

Institution: University of Abertay Dundee

Unit of Assessment: 20

a. Overview

Abertay University is a small institution, with approximately 200 academic staff and 5,500 students. The compact nature of the University acts as a driver to encourage and facilitate effective cross-department working and fosters multi-disciplinary groups and inter-disciplinarity creating an innovative and sustainable environment for research. In Law, for example, it has allowed a socio-legal approach to be adopted with colleagues in social science rather than the more traditional black letter approach. Abertay's approach to research is defined in the University **Strategic Plans** (2007-2011, 2011-2015). These plans, implemented throughout the REF 2014 assessment period, are an expression of the University's ambition to become a centre of excellence for inter-disciplinary research focussing on the delivery of practical solutions to business, society and government. They have also informed the University's pattern of teaching provision to promote research and knowledge exchange (RKE) – teaching links that are essential in the University's operating context. The University's new 5-year Research Strategy, R-LINCS (Research-Led Innovation Nodes for Contemporary Society), covers four themes, Environment, Security, Society and Creative Industries, which have emerged organically from areas of expertise across the institution. It integrates these activities into a single University-wide RKE initiative, underpinned by a nascent cross-University Graduate School with targeted internal support to stimulate new developments and partnerships. This strategy will offer a supportive structure to nurture the development of both inter-disciplinary research and scale within these identified areas. Research undertaken by the Law subject group at Abertay [UOA 20] falls into two broad distinct themes:

- **Policing and Security Law**, and
- **Employment law and Employment Rights**.

These themes map directly to the R-LINCS themes of Security and Society which are among those the University has identified for support both in the current round of REF and for the future. Identified areas will have access to R-LINCS funding, and central support from the Research, Enterprise and Innovation Services (REIS) office.

The **Policing and Security Law** theme is supported by membership of and contributions to the Scottish Institute of Policing Research (SIPR <http://www.sipr.ac.uk>). This consortium was set up by the Scottish Funding Council, the Association of Chief Police Officers in Scotland (ACPOS) and 12 Scottish universities. Within Abertay, research activity conducted by this grouping contributes to the I-SPI (Intelligence, Security, Policing and Investigation) research network. This long standing multi and inter-disciplinary network has grown organically as areas of research activity across the institution have sought to develop connections. This development has been recognised as a strategic area of research to be supported by the institution under the R-LINCS Security theme. The research network integrates the disciplines of psychology, sociology, forensic science, computer security and law to deliver real-world impacts. The group has also developed strong stakeholder links with police forces and industry. Under this new 5-year Research Strategy, a focus will develop on innovative solutions to societal problems. Furthermore the **Policing and Security Law** researchers operate the UACES Policing and European Studies research network, based at Abertay. <http://policingandeuropeanstudies.abertay.ac.uk/>. The **Policing and Security Law** strand of the R-LINCS Security theme, develops two, interrelated, areas;

- EU policing, security, and criminal justice law and policy, and
- Inter-agency cooperation within Scotland and the UK, as it implements EU policing and criminal justice provisions.

The **Employment law and Employment Rights** theme focuses on two parallel areas;

- “family-friendly rights” at national and EU levels, in furtherance of domestic and EU social policy, with support of FAWN, Families and Work Network <http://www.reading.ac.uk/fawn>, and
- Inequality of bargaining power in the contract of employment, at UK, EU and comparative levels, and ways of addressing this issue, which is informed by practitioner experience in handling Employment Tribunal cases.

FAWN has limited funding available to it but has facilitated the organisation of and attendance at conferences which have been co-organised by staff from Abertay.

b. Research strategy

New appointments of staff following the loss of staff submitted in the previous RAE round were made, resulting in an essentially new research team. The opportunity was taken to ensure that those taking up posts had interests which coincided with, or were in areas adjacent to those which had already been identified as the research themes for the Law subject group. The appointments were intended to allow Law to maintain and increase the scale of research activity and to allow for greater exchange and cooperation between staff. Furthermore, this permitted the introduction of measures designed to foster a research culture within the subject group, for the benefit of new and existing staff. The expanding cohort of post-graduate research students was an integral part of this strategy. Research in Law to date has predominantly led to individually authored publications, and collective, inter-disciplinary research grant applications or consultancy bids. The unit continues work to broaden its research base, and to develop the capacity of those members of staff already REF research active. Again this is done through a combination of peer support and external engagement. This is supported at the University level by the Research, Enterprise and Innovation Services (REIS) office and its programme of events, to include grant application training, and UKRO EU funding events to include opportunities such as Horizon 2020, for example. Efforts are on-going to develop both Law-led and Law-supported inter-disciplinary research teams, with a view to targeting larger research grant opportunities, at both national and EU level for the future, exploiting the increasing research experience of Law staff. R-LINCS offers a supportive structure in which these opportunities can be explored and exploited.

Abertay's approach to research is driven by interconnections across its research base. Discipline expertise from a range of subject areas is integrated and used to support discovery, innovation and translational research across traditional disciplinary boundaries. For example, research into cross-border policing and law enforcement involves Law staff collaborating with colleagues in sociology and computer security, leading to a shared understanding of the regulation of society, and the threats to computer security. In the context of UOA 20 – Law, this engagement with other disciplines has led to a better understanding of and engagement with possible regulatory and policy responses, such as policing and police practice, often located within sociology. This understanding is also heavily underpinned by direct connections with senior members of the Scottish police, in particular. While the publications submitted are within the Law discipline area, this approach has led to the publication of one multi-disciplinary book in 2013 with a second accepted for publication in 2014 both focused on issues in this field, evidencing a trajectory towards true inter-disciplinarity. A further example is the SIPR co-funded PhD studentship which was awarded to the Law subject group, with the support of sociology, for a socio-legal PhD entitled "Scottish based money laundering operations: inter-agency co-operation across jurisdictions." This was conducted with close collaboration of the then Scottish police forces. The PhD has now been awarded, the graduate has been appointed to staff, and is submitted in this REF UOA (see Case Study: Money Laundering).

The University's focus in the early phase of the review period has been on maintaining and developing its nascent groups in policing, forensics and criminal justice and security. Abertay's Outcome Agreements with the Scottish Funding Council for 2012-2013 and 2013-2014 are used to measure aspects of Abertay's Research Strategy. The Outcome Agreements explicitly cover research and knowledge exchange, and are linked to the University's Strategic Plan and its objectives. These Outcome Agreements provide a further measure to report Abertay's progress. AS a result of the 2011-2015 Strategic Plan objectives, the University developed a 5 year Research Strategy and established R-LINCS, to which the Law subject group will contribute and rely on for support, financial and otherwise, to ensure that early research career staff can be developed to their full potential. R-LINCS, funded to approximately £1M, is driven by a University-wide Research Executive that manages internal research funds, interacts directly with the University Executive and the University Research and Knowledge Exchange Committee, and focuses on developing innovative solutions to societal problems through four cross-University research themes: Environment, Security, Society and Creative Industries. Contributions from the Law subject group will be focused initially on the security and society themes.

c. People, including:**i. Staffing strategy and staff development**

The Law subject group has developed a new research team for this assessment exercise following the loss of 2 members of staff from the RAE 2008 Law submission. The opportunity arose to target recruitment of new staff whose research complemented existing staff expertise with the potential for future submission. This increased the scale of research and its reach. Of the staff being submitted for this assessment, 3 have not previously been submitted, and are at an early stage of their research careers. This reflects an active staff development programme, both at subject and University structural level.

Considerable effort was invested in developing the research environment for this REF period. This comprised a number of facets: peer support, specific training in Law research for both PhD students and staff, a series of Law research presentations to complement those more generic research presentations across the whole of the Dundee Business School, of which the Law subject group forms one division, and a transparent policy for conference support bound to outcomes and managed through the University's staff appraisal system. The Research, Enterprise and Innovation Services (REIS) office's programme of workshops and support for research across the institution also contributed to these developments.

Through the appraisal system and workload planning the University seeks to align personal development with University research objectives, enabling an appropriate balancing of teaching, research, administration and external engagement activities to develop personal careers and the strategic priorities of the unit. Thus, early career researchers are given more opportunities to develop their research, and probationary lectures have a lighter teaching and administration load to free up more time for research-intensive staff development. In December 2012 the University's human resources department conducted an audit of recruitment and staff development policies to ensure that these were in line with the recommendations and guidance provided in the Concordat to Support the Career Development of Researchers (2008). Appointees to lecturerships are required to have a PhD which assists in developing and enhancing the University's capacity to conduct excellent research with impact. The University has also appointed new tranches of Chairs, Readers and Senior Lecturers within the review period. All of these promotions were based on research contribution, thus demonstrating the University's policy of rewarding key research staff.

A system of full peer support was put in place, with team support for members of staff either new to academia, or experienced teaching staff engaging with the research agenda for the first time. There was full integration of PhD and staff in this process to develop a research environment in Law. This included the co-location of academic staff and research students in the early years of the strategy to foster a sense of identity and exchanges of ideas. A learning module was set up in Blackboard, the Virtual Learning Environment, providing both policy documents on research, and academic material on legal research methodologies, and other legal research resources. New staff were also encouraged to attend more generic training offered by the institution to research students.

In addition to a School-wide (inter-disciplinary) research presentation programme, Law research seminars were arranged, designed specifically to encourage both PhD students and staff who were new to legal research. This Law programme included presentations on legal research methods and presentations by external speakers. For the most part the audience was from the Law subject group. There was a healthy take up of the research presentation slots by staff and research students. From these initial presentations, delivered on titles of the speaker's choice, speakers were encouraged to target external conferences, and to prepare work for publication.

Some staff, already active with non-REF publications, were encouraged to develop more substantial pieces of work for REF journals, or equivalent output. Mentoring for staff new to supervision of post-graduate research students was put in place. Staff and research students were supported in submitting their papers to national and international research conferences, and to subject their output to the peer-review process required to obtain REF publications.

Staff joined research networks, both internal and external to the University, in their subject specialisms and relevant inter-disciplinary areas. They attended training programmes and conferences with a view to enhancing their subject specialism, and their knowledge of research theory and methodologies. These initiatives have all led to the development of a sustainable research environment within the subject group. This process was completed by staff presenting papers at conferences, and then submitting their papers to the peer review process for publication. External funding opportunities are regularly circulated amongst the group, with appropriate research and consultancy opportunities being targeted, either individually, as a Law subject group, or in conjunction with colleagues within the University, and further afield, in relevant subject areas, such as computer science and sociology, with either Law as the principal investigator, coordinator, or as support to these bids.

Peer support in developing the research environment in the Law subject group was facilitated by the University's appraisal system and workload planning. This aligns personal objectives with University research objectives. The Enhancement-led Institutional Review (ELIR) report (2012) from the QAA noted that the University's policy of workload planning allows staff to balance time allocated to teaching, research, administration and external commitments (e.g. research active members of staff have been allocated two non-teaching days a week to facilitate research). Research objective setting was done through staff appraisal system meetings with line managers, with a review of progress being done at six monthly intervals.

As part of Abertay's research strategy the University, through the REIS office and its "one stop shop" support system for research, a range of development and training opportunities open to all staff and research students were identified. The Law subject group has exploited these opportunities, where appropriate. These include a series of training workshops on grant writing, statistical methods, European Framework funding and Knowledge Transfer Partnerships.

Given the University's small size, use is made of regional and national development and training opportunities. Of particular relevance to Law has been the institutional membership of the inter-University research pool, the Scottish Institute for Policing Research (SIPR), which also supports researcher development. This pool provides opportunities to share research expertise (both among staff and PhD students), access to developmental opportunities external to the University, benefiting from the greater scale of this research pool. This also encourages researcher development through the sharing of expertise across traditional disciplinary boundaries, with the focus in SIPR being in developing novel research of direct relevance to the wider policing and Law enforcement practitioner communities in Scotland and the UK.

In terms of research governance, applications for all research, whether for external research funding bids or not, are reviewed by an ethics committee. External organisations, such as the Scottish police services, where police staff are involved in the research, may require researcher and research project proposal (and its methodology) clearance prior to support and assistance being given to the research. Applications for external research funding are also reviewed for their contribution to full economic costs, with bids where the level of overhead recovery is low requiring a case to be submitted by the Head of School to explain how the bid is strategically important to the University.

At the University strategic level, the University supports Equality and Diversity through the implementation of Equality and Diversity policies for all staff and students, and the monitoring and evaluation of staff data through the Equality and Diversity Sub-Committee. All members of staff are required to complete an e-learning module on Diversity in the Workplace and senior staff, including academic staff responsible for recruiting researchers, are required to undertake specific Recruitment and Selection training. HR staff sit on selection panels for appointments at Lecturer grade and above. In line with the University's Public Sector Equality Duties, Abertay has published an Equality and Diversity Action Plan that maintains the process of Equality Impact assessment for admissions policy, statements and procedures, and makes accessible relevant software systems and supporting information (in online formats). A recent Staff Engagement Survey (2013) found that 90% of staff believe that the University respects equally people regardless of their background

(protected characteristics).

ii. Research students

PhD/ MPhil/LLM by Research	Started	Awarded
PhD 1 A Comparative Critical Analysis of the Concepts of Error and Misrepresentation in English, Scottish, Islamic, and International Contract law, and the Palestinian Draft Civil Code.	August 2006	June 2010
PhD 2 Legal Challenges for Developing Countries Exports of Agricultural Food Products to the EU.	October 2008	June 2013
PhD 3 Scottish based money laundering operations: inter-agency cooperation across jurisdictions.	January 2009	June 2013
PhD 4 A possible model for regulating capital market crimes: A Comparative Study of Business Law in Britain and Saudi Arabia.	October 2011	ongoing
PhD 5 Trafficking in Human Beings for forced labour: a Saudi Arabian – UK/EU comparative study	October 2012	ongoing
LLM by Research 1: EU Environmental crime and punishment	October 2012	Successful viva October 2013.

The number of research students within the Law unit has grown over the REF period, with students coming from the UK, the Palestinian Territories, French Guiana, Hungary and Saudi Arabia. These students were incorporated into University-wide post-graduate structures and programmes, overseen by the Research Degrees Sub-Committee (RDS). Currently a total of 94 research students, drawn from around 20 countries, are registered with the University. The University contributes to the development of a research and teaching community across the globe, including in sectors which are major contributors to economic growth in developing countries. The RDS runs PhD training programmes, an annual internal conference, and a reflective personal development portfolio programme for research students. The University administered Roberts Fund supports researcher development, with Law research students exploiting this opportunity to attend conferences, which led to peer reviewed academic publications. The University maintains this fund through central resourcing, and is managed by the Research Degrees Committee.

Law research students and staff engage with the wider legal (and where appropriate to their research, inter-disciplinary) academic communities, through presenting their work at national and international conferences. Research students are encouraged to submit appropriate work for peer reviewed publications, which has resulted in a number of publications over the review period. This experience greatly improves the quality of their final thesis, and their subsequent employability.

The Law subject group has also benefited from a PhD studentship awarded by the Scottish Institute of Policing Research (SIPR), which greatly added to the development of the Law subject group research culture at an early stage of its (re-) development. Law post-graduate research students from the EU have benefited from registration for, and completion of, the Postgraduate Certificate in Higher Education Teaching. Some part-time teaching within the Law subject group, and its attendant mentoring from experienced Law staff has been offered to research students at appropriate points for personal development reasons in the later stages of their studies.

Abertay caters for a diverse range of students, and builds flexibility into its research degree programme. It has:

- introduced a one-year Masters by Research degree –for law projects an LLM by Research, from which student can transfer to MPhil or PhD if appropriate;
- encouraged early career staff to undertake part-time PhDs where appropriate. One

teaching fellow who is not being submitted in this round is currently completing her PhD in this way and two of those submitted have completed their doctorates in this way while holding full-time academic posts.

Looking forward, the Law subject group intends to exploit the opportunities which arise for fully funded MRes/MPhil/PhD studentships under the new R-LINCS research strategy, as reflected in the units REF3a form.

d. Income, infrastructure and facilities

Income

External funding of £24,155 was received, and spent, over the REF period, including SIPR PhD studentship (21,603), UACES Policing and European Studies (£3,099), Clark Foundation for Legal Education (£2,000) and International Law Fund (£1,910)

The first half of the review period was characterised by a period of reconstruction, with the focus on building staff research capacity for the second half of the period. The facts that doctrinal legal research does not typically attracting significant research funding, and that the majority of staff are currently at early points in their (research active) career, has militated against the Law unit from submitting large research grant bids to date.

Infrastructure

The University Research Repository typically houses staff publications (taking into account copyright issues). The Repository is audited by line managers to ensure that it is kept up to date. In addition, all staff are expected to update their profiles as part of the appraisal and internal funding processes.

The University's Research Enterprise and Innovation Services (REIS) office provides advice and support on research related matters across the institution, including costing and approvals of applications for external funding; management of the research degree students' process, from their initial contact with the University, to graduation; and management of Intellectual Property Rights and contractual obligations with funders. Bringing these services together ensures that a consistent approach is taken across the University in relation to management of research projects and improves efficiency by providing a single point of contact for all research related matters.

Facilities

Abertay's research and teaching resources are based on a single site. This encourages regular contact between researchers from different disciplines and helps foster inter-disciplinary research. The Law subject group regularly interacts with colleagues from other subject groups across the University. Staff all share common IT and HR facilities helping to ensure a consistent level of support is provided to all staff.

The University is committed to funding key infrastructure supporting research and teaching, in addition to R-LINCS research strategy funding, through additional investment in estate, ICT and research capacity. This will have a positive effect on the Law subject group. Of direct relevance to Law will be the establishment, in the forthcoming period, of a new Graduate School within a dedicated space in order to accommodate increasing numbers of students undertaking research degrees. Abertay is transforming its ICT environment to support its RKE activities together with its teaching and learning provision, including better integration of IT systems and data storage across the University. To support R-LINCS the University is increasing its research-academic staffing by 35 (~20%) in 2013-14." Only research-active staff will be appointed and this is the first of several steps to build capacity and research development will play a major part in the University's staffing strategy. In addition, strategic structural changes are being made at the University level. These include a reduction in student numbers, improving SSRs, and the release of staff from duties that are not essentially academic in nature – such as exam invigilation duties.

e. Collaboration and contribution to the discipline or research base

The two research groups in Law at Abertay have made distinctive contributions to the discipline and research base.

The **Policing and Security Law** group have identified an unoccupied area of Law research,

Environment template (REF5)

focusing on the EU and cross border law enforcement, with a focus on both the EU perspective, and the national responses to European (and international) developments. Over the REF period the Law subject group has developed a key strategic relationship with the Scottish police. This relationship has helped to bring the Law group into contact with other stakeholders. This creates a “virtuous circle” where Law research is informed by engagement with end users and can therefore be developed to better suit their needs. Researchers in **Policing and Security Law** have worked closely with the Scottish police services, either through off the record or on the record interviews with police officers, in developing their research output for this REF. End user engagement has also been facilitated more generally through membership of the Scottish Institute of Policing Research (SIPR). Interaction, feed forward and feedback has informed the content and focus of this research output, with the intention being to provide material of use to the Law enforcement community, both in Scotland, the UK, across the EU, and internationally. This recognition of an unoccupied research field led to the setting up of the inter-disciplinary research network “Policing and European Studies”, which is based at Abertay. In addition to a web presence, this network has hosted - small but focused - international conferences at Abertay on the topic, having identified a gap in both academic and practitioner provision in this area. With the support of staff from other parts of the University, 4 such conferences have been held, with speakers from across the EU and beyond, leading to one special edition in a journal, one joint special edition, and one edited book. A second book, based on the 2013 conference proceedings has been accepted for publication in 2014. It is anticipated that these conferences will continue in the future. An EU cyber-crime and cyber security round table has also been held, with the support of staff from the computer science group in the University.

The activities of the **Policing and Security Law** group, which includes the Policing and European Studies research network, has led to requests for conference presentations at police, mixed practitioner/academic and academic conferences, and requests for copies of papers so that they could be circulated through police forces. Papers have also been requested for practitioner (Austrian Ministry of Interior) and academic journals (Terrorism and Political Violence: Routledge), the latter leading in due course to a request for a monograph; The evolving EU counter-terrorism legal framework, Routledge, submitted in this REF. The publications of the Policing and European Studies research network have been circulated widely, and have assisted in providing a focus for upcoming research in both the related interdisciplinary and legal fields, at a European and International level.

Other opportunities for external engagement and impact development, at sub-national, national and international level, were developed to include engagement with Scottish and UK government consultations on legislative and policy proposals. There has also been on-going engagement with the Scottish police service, both directly and through SIPR and SIPR supported events. Tenders have been submitted to EU institutions to provide specialist consultancy support. The **Policing and Security Law** group are also leading and contributing to an inter-disciplinary team which were appointed consultants as third preferred bidders to the EU’s Committee of the Regions, to advise on Area of Freedom Justice and Security Matters (from 2011 to date). While this was successful in placing Abertay on the panel, no suitable packages of work have been advertised which can then be bid for by the team. During the continuing period of appointment to the panel there is a prospect of substantial funding should a package of suitable work becoming available. One member of staff has also acted (2012 and 2013, JPEN – Criminal Justice and JCIV – Civil Justice) as an external expert for DG (Directorate General) Justice, European Commission. Staff were also encouraged to apply for external funding and other opportunities, with a view to developing their research capacity further. One member of staff has held a visiting research fellowship to the Max Planck Institute in Freiburg, and has attended the International Criminal Academy at the Hague.

The **Employment law and Employment Rights** group, an emerging research group, are informed from experience in private legal practice, thereby bridging the gap between practice and academia. The group is also informed by the activities of FAWN (Families and Work Network), a UK-wide network of scholars, policy makers and practitioners who are focused on improving employment law’s engagement with working families. The group would hope to build on this in the future.