

<b>Institution: University of York</b>
<b>Unit of Assessment: 18 – Law</b>
<b>1. Unit context and structure, research and impact strategy</b>

## 1.1 LEGAL RESEARCH AT THE UNIVERSITY OF YORK

York Law School ('YLS') was created 14 years ago to carry out high-quality legal research and build on the university's rich tradition of outstanding and impactful interdisciplinary research within the social sciences. YLS' mission has been to serve as a hub to catalyse a new agenda of legally relevant research across the university.

Our research structure and strategy over the current REF period have been directed towards achieving and developing this foundational vision. Our strategy has been to foster disciplinary excellence, while growing our capacity for interdisciplinary leadership. The School has retained a particular focus on socially engaged research across the wide span of its activity. At the same time, it has nurtured a research environment grounded in a shared sense of being a learning community, where the boundaries within and beyond law are acknowledged to be porous. This consistent preference for disciplinary openness has been a key theme of appointments during the School's expansion, allowing the foundation of a shared ethos between colleagues across a broadening span of research. It is also consistent with the nature of our taught curriculum, which from the start has dismantled traditional structural subject barriers within law, and subject barriers between law and other disciplines. Openness to a variety of methodologies and disciplines are thus key features of all our activities.

We have made excellent progress in creating a culture where legal researchers aspire to contribute legal knowledge and expertise to other disciplines' projects, and to draw on legal ideas, methods and frameworks to shape agendas on grand research challenges. YLS scholars have led a flourishing of excellent interdisciplinary collaborations (section 1.2), supported by a range of mechanisms at both School and University level (section 3.2). Our openness to other disciplines is also bearing fruit within the School's own legal scholarship, allowing the opening up of fresh avenues within legal research in its own right. A sense of intellectual community – both at University and School level – has proven fertile ground for the development of outstanding legal research.

During this REF period, the School has grown from having 19 Category A staff in 2013 to 28 Category A staff (27.3 FTE) at census. It has one interdisciplinary research centre, the *Centre for Applied Human Rights*, which is shared with the Department of Politics and was an important feature of the original vision for the School. We also have a law clinic which, in addition to serving the local community, is embedded within our research environment (section 1.3). The School has developed six new research 'clusters', marking the growth of research activities during the current REF period. These clusters are organised around active research themes, following broad and inclusive departmental discussion. They reflect and support the interests and ambitions of scholars at all career stages. The current clusters relate to: administrative justice; critical corporate & financial law; health & wellbeing; private law in context; rights, equality, citizenship & empowerment; law, power & justice.

## 1.2 RESEARCH AMBITIONS AND ACHIEVEMENTS 2013-20

Our REF 2014 submission set out six key ambitions. Each of them has been achieved, as evidenced below:

**To increase our capacity for interdisciplinary collaboration**

- Since REF 2014, 14 current staff (at all levels) have conducted, or are conducting, a total of 23 joint projects (funded and unfunded) with 12 other University of York departments, across all 3 Faculties. In 7 of these projects, YLS has been the lead department. Examples include:
  - o Jones' (SL) work with Politics on the Protection of Rohingya Refugees (section 4.4)
  - o Morgan's (SL) work with Philosophy and Computer Science on AI Law & Ethics (section 3.2.1)
  - o Tomlinson's (SL) work with Social Policy on COVID-19 (section 3.2.1)
  - o O'Brien's (Prof) work with Politics on social rights after Brexit (section 4.4)
  - o Westwood's (L) work with Social Policy on health care inequalities
- A member of YLS (Arvind) was appointed the university's 'champion' for the interdisciplinary research theme on 'Risk, Evidence and Decision-Making' from 2018 to 2020. This role, central to the university's research strategy (REF5a, paras 4 and 11), required working with academics across the university, and taking a leadership role on creating and shaping agendas for broad cross-departmental collaboration.
- We have systematically recruited scholars with experience or capacity in interdisciplinary working, including those who have trained or worked in other disciplines:
  - o Black (L) (Philosophy)
  - o Harrison (L) (Pharmacology)
  - o Leader (L) (Theatre Studies)
  - o Matravers (Prof) (Politics & Philosophy)
  - o McNamara (Reader) (Politics)
  - o Meers (L) (Social Policy)
  - o Westwood (L) (Social Gerontology)

**To develop our international research partnerships and networks**

- We delivered 14 international research events during the REF period which produced:
  - o Six publications (Civitarese & Halliday, 2018; Nolan et al, 2018; Carr, Edgeworth & Hunter, 2018; Arvind & Steele, 2020; Lernerstedt & Matravers, *forthcoming 2021*; Black et al, *forthcoming 2021*)
  - o One report for Australia's *Independent National Security Legislation Monitor* (Blackbourn, McNamara & Brunton-Douglas, 2019)
  - o One special issue of *Social & Legal Studies* (*forthcoming 2022*, Arvind)
  - o One special issue of *International Journal for Crime, Justice and Social Democracy* (*forthcoming 2021*, Gilmore)
- YLS played a leading role in the development of an institution-wide partnership with the University of Maastricht (REF5a, para 6). Wright (SL) led the *Future of Europe* research theme, securing funding for a series of workshops and subsequent publication.
- 8 YLS staff have held 16 visiting positions outside the UK during this REF period (section 4.1)

**To increase our research income**

- Our yearly research income has almost tripled: from just over £100,000 in 2013-14 to just over £300,000 in 2019-2020 (section 3.1)

**To grow while maintaining research quality**

- Outstanding research profiles or potential have been central in recruitment for Category A staff, with the Director of Research involved in all appointments. We have consistently attracted new staff of the highest calibre who fit the School's ethos of disciplinary openness, including those whose research has attracted prestigious awards (Arvind – *SLS Best Paper Prize*, *ICLQ Young Scholar Prize*; Rennuy – *Common Market Law Review Prize*; Tsarapatsanis – *Paul Ricoeur Prize*; Westwood – *SLSA Early Career Book prize*)

**To improve the quality of research, across the board**

- A range of measures has been put in place to improve the quality of researchers' work (sections 2.2; 3.2). Our selection of outputs indicates a significant growth in activity and strength in depth since the last REF, while there has been an important scaling up not only in award values (section 3.1), but also in the scale and ambition of our projects (e.g., Morgan's (SL) work on *AI Law & Ethics*; Cismas' (Reader) work on the *Influence of Religious Leaders on Parties to Armed Conflict*; and O'Brien's (Prof) work on an *EEA Public Services Research Clinic*)

**To enhance the impact of our research**

- We greatly enhanced the impact of our research beyond academia, through measures discussed in the next section (section 1.3)

**1.3 IMPACT STRATEGY AND ACHIEVEMENTS 2013-2020****1.3.1 Strategic Aim**

Our strategic aim, set out in REF 2014, was to consolidate the School's emerging capabilities in impact and to embed it as a core value of our environment. We achieved this by taking the following steps:

- We invested strategically through the external appointment to the role of Impact Lead (McNamara (Reader)), with experience both in academia and an NGO. Now Deputy Director of Research, he offers training on impact and works closely with colleagues to support impact activities, integrating YLS with Faculty and University strategies (REF 5a, para 12).
- We have drawn actively on the University's training and support structures for impact (REF 5a, para 12), including applications to its ESRC Impact Accelerator Account: during this REF period, there were 7 successful bids. These helped shape reports of independent reviews and research and policy agendas of civil society organisations; enabled researchers to build sustainable networks with civil society, government agencies and the private sector; and facilitated further collaborative research and funding that will see future impact. Equally, we harnessed the Social Science Faculty's partnership with the Cabinet Office's Open Innovation Team to facilitate the impact of YLS work: e.g., Tomlinson's (SL) recent project on COVID-19, informing the Open Innovation Team about predictors of compliance with lockdown rules.
- We have supported the secondment of staff to key organisations (appropriately reflected in our workload model) and formal project partnerships with external bodies. During this REF period, 3 secondments were made (2 x Parliamentary Fellowships; 1 x secondment to the office of a UN Special Rapporteur), and 10 projects had 29 formal external partnerships (section 4.2.3).
- We have additional ring-fenced School funds (£5,000 p.a.) to provide financial support for impact activities.
- Impact awareness and motivation are key criteria for recruitment and are included in annual staff research planning meetings, in mentoring meetings, in research cluster activities and in PGR training reviews.

### 1.3.2 Target Impact Audiences & Choice of Impact Case Studies ('ICS')

In REF2014, we identified three main audiences for our impact work: policymakers; the legal services sector; and the public. During this REF period, we made significant advances in relation to each:

- Policy-Makers: a key element of the university's approach to impact has been to support centres of research excellence with strong connections to policy-makers. Our *Centre for Applied Human Rights* ('CAHR') is exemplary in this regard. It has built a global reputation for research excellence in relation, *inter alia*, to Human Rights Defenders, and has consequently been able to develop relationships with key policy actors in this field. Our impact case study on Human Rights Defenders illustrates the benefits of this 'centre-of-excellence' approach to facilitating impact (section 4.2.1)
- Legal Services Sector: here we can also see the benefits of a designated applied centre of excellence. Our case study on Refugee Protection, also based on CAHR's work, illustrates the leverage that is gained through the use of policy / practice workshops, policy brief series and working papers to develop partnerships with and influences on key actors in the legal services world – in this ICS, those providing assistance to asylum-seekers or adjudicating matters concerning them
- The public: we are also now seeing the benefits of embedding impact as a core value of the research environment. Our third ICS captures the School's ambitions and processes particularly well, focusing on the work of O'Brien who, while an ECR, was mentored at YLS through the process of applying for ESRC Future Research Leaders' funding, then formally mentored through the research period itself. Now a Professor, with further funding she has harnessed the capacity of our Law Clinic to develop a highly impactful research programme around the provision of legal advice. This work has been beneficial for all three of our impact audiences, including ordinary members of the public.

### 1.4 OPEN RESEARCH AND RESEARCH INTEGRITY

Consistent with university policy (REF5a, para 15), YLS encourages an open research environment by way of mentoring, annual research planning meetings, and performance review (sections 2.2), recognising the importance of democratising data and access across the discipline and beyond. The data from Tomlinson's recent study of COVID-19 lockdown compliance, e.g., has already been shared with Edinburgh University, the survey instruments have been shared with the LSE, UCL and the University of Chieti-Pescara, and the full dataset will be lodged at the end of the grant period with the York Research Database for public use.

As regards research integrity, the university expects the highest standards from its members (REF5a, para 14). Probationary staff, for example, are required to undertake appropriate training (REF 5a, para 29) and post-doctoral research fellows have access to training *via* the university's Research Excellence Training Team (REF 5a, para 32). Within YLS, research integrity is promoted and monitored through a variety of processes: in the mentoring process, yearly meetings with the Research Director, and the School's policy on the peer review of grant proposals prior to submission. All PGRs, on commencement of their studies, undertake a Research Integrity Tutorial. Thereafter, research integrity is overseen through supervision and Thesis Advisory Panels. All research involving human subjects requires the approval of a cross-departmental ethics review committee, on which designated Ethics Officers represent the School and CAHR.

### 1.5 FUTURE STRATEGY AND GOALS

For the next five years, we have set ourselves the following goals:

- *To improve the quality of research, across the board*

- a. We will draw on and provide excellent research support mechanisms – at University, Faculty and Schools levels (section 3.2) – to continuously stretch the intellectual ambitions of our researchers
- *To increase the extent of interdisciplinary collaborations, particularly with a view to promoting the contribution of legal research in meeting grand research challenges*
  - a. We will build on the university's cross-disciplinary openness (REF 5a, para 4) to introduce legal questions, methods and frameworks into the response to grand research challenges
  - b. We will extend our participation in university-sponsored events targeted at cross-disciplinary conversations (REF5a, para 10), showing leadership in setting agendas and framing priorities
- *To diversify the range of impact and beneficiaries from our research*
  - a. We will integrate external stakeholders into the life of the School through visiting appointments and fellowships of practitioners and professionals to build impact networks and the co-production of research
  - b. We will extend the range of potential research beneficiaries, building on work that promises impact for the private and civil society sectors
- *To increase research income*
  - a. Through our research support mechanisms (sections 2.2.; 3.2), we will encourage staff at all levels to engage in the most ambitious projects, including collaborative endeavours with other disciplines, both within and outwith the university
  - b. We will target a diverse range of funding sources in order to make our income stream sustainable
- *To increase our success with funded PGR students and funded Postdoctoral Fellowships*
  - a. We will increase applications for competitive funding sources for PhD students (e.g., UKRI studentships)
  - b. Having trialled a 'PhD application workshop' in 2019, we will establish this as a permanent feature of student support and PhD recruitment
  - c. We will make targeted efforts to use competitive funding sources for postdoctoral fellowships, including through developing strong external applicants by engaging them with the YLS community in the year prior to application (e.g., as visiting PhD students, presenting staff seminars, external members of research clusters)
- *To better represent diversity, including and beyond gender, within our research community*
  - a. We will develop a framework to systematically collect and use data about our progress in relation to equality, diversity, and inclusion, so as to improve our decision-making and performance
  - b. We will create a rolling EDI action plan, updated annually, to scrutinise and evaluate our progress in achieving greater diversity and inclusion, and creating a culture of embedded EDI within the school
  - c. We will seek external awards – including applying for an Athena Swan Bronze award and becoming a Stonewall champion – to validate and benchmark our processes

## 2. People

The 'learning community' that sits at the heart of the School's founding vision embraces both students and staff at all levels. Our ambition is to sustain an environment where everyone feels properly valued and supported in their development as scholars.



## 2.1 STAFFING PROFILE & STRATEGY

As a relatively new School, we had a strategic commitment to growth during this REF period, increasing from 19 to 28 Category A staff (27.3 FTE). With 7 members of staff leaving through retirement or for academic opportunities elsewhere, we recruited 16 new Category A overall staff during this REF period:

- 8 x L
- 2 x SL
- 2 x Reader
- 4 x Prof

Additionally, we employed 3 post-doctoral fellows on the basis of external grant income. With the exception of the post-docs (all of whom have now successfully moved to other opportunities), all staff were recruited to permanent posts.

The Category A staff profile at census was as follows:

Lecturers	Senior Lecturers	Readers	Professors
9 (8.6 FTE)	7	3 (2.8 FTE)	9 (8.9 FTE)

Strategically, we secured a stable balance of junior and senior staff, with sufficient numbers of experienced senior staff to provide leadership in the School's governance over time. The School's sustainability is further promoted through rigorous career development and support mechanisms (section 2.2), promoting the capacity of junior staff to grow in ability, experience and confidence.

Our strategy for the next REF period is to accept a slower rate of growth whilst securing durability in the character and quality of our research. We will continue to appoint excellent scholars who share our value of disciplinary openness across the range of expertise, including in the core legal subjects. Our recruitment criteria, research strategy, and systems for supporting ECRs and PGRs will continue to emphasise both research excellence and the capacity for interdisciplinary collaboration and impactful research, as well as the ability to contribute to the evolution of existing strengths.

## 2.2 SUPPORT FOR THE CAREER DEVELOPMENT OF STAFF

We have excellent staff development processes in place, consistent with the University's policy (REF 5a, para 22). The effectiveness of our policies and practices is evidenced by the career progressions amongst Category A staff during this REF period:

- All nine current lecturers successfully completed their probationary periods
- Six of our seven senior lecturers were promoted from lecturer (Etherington; Jones; Morgan; Waring; Wilson; Wright)
- One of our three readers was promoted from senior lecturer (Cismas)
- One of our professors was promoted from senior lecturer (O'Brien - formerly an ECR who secured her first post at York)

These successes are a result of the following support systems:

### For All Staff

At School level, we have adopted the following processes:

- *Annual research planning with the Research Director*: these meetings are supportive and developmental in aim, entirely separate from formal performance review. Individuals are encouraged to prepare a rolling five-year programme of work that reflects their scholarly goals
- A clear and transparent process of *Annual Performance Review*: this provides opportunities to

raise issues which impact upon colleagues' ability to achieve their career ambitions. A proactive approach is taken to issues of well-being during these meetings. On a number of occasions (details omitted for reasons of privacy), adjustments in workload or the scope of allocated roles have been made as a direct result of these discussions. 94% of Category A staff recently reported finding these reviews helpful (Athena Swan survey)

- The School operates a *transparent workload model*. It allocates 40% of time to research for staff
- The Schools assigns administrative and leadership roles through open calls to which all staff may apply, thus offering career development opportunities to all
- We have a *Research Leave* policy based on a clear set of principles, published and reviewed annually by our research committee. There is a normal expectation of two terms' leave in every four years, higher than the institutional norm, reflecting the need for concentrated time to focus on extended projects. This approach has enabled, e.g., O'Loughlin (L) and Morgan (SL) to make significant progress on their monographs (both to be published in 2021), and Nolan (Prof) to bring to fruition 2 years' work, resulting in a full length LQR piece. There has been a steady and strategic growth in the numbers of colleagues on research leave in each academic year, in addition to those with funded leave. Our policy is to treat these separately so that School expectations of leave remain intact. Flexibility in the principles has enabled accelerated leave to be awarded on five occasions during the current REF period. Twenty-two colleagues between them were granted a total of 70 terms' leave during the period, of which 48 were fully funded by the School.

### For Early-Career Researchers

Both at university level and within the School there are specific support mechanisms for early career researchers:

- New probationary lecturers undertake a *Postgraduate Certificate in Academic Practice*, which includes a specific focus on research activities (REF 5a, para 29), including writing for publication, doctoral supervision, research career development, and research planning. YLS gives its probationary lecturers an allowance of 90 hours for this in their workload
- Within the School itself, probationary lecturers are allocated mentors, with annual review meetings, and are additionally given a lighter teaching and administrative workload
- We encourage and support ECRs through their first experiences of funding applications, targeting, where appropriate, developmental funds. During this REF period, 4 ECRs (Black, Meers, O'Loughlin, Westwood) were successful in obtaining funds such as University Pump Priming Awards, Impact Accelerator Awards and White Rose Network Collaboration Funds. These opportunities provide important skills development and confidence-building experiences, resulting in concrete outcomes (e.g., building networks outside academia with recognition from research users; contract for an edited collection) and operate as a platform for future success in larger and external funding competitions.

### For Mid-Career and Senior Researchers

The School encourages established staff to undertake training programmes offered through the University's Research Excellence Training Team (REF 5a, para 32), aimed at next generation leaders. During the current REF period,

- Two members of YLS staff undertook the *Research Leadership* course (Halliday, O'Brien)
- One member of staff undertook the *Leading Without A Team* course (Wright)

## 2.3 EVIDENCE OF SUPPORT FOR EQUALITY AND DIVERSITY

We are building a reputation as an open, welcoming and supportive place of work for researchers from a wide range of backgrounds, researching a broad array of topics from a wide range of theoretical perspectives. We have drawn on the literature on addressing equality and diversity

issues to frame an ambitious agenda in relation to our research environment and the way it builds and shapes our activities.

Over this REF period, this has produced a considerable broadening of areas in which YLS scholars publish, which now includes, illustratively, topics such as ageing, gender, and sexuality; the law's colonial pasts; and human rights and neglected tropical diseases. All of these areas are represented in our submitted outputs, impact case studies and major funded research grant applications.

Our policies in relation to recruitment, promotion, research leave, and provision of internal funding expressly seek to ensure that common sources of implicit bias have been eliminated, and that all decisions are made according to published principles. Our practices more generally evidence a commitment to an inclusive research environment that supports staff in achieving their potential. In a 2019 staff survey conducted to inform our Athena Swan application, 100% of female Category A staff agreed with the statement: 'I consider that YLS is a great place to work for women.'

The School has appointed an Equality and Diversity Champion at Chair level in line with university policy. S/he is an *ex officio* member of the School's management team, ensuring that all decision-making is scrutinised from an EDI perspective. Selection panels undergo EDI and unconscious bias training. Selection panels and decision-making committees are in the aggregate also balanced in respect of level of seniority, gender, and research focus, with opportunity and participation spread across staff.

Promotion and other statistics are monitored on an ongoing basis: e.g., 67% of staff promoted during this REF period were women; on the basis of last year's audit of the School's seminar series, we have this year encouraged colleagues to suggest female speakers from ethnic minority backgrounds, with excellent results. We will build a balanced profile of speakers for the future, around all dimensions including ethnicity and seniority.

Issues of disability are raised through a variety of mechanisms (directly with the School's disability officer; performance review; annual research planning; mentoring). The School's disability officer is responsive to the ongoing needs of researchers. During this REF period, bespoke provision was made for both physical and temporary cognitive needs, including assistance from the university's occupational health team.

The School is responsive to and facilitates requests for periods of part time working and flexible working arrangements (e.g., for those with caring responsibilities) without an adverse impact on career progression opportunities. Research leave is available to colleagues with fractional contracts, and periods of parental and sick leave are treated in the same way as normal service for the purposes of calculating expected dates of research leave. At census, three Category A staff in the School were working part time (1 woman; 2 men). Two other colleagues have had discrete periods of part time working at their request during the REF period.

The School gives a high level of visibility to diversity in its public profile and communications: the staff newsletter as well as external newsletters. We have also created a feminist research & teaching group to promote the insights of feminist research and methods throughout the School's activities. Convenorship of this group is recognised within our workload model as a leadership position.

Our support for and progress in equality and diversity is also evidenced through the selection of outputs for the REF:

- Of colleagues with 5 pieces returned for this exercise, 75% are women (including double weightings)
- Of 5 extended works selected for double-weighting, 80% are by women
- While 39% of our Category A staff are women, 48% of our outputs (including double weightings) have been authored by women (internal co-authorship counted proportionately)

The proportionately higher contribution of women has been recognised by the department, as evidenced by the fact that they accounted for 67% of promotions, as discussed above.

Nevertheless, we have not been as successful as we would have liked in relation to some key aspects of diversity. Although women have been well represented in the School Management



Team during this REF period (Head of School; Deputy Head of School; Research Director), we have seen a slight decline in the proportion of women Professors. And we remain slightly below an equal gender balance overall in Category A staff (4 of 9 Lecturers; 3 of 7 Senior Lecturers; 1 of 3 Readers; and 3 of 9 Professors). This is also true of BAME staff (2 of 28 staff).

To address this, and to evaluate our performance in relation to inclusivity more generally, we are implementing a new programme of action for EDI, including staff composition in the School. This has already identified issues relating, e.g., to supporting staff returning to work after parental leave in resuming interdisciplinary networks and connections. We have also created a system of external mentoring, whereby we provide funding for staff to have an external mentor from a more diverse range of persons if desired, or to work collaboratively with organisations that represent diverse constituencies.

We are also engaging with external bodies to evaluate our processes. An application for an Athena Swan Bronze award was prepared during this REF period, though submission was delayed by COVID-19. We intend to apply to become a Stonewall champion in the next REF period. The School has also initiated a consultation on framing an EDI strategy to better represent dimensions of diversity within its ethos and policies.

## 2.4 IMPLEMENTATION OF CONCORDAT FOR CAREER DEVELOPMENT OF RESEARCHERS

YLS appointed its first post-doctoral fellows in the period from March 2018, all three of whom were externally funded on short fixed-term contracts. Implementation of the Concordat was considered by our research committee in 2018 and a range of support measures established:

- Mentoring and careers advice *via* supervisors/mentors and the Research Director
- Advice on applications for Lectureships and competitive research funds
- Inclusion of postdoctoral fellows in research clusters, research seminars, research 'boot camps' and annual away-days
- Postdoctoral representation on research committee

In addition, our post-doctoral fellows had access to a suite of training opportunities provided by the University's Research Excellence Training Team (REF 5a, para 32), between them undertaking a total of 6 training modules. All three fellows successfully moved on to other opportunities: Gilgan secured an academic post at the end of her ESRC fellowship; Kao moved into legal practice; Skowron secured a full-time post in the public sector.

## 2.5 PGR STUDENTS

We have seen strong, but controlled growth in numbers during this REF period. At the time of REF2014, the School had graduated 5 PGR students. Since then, a further 28 PGR students have completed, including those shared and co-supervised with other departments. We have also seen growing success in competitive awards. During this REF period, 12 PGRs commenced studies with external funding awards (ESRC; AHRC; N8 Policing Network). The School funded a further 3 studentships itself.

Training needs analysis, doctoral training and progress review are offered under the auspices of the York Graduate Research School (REF 5a, para 30). Equally, the university's Research Excellence Training Team provides training for PGRs in a range of areas (REF 5a, para 32). As a member of the White Rose ESRC and AHRC doctoral training partnerships (REF 5a, para 6), all Law PGR students have access to DTP training events, in both skills and methods. Law PGRs are also encouraged to attend relevant modules in the Social Sciences Faculty that match their training needs (e.g., Ellis, Gracie, Keech and Pringle in qualitative methods). Our PGRs meet with the university's Law Librarian at the outset of their studies and are provided with direct support from him/her as needed throughout their research.

YLS itself offers additional training in project design, legal research methods, and critical reading, overseen by the PG Programme Leader during students' first years of study. An annual student

presentation of ongoing research allows all of our PGR students to engage in debate with peers, including staff, during their studies. All research students are allocated to a research cluster and encouraged to participate in cluster activities. There is also financial support of individual PGR activities such as conference attendance, fieldwork expenses and impact activities through School Research funds (baseline of £500 each p.a.).

The School regards PGR students as full members of our learning community. As such, we employ a range of measures with a view to PGRs' broader support and inclusion. PGRs participate in the School's seminar programme, including presentation of papers or acting as discussant to guest speakers (Keech; Ellis). There is an emerging practice of contribution of outputs to projects organised within the School (e.g., Meers in Halliday's collection of essays; Ellis in Arvind & Steele's collection of essays). PGR representatives are included in School's research committee and Graduate School Board and in staff meetings discussing research strategy. There is also continuing informal support for PGR students on completion: e.g., Gilgan's ESRC post-doc fellowship was a direct result of such support.

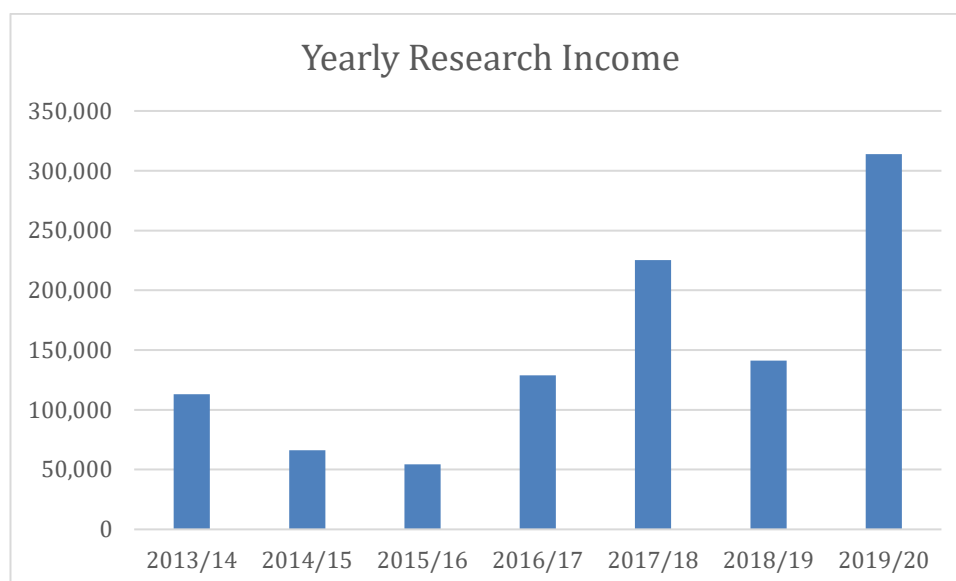
Law PGRs are supported in engaging in the wider University community through the showcasing of their work in, e.g., University-wide PhD Spotlight competitions (REF 5a, para 32), with two YLS winners in recent years (Geyser, Killen).

### 3. Income, Infrastructure and Facilities

The School operates with the benefit of excellent facilities – not only in terms of buildings and materials, but also as regards people and processes, both at School and institutional level. This has led to notable successes during this REF period as regards income generation (section 3.1) and interdisciplinary working (section 1.2).

#### 3.1 RESEARCH INCOME

As a consequence of a range of research support measures (section 3.2), we achieved significant growth in research income, in excess of the increase in staff numbers. Whereas the number of Category A staff during this REF period grew by a factor of 1.5 (from 19 to 28 individuals), our yearly research income increased by a factor of 2.8 (from £113,000 to £314,000).



We strategically broadened the range of our funders, attracting over £1m in total. Most of our funding (69%) came from UKRI (ESRC, AHRC, NERC, BA), with the rest (31%) coming from UK government and EU institutions, UK and EU charities via open competitive processes (Leverhulme, Nuffield, JRF, ISRF, Wellcome, IFA), and overseas research councils (Norway, Switzerland). This

income total represents 24 separate projects, involving 16 YLS staff members. In 17 of these projects, the YLS staff member was the principal investigator ('PI').

Our research support strategy (section 3.2) has focused on ensuring the sustainability of our research income into the future. The effectiveness of our approach is evidenced not only by the broadening profile of funders, but also by the wide seniority range of staff attracting research funds. The table below offers a snapshot of the profile (at the point of application) of YLS PIs and Co-Is, and the corresponding sum of the research grant spend during this REF period. As ECRs gain confidence in both internal and external funding competitions, they are supported in the stretching of their funding ambitions as their careers progress (see also section 2.2).

PIs & Co-Is at time of application	Number of Research Grants	Sum of Research Spend during REF (£)
Associate Lecturer	1	71,288
Lecturer	3	142,642
Senior Lecturer	6	459,787
Reader	1	94,459
Professor	6	273,771

### 3.2 RESEARCH SUPPORT

#### 3.2.1 University & Faculty Support

YLS staff draw actively on a superb university-level infrastructure targeted at research development and interdisciplinary initiatives.

The university has both a *Research and Development Innovation Team* and a group of interdisciplinary '*Research Champions*', specifically set up to support strategic research development (REF 5a, paras 4, 10). They connect researchers across departmental and faculty boundaries through a variety of mechanisms (workshops, sandpits, directed introductions, etc). YLS staff have made great use of this highly supportive infrastructure during this REF period: e.g.,

- Morgan's (SL) European Commission grant on *Robotics for Inspection and Maintenance* (with Computer Science: 2019-2022)
- Arvind's (Prof) forthcoming EPSRC project on *Trustworthy Autonomous Systems Node in Resilience* (with Computer Science, Philosophy, and Mathematics: 2020-2024)
- Bell's (Prof) NERC grant on *Uptake of Chemicals on Legacy Waste Sites* (with Environment & Geography, History and Chemistry: 2020-2023)

The university, as a member of the White Rose Universities Consortium (with Leeds and Sheffield – REF 5a, para 6), promotes and financially supports inter-institutional and interdisciplinary work. Successes here included:

- Morgan's (SL) collaboration funds regarding *AI Law and Ethics* (with Computer Science, Philosophy, Sociology, Politics, Psychology at York; Computer Science, Mechanical Engineering, Applied Ethics at Leeds; Sociology, Robotics, Philosophy, Politics, Education, Medicine, Engineering, Information at Sheffield)
- Wilson's (SL) collaborative PhD studentship on *Crime, Innovation and the Technology of Money* (with History at Leeds University)

Junior researchers enjoy cross-disciplinary mentoring opportunities at university level, such as the

'Research Grant Boot Camp' where cross-disciplinary mentors work intensively with junior staff around project ideas over a 2-day period (co-organised in 2018 and 2019 by Arvind). Five YLS junior staff (1 x post-doc fellow; 4 x lecturers) have taken advantage of this opportunity (Black; Gilgan; Gilmore; Meers; O'Loughlin). Two senior YLS staff (Arvind & Halliday) have acted as mentors for ECRs from other departments.

The university offers a wide variety of *central research priming funds*. We have recently achieved good success with such applications (Black, Meers, Westwood (L); Morgan (SL)), which will bear fruit in the next REF period.

The Faculty of Social Science has an Associate Dean for Research whose role includes the creation of interdisciplinary relationships within the faculty: e.g., Tomlinson's (SL) recent partnership with Social Policy for his project on *Law & Compliance during COVID-19* (2020-2021).

### 3.2.2 School-Level Support

At School level, research is promoted and supported by a number of mechanisms. A 'Research Grants Lead', and an 'Impact Lead' were created during this REF period and provide one-to-one support for project development. They encourage colleagues to be ambitious, but are responsive to their needs and sensibilities, offering support in a range of ways, such as:

- Rigorous peer review of a full draft of a grant application (e.g., McNamara's (Reader) British Academy Mid-Career Research Fellowship);
- Working intensively with someone on a particular aspect of a grant application (e.g., the 'pathways to impact' section of Cismas' (SL) successful ESRC grant);
- Working continuously with someone throughout the full research development and application process (e.g., Gilgan's (Assoc L) successful ESRC PDRF application; Westwood's (L) ESRC *New Investigators Grant* application) (through to final assessment panel, outcome pending) where support was provided within this REF period.

The School has additional and extensive expertise in research award decision-making (section 4.3.3) and uses this for additional peer review.

A position of research facilitator (0.5 FTE) was created in 2016 to assist staff with the identification of funding sources, and the processing of grant applications. This post has directly supported our increase in research income, as the above graph indicates

All staff and PGRs are members of at least one of six research clusters (section 1.1). These support and develop individuals' research agendas, and provide an outward-facing identity that can assist with external engagement. Clusters can bid for dedicated funding to support their activities (e.g., the seminars conducted by Arvind and Steele, and Black: section 1.2). The School also directly financially supports events that promote interdisciplinary working (e.g., McNamara's workshop on revocation of citizenship, 2018; Tomlinson's workshop on benefits sanctions, 2019). A personal annual research budget of £1250 is available from School funds for all staff. Additional discretionary funds, on application, are operated by the research committee.

### 3.3 ADMINISTRATIVE, IT AND STRATEGIC SUPPORT

At School level, staff are supported by an administrative staff of eight (6.5 FTE), including a Research Facilitator (0.5 FTE) and PGR administrator (0.8 FTE). All staff and PGRs have access to excellent IT facilities, supported by a central university IT team. Access to, and training in a wide range of research support and data analysis software packages (e.g., Endnote; SPSS; NVivo) are made available centrally. Remote electronic meeting facilities were well-established pre-COVID-19 and so enabled the School to quickly adapt to remote research practices during COVID-19.

At Faculty level, there is a Research Group for the chairs of departmental research committees, which promotes research policy discussion in an interdisciplinary setting, and an Impact Group for departmental impact leads, which promotes and provides support for impact in departments and for IAA awards. The School's research programme is further supported by the Faculty's Dean, Associate Dean for Research, and Impact Manager, who participate in a yearly 'medium-term

planning' process where the School's research strategy and planning is reviewed.

### 3.4 LIBRARY FACILITIES

The Library is located centrally. During the REF period it has improved its space and opening hours, and the availability and remote access to electronic resources (REF 5a, para 39). It has also increased its expenditure on the law collection. The law librarian offers a range of research support services, especially those targeted at our PGRs, including generic training on poster presentations, reference management, and literature searching, as well as offering bespoke one-to-one appointments.

### 3.5 BUILDINGS

Since 2011, the School has been housed in the purpose-built Law and Management Building ('LMB'). Both the Law School and the School of Management have grown substantially. With new premises being developed for Management, Law will soon be able to expand its space, housing PGR students together with the School, and allowing more ambitious research visitor and fellowship programmes.

The Faculty has a dedicated building for the *Research Centre for Social Sciences*, which provides meeting and desk spaces for PGR students, and has been home to the CAHR.

Throughout the REF period, LMB and the adjacent Ron Cooke Hub have provided excellent conference and workshop facilities, which were used, e.g., for the *Society of Legal Scholars* Conference in 2015.

## 4. Collaboration and contribution to the research base, economy and society

The Law School produces world-leading research that is excellent in its own right, introduces law to other disciplines in meeting national and global research challenges, and is applied in focus. Thus, contribution and leadership both within and beyond the research base is inherent in our vision.

### 4.1 SUPPORT FOR RESEARCH COLLABORATIONS, NETWORKS AND PARTNERSHIPS

Staff are encouraged and supported to develop extensive networks, both nationally and internationally, both within and outwith the discipline. Such networking brings back to YLS an understanding of the requirements of national and international research communities. Drawing actively on university strategies and networks, including the university champions and the White Rose Consortium (REF 5a, paras 6 & 10), YLS promotes networking through its mentoring, research cluster activity, research planning meetings, performance reviews (section 3.2.2) and direct financial support.

Many examples of networking are already noted elsewhere in this document (sections 1.2 & 3.2.1). Additional examples of networking during this REF period include:

- Halliday (Prof), as part of a multi-disciplinary team with Lund, Sweden, securing funding from the Swedish Research Council, introducing the significance of legal consciousness to the understanding of climate change adaptation
- Jones (SL) becoming a partner of the *Human Rights Resilience Project* (Columbia Law School & NYU School of Law)
- O'Loughlin (L) acting as Co-I on a project with the Department of Social Policy and Social Work regarding 'relational' risk management in work with personality disordered offenders', launching a University-wide Personality Disorder Network
- Westwood (L) setting up a multi-disciplinary group of researchers from the UK, US, Australia,



and Canada, developing research priorities regarding sexual orientation and religious rights tensions in older age care spaces

There are also instances of networking and collaboration through YLS staff taking up Visiting Chairs and Fellowships:

- Cullen (Adjunct Research Professor, University of Oslo, 2019 -)
- Matravers (Oldenburg, 2014; and Minnesota, 2014)
- Morgan (Georgetown, 2015; Hong Kong 2015 and 2019; Trinity College Dublin 2019; Singapore Management University, 2020)
- Nolan (Cheng Yu Tung Visiting Professor, University of Hong Kong, 2013-18)
- Halliday (Conjoint Chair at UNSW, 2013-2016)
- Black (Collaborative Residency at Fondation Brocher, Switzerland, 2015; with Skelton, Western Canada, 2015; and Forsberg, 2015)
- O'Loughlin (Kooijmans Fellowship, Faculty of Law at Vrije Universiteit, Amsterdam, 2019)
- Wright (European University Institute, 2014; and iCourts Centre of Excellence for International Courts at Copenhagen, 2014)

## 4.2 ENGAGEMENT WITH RESEARCH BENEFICIARIES AND CONTRIBUTIONS TO ECONOMY AND SOCIETY

As part of our impact strategy (section 1.3), the School engages in extensive collaboration and knowledge exchange activities with external partners to promote the immediate impact of our research, and to build relationships that will endure and form a basis for ongoing impact.

The impact of our research has been local, regional, national, and international. Beneficiaries of impact-oriented activities include CABx, civil society groups, corporations, governments and parliaments in the UK and abroad, housing officers and tenants, human rights defenders, international organisations, journalists, lawyers and judges, legal advisors, local authorities, migrants, protestors, and supranational bodies.

Strategically, three models of collaboration and knowledge exchange in particular have been adopted:

### 4.2.1 Centre of Excellence

The Centre for Applied Human Rights provides an outstanding example of the strategic development of collaborative research at York (section 1.3). CAHR researchers have an internationally recognised presence in human rights issues and engage regularly with organisations such as the International Red Cross and the United Nations Special Rapporteur. Ways of developing these links included:

- Organisation of workshops to discuss practice and research
- Secondment of a member of staff to the UNSR/ OHCR
- The development of a working paper series and policy brief series
- Consultation on new policies (e.g., legal guidance on refugee definition; development of new tool to assess national legislation)
- Leadership of civil society organisations (Egyptian Foundation for Refugee Rights; UK/international refugee legal aid funder) and coalitions (international coalition of refugee legal aid organisations; legal advisor to Asia Pacific regional network of civil society organisations on refugee issues)

CAHR launched a *Human Rights Defenders Hub* in 2016, funded as a 'global thought leader' by the Open Society. The Hub's 'rapid research response' service involves the prompt production of research to support the immediate needs of strategic partners, initially piloted through a strategic

partnership with the Special Procedures Branch of the United Nations Office of the High Commissioner for Human Rights (OHCHR) which supports the mandate of the UN Special Rapporteur on the situation of Human Rights Defenders.

CAHR also works locally and has led a diverse network of local actors including the *City of York Council*, statutory agencies such as the police, voluntary sector groups and others in establishing York as the UK's first Human Rights City, aiming to integrate human rights into policy and practice within the city.

#### 4.2.2. Advice and Consultancy to Public Organisations and Civil Society

Engagement with courts, governmental organisations, policy-makers and, more recently, civil society actors runs across the breadth of the School's research. Engagement with such organisations and actors during this REF period included the following:

- A number of YLS staff have had their work cited in senior and appellate court judgments:
  - o Arvind (Trinidad & Tobago)
  - o McNamara (South Africa)
  - o Morgan (Australia, Ireland, UK)
  - o Nolan (UK)
  - o O'Brien (UK and ECJ)
  - o Rennuy (ECJ)
  - o Steele (UK)
  - o Thomas (Australia)
- A number of YLS staff have had their work cited in the reports and documents of public bodies: e.g.,
  - o Government of Canada
  - o Law Commission of England and Wales
  - o Scottish Parliament Information Centre
  - o Oireachtas Committee on Justice
  - o Government of Western Australia
- Cullen advised Finance Watch, a Brussels-based NGO
- Hunter (Prof) provided consultancy to the Welsh Government on the sale and use of leaseholds in Wales (2019)
- Hunter and Meers (L) provided advice to the London Assembly on property guardians
- Morgan (SL) assembled an interdisciplinary group (Management, Sociology, and Philosophy) to respond to a Law Commission consultation on automated vehicles
- McNamara (Reader) has made several submissions and given evidence to law reform bodies and parliamentary committees, both in UK and Australia, with recommendations taken up
- Rennuy (L) authored more than twenty reports for the European Commission (D.G. Employment, Social Affairs and Inclusion) and gave training to EURES advisers (first-tier advisors to EU migrants on social security, tax and labour law)
- Tomlinson (SL) was an Academic Panel member of the Administrative Justice Council and of a Civil Justice Council's expert advisory group examining the impact of COVID-19 on the civil justice system
- Wright (SL) advised the House of Commons Business, Energy and Industrial Strategy Select Committee in the context of 'Brexit and the implications for UK business'. She also briefed the Welsh Senedd on No Deal Brexit legislation (2019) and on the EU internal market (2020)

#### 4.2.3. Co-Production of Research & Project Partnership

We have placed an emphasis on developing relationships with external bodies for both the co-development of research questions and collaborations in the implementation of our research ideas. In this vein, we developed a 'Research and Practice Fellows' scheme. The first of these (McKay, appointed 2019) is a human rights lawyer with policing and national security expertise. Other

examples of our collaborative approach, in addition to those detailed in our Impact Case Studies, include the following:

- Cismas' (reader) partnership with the United Nations Special Rapporteur on Freedom of Religion or Belief, Geneva Call, Diakonia Global Centre for International Humanitarian Law, and the International Committee of the Red Cross (project: *Generating Respect for Humanitarian Norms: The Influence of Religious Leaders on Parties to Armed Conflicts*);
- Cismas' collaboration with GESNOMA (University Hospitals Geneva), Sentinelles, Doctors Without Borders (project: Noma, Human Rights, Global Health);
- Hunter (Prof) and Meers' (L) engagement with local housing authorities and others in relation to the practical dimensions of housing policy work
- Hunter's work with LEASE, providing an audit of their services
- Tomlinson's (SL) work with the Public Law Project (project: Evidence in Judicial Review Litigation)
- Tomlinson, Halliday (Prof) and Meer's (L) work with the Cabinet Office (project: Law and Compliance during COVID-19)

### 4.3 CONTRIBUTION TO SUSTAINABILITY OF THE DISCIPLINE

YLS scholars have made a wide range of contributions to the vitality of the discipline of law during this REF period, including the following:

#### 4.3.1 Research Scholarship Events

Leadership has been demonstrated by the organisation of research events. In addition to the international events mentioned above (section 1.2), the following are examples of national events organised by existing staff:

- McNamara (Reader) co-organised a symposium, "Towards a National Commitment to Open Justice Data in the UK" (2019)
- O'Brien (Prof) co-organised a symposium on 'Brexit: What Welfare? What Rights for Migrants in Britain?' with *Welfare Conditionality Project* (2017)
- Waring (SL) co-organised a workshop on Landmark Cases in Property Law (publication in 2015, Hart Publishing)
- McNamara (Reader) ran and co-presented a session for PGRs and ECRs, "Understanding the REF" (2020), which attracted nearly 500 registrations from over 60 institutions with participants from across A&H and Social Sciences.

#### 4.3.2. Learned Societies

YLS staff have also made contributions to learned societies:

- Steele (Prof) was appointed to the Presidency of the *Society of Legal Scholars* for 2014-15, hosting the Annual Conference at York in 2015
- Meers (L) co-convened SLSA's 'Social Rights Citizenship & the Welfare State' stream (2017 -)
- Morgan (SL) and Black (L) were convenors of SLS subject sections
- Wright (SL) was co-convenor of SLSA's 'EU' stream (2013-15)

#### 4.3.3. Grant Committees

During this REF period:

- Arvind, Halliday, Hunter, Matravers and O'Brien (Profs), Cismas and McNamara (Readers) and Tomlinson (SL) were members of the AHRC and ESRC peer review colleges

### Unit-level environment template (REF5b)

- Black (L) and Wilson (SL) sat on the White Rose AHRC Doctoral Training funding panel.
- Halliday and Bell (Profs) sat on the funding panel of the White Rose ESRC DTP (chaired by Halliday, 2019-2020)
- Tomlinson (SL) was a member of the *Digital Freedom Fund's* Panel of Experts
- Wright (SL) and Halliday (Prof) served as evaluation panel experts for the European Commission's Marie Skłodowska Curie Fellowships

#### 4.3.4 Advisory Boards

YLS staff have also supported the research community through membership of advisory boards. During this REF period, the following advisory board work was undertaken:

- Gilmore (L): ESRC funded project, *Policing the Covid Crisis*, University of Manchester
- Halliday (Prof): Centre for Socio-Legal Studies, Oxford University (2014-2016); European Research Council project, *Refugees are Migrants: Refugee Mobility, Recognition and Rights* (2019-); ESRC project, *EEA Public Services Research Clinic* (2020-)
- McNamara (Reader): *Information Law & Policy Centre* at IALS; the *Public Law and Policy Unit*, University of Adelaide
- Thomas (Reader): Wellcome Trust project, *The Everyday Cyborg: Mapping Legal, Ethical, & Conceptual Challenges*, University of Birmingham
- Tomlinson (SL): Nuffield Foundation project, *Administrative Justice in Wales* (2018-2020); ESRC project, *Virtual Justice* (2020-); ESRC project, *Algorithmic politics and administrative justice in the EU Settlement Scheme* (2020-)

#### 4.3.5. Editorial work

Significant international leadership in editorial responsibilities includes the following:

- Arvind (Prof) is founding editor and articles editor of the Indian Law Review (the first academic-edited law journal to be established in India or in respect of Indian law)
- The editorship within CAHR of the *Journal of Human Rights Practice*
- Etherington (SL) is joint editor of *Environmental Law Reports*; and *Environmental Law Bulletin*
- Gilmore (L) is Associate Editor, *Justice, Power and Resistance*
- Halliday (Prof) is Associate Editor and Book Reviews Editor, *Social and Legal Studies*
- Matravers (Prof) is co-editor in chief, *Criminal Law and Philosophy*; and review editor, *Critical Review of International Social and Political Philosophy*
- Meers (L) is cases editor, *Journal of Social Welfare and Family Law*, and news editor for the *Journal of Social Security Law*
- Morgan (SL) is Book Review and Review article editor, *Journal of Professional Negligence* and an editor of the *Professional Negligence and Liability Reports*
- Tomlinson (SL) is an editor of the *Administrative Law Blog*, an internationally focused online publication

### 4.4 RESPONSIVENESS TO NATIONAL AND INTERNATIONAL PRIORITIES AND INITIATIVES

The growing sustainability and focus of our research, and the value of the new support mechanisms we have put in place, have put us in a position to respond to rapid-response funding calls and initiatives reflecting national and international priorities, with considerable success:

- Jones (SL), *The Verandah of Protection: Violence, History and the Protection of Rohingya refugees in Aceh* (BA's Global Challenge Research Fund)

- Jones (SL), *The Law of Asylum in the Middle East* (ESRC Global Challenge Research Fund)
- O'Brien (Prof), *EEA Public Services Research Clinic* (ESRC's 'Governance After Brexit' call)
- Tomlinson (SL), *Law & Compliance during COVID-19* (Nuffield Foundation's 'Social Dimensions of Covid-19' call)

#### 4.5 SUPPORT FOR INTERDISCIPLINARY RESEARCH

As this document has shown, support for interdisciplinarity was a key element of the vision for York Law School when it was created in 2007. Our development since has reflected that. The information throughout this document testifies to our conviction that the most creative legal research will look across disciplinary boundaries, and that new scholars have a vital role to play. Our successes indicate the value of the structures we have created to support these convictions. We have increasingly worked towards injecting legal concerns, ideas and methods into multi-disciplinary responses to grand research challenges: e.g.,

- Arvind (Prof) and Morgan (SL) on AI (section 3.2.1)
- Bell (Prof) on environment (section 3.2.1)
- Cismas (Reader) on armed conflict (3.2.2)
- Halliday (Prof) on climate change (section 4.1)
- Jones (SL) on refugees (section 4.4)
- Tomlinson (SL) on COVID-19 (section 4.4)

At the same time, openness both to other disciplines, and between the different strands of our own research, has contributed to the excellence of our legal research, across the range of the discipline.