

Institution: University of Stirling

Unit of Assessment: C20 Law

a. Overview

Created in 2005 as part of the strategic expansion of law as an academic discipline at the University, the Stirling Law School has a thriving and very strong research culture and is a highly collegiate, supportive and ambitious academic community. That community has been strengthened significantly with the appointment of a professor and four lecturers in the period since the 2008 RAE.

Put simply, we seek to foster excellent legal research without any prescription as to subject area or methodology and to encourage and support colleagues to develop their scholarship to the very best of their abilities. Research therefore is both socio-legal and doctrinal, and a range of different methodologies and philosophies are utilised. Much of the work which is done is library-based, although a number of colleagues conduct (mainly qualitative) empirical research. Our aim is to maximise research quality, impact and funding. Research in the School is centred around a number of research clusters: Private Law (Brodie, Davidson, Sutherland), Environmental Law (Heffron, Little), Public Law (Goodall, Little, Martire) Labour Law (Brodie, Zahn) and Jurisprudence (Andriychuk, Martire). As the School continues to mature and expand it is anticipated that these clusters will increasingly act as facilitative structures for collaborative work.

b. Research strategy

The long term strategic vision of the Law School is to become one of the two leading research law schools in Scotland and among the top 10 research law schools in the UK. To realise that vision its strategic objectives are to ensure that colleagues maintain a flow of research outputs which meet world class quality standards; to set targets for colleagues individually and collectively to attract research income significantly above the sector average; to require colleagues to engage in research activities which will raise their individual profiles and the profile of the Law School across the sector; to work with colleagues so that the issue of impact is addressed in individual research plans and to require colleagues to engage with key external actors on a continuing basis in order to ensure that opportunities for impact are maximised; to strive to ensure that each colleague has a group of doctoral students so that the cohort is well above the sector average. Apart from the aim of ensuring that colleagues maintain a flow of excellent research outputs, these strategic objectives were not in place in 2008 and so reflect a substantial increase in research ambition over the REF period.

The attainment of objectives will be achieved by the continued and enhanced operation of eight key methods. Firstly, the capacities, strengths and potential of individual colleagues will continue to be developed in a positive and supportive way through research reviews, the University appraisal scheme *Achieving Success*, mentoring and, when appropriate, the University probation scheme. Secondly, the university work allocation model will maintain the ring fence of 40% of colleagues' annual time allocation for research activity. Thirdly, colleagues will continue to be eligible for six-months of research leave in every three-year period. Fourthly, the Law School will continue to provide leadership and proactive management of research activity (including the securing of research grant income and the achievement of research impact beyond academia), and to provide all available funding to support colleagues in their research. Fifth, our recruitment strategy is to appoint only those who demonstrate the capacity or the potential to produce high-quality research. Sixth, the

Law School will continue to provide a collegiate and supportive environment through programmes of events including staff seminars, and by ensuring transparency and openness in the sharing of resources. This will, amongst other things, encourage all colleagues to achieve their research potential. Seventh, the Law School will consolidate and develop the recent expansion of its postgraduate research student community. Finally, the Law School's research development will continue to be guided at University level through the overall leadership of the senior management team of the School of Arts and Humanities, of which the Law School is part.

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

In line with University policy, the Law School only recruits colleagues who have built a strong research record, or who have demonstrated the potential to do so. Since 2008, to take account of succession planning and as part of an expansion of new inter-disciplinary postgraduate programmes, our main policy has been to recruit highly able scholars to Lectureship positions with a view to nurturing their careers. At the same time we have been mindful of the need to ensure an appropriate balance between promise and experience. Those who have joined the School during the current period have all demonstrated the ability or potential to produce an excellent standard of research, appropriate to their stage of professional development. All colleagues are employed on a "permanent" basis and none is on a short-term contract. Of staff recruited since RAE 2008, Brodie is a valuable addition to a highly successful cadre of experienced researchers (Davidson, Goodall, Little and Sutherland), while Zahn, Andriychuk, Martire and Heffron are early career researchers. We therefore have a good balance between experienced researchers and outstanding early career researchers.

Under University promotions criteria, research performance is a key part of career development for all colleagues. All Lecturer colleagues (Zahn, Andriychuk, Martire and Heffron) benefit from the School of Arts and Humanities mentoring scheme which ensures that they are mentored by experienced colleagues, who act as "critical friends". The programme is an integral part of the wider School of Arts and Humanities induction and fosters the collegiate ethos that the School strives to engender. The purpose of the programme is to provide new academics with a trusted colleague who will provide guidance, support and advice on a range of matters. The programme is also designed to address a growing challenge: to provide appropriate early career development to high potential and high performing staff, for which traditional academic probation schemes are no longer adequate. While the mentoring scheme has a research dimension, more specific research mentoring (i.e. guidance on funding and projects) is provided for all colleagues both within the Law School and at School of Arts and Humanities level. The School's Work Allocation Model seeks to ensure that all staff with a research requirement in their contracts have at least 40% of the academic year available for research. The teaching and administration load of probationary lecturers is further limited to ensure that their research career is properly launched.

All colleagues within the Law School maintain Personal Research Plans. These are reviewed and interrogated in biannual meetings with the Director of Law Research (Goodall) and Head of Law (Davidson) to ensure that the research objectives of each colleague are consistent with the Law School's strategic objectives and that satisfactory progress is being made. Research monitoring is also a key part of the University's annual appraisal scheme, "Achieving Success". The Law School is not directive as regards the subject matter of research, or methodology. Colleagues are encouraged and enabled to pursue their individual research ambitions, provided that this leads to excellent research activity, impact

and outputs. The research review process and *Achieving Success* ensure that each colleague receives the appropriate level of advice and support, and that the Law School's strategic objectives can be realised. For example, Personal Research Plans have been used to encourage and support research grant related activity and the development of research impact. The wider framework of the School of Arts and Humanities enables advice and guidance to be provided from a wide range of sources. Guidance from members of staff outwith Law, such as Professor Emeritus Antony Duff FBA, has proved valuable for some colleagues (e.g. Goodall). It complements mentoring within the Law School and enables us to benefit from the knowledge and experience of different disciplines. We are also able to contribute legal research perspectives to those working in other areas. This is a new and enriching experience for us and is, we feel, distinctive by comparison with many other UK law schools which are often institutionally separated from other disciplines.

A generous research leave scheme, offering an expectation of one six month semester in seven, provides an opportunity for all colleagues to focus exclusively on research for significant periods. Eligibility for research leave is, of course, subject to satisfactory performance in the previous period of leave and the development of a clear plan for how the leave period will be utilised. Consistent with the objective of enhancing research income, colleagues must make a grant application as part of the process of qualifying for research leave. A mandatory report is submitted after research leave and feedback is provided by the University's Deputy Principal for Research. Conference attendance and participation by all colleagues is actively encouraged and supported, with budget allocations for this purpose being made available to all research active academic staff.

A significant proportion of research contracted staff in the Law School are part time (Little, Goodall and Sutherland). Their research development is supported on a pro rata basis under the work allocation model and through ensuring equal access to the research leave scheme and all other research resources. The review and appraisal of part-time colleagues' research takes place within the context of their individual contractual arrangements.

As part of the *Achieving Success* process and the University's proactive commitment to promoting equality and diversity in research careers, all colleagues are able to discuss in confidence any caring responsibilities, health concerns, disabilities or equality and diversity issues which may affect research performance and career development. Appropriate steps are then taken in line with best practice and University policy. For example, during the REF period colleagues within the Law School with caring responsibilities and health issues have been able to benefit from flexible working. Amongst other things, this guarantees that 40% of their available time is ring-fenced for research by the Work allocation Model, and that their agreed research objectives under the *Achieving Success* scheme are tailored accordingly. The University is fully committed to the Concordat to Support the Career Development of Researchers and holds the EU HR Excellence in Research Badge.

ii. Research students

Since 2008 considerable efforts have been made to develop our postgraduate research student profile, including the promotion of opportunities, the hosting of conferences and other events and the provision of assistance with funding. Those efforts have proved highly fruitful and the Law School has been successful in recruiting a strong cohort of postgraduate research students across the areas represented in the School. The Law School currently has a total of 21 postgraduate research students and five have successfully completed their doctorates since 2008. Postgraduate research students are an important part of the academic life of the Law School, and are accommodated in a bespoke postgraduate research suite. The University provides direct support for research students via the Stirling Graduate Research School. This provides a range of training and development

opportunities specifically for research students, including training in statistical and qualitative methodology, academic writing, presentation and publication, interview techniques, the use of focus groups, employability skills and how to interact with supervisors. It also monitors the facilities and support made available to research students, as well as training research supervisors.

Postgraduate research students are an integral part of our research community and are expected to participate in Law School research events such as presentations by visiting speakers, staff research seminars, workshops and conferences. Our RPGs have also been supported in attending conferences at other institutions, and are encouraged to present papers at conferences. They are expected to make monthly contributions to their supervisors, on which they are given feedback, and are subject to regular six monthly progress reports by the supervisors and the annual supervision of the University's Academic Progression and Awards Committee. It is seen as an important part of the development of postgraduate research students that they should acquire a publication profile with the assistance of supervisors and other academic colleagues. Our students have published in a number of journals, including the *African Journal of Legal Studies*, the *African Yearbook of International Law*, the *European Environmental and Energy Law Review*, the *International Lawyer*, *Legal Studies*, the *Scottish Law Gazette*, and the *Stanford Law and Policy Review* after receiving guidance and support from colleagues.

d. Income, infrastructure and facilities

The Law School has, since 2008, sought to develop its research grant income in collaboration with the University Research and Enterprise Office, which provides information on available research grants and advice and assistance in the preparation of grant applications. The Law School's has a designated Business Development Manager in the Research and Enterprise Office who is based in the School of Arts and Humanities office each week and so is readily available to offer further advice on the formal details of various funding schemes. Other important contributions at School of Arts and Humanities level include a multi- disciplinary expert panel which offers detailed internal peer review and the ability of the School of Arts and Humanities to budget for match-funding of Fellowship applications. The School also holds a variety of lunchtime workshops hosted by the Director of Research; some of which are aimed at particular groups of staff (e.g. early career) and others at specific funding calls. The discussion of research income targets, opportunities for research funding, and how colleagues might be supported in securing such funding are also part of the focus of the biannual research planning meetings with individual colleagues.

The recent success of colleagues (Goodall, Zahn, Davidson and Heffron) in winning research funding has been a very positive and important experience and provides a useful knowledge base for future developments. It is expected that the developing collaborations with colleagues in other schools at Stirling, including the School of Applied Social Science and the School of Sports in fields such as empirical socio-legal research and criminological research will be important for attracting research funding in the future. Emphasis is placed on developing collaborative applications for large scale funded research activities. The Law School therefore provides effective support, resources and encouragement for all colleagues to enable them to develop their full potential in securing funding for their research projects

Research infrastructure and facilities

The Law Library facilities are excellent with a wide selection of paper and electronic journal and data sources, including all the major law reports, Westlaw, LEXIS/NEXIS and Heinonline. Access to the Document Delivery Service is unrestricted for academic staff. There has been significant new investment in law library resources since the creation of the

Law School in 2006. As described above, postgraduate research students also have excellent facilities. Training and support is provided by Information Services to both staff and RPG students in the use of relevant library and IT resources.

As indicated earlier, centralised guidance and support with research grant applications is available via the University Research and Enterprise Office. The School of Arts and Humanities multi-disciplinary expert panel and Ethics Committee provides overall guidance and support on research strategy and ethics, and individual research project mentoring as appropriate. Where proposed research projects raise ethical issues they are subject to robust consideration by the School of Arts and Humanities Research Ethics Committee. The University provides further support by overseeing the management and administration of the School's postgraduate research students through the University Graduate School.

e. Collaboration and contribution to the discipline or research base

During the REF period, colleagues have been actively involved in the development of research networks and collaborations with other staff at Stirling and with other institutions and organisations. These activities have clearly enriched the research environment and contributed to the wider research base.

- Davidson is a member of the Steering Group of the Civil Justice Network which involves academics and the Justice Department of the Scottish Government and is supported by the Scottish Funding Council. It facilitates a dialogue between academics and policy makers and has organised major events on 'The Role of Civil Justice Research' and 'The Implications of the Civil Justice Review' at which key non-academic stakeholders were participants.
- Goodall organised an externally funded colloquium, seminar and workshop on "Conceptualising the 'racial' in Scots Criminal Law" attended by the Scottish Government, the Crown Office and Procurator Fiscal Service, the English judiciary, the Equality and Human Rights Commission, the Police and local government.
- Brodie is a member of the steering committee of the Labour Law Research Network which was set up in 2011 by research institutes/centres from all over the world dedicated to the study of labour law. He is also a member of an international research network titled 'Voices at Work: Legal Effects on Organisation, Representation and Negotiation', funded by the Leverhulme Trust.
- Along with colleagues in History and Politics, Little organised an inter-disciplinary workshop on state trials in Scotland which was held at Stirling with 30 academic participants from throughout the UK.
- Heffron organised a major energy law and policy conference at Stirling in April 2013, which was attracted an international field of academics, legal professionals and industry representatives.
- Zahn is a member of a consortium organised by Brussels-based consultancy Milieu Ltd for the provision of services of external expertise on issues related to fundamental labour rights for the European Parliament.
- Sutherland is an academic member of the Family Law Committee of the Law Society of Scotland, which is concerned with the reform of child and family law and responds to Scottish and UK Government and other consultations in this area on behalf of Scottish solicitors.
- Little has set up the inter-disciplinary Stirling Environment and Energy Network involving 35 colleagues from different subject areas across the University. The

network provides a hub to connect researchers at Stirling and to foster fresh inter-disciplinary understanding of the inter-linked challenges of sustainable environmental development and the imperative of increasing energy generation.

- Heffron and Little have recently created the Scottish Centre for Legal Research Methods to stimulate innovative thinking on how legal academics in different fields can, amongst other things, develop new ways of using “traditional” legal research methods in collaboration with other disciplines and also develop completely new research methodologies through inter-disciplinary working.

As regards the future, Brodie and Zahn are planning to co-edit a collection of essays with Professor Nicole Busby (Strathclyde) entitled 'The Future Regulation of Work'. This may be published in the Palgrave Macmillan Socio-Legal Studies series. The project won the Society of Legal Scholars Seminar Series competition, and a grant of £10,000 has been awarded to support a two day event on “The Future Regulation of Work: New Concepts, New Paradigms” to be held at the Universities of Strathclyde and Stirling in November 2014. The event will be advertised as the Society of Legal Scholars Seminar 2014.

Colleagues have also contributed significantly to journal editorship and preparation and legal publishing during the current REF period. Little is a member of the Advisory Board of the *Juridical Review*, the law journal of the Scottish Universities, and of the Council of the Scottish Universities Law Institute, which publishes high quality research monographs on the law in Scotland. Goodall is a member of the Editorial Board of the *International Journal of Human Rights*, one of the main journals in the field. Colleagues have contributed to journal preparation and therefore the discipline by serving as referees for leading academic journals during the current REF period: for example, the *Modern Law Review* (Little), *Legal Studies* (Little; Brodie), *Industrial Law Journal* (Brodie), the *Australian Journal of Labour Law* (Brodie), *Edinburgh Law Review* (Brodie), *Policy and Politics* (Goodall), *International Journal of Human Rights* (Goodall).

Finally, colleagues have made a significant contribution to the intellectual development of the discipline, through the authorship/co-authorship/co-editing of major academic books (Brodie, Sutherland, Davidson, Little, Goodall) which have been published during the REF period by leading academic publishers such as Oxford University Press, Cambridge University Press, W. Green and The Scottish Universities Law Institute, Hart Publishing, Routledge and Edinburgh University Press. These books represent significant contributions to knowledge and scholarship within the discipline in the areas of employment law, arbitration, child and family law and law-making and the Scottish Parliament. Colleagues have also published in leading academic journals, such as the *Modern Law Review* (Little), *Legal Studies* (Goodall), and the *Industrial Law Journal* (Brodie).