



**Australian Government**  
**Australian Research Council**

**Australasian Law Teachers Association Conference**  
**5 July 2011**

**Assuring Legal Research Standards**

**Professor Margaret Sheil**  
**CEO, Australian Research Council**

*Research*

# Assuring legal research standards – the Government's innovation agenda

## The Government's innovation agenda

Research  
Standards

Teaching  
Standards

Excellence in  
Research for  
Australia

TEQSA

Legal  
Profession  
Standards

# The ARC

**National Competitive Grants Program**  
**\$810M in 11-12**

**Evaluation  
and Policy**

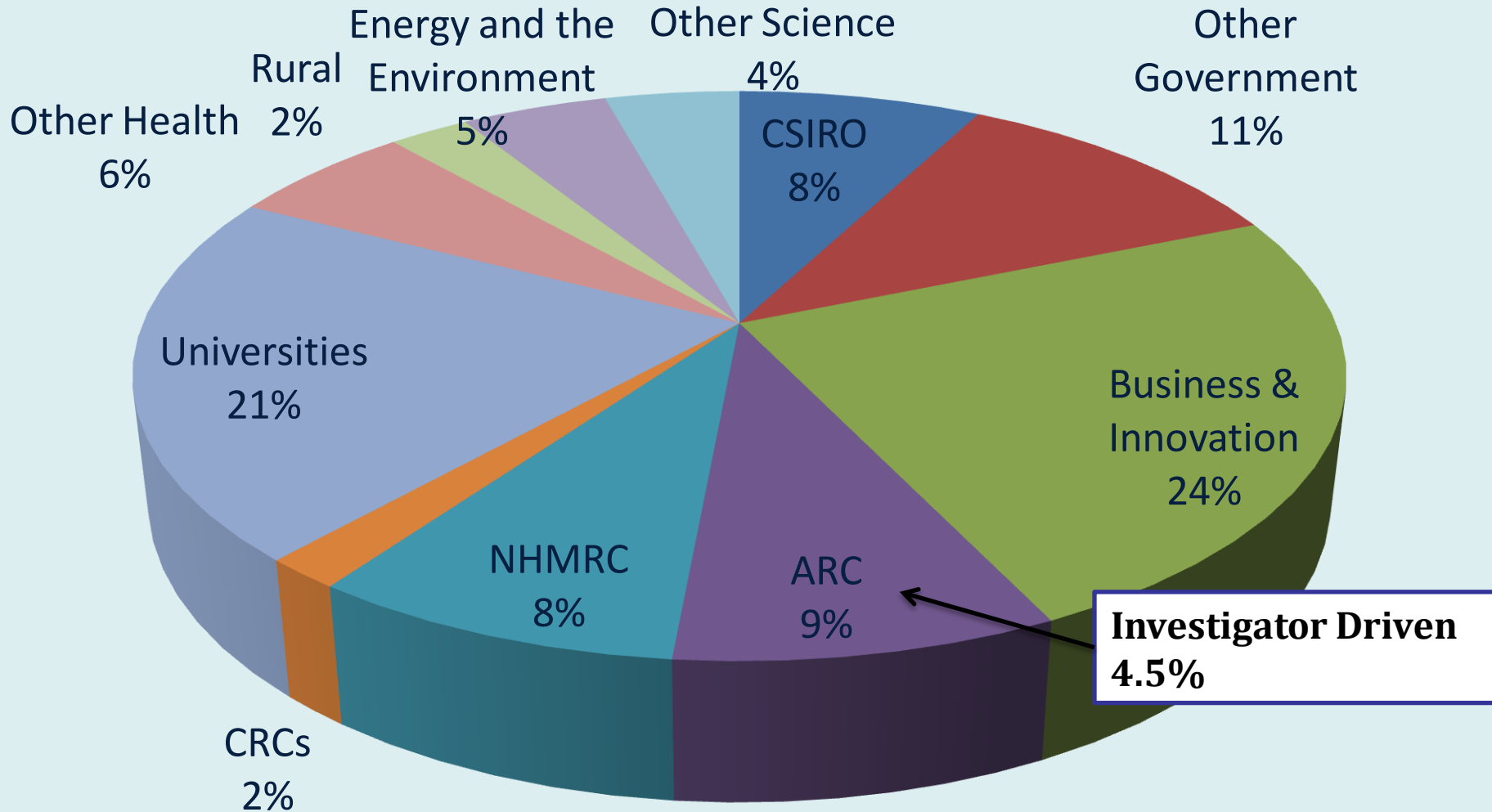
**Discovery &  
Fellowships**  
**\$502 M**

**Linkage & Centres**  
**\$308 M**

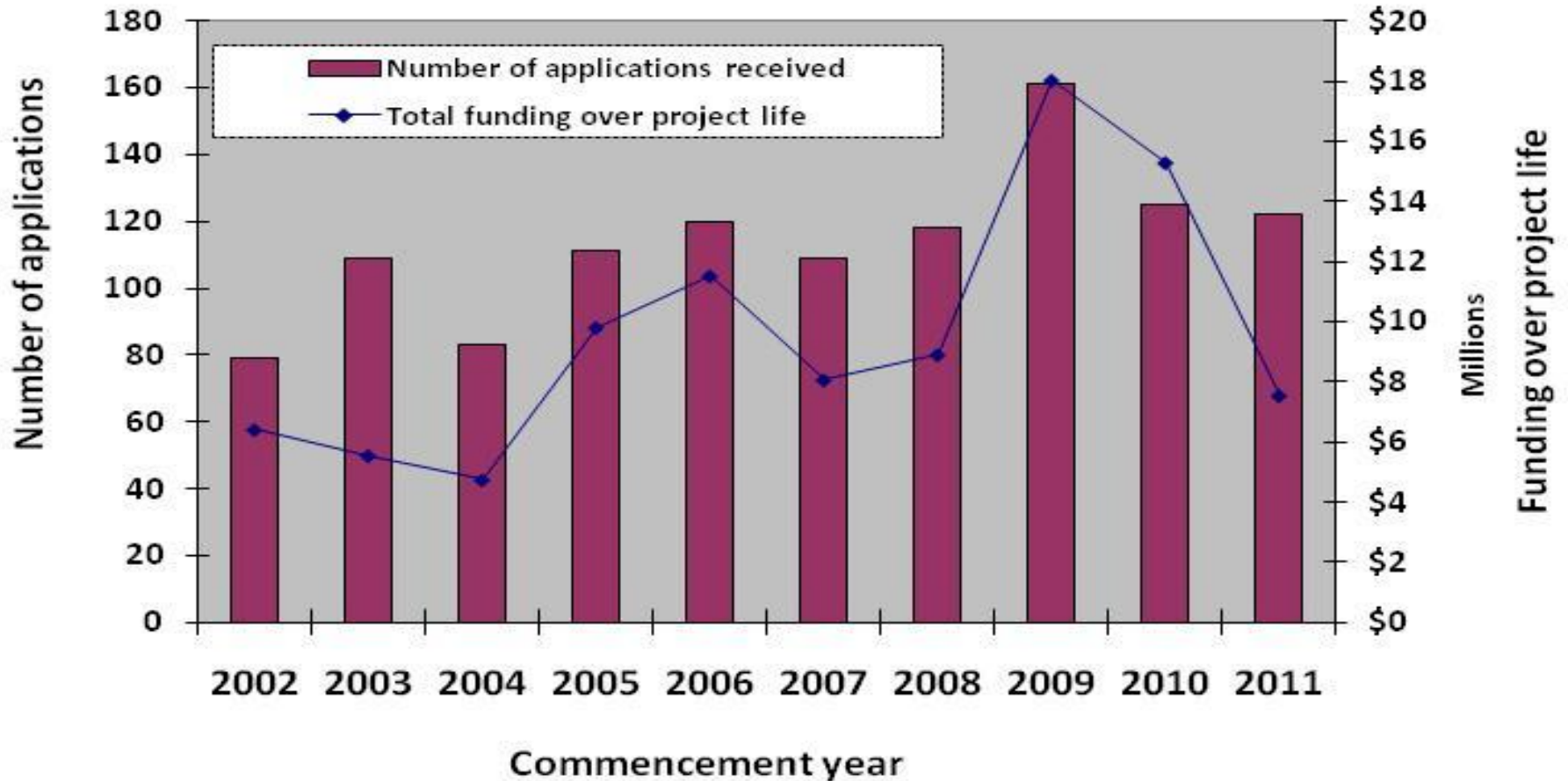
**Excellence in  
Research for  
Australia**

- **Support research excellence**
- **Funding for facilities and equipment that researchers need to be internationally competitive**
- **Support future researchers**
- **Provide incentives for partnerships and collaboration nationally and internationally**

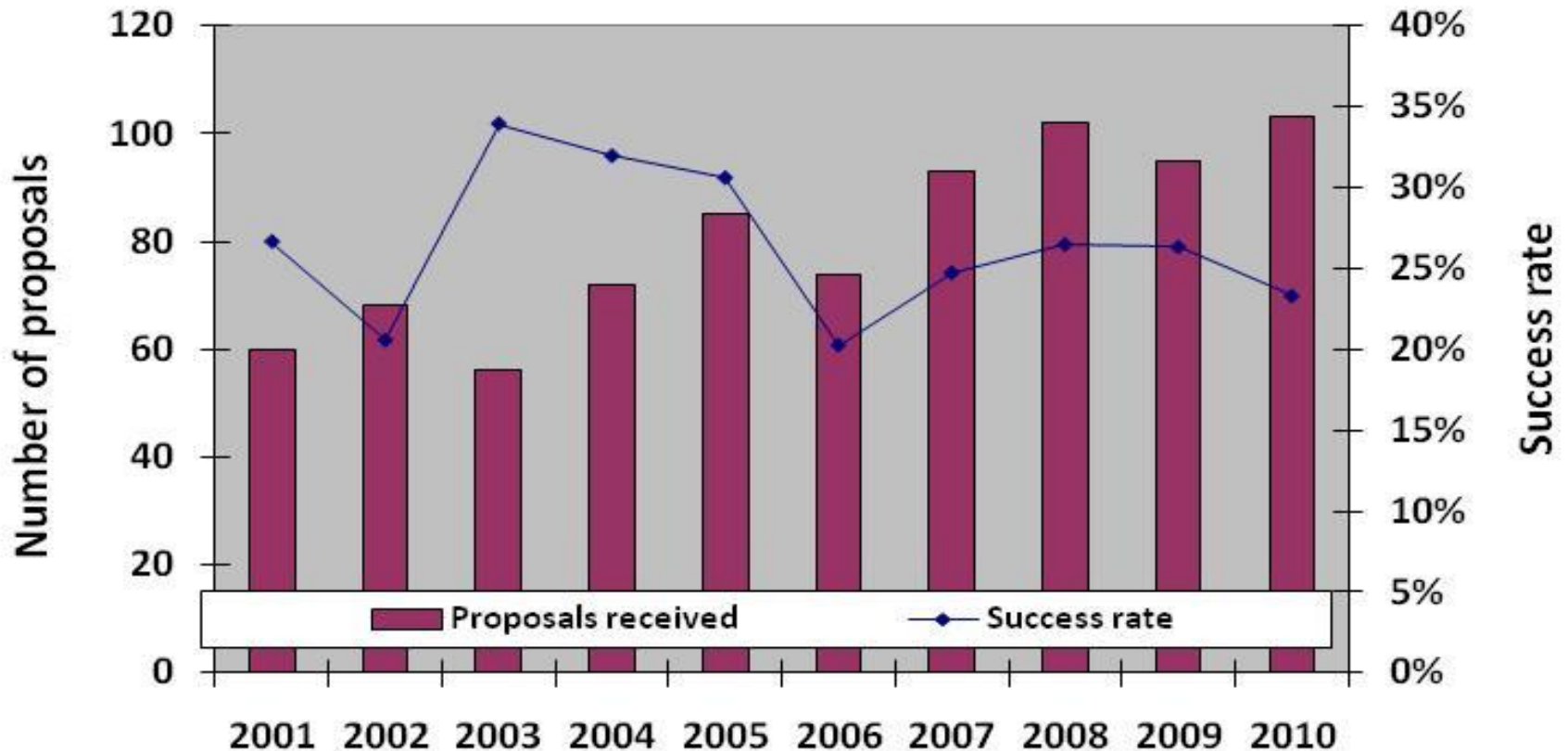
# Government Investment in Research 2011-12



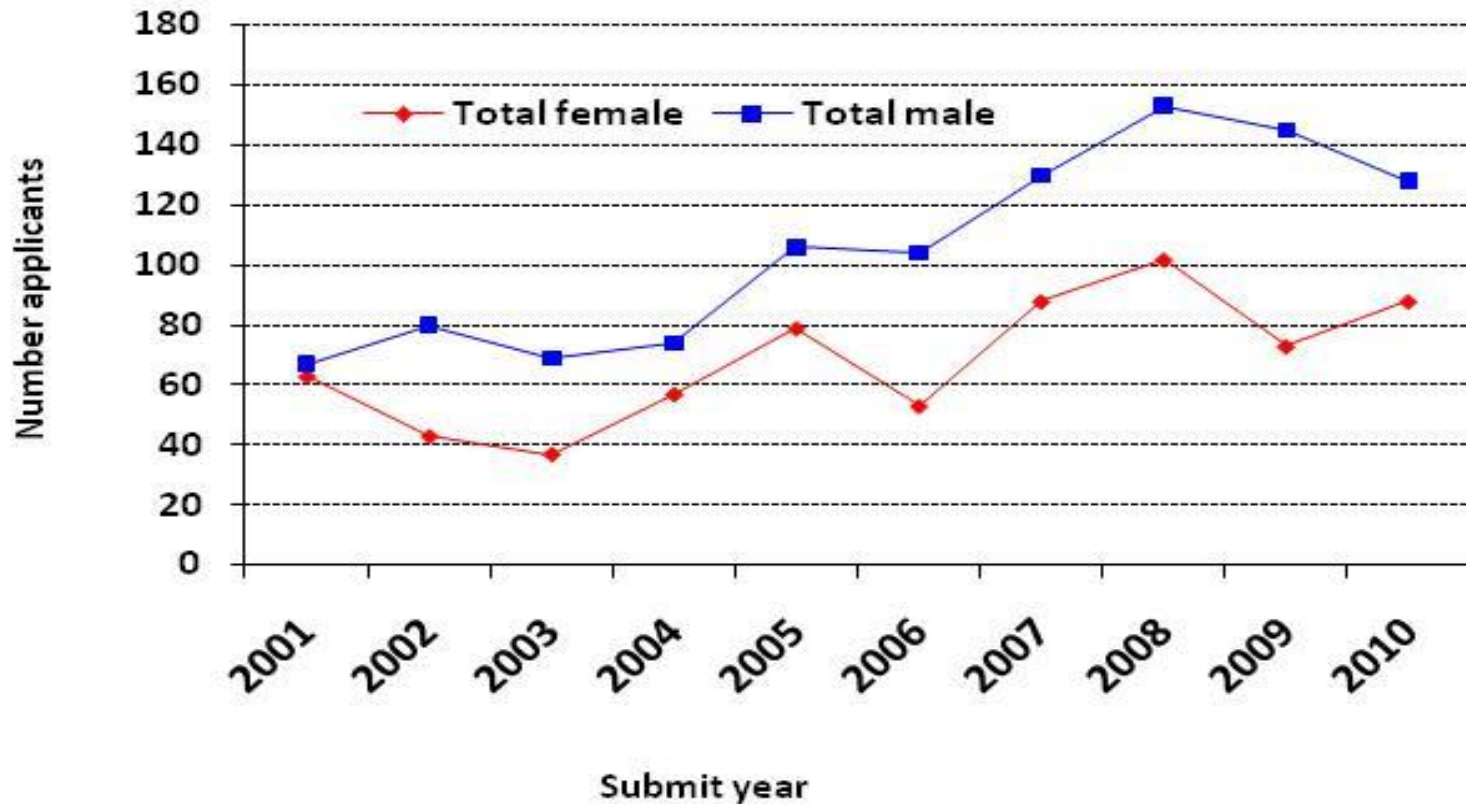
# Total number of Law ARC proposals received and funding awarded since commencement year 2002



# Success rate of law and legal studies applications in *Discovery Projects*, by submit year

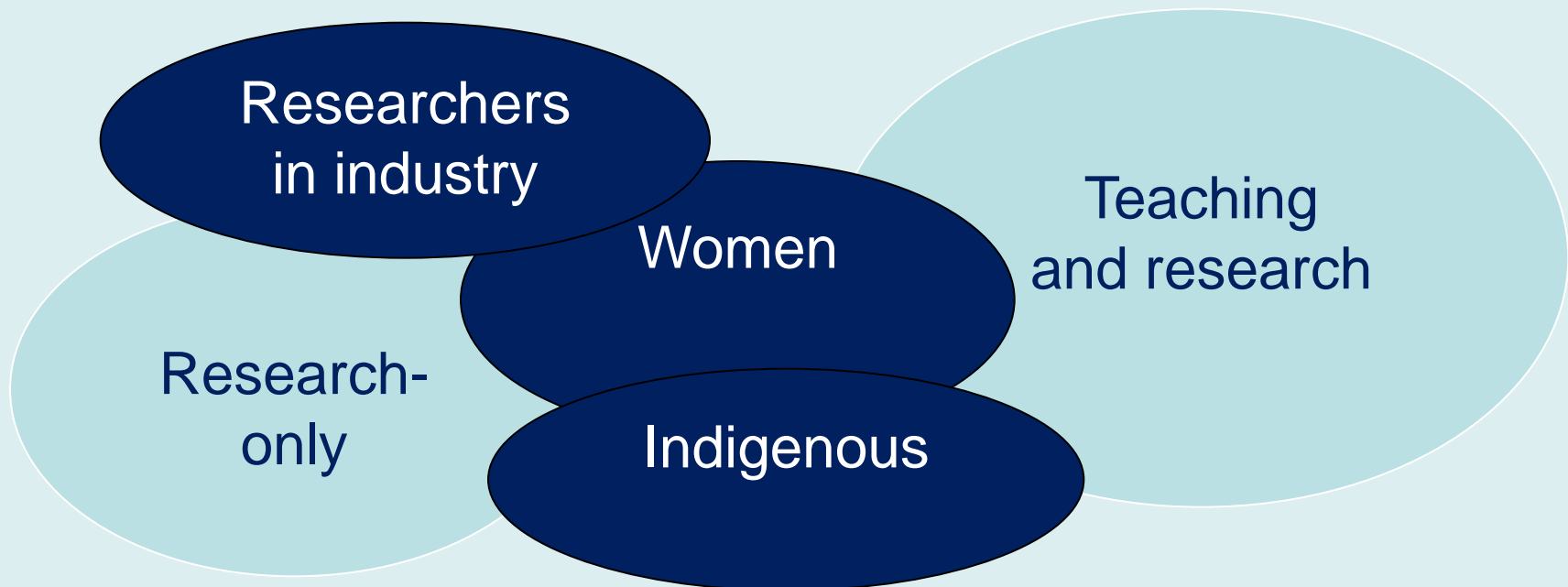


# Number of applicants on *Discovery Projects*



## The ARC aims to:

- Provide opportunities for researchers at every career stage
- Foster a range of different cohorts



# Research Quality



Research Strengths

Research Gaps

# Quality assessment exercises overseas

1986—The United Kingdom

1993—Hong Kong

1997—Germany

1998—Ireland

2002—The Netherlands

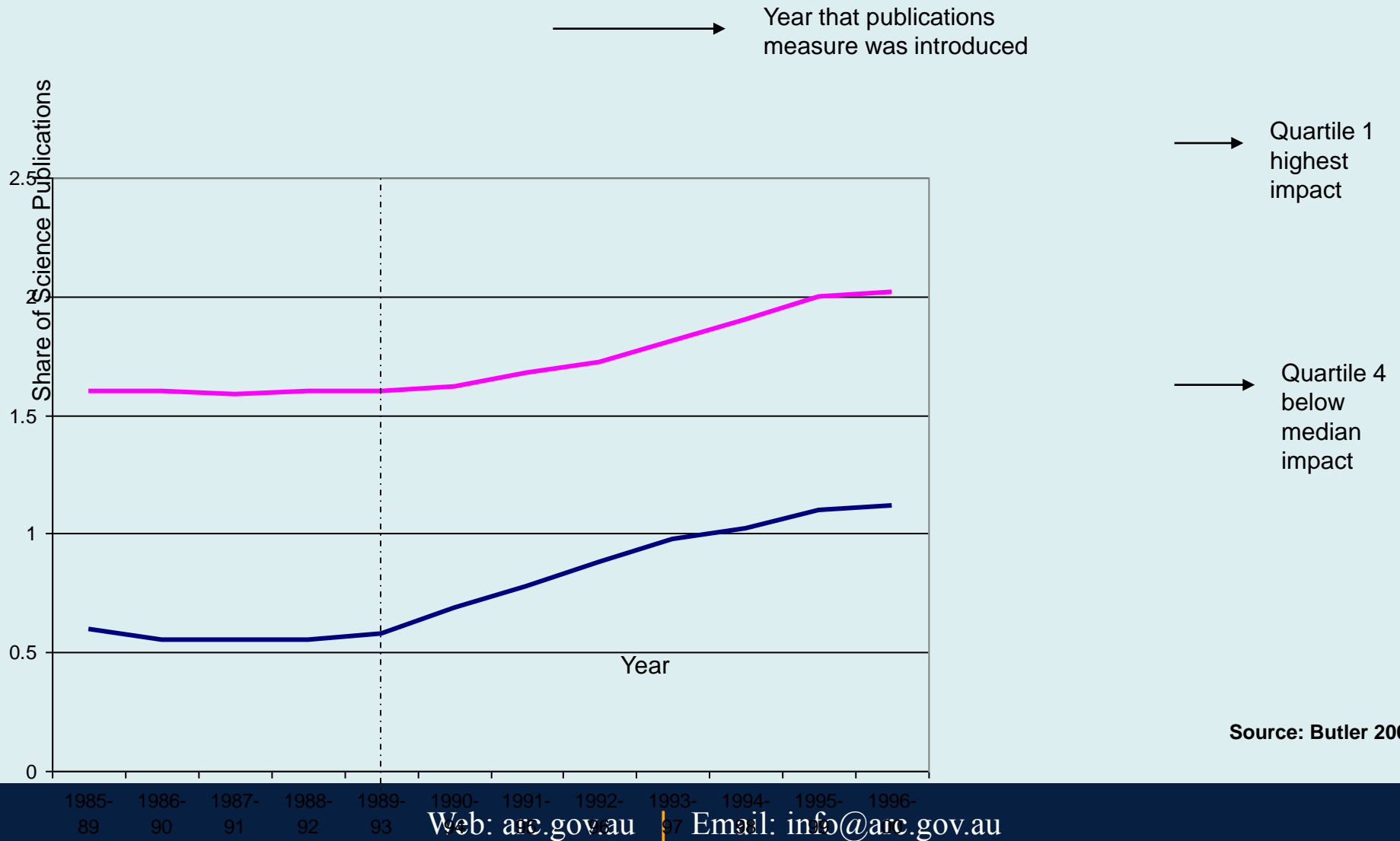
**2003—New Zealand**

2005—France

# What problem were we trying to solve?

- Demonstrate quality/value of investment in university research to government
- Raise the quality of Australian research effort

# Australian academic publishing practices

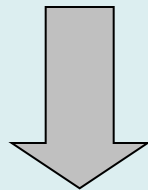


## Scale of ERA 2010

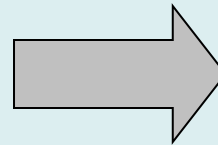
- All 41 eligible institutions submitted data
- Over 330,000 unique research outputs
- 55,000+ researchers represented
- 2,435 units of evaluation assessed at 2 and 4-digit level
- 149 Research Evaluation Committee (REC) members
- 500+ Peer Reviewers
- All aggregated data in the *ERA 2010 National Report*.

# ERA Process Overview

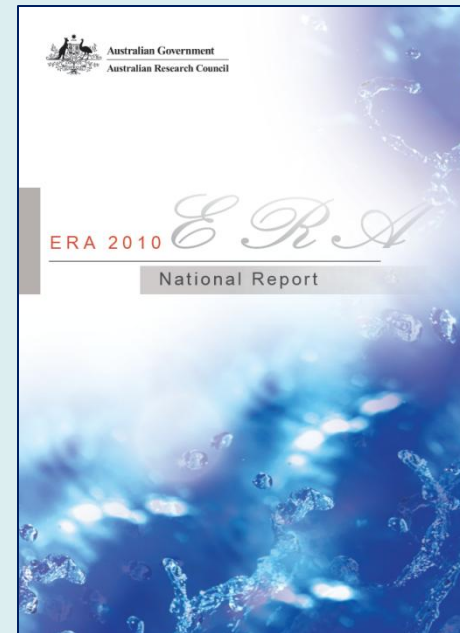
- Volume and Activity
- Journal Quality
- Citation analysis or peer review
- Research Income
- Applied Measures
- Esteem

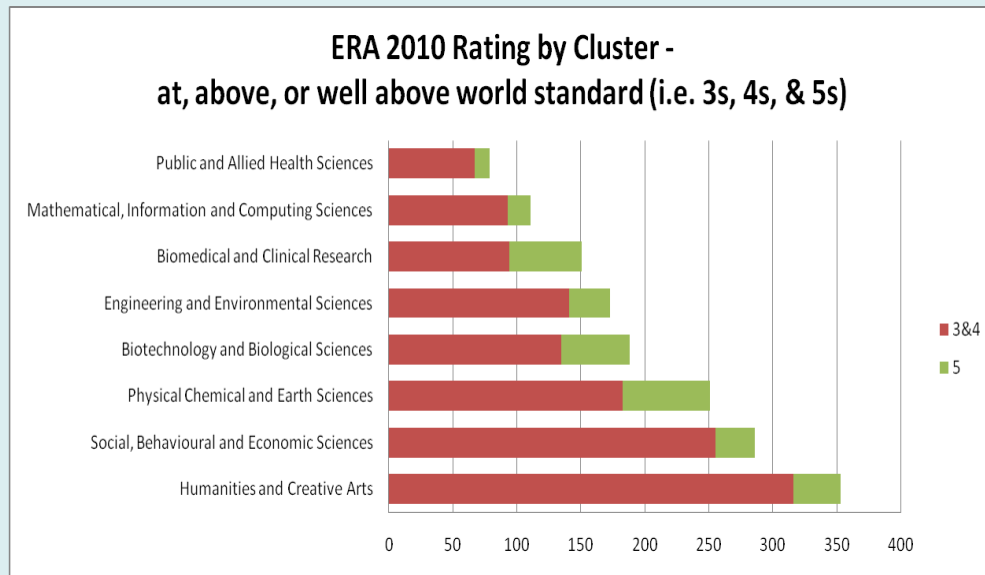
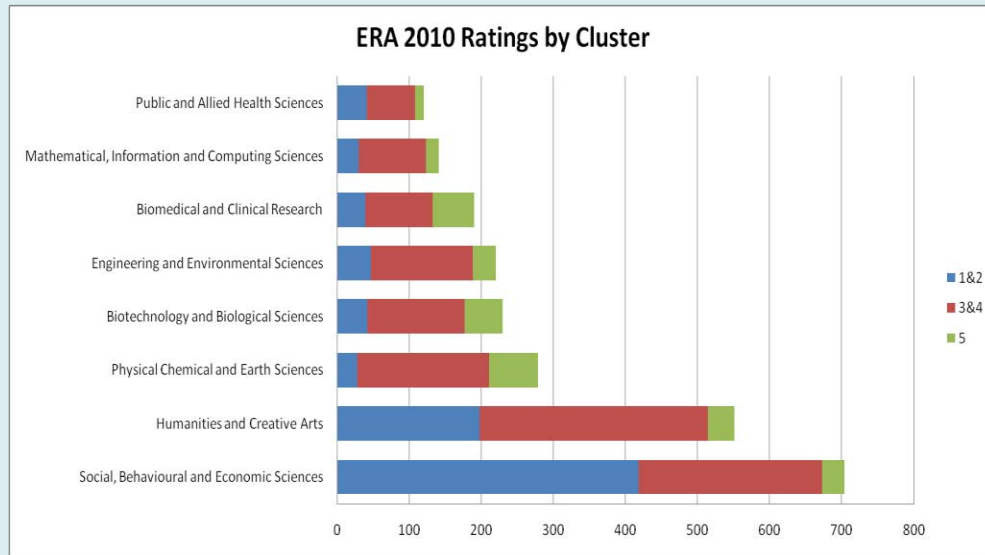


Research Evaluation  
Committee



**Please note –  
no weightings**





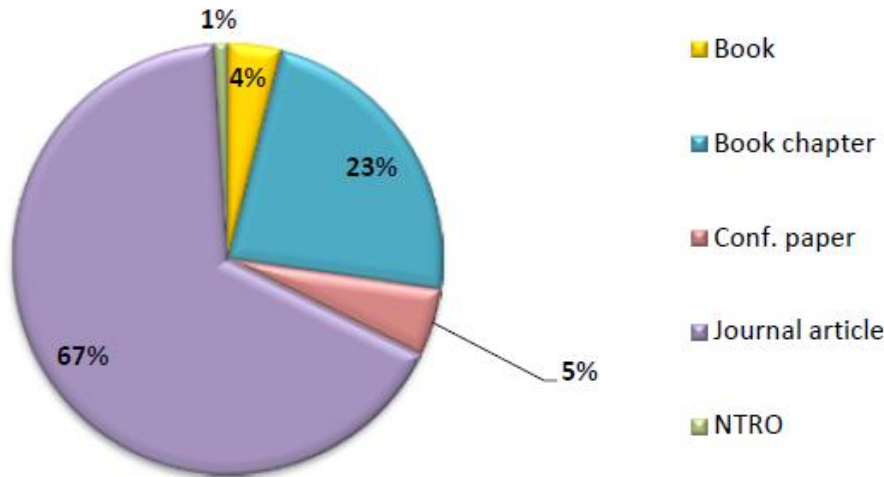
# Law in ERA 2010

- 18 Law and Legal studies
  - Assessed UoE = 35
  - FTE = 1313
  - Research outputs = 8,366
  - Weighted research outputs = 9,861
  - Research Income = \$46,162,580
- 1801 Law
  - Assessed UoE = 35
  - FTE = 1193
  - Research outputs = 8,341
  - Weighted research outputs = 9,822
  - Research Income = \$45,739,080

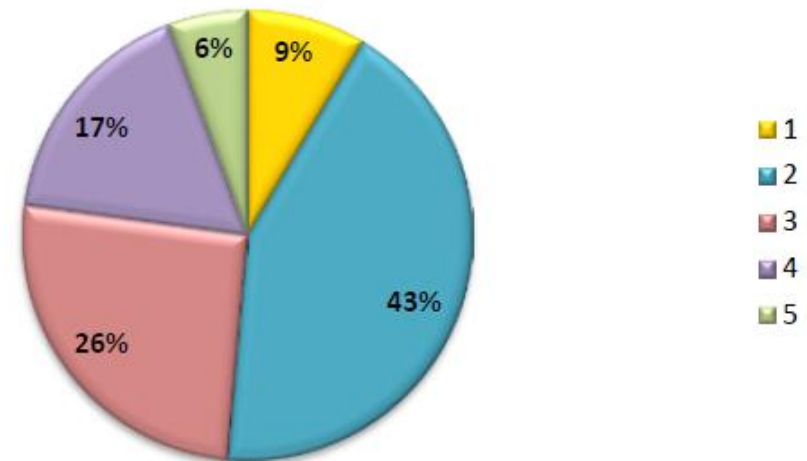
# Research Excellence in Law

1801 Law							
% assessed UoEs rated at or above world standard  <b>49%</b>	FTEs	1,193			Esteem count(s)	54	
	Research outputs	8,341			Patent(s)	-	
	Research income \$	45,739,080			Res. comm. income (\$)	-	
	UoEs assessed	35					
Average National Rating							
<b>2.7</b>							
Rating:		1	2	3	4	5	Total
Distribution:		3	15	9	6	2	35

Research outputs by type



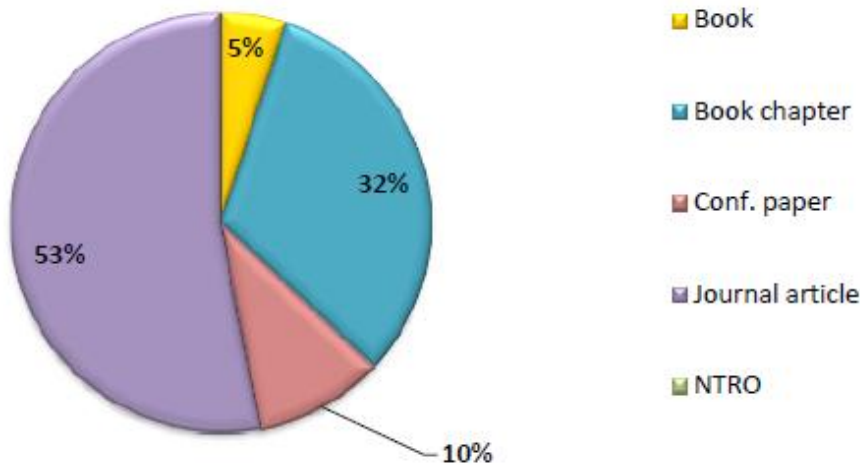
For rating distribution



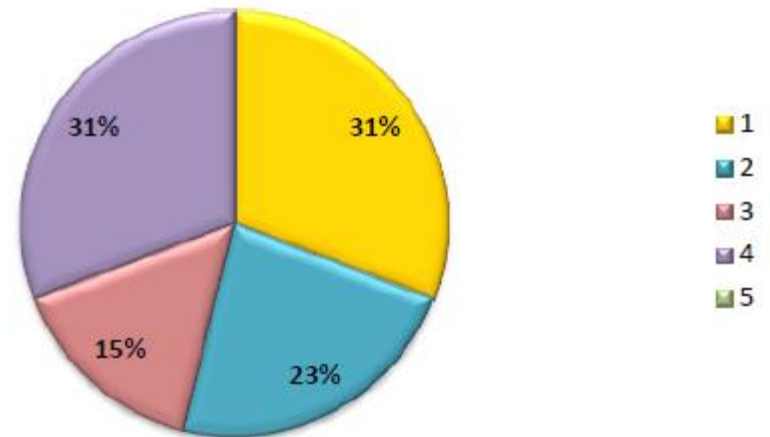
# Research Excellence in Criminology

1602 Criminology							
% assessed UoEs rated at or above world standard  <b>46%</b>	FTEs	132	Esteem count(s)			20	Average National Rating  <b>2.5</b>
	Research outputs	892	Patent(s)			-	
	Research income \$	15,731,346	Res. comm. income (\$)			0	
	UoEs assessed	13					
Rating:		1	2	3	4	5	Total
Distribution:		4	3	2	4	0	13

Research outputs by type



For rating distribution



## ERA 2010 outcomes: context

- ERA is a **retrospective** evaluation of research performance: 2003-2008 for research outputs, 2006-2008 for other data
- The ERA unit of evaluation is the discipline within the institution, **not** individual researchers or institutional units
- ERA does not rank institutions or units; each UoE is evaluated on its merits against the rating scale

# Changes for 2012

- Changes to the ranked journals and conferences
- Interdisciplinary Research
- Raising the Threshold
- Capturing Applied Research
- Eligibility for fractional staff

# Unintended consequences - journal rankings

- Journals only easily accessible information
- Rapid response time
- Codified existing behaviour/practice
- Simplified application

# The refined journal indicator

Example of the draft refined journal indicator for FoR 1801 for University X				
University of X		1801	Law	
	Journal title	Papers	Contribution	Cumulative
1	Journal of Law and Medicine	27	6%	6%
2	Public Law Review	27	6%	12%
3	Australian Journal of Administrative Law	24	5%	17%
4	Law in Context	18	4%	21%
5	Australian Journal of Family Law	15	3%	24%
6	Company and Securities Law Journal	12	3%	26%
7	Torts Law Journal	9	2%	28%
8	Contemporary Issues in Law	9	2%	30%
9	Law and Policy	9	2%	32%
10	International Journal of the Legal Profession	9	2%	34%
11	Australian Journal of Corporate Law	9	2%	36%
12	Australian Journal of Labour Law	9	2%	38%
13	Journal of Judicial Administration	9	2%	40%
14	Federal Law Review	9	2%	42%
15	Australian Journal of Legal Philosophy	6	1%	43%
16	Forensic Science International	6	1%	45%
17	Legal Theory	6	1%	46%
18	Revenue Law Journal	6	1%	47%
19	AIAL National Lecture Series on Administrative Law	6	1%	48%
20	Intertax: international tax review	6	1%	50%
<b>Total</b>		<b>465</b>		
<i>Please note that this is not based on any university's submission to ERA 2010</i>				

## ERA 2012 – still to do

- Expanding peer reviewer pool
- Making peer review more robust (selection of outputs, reviewers)
- Finalising Citation Tender
- Draft Submission Guidelines to be issued to the sector in July 2011 for comment
- System development and testing

## Summary

- ERA 2010 and forthcoming 2012 will provide further information on research quality
- NCGP continues to fund excellent research in Law and Legal Studies
- ARC and DIISR have commenced preliminary work on research standards for TESQA



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