

Institution: University of York
Unit of Assessment: 20 - Law
<p>a. Overview</p> <p>Although legal research within social science departments has a long history in the University of York, the Law School was only created in 2007 and admitted its first students in 2008. Over the REF period, the Law School has grown rapidly and, despite not yet being at full capacity (19 FTE), it has quickly established itself as a research-intensive School with high ambitions for legal research, with particular emphasis on the development of socio-legal studies and private law, and on inter-disciplinary and cross-departmental collaboration.</p>
<p>b. Research strategy</p> <p>Strategic Aims 2008-13 The University of York has a rich tradition of law and law-related research conducted in its social science departments and related research centres. Part of the rationale for creating the Law School was to complement this strength and to act as a hub for the various strands of socio-legal work in the University. By linking and strengthening York's existing network of socio-legal researchers, the Law School aims to build upon these significant foundations and to maximise the strength and depth of law and law-related research. The University's strategic aim for legal research during the current REF period, accordingly, was to grow the Law School in such a way that it could provide a secure foundation for continued and expanded high quality legal research. In particular, the University aimed, first, to develop a school with strong links with the social sciences so that it would have the capacity to act as hub for interdisciplinary research on law and legal phenomena. Second, it aimed to grow a research-strong school that could build international links and establish an international reputation for the University in relation to legal research.</p> <p><u><i>Interdisciplinary research on law and legal phenomena</i></u></p> <p>In relation to this first aim, the Law School has implemented a strategy that has been designed to provide strong foundations for interdisciplinary, socio-legal research. Key achievements here relate to staff appointments and cross-departmental collaborations. In terms of staff, senior appointments were made to provide leadership (Hunter, Gready), including a Chair in Socio-Legal Studies (Halliday), in addition to a number of early career researchers with the capacity and intention to develop socio-legal research (Bradshaw, Gilmore, Jones, O'Brien, Wright). Cross-departmental links have been achieved at four levels:</p> <p>a. <i>Joint research groups and centres:</i> the Centre for Applied Human Rights ('CAHR') is an inter-departmental centre, jointly 'parented' by the Law School and the Department of Politics. Researchers from this centre actively participate in the research activities of the Law School. For example, Ensor (CAHR) has worked with Halliday (Law) on a pending ESRC grant application (with the University of Reading). Waldorf and Jones (CAHR) are working with Bradshaw, Grimes, Halliday, Hunter and O'Brien (Law) on a range of research proposals centred around a theme of legal empowerment.</p> <p>At an individual level, Law School staff are also members of a number of cross-departmental research groups: York Environmental Sustainability Institute (Stuart Bell); the Chronic Disorders of Consciousness Research Centre (Simon Halliday); the Morrell Centre for Toleration (Jenny Steele and Adam Tucker); and the Centre for Urban Research (Gilmore).</p> <p>b. <i>Joint research grant applications:</i> members of the Law School and CAHR have worked with other social scientists in seeking funding for research projects. Five such initiatives have occurred so far: (i) a successful ESRC grant between Hunter (Law) and the Centre for Housing Policy – indeed, Hunter is being returned in the REF to UoA 22 (Social Policy); (ii) a series of successful bids by the multi-disciplinary York Environmental Sustainability Institute (which included Bell from Law); (iii) a successful AHRC network grant between CAHR and the Department of History; (iv) two successful bids for University pump priming funds by the multi-disciplinary Chronic Disorders of Consciousness Research Centre (which included Halliday from Law); and (v) an unsuccessful <i>Leverhulme Trust</i> application between the Department of Sociology, the Department of Philosophy, the Department of Environmental Science and the Law School.</p> <p>c. <i>Joint research mentoring:</i> the Law School has encouraged joint research mentoring and supervision with other departments. Currently, three lecturers (Gilmore, O'Brien and Tucker) are</p>

jointly mentored.

d. *Inter-departmental seminars*: although other departments are routinely invited to Law School research seminars (and *vice versa*) jointly *sponsored* research seminars have proved a productive and largely informal means of bringing researchers together to focus on law.

Internationalisation

In relation to its second strategic aim, the Law School has focused its research strengths on two areas of scholarship that lend themselves well to international links and reputation: socio-legal studies and private law (particularly its theoretical study). International collaborations associated with socio-legal studies, the growth of expertise in this field, and the hosting of an international socio-legal conference are discussed elsewhere in this document. In relation to private law too, however, key achievements have been made. Again, the strategy was to appoint private law research leaders with international reputations (Steele and Nolan) alongside talented junior staff (Bradshaw, Morgan, Waring and Wilson). Steele and Nolan have taken a lead in developing international networks. Steele jointly led a seminar co-sponsored by the Universities of York and the Erasmus University of Rotterdam which produced to a co-edited collection of essays: *Mass Justice* (Edward Elgar, 2011). Since joining York, Nolan was appointed the McWilliam Visiting Professor in at Sydney University Law School and the Cheng Yu Tung Visiting Professor of Law at the University of Hong Kong. In relation to clinical legal education research too, Richard Grimes has developed strong international links, being appointed an 'International Scholar' with the Open Society Institute's Academic Fellowship Programme and leading on research projects relating to legal literacy and empowerment, through the establishment of law clinics in Pakistan, Afghanistan, Georgia, Vietnam and Laos. The Law School has also used external mentoring to help early career researchers develop international networks. Emma Waring, for example, is being mentored by Prof van der Weldt of Stellenbosch University and has become a fellow of the South African Research Chair in Property Law. Carrie Bradshaw is being mentored by Prof Neil Gunningham of the ANU.

Strategic Aims 2013-18 The key strategic objectives for legal research at the University of York for the next five years are as follows:

1. To increase the size of the Law School while maintaining the high quality of new recruits. With a current FTE count of only 19 in the Law School itself, the University recognises that the sustainability of high quality legal research necessitates a growth in numbers. We aim to add at least 10 new posts over the next 5 years.
2. To increase our socio-legal studies capabilities, both as the Law School develops and as social scientists from other departments become increasingly interested in law. As well as taking part in cross-departmental funding bids emanating from elsewhere in the University, Law School researchers will take the initiative in developing large-scale research proposals that require cross-departmental collaboration. Current themes being developed for the next 5-year period relate to (1) applied human rights; (2) legal empowerment, and (3) the medical humanities, with funding to be sought from the ESRC and the Wellcome Trust. We aim to have above-average per FTE income figures relative to comparator Law Schools in terms of size and research quality.
3. To further develop international research partnerships. The key techniques for achieving this goal are as follows:
 - Creation of formal *research exchanges* through existing networks including the Worldwide Universities Network.
 - The use of the University's and the Law School's *research visitor scheme* to attract international research partners. We aim to attract at least one international visitor each year over the next 5 years.
 - The hosting of *international research events*. Conferences currently planned for the next 5 years relate to (1) social welfare in an age of austerity; (2) land registration systems; and (3) the uses and abuses of commercial trusts.
 - The *funding of staff* to establish/maintain international connections and to give papers at relevant international conferences.
4. To enhance the impact of research beyond academia. This is discussed in REF3a.
5. To improve the quality of research outputs across the board. Recognising that *all* researchers can enhance the quality of their work, a key value of legal research at York is *research*

improvement. In the next REF exercise, we aim to submit two thirds of staff on R&T contracts. Key techniques for achieving this goal include research mentoring, work-in-progress seminars, reading groups and the performance review of all staff. These are discussed further below.

The achievement of all of the above strategic aims is monitored within the Law School through the work of its research committee, the Research Director and the Senior Management Team (of which the Research Director is a member). Within the wider University, the Senior Management Group monitors the on-going achievement of these aims through the yearly Medium-Term and Long-Term Planning processes conducted with each department. The University itself also has a research strategy as part of its broader strategic planning.

c. People, including:

i. Staffing strategy and staff development

Staffing policy

The decision to open a new Law School offered the University the opportunity to create an innovative teaching programme from scratch that, while maintaining teaching quality, could also facilitate the development of related high quality research. The core curriculum, based upon Problem-Based Learning ('PBL'), entails that student learning is centred on collaborative group work facilitated by PBL tutors. The staffing policy of York Law School was to create a team of part-time PBL teaching fellows to facilitate the collaborative group work in addition to a cohort of standard research-and-teaching ('R&T') academics. The R&T academics work together in designing an integrated curriculum across traditional subject boundaries. The increased emphasis on design rather than delivery creates sufficient flexibility in the Law School's workload model for R&T academics to develop high quality and strategic research programmes. Now that the teaching programme is established and running, each R&T academic on average has approximately 50% of his/her time available for research. This staffing and teaching policy will ensure the sustainability of the research life of the School beyond REF 2014.

Recruitment to R&T posts at all levels within the Law School has been to permanent contracts. With the exception of graduate teaching fellows (PGRs who teach - see further below), there are no fixed term research contracts currently. The demographic profile of the Law School has a roughly equal gender balance, both across the School as a whole (47% women) and at professorial level (two women/three men). It also reflects a healthy mix of both junior and senior researchers – 53% being junior researchers (lecturers), 47% being senior researchers at SL/Reader/Professor level. This mix of senior staff with leadership and mentoring skills, and junior researchers of very high quality will ensure the sustainable growth of legal research at the University of York.

Staff Development

York utilises various support systems to help develop the research careers of its staff. In the initial years of appointment to the Law School, early career staff are given a reduced teaching and administrative load. Additionally, all early career researchers (and others who request it) are allocated research mentors (including joint-mentoring with other departments as noted above). Mentors support junior researchers in conducting their research with integrity, operate as supportive and critical readers, and offer advice about publishing, the direction of an individual's research programme and grant funding (O'Brien's mentoring, for example, helped her win an ESRC Future Leaders award). For some ECRs, the best mentors are outwith York. The School currently funds three external mentors – Neil Gunningham (ANU) for Bradshaw; Andre van der Walt (Stellenbosch) for Waring; Damian Chalmers (LSE) for Wright.

In addition to mentoring support, all researchers have the opportunity to obtain feedback on their work through a planned series of informal 'brown bag' seminars. Staff members bring their work for discussion at all stages – from initial ideas through to completed drafts – and receive constructive feedback in a supportive environment. All staff are now encouraged to obtain such feedback before submitting research for publication. Researchers at all levels have used the scheme, the fruits of which are evidenced in REF2 (some of Halliday's and Steele's outputs, for example), or will be evidenced in future publications and grant proposals.

There is considerable expertise within the Law School to assist researchers in the preparation of funding bids for research. The Research Committee formally reviews all funding bids. Additionally, the Professional and Organisational Development Unit of the University runs grant-writing workshops which have been attended by Law School researchers.

The Law School itself also supports the research of its staff financially. The research budget accounts for approximately 25% of the School's operational budget. Each member of staff in the Law School enjoys an initial allocation of £1000 p.a. for conferences and other research expenses. Staff can bid for additional support over and above their initial allocation.

Further, the Law School has an active Study Leave Scheme. Researchers can now expect at least 2 terms' leave every 4 academic years, with two researchers usually being granted leave every academic year. The Law School has also made three successful bids for central University funds to support research leave (Arvind, Etherington and Tucker), and two further staff members have won external funding for research leave (Steele – Leverhulme, O'Brien – ESRC). Within this REF period, eight members of staff (spread equally across junior and senior) have enjoyed a total of 23 terms' leave between them.

Legal researchers are able, further, to access a suite of training opportunities offered by the University's Researcher Development Team. All such central training is mapped to the national 'Research Development Framework' that aligns with research councils' delivery plans and the 'excellence with impact' agenda. Early career researchers undertake a Postgraduate Certificate in Academic Practice. Leadership training for more experienced staff has also been undertaken – the Strategic Leadership course and the Research Leadership course (which won a Times Higher Education award).

Finally, the management of staff development takes place through a series of meetings with Senior Staff. All staff members meet jointly with the Director of Research and the Director of Teaching to review the balance between teaching and research ambitions and duties, and the extent to which agreed goals were achieved. Goals for the forthcoming year are agreed. Reports of these meetings then inform the more formal performance review meetings where support needs are identified and facilitated.

Personal Research Fellowships

Two researchers applied for competitively awarded personal research fellowships during the REF period. Both were successful. Jenny Steele was awarded a 36 month *Leverhulme Trust Major Research Fellowship* (2011-14). Charlotte O'Brien was awarded an *ESRC Future Research Leaders Fellowship* (30 months: 2013-16).

Equality of opportunity

The Law School, like the University itself, is committed to equality of opportunity, both for job applicants and existing staff. All those involved in recruitment and review of performance undertake equal opportunities training. In relation to existing staff, the study leave and financial support schemes are applied irrespective of leave of absences (there have only been two cases of leave of absence being taken: 1 x maternity leave; 1 x career break). Although there are currently no part-time researchers, the same principle would apply.

Other personal circumstances that inhibit the capacity of researchers to conduct research are taken into account when conducting performance reviews and as part of the mentoring process. Such issues are canvassed during the yearly meetings between staff members and the Director of Research, Director of Learning & Teaching and the Head of School. Further, to promote the identification of equality issues which require resolution, the Research Committee of the Law School is populated both by a mix of junior and senior researchers (including a PGR rep) and by a mix of women and men. Although the University has implemented the *Concordat to Support the Career Development of Researchers*, evidence of its positive effective is not yet available within the Law School given that it currently does not have any researchers to whom the Concordat applies.

Research Integrity

The University's *Code of Good Practice for Research* promotes integrity of the research process. In the Law School, this is implemented through the work of the Research Director and the Research Committee. Integrity within the research process is a key value stressed through the mentoring of junior colleagues and through the yearly review of research with the Research Director. Equally, through the sharing of preliminary work in brown bag seminars and discussions, a culture of integrity, stressing the values of honesty, transparency, accuracy and ethical conduct, is embedded in the School. All research that involves human subjects requires ethical approval from the University's research ethics committee. The committee applies the University's policy on ethical conduct and ensures that all legal, ethical and disciplinary standards are met. It is also

available for consultation on ethical issues that arise in the course of research. Where allegations of academic misconduct are received, the Head of School would apply the University's *Code of Practice on Academic Misconduct*, involving an internal review overseen by the Pro-Vice Chancellor for Research.

ii. Research students

The University of York values PGR students as full members of its learning community. This commitment to PGRs applies equally to those studying law. Law PGRs are housed within dedicated workspace within the Law Building. PGRs are active participants in departmental events. They attend research seminar series, 'brown bag' informal seminars and have representation on the Graduate School Board and the Research Committee. The Chair of Graduate School Board oversees the delivery of high quality research methods training for PGRs, offered by the Law School and taught by various permanent and experienced members of staff. Additionally, particularly given our stress on socio-legal studies, PGRs who require more intensive training in, for example, empirical methods, are able to participate in such training in other departments.

The University of York is a member of the *White Rose ESRC Doctoral Training Centre*, a consortium of the Universities of Leeds, Sheffield and York. One of the pathways within this DTC is socio-legal studies/criminology. All PGRs conducting socio-legal or criminological research benefit from White Rose socio-legal/criminological training events organised each year. Additionally, advanced training can be obtained through two White Rose networks - one in Advanced Quantitative Methods and one in Advanced Qualitative Methods. More generally, PGRs and their supervisors may search the DTC's training pages on its website to identify further opportunities for specific training.

During this REF period, 24 PGRs were registered (though 3 students elected to transfer to another University on the departure of a supervisor). All are PhD students. One was funded by the ESRC, one through a competitive University overseas student award, 4 were funded by the Law School, and the rest were self-funded. The students who have been awarded Teaching Studentships are given the same research and training support as their fellow PGRs. But in addition, they are offered training in teaching practice. Equally, their workload is capped in order to ensure successful progression through their postgraduate studies. The progress of all PGRs is monitored through the Thesis Advisory Panel process. This Panel meets once per year to review the work of the student. Additionally, the TAP process also reviews the progress the student has made in relation to more generic skills training and pastoral matters including the nature of the supervisory relationship. The University offers training courses to help PGRs develop more generally towards careers after completion of their degrees. This course is compulsory for our PGRs and involves the following components: (1) knowledge and intellectual abilities; (2) personal effectiveness; (3) research governance and organisation; (4) engagement, influence and impact.

d. Income, infrastructure and facilities

Research Income

During this REF period, our research funding strategy has been to seek funds which either support early career development; support collaborative interdisciplinary work; support major intellectual work at a senior level; or, support discrete publishing initiatives. Despite the relative youth of the Law School and its Centre for Applied Human Rights ('CAHR'), and the fact that we are not yet at full capacity, we have already built up an impressive track record in this regard. A key technique has been to make judicious use of University pump priming funds to inform and strengthen subsequent larger external applications. The Law School and CAHR have successfully bid for these. Hunter's successful ESRC bid, for example, was informed by pilot work funded through pump priming. Gready's recent ESRC award was informed by a prior AHRC research network grant. (The outcomes of other funding bids being made consequent to successful pump priming will be become known after this REF period.) A second key technique has been to target relevant funders carefully and to take time in the preparation of bids. This has resulted in a very high 'strike rate'. Details of grants awarded during the REF period are as follows:

	FUNDER	YEAR	SUM (£)
Charlotte O'Brien	ESRC	2013-16	182,786
Caroline Hunter (returned to UoA 22)	ESRC	2011-12	54,245
Paul Gready (Centre for Applied Human	ESRC	2014-17	480,500

Environment template (REF5)

Rights) (returned to UoA 21)			
Paul Gready (Centre for Applied Human Rights) (returned to UoA 21)	AHRC	2010-12	35,492
Matt Matravers	EPSRC	2009-10	36,184
Matt Matravers	British Academy	2009-12	211,103
Jenny Steele	British Academy	2011	5,337
Jenny Steele	Leverhulme Trust	2011-14	141,638
Caroline Hunter	Nuffield Foundation	2010	8,190
TT Arvind	Nuffield Foundation	2010	9,820
Jonathan Ensor (Centre for Applied Human Rights) (returned to UoA 21)	Institute for Development Studies	2012-13	4,800
Stuart Bell	DEFRA	2009-10	10,483
Stuart Bell	DEFRA	2012-13	5,127
Christine Skinner	DWP	2009	4,900
Christine Skinner	City of York Council	2009-10	17,492

The fruits of this research funding is already being evidenced in high quality research outputs: e.g.,

- C Hunter (ed) *Integrating Socio-Legal Studies into the Law Curriculum* (Palgrave MacMillan, 2012)
- TT Arvind and J Steele (eds) *Tort Law and the Legislature* (Hart Publishing, 2013)
- R Merkin and J Steele *Insurance and the Law of Obligations* (OUP, 2013)

Our strategy for generating research income over the next 5 years will be to consolidate our existing approach, targeting the research councils for early career support, and the Nuffield Foundation and the British Academy for smaller projects and publications support. In addition, however, we will also develop more ambitious research plans, involving multi-disciplinary and international working. We plan to develop projects in the fields of applied human rights, legal empowerment and medical humanities. We will, accordingly, target funders with the ambition and resources to support these types of major bids such as the ESRC and the Wellcome Trust.

Infrastructure and Facilities

Since 2010, the Law School has been housed in a brand new building in a new campus of the University. R&T staff enjoy individual office space and excellent IT facilities and support. The building has been designed to permit the local hosting of conferences and meetings. To date, the Law School has hosted 13 such events, ranging from 10 to 350 delegates.

The University library has excellent holdings and a sufficient commitment to research support that it was invited to join *Research Libraries UK* in 2012. Researchers have access to almost 11,000 journals titles, over 100 databases, and over one million books. The Library has devoted significant additional funds towards the building up its Law collection after the creation of the Law School. Approximately £800,000 was spent on new resources during the first 5 years of the Law collection with a recurring spend of over £250,000 annually. The University has recently invested £20m in the library buildings. As a result, study spaces (including dedicated spaces for research students) have increased to 1400. Individual and specialised support is provided to research staff and students in information and IT matters, including digital literacy training for research students.

In 2013, the University created a new Research Centre for Social Sciences (RCSS). This building provides all social science disciplines with additional research training facilities to complement those within departments. It provides accommodation for research groups, research meetings, workshops and conferences, and provides a focal point for York's interdisciplinary research culture and environment.

e. Collaboration or contribution to the discipline or research base

An ethos of collaboration has been a core value guiding the development of the Law School at York. Collaboration has been prioritised in relation to cross-disciplinary links both within and outwith York. Additionally, we have encouraged and facilitated the building of research networks with other legal scholars within the UK and internationally.

Interdisciplinary Collaboration

Environment template (REF5)

Given York's stress on cross-disciplinary collaboration, there is considerable support for and evidence of interdisciplinary work within the University, as already noted above. However, cross-disciplinary collaboration extends beyond York. Halliday, for example has been publishing with sociologists from the Universities of Kent and Glasgow. Hunter has been working with Heriot Watt's School of the Built Environment, with Sheffield University's Department of Town and Regional Planning, as well as being appointed a Visiting Professor at the Centre of Housing, Urban and Regional Planning at the University of Adelaide. Wright has been publishing with the multi-disciplinary Centre for Competition Policy at the University of East Anglia. Ensor of the Centre for Applied Human Rights has been working with Reading University's department of geography.

National and International Collaboration

In addition to what has already been mentioned above, York legal scholars have developed extensive collaborative research links within the UK. Steele instituted the North East Region Obligations Group. Others have developed individual links with national scholars. Nolan, for example, has published work with Armour of Oxford University and Cheffins of Cambridge University; Hunter with Cowan of Bristol University; Steele with Arvind of Newcastle University. Collaborative research partnerships extend beyond the UK also. Grimes was a co-founder of the Global Alliance of Justice Education (GAJE). Nolan's has published with Black of Northwestern University in Chicago and with Conaglen of the University of Sydney. Halliday holds an Adjunct Chair at the University of New South Wales and has been invited to be an International Partner on a research project (The Impact of Public Interest Litigation in Australia) (decision of the Australian Research Council pending). Gilmore is collaborating with Morgan of the University of Western Sydney and Poynting of the University of Auckland. O'Brien, Halliday and Hunter, are members of a funded European research network on Democratic Institutions and European Public Administration. Prof Civitarese (University of Pescara), a visiting scholar at York Law School, leads their team.

The Centre for Applied Human Rights has equally strong international research links. Gready is a member of a working group on human rights and development of the EU COST Action IS 0702, with expert meetings taking place throughout Europe. Ensor is a research member of an action research project in Mozambique, partnered by the National Fund for the Environment of Mozambique. Waldorf is co-leading an international network on transformative justice set up through the Worldwide University's Network. Jones is an advisor to the *Immigration Detention and International Law: Coding State Adherence to Norms Project* of the Institut de hautes études internationales et du développement (Switzerland), and to the Steering Committee of the Asia Pacific Refugee Rights Network.

Contribution the Discipline

Journals: Involvement in the production of journals is encouraged and many of our staff undertake such duties. The Centre for Applied Human Rights hosts the *Journal of Human Rights Practice* (Oxford University Press), the only scholarly journal of its kind. Five of our current staff are editors of other journals: Bell (*Environmental Law Reports*); Etherington (*Environmental Law Reports, Environmental Law Bulletin*); Hunter (*Journal of Housing Law*); Nolan (*Journal of Corporate Law Studies*); Steele (*Legal Studies* - till 2011). A further two hold associate editorships: Halliday (*Social & Legal Studies*); Waldorf (*International Journal of Human Rights*). A further eight staff serve on editorial boards: Bell (*Journal of Planning and Environmental Law*); Grimes (*International Journal of Clinical Legal Education, African Journal of Clinical Legal Education and Access to Justice, Asian Journal of Legal Education*); Halliday (*Law & Policy*); Hunter (*Onati Socio-Legal Series*); Nolan (*Company Lawyer*); Steele (*Journal of Human Rights and the Environment*); Waldorf (*Journal of Human Rights Practice*); Wilson (*Lloyds Law Reports*).

Professional Societies: York Law School also actively participates in the professional societies of legal scholars. Both Hunter and Halliday are former Executive Committee members of the Socio-Legal Studies Association and York hosted the annual conference of the SLSA in 2013. Halliday was successfully nominated by the SLSA in 2013 for membership of the Academy of Social Sciences. Steele will be President of the Society of Legal Scholars in 2014-15 and York will host the annual conference in 2015.