment early in 2014 who will be key to increasing collaborative research with professionals in the justice sector.

The UoA's achievements needs to be set in context of balancing research development with teaching and administration functions and full teaching workloads typically associated with the post-1992 sector. The UoA, in this regard, believes it has now an impressive publications profile while also delivering excellent teaching (where, for example all UG programmes in the last NSS achieved overall satisfaction rates in excess of 90%, while similar rates were observed in the latest available PTES results).

b. Research strategy

The School of Law and Criminology, in its on-going development, views its efforts to achieve research excellence as underpinning its mission to develop excellence in learning in applied contexts. The School's research strategy is motivated by the desire to ensure that its curriculum is rooted in cutting edge knowledge in the justice sector and that employers and partners know it as being in the forefront of applied knowledge generation. Consistent with the research strategies of both University and Faculty, the School's strategy has now firmly established research as an essential part of the toolkit that enhances the student learning experience, while supporting staff as part of their aspiration to develop their academic careers. Specifically, the strategy has focussed on the following areas (in line with the University of Derby's Research Strategy):

Productivity and engagement: All of the seven staff (6.2 FTEs equivalent) in the School who have been entered for submission to REF 2014 regularly produce outputs in highly regarded international peer-reviewed journals. This level of output quality is also the case for those researchers who are at an earlier stage of their research development but who do not yet have the required number of outputs to be entered for REF submission. Seven of the total number of staff deemed to be research active have clearly produced or are developing research partnerships (consistent with the School research aims of generating applied knowledge through research) which have, or are likely to have, external impacts. The growing number of research active staff means that the School has already achieved current institutional objectives (that is, at least 50% of staff engaged in research). Developmental opportunities and mentoring for these staff currently less engaged with research in addition to (i) available School funding for research; (ii) a continuation of the policy of recruiting staff with developed/developing research profiles; and (iii) continuing efforts to reduce teaching loads/SSRs to accommodate existing/aspirational research ambitions are leading to growth in the proportion of staff in the School who undertake research. Such commitments to support staff currently engaged in research or to become (more) engaged in research, are predicated on production and public dissemination of their research of at least 2* quality, a matter openly communicated to staff.

Support for staff undertaking research now includes negotiated resources (such as regular allocation of time to be dedicated solely for research activity, including, for one member of staff, an awarded sabbatical), as well as extra negotiated remission to develop more major research initiatives in partnerships with professional organisations (such as Staffordshire and Derbyshire constabularies, Gangmasters' Licensing Authority) as well as with both national and international university partners.

Postgraduate environment and training: Since 2008 two students have completed their doctoral study at the School, while one current PGR student has published her work in peer-reviewed journals. The PGR provision has expanded considerably in this timeframe with a raft of LLM programmes designed to successfully attract both national and international students. This objective is also achieved with the introduction in 2011 of the MSc in Criminal Investigation, as well as the MSc in Cybercrime and E-investigation. The focus within all of these programmes is on enabling students to develop research that will lead for some to doctoral study. Since 2010 six students have taken this option. Encouragement is also provided by the PGR supervision team to publish work. The PGR supervision team for the PG suite of programmes is largely in line with institutional policy (i.e., to be researchers themselves with a publication record). Supervision of PhD students has also largely been aligned to this policy, and the development of a PG learning community (which is argued to be important according to the literature in recruiting/retaining PhD students) has recently been introduced which will enable students to showcase their research.

The development of the research skills in the supervision team (and the increasing number of staff engaged in research) has led to planned opportunities to increase the number of PhD

students emerging from PG study.

Regular national and international guest speakers showcasing their own research are a feature of the School, as is the encouragement for PG staff to present/disseminate their own research in peer-reviewed outlets. Similarly, those who have engaged with professional organisations with whom partnerships have become established with the School make reports summarising their research findings to that partner organisation. For example, Nick Howe has recently submitted his research report to the Derbyshire Community Safety Partnership on the effectiveness of certain community initiatives that have been introduced by that organisation with the aim of preventing young people from committing crime or anti-social behaviour, while Karen Clubb undertook a research project with Derbyshire Trading Standards (concerning the lived experiences of victims of deliberately mis-sold projects). While these two projects are not part of the REF submission they do indicate the applied nature of collaborative research in the UoA.

To encourage the growth of a research culture in the School (and in so doing help cultivate the future PGR/PhD students), criminology undergraduates/postgraduates who achieve a first class mark in their research dissertation are offered the opportunity to publish their research (subject to supervisory recommendation) in the *Internet Journal of Criminology*. Law PGR students have also published their work in various academic fora. (For example; Sheppard, J [2013]. Does eBay UK's "defamation policy" go far enough to protect sellers from defamation through detailed seller ratings, and does the buyer-friendly feedback policy leave eBay open to defamation claims under UK law? *Computer and Information Technology Law Review*, 19, 5-8.) The cultivation of a research environment has been supported over the past few years with a succession of conferences convened by School staff hosting national and internationally eminent speakers. For example, in 2008 the inaugural research conference of the International Investigative Interviewing Research Group (IIIRG - see www.iiirg.org) took place at the University; two further conferences in the area of criminal investigation were convened by the Law in Society Research group in 2010 and 2012 (whose themes were (i) interviewing of serious criminal suspects; and (ii) the investigation of organised and cyber criminals). In all three of these conferences funding was made available by the School to enable attendance by UG/PG/PhD students, and practitioners from partner organisations. A further conference was arranged in October 2013 concerning ethics in research in a time of global uncertainty.

Contribution to Region. Partnership working with external bodies is a watchword that underlines a considerable amount of the School's research activity. This is particularly the case in our arrangements with regional partners where several research initiatives are underway with staff and students in meaningful collaboration with these organisations. The objective is to engage students as co-producers of research by building applied research commissioned by partners into the curriculum and through enabling them to engage in research projects within the School. For example, Derbyshire Constabulary (whose Chief Constable is a Visiting Professor at the University) have allowed access to five PG students, enabling them to conduct research, while two staff (Angie Neville and David Walsh) are conducting research with the same constabulary. Other research initiatives include collaborations with Staffordshire Constabulary and Derbyshire Community Safety Partnership (both conducted by Nick Howe). Support of research active staff through the use of students as research assistants was a feature of this research. Other local partnerships where collaborative research is taking place are with the Gangmasters' Licensing Authority (GLA) whose national HQ is situated in Nottingham (research project managed by David Walsh, Kevin Bampton and Michael King). The over-arching principle to these regional research ventures has been to invest in ideas as a co-commissioner of research. The School possesses a realistic stance, recognising that many of its partners are not in the position to fund research into areas of significance for society and the community. The School therefore supports research activities where there is a demonstrable value to the local community or society in general, whether or not external income is available.

A small research executive works with the Head of School and Faculty Research Manager to formulate, monitor and review research strategy. It includes a research lead from each of the law and the criminology disciplines and an overall Head of Research. It aims to stimulate and appetite for research and advises on opportunities for research.

In sum our research strategy aims to (i) promote inter-disciplinary, multi-disciplinary and diversity of our research (while focussing upon areas of particular research strengths; (ii) increase the

impact externally of our research; (iii) encourage further doctoral student recruitment and improve further both progression and completion rates; (iv) further improve the external facing profile our research endeavours; (v) further developing research in research strengths such as criminal investigation, policing, and data privacy, (vi) develop suitable research laboratory facilities and equipment, and (vii) support developing staff researchers in the School to establish themselves as researchers, income generators and key collaborators with external partners by the time of the next REF.

c. People, including:

i. Staffing strategy and staff development

Since 2012, all staff have a time allocation to enable them to become research engaged through each having an allocation of at least 200 hours per year for research and scholarly activity. In addition, the extra staffing numbers recruited during the last two years enabled a reduction of teaching loads and associated staff to student ratios. The increased research experience among the team allows opportunity for the lesser experienced researchers to benefit from mentoring from academic staff within the School. Indeed, research collaborations with national and international partners have created opportunities for mentoring to be funded by research colleagues external to the University (e.g. The JUDGE project conducted by the UoA's Dr. David Walsh in conjunction with other academics from other UK HEIs, i.e., Universities of Wolverhampton and Surrey; SOM project conducted by Walsh in collaboration with the Universities of Newcastle; Nicosia and Woverhampton). The JUDGE project which examined modes of investigative decision making by criminal investigation professionals. Teaching relief is paid for by income generated through research dissemination activities (such as short course or funded research) and tied to explicit research plans and outputs (identified through Development and Performance Reviews). Output is not specifically linked to the production of academic publications, but to potential impact in key partnership and curricular areas, although achieving research excellence is still the objective of all support. All staff are encouraged to affiliate with academic and research organisations to stimulate intellectual relationships. In 2011 a senior researcher in the School was conferred as of Readership status by the University (Antonios Platsas). Further, a school appointment was made for Head of Research (David Walsh), exhibiting the growing emphasis on research.

Internal Funding has also been offered to researchers to enable them to employ their own research assistants, while Yog Upadhyay has recently applied for research funding with colleagues from the University of Maastricht. In four cases these assistants have been Masters' students in the School (drawing on the appetite amongst these students for experience of applied research) who themselves, in turn, benefit from that experience in regard to increased understanding and enthusiasm of research (as evidenced in their own dissertations, for example).

Support for staff to present papers at both national and international conferences has been a regular feature. Support also for staff research activity includes financial support to pursue of research degrees (seven *FTEs* supported for PhDs in 2008-2013 period, five for other higher degrees), paid support for research mentoring, direct funding for time and research support to pursue promising research. Financial support is provided both to research active staff and new researchers. This is in addition to research initiatives from the University. The School provided £24,000 in research support for conference attendance and research degrees in 2012-2013 (up from £19,000 the previous year), together with an additional £7,500 in additional funded activities, not including the remission of teaching.

ii. Research students

The School is now building on its capacity to supervise research degrees in order to broaden the scope of research degree candidates. In Autumn 2013 four students were undertaking PhD study with a further four to commence in January 2014. Research degrees have made a significant impact on the institution's research profile, and are integral to the School's research strategy. The School's pool of research supervisors has grown from 4.5 in 2012-2013 to nine in 2013-2014, with a growth in staff registered to undertake research degrees from four in 2012-2013 to eight this year. This has been achieved through recruitment of new staff and the engagement of additional staff in research supervision training (4.5 *FTE*). It is aimed to increase the number of PGR students to around 15 next year, while improving the quality of support, experience and outcomes for them. The first funded PhD studentships are being advertised from the School. As was noted above, at

c(i), 376 hours of funded research assistance time has been used in the 2012-13 academic year. We will continue to use this scheme to make PGR study appear more achievable and affordable. Such investment has resulted in nine first class UG/PG dissertations recommended for publication in the *Internet Journal of Criminology*.

Providing effective supervision to enrich the learning experience for research students remains a priority. The newly appointed Head of Research will oversee the appointment of supervisory teams to ensure that there is a blend of experienced and less experienced supervisors. Staff supervising PhD students will be current researchers with a record in publication of their research, and will first attend the Faculty's short course and a University accredited *Research Supervision* module from the Academic Practice in Research programme.

d. Income, infrastructure and facilities

At this stage of the UoA's development, it is perhaps not surprising that external funding has yet to be achieved, although two (unsuccessful) applications were lodged with funding bodies (from the British Academy and AHRC). On the other hand, since 2008 eight applications have attracted internal University awarded funding to support individual research projects. Additionally, 14 local, regional, national, and international projects are presently on-going with external partner agencies to enhance the prospects of significant future external impact, underlining our increasing strengths in applied research activity. In relation to one of Dr. Platsas' REF submissions (i.e.; The Idea of Legal Convergence and International Economic Law), he was directly awarded a €3000 research excellence award under the Juan Celaya Research Grants scheme by the International Institute for the Sociology of Law (IISL). Dr. Platsas conducted post-doctoral research with this grant during 2008-2009 with this funding under the scientific direction of Professor Dr. Carlos Lista, the then Director of IISL.

Since 2008 there have been seven successful income bids from the University's central research fund, that has enabled both lesser experienced and early career researchers, opportunities to develop their skills in writing funding applications, while enabling them develop skills in small scale collaborative research projects.

e. Collaboration and contribution to the discipline or research base

As stated above, a number of research projects are in direct partnership with the professions. Examples include six projects being conducted with three separate police constabularies in England and Wales, with another three being undertaken with non-police agencies in areas of criminal investigation and community policing, while a major research project has begun with an overseas police service that will over a period of time include all that country's newly recruited police officers. Additionally, seven projects are being undertaken with academics from national and international Universities, with one of these concerning international issues in global sustainability in a number of areas such as food, trade, production, development, and human rights (by Yog Upadhyay).

Three legal researchers have been working with Global Ecological Integrity Group (<http://www.globalecointegrity.net>) preparing a detailed research proposal on access and benefit sharing in the resource rich developing countries to be submitted to a consortium of funding agencies led by the World Bank.

The School's Reader, Dr. Platsas, holds the positions of Visiting Fellow both at the British Institute of International and Comparative Law and at the Centre for Public and Comparative Law at the University of Hong Kong. He has been appointed National Reporter for the International Congress of Comparative Law 2014 in relation to the Internationalisation of Legal Education in the UK. He is also taking on the role of Treasurer of the British Association of Comparative Law.

Professor Ray Bull accepted an invitation to be a keynote speaker at the 14th International Roundtable for the Semiotics of Law in Hangzhou, China in June 2013. Professor Bull holds several key visiting Professorships in Universities in Japan, South Africa and Australia, also being (as noted) President-elect of the European Association of Psychology and Law.

In addition to several members of staff possess memberships upon editorial boards of journals, and there are various journal editorships in the School. For example, Lisa Cherkassky is Chief Editor of the *Journal of Medical Law and Ethics*, while Dr David Walsh is the Editor of the journal

Investigative Interviewing: Research and Practice. He is also lead editor of two books (*International developments and practices in investigative interviewing and interrogation, Volume 1: Victims and Witnesses, and Volume 2: Suspected Offenders*: Routledge) to be published in Spring 2015 that involves 48 research-based contributions from academics in over 40 countries, including many countries that are conspicuously absent from similar texts. Dr David Walsh has also in 2013 co-authored a criminological text (*Preventing Corruption: Investigation, Enforcement and Governance*. London: Palgrave MacMillan). Other academics, although not currently included in the REF submission, have also earned worthy mention. For example Scott Atkins was the sole author of a legal scholarship textbook published in 2013 entitled *Equity and Trusts*. Scott Atkins also holds the position of Visiting Professor at the Institute of Law, Jersey, having also recently accepted that institution's invitation to sit on their newly constituted Academic Board. David Hodgkinson is Visiting Professor of Legal Skills at the University of Brno in the Czech Republic.

A further development has been the UoA's financial backing and other activities associated with the support of the research agenda undertaken by the International Investigative Interviewing Research group (www.iiirg.org). The UoA's David Walsh has a lead involvement with the iIRG, which, through its 300 plus members worldwide, has established links with the School of Psychology, Newcastle University (UK); the Norwegian Police University College (Oslo); The Centre of Forensic Linguistics at Aston University (UK); the Centre of Forensic Interviewing at the University of Portsmouth (UK) and the Kids Internet Safety Alliance (KINSA; Canada), and the Association of Chief Police Officers in England and Wales, alongside other police agencies and Universities across the world. This has enabled the UoA to benefit through David Walsh's efforts to bolster the quality and reach of his research endeavours, as well as the reputation of the UoA.

The Journal of Medical Ethics, edited by the UoA's Lisa Cherkassky, is, in 2014 to run a special edition on faith, belief and healthcare law. This opportunity arose from AHRC Networking Seminars held in 2013, enabling the journal to specialise in a controversial area of medical law and reach a wider audience of readers/practitioners.

In October 2013 the UoA held its inaugural prize giving night to PGR students, with prizes for best research dissertations, alongside talks from current PhD students concerning the challenges and rewards of doctoral study. In addition, the UoA convened a 'free' conference in October 2013 (in collaboration jointly organised with academics from the Information in Regulation and Enforcement Group (IREG), the latter based largely at the University of Nottingham and Northumbria University on a theme concerning the use of information in regulator and enforcement contexts (entitled *Current Issues in the Use of Information in Regulatory and Enforcement Contexts: Global Uncertainties, Ethics and Rights*), with attendees and presenters from both practice and academia. The conference was aimed at capitalizing on an opportunity for research funding presented by ESRC and other co-funding bodies, under the 'Ethics and Rights in a Security Context' initiative. It featured the formative showcasing of research papers in connected fields, including: data sharing between public bodies, Prism-like technologies, corporate governance requirements for the provision of information, 'blacklisting' and stigmatisation in the employment context, official whistleblowing mechanisms in public service, whistleblowing in the context of the regulatory enforcement of food businesses, criminal offence matching between different jurisdictions, and the evolution of the law relating to the retention of forensic biometric data. It is expected that the conference will lead to a journal special issue from presentations made at the conference. This recent conference within the School of Law and Criminology at the University of Derby came about principally because of the strengths of the Law in Society Research Group in the field of research into the use of information in enforcement and governance contexts, not least in criminal justice fields.