

<p><b>Institution:</b> Edinburgh Napier University</p>
<p><b>Unit of Assessment:</b> Unit of Assessment 18 - Law</p>
<p><b>1. Unit context and structure, research and impact strategy</b></p> <p><b><u>Research Structure</u></b></p> <p>Law research at Edinburgh Napier University (ENU) is conducted by members of the Law Subject Group, situated within the Business School (TBS) and the School of Health and Social Care (SHSC). UoA 18 Consists of 6 REF submitted staff, 5 from TBS, and 1 from SHSC.</p> <p>Law Research was led by <b>Professor Jill Stavert</b> from 2011 to 2018. From January 2018 <b>Stavert</b> has continued to lead the Unit of Assessment (UoA) whilst, as Law Subject Group Leader, <b>Dr Ramandeep Chhina</b>, and since July 2019, Head of Subject, <b>Professor Richard Whitecross</b> have assumed overall Law Research leadership. The group adopts a collegiate approach to research strategy and leadership, which supports staff members to develop as leaders in their own areas. This has facilitated meaningful and diverse contributions to the overall law research strategy in the period. UoA members also sit within two distinct schools to support interdisciplinarity and increase the potential for impactful research.</p> <p>Within the Unit, particular staff research strengths include; rights, equality and justice issues relating to potentially vulnerable groups of persons (e.g. persons with mental disability and children and young persons), the relationships of these groups with the state and related service provision, and legal societal change (e.g. anti-corruption). Our research addresses contemporary legal problems at international, regional and national levels. It uses a range of methodologies, including analytical, comparative, historical, and socio-legal approaches.</p> <p>Particular areas of research strength include:</p> <ul style="list-style-type: none"> <li>• Anti-corruption and economic crime and law (<b>Chhina</b>)</li> <li>• Access to justice (<b>Stavert, Whitecross</b>)</li> <li>• Family and Child law (<b>Dr Lesley-Anne Macfarlane, Whitecross</b>)</li> <li>• International criminal law (<b>Dr Clare Frances Moran</b>)</li> <li>• Legal anthropology (<b>Whitecross</b>)</li> <li>• Law and society, including Roman Law (<b>Dr Leslie Dodd</b>)</li> <li>• Mental health and capacity law and related human rights (<b>Stavert</b>)</li> </ul> <p>Law forms part of the Accounting, Finance and Law subject grouping within TBS. In SHSC legal research was originally situated within the Mental Health Theme, but since January 2021 it has resided within the Health and Social Care Sciences subject group. Research in the Unit broadly fits into two groups:</p> <ul style="list-style-type: none"> <li>• <b>The Centre for Mental Health and Capacity Law</b> – This group was originally situated within TBS but now resides within SHSC, and was established by <b>Stavert</b> in November 2013. The main objective of the Centre is to support and undertake excellent interdisciplinary research in this area of law and policy. It also aims to provide a mechanism within which impact from research can be realised and maintained.</li> <li>• <b>Child and Family Law and Policy Research Group</b> – This group is situated within TBS and is currently led by <b>Whitecross</b>. It was established in 2015 by <b>Macfarlane</b> and <b>Whitecross</b>, who have also recently received Royal Society of Edinburgh funding to create a multi-disciplinary Research Centre for Scottish Child and Family Law and Policy (2020-2022).</li> </ul> <p>In the REF period these two groups have influenced the research environments of both TBS and</p>

SHSC. They have enabled interdisciplinary collaborations and networks, both cross-university and externally, which have built individuals' confidence for undertaking high quality and impactful research.

### **Research Strategy**

Research activity in TBS is governed through the School Research and Innovation Committee. The committee co-ordinates the delivery of the Research and Innovation strand of the academic strategy within the School, and monitors its performance with reference to Academic KPIs.

From October 2020, committee membership has been increased via the establishment of the role of 'Research Lead' for each Business School subject group. Research Leads now form a critical link between the research leadership team and members of each subject group. They will lead the development of research activity within their subject groups, contribute to the development and implementation of the research strategy, represent their group on the School Research and Innovation Committee, and act as a communicative bridge between the committee and individual researchers. Research governance is complemented by TBS Research Degrees Committee (headed by **Whitecross**), and TBS Research Ethics Committee, which take any necessary decisions and actions required at School level for research degree and research integrity matters.

Research activity in SHSC is also governed through its School Research and Innovation Committee (of which **Stavert** is a member), and its Research Degrees and Research Integrity Committees, which operate in a similar manner to TBS. The Centre for Mental Health and Capacity Law falls within the interdisciplinary Mental Health research grouping, and is focused on the interface of law, policy and human rights in relation to mental health and mental capacity.

The school and unit are committed to the University's overarching research strategy as outlined in REF5a. Future school strategies are informed by the institution's five-year focus on staff development, increasing innovation, and developing international research partnerships, and aim to feed into the broad strategic aims of the University. Future interdisciplinary opportunities will be guided by the new University Themes.

The University-level research centre structure is currently being revised and is establishing several formal research centres to complement the new themes of Health, and Culture & Communities (REF5a). The International Centre for Management and Governance Research (TBS), the Military Transitions Centre for Education, Research and Public Engagement (TBS) and a Mental Health research centre (SHSC) are proposed in relation to the Unit. These formal research centres will provide organisational structures which will strengthen the research culture in both schools. The structures will directly implement research strategy, driving forward research momentum, and will aim to provide increased opportunities for collaborative and interdisciplinary research and training.

UoA18 also has a specific and closely aligned law research strategy which aims to address current and future societal issues. The strategy reflects the applied nature of the proposed new groupings, to allow the Unit to swiftly respond and adapt to urgent research needs. For example, enabling the Centre for Mental Health and Capacity Law to respond nimbly to address the legal and practical implications of COVID-19 on health and social care provision for those with mental health issues.

### **Unit Research Objectives**

Research objectives ***during the assessment period and which will be carried forward over the next five years*** include:

(1) ***Maintain and further develop a vibrant research environment and culture*** in which areas of research strength are encouraged and can flourish in terms of productivity, quality and impact.

This will be supported by the University's commitment to investing in people (REF5a).

(2) **Maintain and develop interdisciplinary legal, academic, professional and stakeholder networks** to increase the visibility of our research and its outputs. This will allow researchers to effectively respond to national and international law research priorities. This will be supported by the University's strategic commitments to innovation and internationalisation (REF5a).

(3) **Be research leaders in our areas of strength.**

(4) **Make a high quality UoA submission to REF2021 and the subsequent REF.**

As will be seen from evidence elsewhere in this statement, and from outputs and impact case studies accompanying this submission, this objective is being met, and there is demonstrable ongoing improvement in research activity and quality.

Over the next five years the aim is to continue to improve against the existing research objectives in alignment with University and School strategies. The Unit will seek to increase engagement with national and international research priorities for child, mental health and capacity, and international criminal law. For example, researchers will seek to give effect to the European Convention on Human Rights (ECHR), United Nations Convention on the Rights of the Child (UNCRC), United Nations Convention on the Elimination of Racial Discrimination (UNCERD) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Supporting and developing collaborations via new University-led themes and centres and increasing interaction with key stakeholders via innovation and partnerships will significantly assist with this objective. The unit will also aim to continue its involvement in current law and policy reform to increase opportunities for impactful research.

### **Research Impact**

In alignment with ENU's Academic Strategy, the Unit is committed to conducting research that has practical applications. Research in the period has contributed to development of law and related policy and practice, either via direct contribution to legal reform and evaluation, or by influencing the debate which has informed this. As has been outlined, the strong interdisciplinary approach of the Unit has facilitated meaningful impact in terms of the operation, review and reform of the law.

Research impact has been supported and enabled in a variety of ways. The Unit has provided additional workload allocation to support researchers in ensuring impact. Researchers have also been supported in presenting and disseminating their research findings at events or policy briefings to governments and key stakeholders, and by membership of stakeholder advisory and policy boards and committees. This has in many cases created pathways to impact, which have subsequently resulted in significant benefits to research users.

The two submitted impact case studies were both facilitated via these avenues and opportunities. These are explained below along with other examples of opportunities to support impact in the period.

### **Working with national and international agencies, government and regulatory bodies, and legislatures**

#### **Europe and international**

**Chhina** was a consultant on the EU Council of Europe Joint Projects against Economic Crime in Kosovo (2017), in Georgia (2017-2018), in Albania (2018-2019) and Montenegro (2018). In this role she wrote technical papers with recommendations for law changes and guidelines which were provided to beneficiary institutions and other relevant stakeholders, including the Financial Intelligence Unit of Kosovo, and the Georgian Ministry of Justice and Financial Intelligence Unit.

As an expert on anti-corruption at the Organisation for Security and Co-operation in Europe (OSCE) (2017), she wrote a technical report analysing current best practice, and a curriculum to promote anti-corruption awareness among school students in Albania. She also worked in cooperation with the relevant stakeholders, including the Albanian Ministry of Education and Sports, to design anti-corruption awareness and education materials for the students.

In 2016 **Stavert** presented research findings on her paper *Using the UN Convention on the Rights of Persons with Disabilities to support the rights of people living with dementia* at Alzheimer Europe, and the European Parliament's lunchtime debate. Together with other members of the *Three Jurisdictions Project* research team, she also attended a meeting of the UN Committee on the Rights of Persons with Disabilities at the Head Quarters of the UN High Commissioner for Human Rights in Geneva.

### National

**Macfarlane's** Scottish Parliament funded research on UNCRC and ECHR issues surrounding the forthcoming Family Law (Scotland) Act resulted in her reporting findings to the Scottish Parliament's Justice Committee (2019-2020). She also provided the parliament with advice on legal and policy developments relating to the Children (Scotland) Bill 2019.

**Stavert** and Colin McKay's (visiting professor) research on coronavirus emergency measures and persons with mental disabilities led to an invitation and admission onto the Scottish Parliament COVID-19 Register, to provide expert advice on the impact of Scottish Government and Parliament responses to the pandemic. Earlier, in 2014, **Stavert** also gave evidence on the Mental Health (Scotland) Bill to the Health and Sport Committee at the Scottish Parliament.

Similarly, additional research allowance in her workload allocation has allowed **Stavert** to contribute as an expert member to; the Scottish Government Supported Decision-Making Advisory Group (2018-date), Adults with Incapacity (Scotland) Act Reform Deprivation of Liberty Working Group (2017-2019), the Mental Health (Scotland) Act 2015 implementation steering group (2015-2016), the Scottish Government Independent Review of the Mental Health (Care and Treatment)(Scotland) Act 2003 in relation to Learning Disability and Autism (2018-2019), the Scottish Mental Health Act Review executive team (2019-2022) (where she also leads the Review's Capacity and Support for Decision-Making workstream), Mental Welfare Commission for Scotland led (coronavirus) Emergency Powers Scrutiny Advisory Group, and Scottish Government Adults with Incapacity (Scotland) Act Emergency Legislation Commencement Consideration Group.

The strategy to allow time for dissemination of research findings has also allowed her to address members of the UK Government review of the English Mental Health Act, and contribute to research in relation to this review (August 2018). She has also been able to write guidance on Deprivation of Liberty (updated) (2015) and Supported Decision-Making Guidance (2015-2016), and has undertaken a literature review on Article 2 ECHR and psychiatric deaths investigations (2020) by the Mental Welfare Commission for Scotland.

In December 2016, **Whitecross** presented research findings from a Royal Society of Edinburgh funded project on contact cases to legal academics, policy makers and legal practitioners. He also presented a policy briefing to the Scottish Government Family Law Policy Unit in August 2017. Extra research time allowed **Whitecross** and Lindsay to present their research on Case Management in Family Actions to the Scottish Civil Justice Committee in May 2017, and **Whitecross** and Mair to present findings on the impact of the disjuncture between contact cases and criminal cases involving domestic abuse before Minister for Community Safety (October 2019).

**Whitecross** was also invited as the keynote speaker by the Scottish Government and Law Society of Scotland to present his research on civil court cases involving domestic abuse to invited representatives from the judiciary, Faculty of Advocates, legal profession, Scottish Legal Aid Board and third sector (February 2019). He has also attended as an invited expert

contributor to the *Varieties of Democracy Project*, Kellogg Institute for Governance, USA and Gothenburg University, Sweden (annually since 2014).

### Information and training

#### Judicial training

In 2020, **Macfarlane** delivered a Judicial Training Brief on the Children (Scotland) Act 2020, and in 2017, **Stavert** delivered a presentation on deprivation of liberty and adults with incapacity at a training session at the Judicial Institute for Scotland.

**Stavert** also wrote training materials for medical and general members of the institute regarding the amended mental health legislation excessive security provisions (2015-2016), and delivered lectures and workshops as part of Mental Health Tribunal for Scotland panel members training (2017). She is also a regular invited speaker at Law Society of Scotland and Legal Service Agency conferences and seminars.

**Whitecross** was invited by the Scottish Government and the Law Society of Scotland to develop trauma informed practice training for legal professionals (2020).

#### Seminars and workshops

The Law Subject Group and the Centre for Mental Health and Capacity Law both hold annual seminar series which, as well as including high-quality external academic and practitioner speakers, have also provided opportunities for Law staff to showcase their own research and build external and cross-school collaborations (see Section 4). More recently, the Centre for Mental Health and Capacity Law, responding to the coronavirus crisis, has hosted its events via webinar for 2020/21.

The aim of the Unit is to increase opportunities for research dissemination, collaboration and networking under the auspices of the newly proposed research centre for Scottish Child and Family Law and Policy (see above).

**Stavert** ran a workshop on Employer Responses to Dementia in the Workplace at the Scottish Trades Union Congress '*Dementia and the Workplace*' Conference in September 2016 and November 2019 (with Dr Valerie Egdell of ENU and now of the University of Northumbria).

**Whitecross** and **Chhina** were invited participants to the Scottish - Sweden Comparative Workshop lead by the Scottish Police Institute for Policy Research. The Workshop enabled them to network with colleagues from the Scottish Government and other Scottish Universities.

#### Other

In 2018, **Whitecross** was invited by the Royal Society of Edinburgh to provide a case study based on his research on S.11 (7A-E) Children (Scotland) Act 1995. He also presented research on domestic abuse and contact cases to women's organisations in Glasgow (2017), and participated in the Legal Aid Review roundtable with Martyn Evans, Professor T Mullen (Glasgow) and Professor C Tata (Strathclyde) at Queen Margaret University (2017).

#### Professional committee and groups

**Stavert** is a member of the Law Society of Scotland Mental Health and Disability Committee, Alzheimer Scotland Human Rights and Policy Committee, the Mental Welfare Commission for Scotland National Advisory Committee and Scottish Human Rights Research Advisory Group.

**Whitecross** has been the Vice Convenor of the Law Society of Scotland Administrative Justice Committee as well as being a member of its Immigration and Asylum and Equality Law Committees. He was appointed by the Law Society of Scotland as Examiner in Scots Private Law and Obligations in 2017. In 2019, he was appointed Vice Convenor of the Heads of Scottish Law Schools, in addition to being invited to join a Royal Society of Edinburgh Working Group on the British Academy's consultation into Arts, Humanities and Social Sciences (February – April 2017). In December 2020, he was appointed to the National Taskforce for Human Rights United



Nations Convention on the Elimination of Racial Discrimination Reference Group.

### **Interdisciplinary Research**

The structure of the Unit within the Centre for Mental Health and Capacity Law and the Child and Family Law and Policy Group provides a supportive framework for inter-disciplinary research. The applied nature of each research group, combined with their proximity to the work of other research in TBS and SHSC, has led to many collaborations between Law staff and researchers in other areas. The proposed multi-disciplinary Research Centre for Scottish Child and Family Law and Policy will also continue to foster interdisciplinary research, and allow for great impact in terms of the operation, review and reform of the law.

A specific objective of the Centre for Mental Health and Capacity Law is to provide an interdisciplinary platform to respond to the various challenges proposed by mental health and capacity law and healthcare related rights. Fulfilling this objective, the projects it and **Stavert** have been involved in to date have worked with social scientists, psychologists, psychiatrists, other mental health professionals and persons with lived experience of mental disability and their carers and families. The *Employer Responses to Dementia in the Workplace and Mental Health Tribunal for Scotland* project, as well as the law reform scoping exercise leading to *The Case for Report* report are just two concrete examples of this.

The interdisciplinary nature of the Centre is further strengthened by the fact that **Stavert** is currently situated within the School of Health and Social Care, although she maintains research links with the Law research and subject group. The Centre's research is heavily influenced by its inter-school activity, and via the involvement of key external key representatives in its Expert Advisory Group, who are able to ensure that proposed research addresses real societal needs and support the dissemination of research findings. Notable areas of research collaboration have included responses to dementia in the workplace, and mental health and capacity law and related human rights in law reform and supported decision-making.

The ability of the centre to conduct interdisciplinary and impactful research has been further augmented by the engagement in March 2020, on a part time fixed term contract, of Colin McKay as a visiting professor (formerly Chief Executive of the Mental Welfare Commission for Scotland and senior civil servant responsible for mental health and incapacity law reform with the Scottish Government). Along with **Stavert**, he is currently a member of the Scottish Review of Mental Health Law executive team and his current appointment with ENU will continue until the autumn of 2022.

**Whitecross's** collaboration with Tibetologists, Buddhologists, legal anthropologists and constitutional law theorists was highlighted at a January 2021 University of Vienna and Kyoto University Workshop on Himalayan Law and Society, where he presented a paper entitled *Article 3 and the role of Buddhism in the 2008 Constitution*. In addition, Whitecross is an invited panellist and discussant in the American Bar Foundation Law and Buddhism Colloquium organised by Professor T Ginsburg (Chicago) (2021). **Macfarlane** and **Whitecross** secured further Royal Society of Edinburgh funding to run workshops during the autumn of 2019.

### **Open Research Environment**

Unit activity takes place within the context of relevant School and University policies and all submitted members of staff are registered with ORCID.

### **Research Integrity**

Unit activity takes place in accordance with relevant School and University research integrity requirements. UoA18 fits under the ethical auspices of both TBS and SHSC ethics committees, depending on the researcher and project in question. Each school has a dedicated research integrity webpage, and researchers are encouraged to seek information and support from

dedicated integrity leads.

In SHSC and TBS all research projects during application development undergo ethical review by a team of academics from a range of disciplines This is in addition to professional body review if required (e.g. NHS ethical approvals, Home Office). Approval is followed by compliance monitoring in terms of data management, subject recruitment, and project conduct. All projects present a formal data management plan prior to approval.

## 2. People

### Staffing Strategy

Whilst the teaching requirements of the LLB programme and other teaching programmes requiring law input are important, appointments of Law staff are also made on the basis of the contribution individual candidates can make to our law research culture.

Law staff members deemed 'significantly responsible for research' on the census date are three lecturers (**Macfarlane, Moran, Dodd**), one associate professor (**Chhina**) and two professors (**Stavert, Whitecross**). All are permanent staff members and have Ph.Ds. **Chhina, Dodd, Moran, Stavert** and **Whitecross** are all currently FTE. **Dodd** is an Early Career Researcher. **Macfarlane** was FTE, and following maternity leave (2016-2017) was initially on a 0.6 contract, changing to 0.8 in 2018. **Moran** was on maternity leave (2019 2020) before returning full time.

In order to flexibly support research capacity, the Unit has ensured sufficient research staff have consistently been in place over the period. Several research assistants, attached to the Centre for Mental Health and Capacity Law (and its projects), have been employed on fixed term contracts, and short-term student research assistance placements have been provided throughout the wider research group. These positions have supported the activity of more experienced research staff as well as providing valuable experience.

The Centre for Mental Health and Capacity Law has two Visiting Professors; Professor Peter Bartlett, University of Nottingham, and Colin McKay (see above). In 2018 it also attracted two visiting academics funded by their own institutions; Professor Penelope Weller, RMIT University, Melbourne, and Dr Shih-Ning Then, QUT, Centre for Health Law Research, Brisbane. The engagement of these academics with the Centre has substantially helped to increase its national and international reach and profile in the field of mental health and capacity law and related rights. Their involvement has also led to researchers from the Unit being involved in many successful collaborations (see Section 4) and law reform.

### Staff Development

TBS and SHSC both have designated Heads of Research (0.4 FTE). Both they and the Research, Innovation and Enterprise Office provide research support to UoA18 in terms of advice on funding streams, costings and the preparation of funding proposals, as well as access to internal funding support for projects and conferences and other external event attendance. Early Career Researchers (including research assistants) are supported in applying for such support. Research mentoring from senior staff is also available both with the Unit and across the Schools.

New academic appointments are awarded protected research time to establish a research programme in their first year (0.2 FTE), after which the allocation is commensurate to the level of their research activity. Career development is pursued through a formalised progress of reviews to inform strategic planning, running parallel to the promotions framework (REF5a), which ensures consistency between individual development plans and Unit, School and University level objectives.

**Research Students**

UoA 18 currently has 1 PhD student. As the Unit is still growing, there have been challenges in recruiting doctoral students due to funding and the research profile of law group members. Therefore, the key aim of the Unit has been to raise its own research profile with a view to attracting more doctoral student applications.

During the assessment period staff have supervised 6 doctoral completions. 1 PhD student and 4 DBA's have completed in the Unit. In addition to self-funding students UoA 18 has also benefitted from two Business School funded doctoral studentships awarded in 2013 and 2019. When applying for research funding, the opportunity to seek doctoral student funding within the context of the bid is encouraged where appropriate, and research assistants who are undertaking doctoral studies are routinely supported by means of flexible working arrangements.

Year	2016/2017	2017/2018	2018/2019	2019/2020
PhD	0	0	0	1
Research Based Professional Doctorates (DBA)	1	1	2	0

Doctoral Completions in the Unit

All research students supervised by staff within the Unit benefit from research supervision protocols, guarantees and progress reviews, and the Researcher Development programme, as provided across the University as a whole. Opportunities also exist for interdisciplinary research studentships, both within and across schools, which can be supervised by Unit staff members and staff in other subject areas.

Postgraduate research students within the Unit also benefit from School and University research structures. A senior academic staff member is the Research Degrees Lead in TBS and SHSC, with oversight of research degree conduct and related activities, for example University paid work for research degree students. Research Degrees Leads are supported by school-based committees, comprising academic staff and Heads of Research, who assess all progress reports and approve examination team composition prior to scrutiny by the University Research Degrees Committee (REF5a). Research degree student representatives contribute to the School and University committees ensuring the postgraduate research student community voice is heard.

Postgraduate research supervisors must undergo compulsory training and ensure compliance with our Research Degrees Framework. Similarly, academic skill sets are recognised and we equip and support postgraduate research students to identify their own professional development needs.

**Equality and Diversity**

67% of submitted staff in the unit identify as Female, and 15% as Male. With regards to ethnicity; 17% identify as Asian, 66% identify as White, and 17% as Unknown. 33% identify as having a disability. The age profile of Category A staff is; 25-35: 17%, 35-45: 50%, 55-65: 33%. 100% of submitted staff are on permanent contracts.



The Law Group was able to accommodate a return to work on reduced hours and compressed days following a period of maternity leave for a research active member of staff (**Macfarlane**). University policy regarding staff return from maternity leave allowed this arrangement, which permits flexibility so that the returning staff member is able to continue to develop their research career despite new additional caring responsibilities. Staff are also supported via the University's occupational health policy.

SHSC is working towards Athena Swan Bronze award status. Staff undertake compulsory training in leadership, equality and diversity within the School, ensuring line management support is underpinned by such good practice. All interview panels are, where possible, balanced in terms of gender ratio. Equal opportunity in terms of conference attendance is provided, and where a care-giver is required to attend with a member of staff, this is financially supported. In other aspects the school follows institutional policies, e. g., support for staff with protected characteristics, and supporting wellbeing. SHSC ensures requests for arrangements for flexible or remote working to support staff with these requirements, including caring responsibilities, are assessed under our institutional policy.

### 3. Income, infrastructure and facilities

#### Income

In the period £224,087 has been successfully received in UoA 18. The breakdown by source is as follows:

1. BEIS Research Councils, The Royal Society, British Academy and The Royal Society Of Edinburgh (£19,406)
2. UK central government bodies/local authorities, health and hospital authorities (£28,830)
3. UK-based charities (£173,812)

Live awards amounting to £185,907.20 (**Stavert**) existed at the census date.

Both TBS and SHSC have dedicated research managers, covering pre-award (supporting grant writing and costing) and post award (contracting and monitoring). They also have dedicated research budgets to support staff (REG) and postgraduate students (RPG). Unit members and postgraduate research students are therefore entitled to call on these funds on an equal basis with other School staff and postgraduate research members.

We recognise the challenges associated with securing research funding for solely legal research projects and our own developing research profile. We have therefore consciously adopted a research income strategy of identifying funding opportunities which are most conducive to interdisciplinary research, and have targeted collaborations with other academics both within ENU and at other universities. Examples of successful funding applications via this approach can be seen in the received AHRC funding for the *Three Jurisdictions* project, Carnegie Trust funding for the *Employer Responses* project and Nuffield Foundation funding for the *Mental Health Tribunal* projects. These and other examples are outlined fully in Section 4.

#### Infrastructure and Facilities

In TBS, technical and support staff, estate and facilities, advanced equipment, IT resources and significant archives and collections are provided. Doctoral students have a large shared office, fully refurbished and equipped during this REF period, with individual desk spaces and computers. This is situated alongside staff office accommodation. A subject specialist librarian works with doctoral students, supporting them in conducting literature reviews, searches, and accessing relevant papers. Doctoral students also have access to specialist IT support. PhD students are provided with guidance on their CVs and how to prepare for an academic job

interview, including having the opportunity for mock interviews.

Participation in central training, education and writing workshops are actively encouraged. SHSC fosters strategic relationships with NHS organisations, such as the Scottish National Blood Transfusion Service. It employs two full time, permanent research technicians, who support ECRs, contribute to industry-led research activity (**Innovate UK**), train PGR students in equipment use, and maintain equipment and manage infrastructure upgrades aligned to research requirements. Technicians also run a seminar programme, where all researchers and postgraduate students deliver their research, reinforcing our 'by and for researchers' approach to research culture development.

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

##### Collaboration and Contribution to the Discipline

Several members of the Unit engage in intra and interdisciplinary, and inter-School and institutional collaborations. Examples of important collaborations include:

**Chhina's** EU Council of Europe Joint Projects and OSCE project, and **Macfarlane's** collaboration with Professor Elaine Sutherland (Stirling University) in connection with the Convention on the Rights of the Child Implementation Project and its 2015 colloquium in Edinburgh and resultant publication.

**Stavert's** previous and current collaborations include:

(a) the AHRC funded 2015/2016 *Three Jurisdictions* project led by Professor Wayne Martin (Essex University) and including; Professor Sabine Michalowski (Essex University), the Northern Ireland Human Rights Commission (Colin Caughey), Law Society of Scotland (Adrian Ward), Alex Ruck Keene (barrister, London), TC Young Solicitors (Alison Hempsey) and the Mental Health Foundation.

(b) a law reform scoping exercise with the Mental Welfare Commission for Scotland with resultant report *Scotland's Mental Health and Capacity Law: the Case for Reform* (2017).

(c) as PI, with co-investigators Dr Valerie Egdell (ENU), Professor Michael Danson (Heriot Watt University), and Dr Louise Ritchie and Professor Debbie Tolson (University of the West of Scotland) in a Carnegie Trust funded project with resultant report *Employer Responses to Dementia in the Workplace* (2018).

(d) a collaboration with Dr Paul Hutton (SHSC) on the project *Accelerating the development of a psychological intervention to support treatment decision-making capacity in psychosis: Feasibility of an Umbrella trial* funded Chief Scientist Office Scotland.

(e) a collaboration with Professor Michael Brown (Queen's University Belfast) for the project *The Mental Health Tribunal for Scotland: The views and experiences of patients, Named Persons, Practitioners and Tribunal members*, funded by the Nuffield Foundation (2017-2021).

Other collaborations from **Stavert** have resulted in publications, such as:

- a contribution to *International Journal of Human Rights* 2018 special issue with Dr Joanna Ferrie (University of Glasgow) and Dr Elaine Webster (Strathclyde University), Dr John Love (Robert Gordon University) and Professor Colin Clarke (University of West of Scotland).
- a contribution to *Laws* special issue 'Concerns, Contradictions and Reality of Mental Health Law', edited by Professor Penelope Weller (RMIT University, Melbourne, Australia).
- Book chapters resulting for symposia in 2018 and 2019 at the Oñati International Institute for the Sociology of Law to which she was invited (see below).

She is also a member of the organising committee of the UK and Ireland Mental Diversity Law Network (funded by the Wellcome Trust) with Professor Peter Bartlett (University of Nottingham), Dr Lucy Series (Cardiff University), Dr Amanda Keeling (Leeds University) and Dr Julie Gosling (independent researcher). A current proposed collaboration includes Professors Penelope Weller and Stuart Thomas (RMIT University, Melbourne, Australia) and Professor Amy Watson (University of Illinois, Chicago) for which funding was applied for in 2019 to the Australian

Research Council for the project *Cognitive impairment, mental health and the criminal justice system*.

**Whitecross**'s collaborations have included those with:

(a) Dr Claire Lindsay of TBS on a Scottish Civil Justice Council/ Scottish Courts and Tribunal Service project with resultant report in 2017.

(b) Professor Jane Mair (University of Glasgow), resulting in a paper *Domestic Abuse in Civil and Criminal Proceedings* presented at 'Reforming the Children (Scotland) Act 1995', October 2019, Edinburgh, organised by the Children and Young Person's Commissioner Scotland and Together Scotland.

(c) Professors Jane Mair and Michele Burman (University of Glasgow), resulting in a paper *Understanding Domestic Abuse in Civil and Criminal Cases: Preliminary Review*, presented at 'Improving the experience of Family Justice in Scotland' research conference, organised by the Scottish Government, Edinburgh, in October 2018.

**Macfarlane** and **Whitecross** have also collaborated to create a research network to establish the aforementioned multi-disciplinary Research Centre for Scottish Child and Family Law and Policy, with funding from the Royal Society of Edinburgh.

#### Attendance at academic events

Researchers in UoA18 have presented research at major academic conferences, seminars and symposiums, regionally, nationally and internationally (Europe, US, Scandinavia and Africa).

**Chhina** presented at the 4th Annual International Conference on Law and Policy, University of Oxford, August 2017. **Moran** (2017) and **Stavert** (2014-2019) presented at the Socio-Legal Studies Association Annual Conference, and **Stavert** at the International Academy of Law and Mental Health Congresses (2013, 2015, 2017 and 2019). In 2018, **Moran** also presented at the British International Studies Association International Law Working Group Workshop, International law and universality and European Society of International Law Annual Conference, University of Manchester, and in 2017 at the U!REKA Research Conference, Royal Society of Edinburgh, Edinburgh and Society of Legal Scholars Annual Conference, UCD, Dublin.

**Whitecross** presented at the *European Conference on South Asian Studies*, Zurich, July 2014, the 15<sup>th</sup> IATS Seminar (2019) and 3<sup>rd</sup> European Conference on Domestic Violence, Oslo (2019).

#### Invitations to speak at academic events

Unit members have also been invited speakers at various academic events. **Macfarlane** was an invited Expert at the Convention on the Rights of the Child Colloquium, Stellenbosch University, March 2014. She was also been invited to attend an Expert Colloquium in Bergen, Norway, in 2017.

**Moran** was invited to present at a symposium at the iCourts Institute, Copenhagen, in May 2016 and to speak at the European Society of International Law conference in September 2018. She was also an invited speaker at '*Populism, Nationalism, and Human Rights*' at the University of Maastricht (2018), '*The Paris Peace Conference and the preservation of power*' at the University of Edinburgh (2019) and delivered a Guest lecture on '*Non-state actors and responsibility in international criminal law*' Symbiosis Law School, Pune, India in its Distinguished Speakers Series (2020).

**Stavert** was an invited discussant at a conference *Rethinking Deprivation of Liberty in a Health and Social Care Context* held and organised by Queen Mary University, London, in September 2015. She was, as already mentioned, an invited expert at symposia at the International Institute for the Sociology of Law, Onati in 2018 and 2019, and at the International Spring School *Human Rights and Mental Health* at the Institute for Medical Ethics and History of Medicine, Ruhr University Bochum, Germany, in 2019.

**Whitecross** delivered an invited presentation *Endangered Species: Law, Regulation and Managing Human and Wildlife Conflict in Bhutan* at the School of Oriental and African Studies

(2015). In addition, he was an invited presenter at both the First and Second Conference on Buddhism and Law hosted by the State University of New York (Buffalo) in 2016 and 2019 respectively. At the first he presented a paper entitled “*Of Texts and Drama: Delivering Justice in Bhutan*” and the second, “*Translation, Transmission and Legal Texts*”. In 2019, he gave the keynote, *Law, Buddhism and the Himalayas* organised by the Faculty of Law, Department of Legal Philosophy, Seville University (2019) first Himalayan Law conference.

#### **Academic event organisation**

Research group members have also been involved in organising high-profile academic conferences or events. **Macfarlane** co-organised the CRC-IP (Convention on the Rights of the Child – Implementation Project) Expert Colloquium in June 2015 with Prof Elaine Sutherland, attended by global experts (US, Canada, NZ, Ireland, S Africa, Finland, UN Committee on the Rights of the Child).

**Moran** was a co-organiser of ‘*International law in the Age of COVID-19: The Impact of the Pandemic on Peace and Security*’ (2020) and ‘*Perspectives on Conflict*’ conference at the University of Ghent (2014).

**Stavert** is a member of the organizing committee of the UK and Ireland Mental Diversity Law Network (see above) which, since 2016, has hosted biennial conferences at the University of Nottingham, and seminars and webinars between such conferences. She has been asked to organise sessions at each of the biennial International Association of Law and Mental Health Congresses, including a member of the scientific programme committee for the 2017 and 2022 congresses, and is a member of the World Adult Capacity Congress 2022 local organising committee and leads its academic programme for this event.

In 2014, **Whitecross** was the panel organiser of a multi-disciplinary panel on Bhutan for the European Association of South Asian Studies (Zurich). In 2015, he organised a Family Law Academic Network event (for Child and Family Law academics from all of the other Scottish Universities) at ENU. In 2017, **Whitecross** and **Moran** co-organised a series of Workshops, funded by the Royal Society of Edinburgh, on unaccompanied minors. In addition, **Whitecross** and **Macfarlane** co-organised three workshops funded by the Royal Society of Edinburgh on Twenty Years of the Scottish Parliament: Child and Family Law (2019).

#### **Membership of legal scholarship bodies**

Members of the Unit are also well represented on legal scholarship bodies. **Moran** is a member of the Steering Committee of Scottish Universities Law Network on Europe and a member of the Equality, Diversity and Inclusion Committee of the Society of Legal Scholars. She is also a member of the European Society of International Law.

**Moran**, **Stavert** and **Whitecross** are or have been members of the Socio-Legal Studies Association and **Macfarlane** and **Whitecross** are members of the Family Law Academic Network. **Stavert** and **Moran** are or have been members of the Society of Legal Scholars.

**Macfarlane** is a member of the International Society of Family Law. **Stavert** is a Director and Council Member of the Scottish Universities Law Institute (SULI) and **Whitecross** is a member of the UK Legal Education Research Network and the Law and Society Association (USA).

**Moran** is a member of the Glasgow Human Rights Network.

#### **Visiting scholarships**

**Moran** secured Carnegie Trust Visiting Scholar to attend Columbia University for three months in June 2018 to work on publications.

#### **Editorships and peer reviewers**

Staff regularly act as reviewers for numerous journals such as; *Journal of Social Welfare and Family Law* and *Juridical Review*, *Italian Law Journal*, *The Age of Human Rights Journal*, *International Journal of Human Rights*, the *Journal of Psychiatric and Mental Health Nursing*,

*International Journal of Law and Psychiatry, Laws, Medical Law International, Law and Social Inquiry, Law and Society Review, Journal of Social Identities, East Asia Forum, Journal of Asian Law, Asian Law Journal, Journal of Democratic Politics, European Bulletin of Himalayan Research, Asian Policies and Politics, Journal of the Commonwealth and Law and Legal Education.*

They have also acted as reviewers for book publishers such as Oxford University Press, Pearson Publishing, the University of Edinburgh Press, Berghahn Press and Cambridge University Press, and have been editors for journals such as *Law and Buddhism, International Journal of Mental Health and Capacity Law and Juridical Review.*

**Funding body reviewers**

Further academic contribution can be witnessed by Unit members being invited to review applications by various funding bodies. **Moran, Stavert** and **Whitecross** by UKRI, **Moran** and **Whitecross** for the Carnegie Trust for the Universities of Scotland, **Stavert** by the Dutch Research Council, and **Whitecross** by the MRUK/ESRC, AHRC and British Academy.