

# Evaluation of Legal Research in Norway

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The report can be ordered and downloaded at  
[www.forskningsradet.no/publikasjoner](http://www.forskningsradet.no/publikasjoner)

Graphic design cover: BOLDT

Photo/illustration: Dan Freeman, Unsplash

Oslo, November 2021

ISBN 978-82-12-03911-7 (pdf)

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# Summary

Initially, the committee wishes to highlight that its impression from the self-assessment report, the submitted documents and the interviews with both management and academic staff, is that the faculty at UiB has an extraordinarily open-minded, accommodating and responsive attitude.

The Committee finds that the faculty's vision – to develop legal knowledge of high quality through research, education and dissemination, and to constantly develop and improve the integrated research-based master's degree programmes – is reflected in its activities. Furthermore, the faculty's structure enables staff to focus their research on the university's expert areas and to cooperate.

The faculty has a strategy process in which it implements elements of the university's overall strategy, while at the same time focusing on a robust law environment that can cover all fundamental aspects of a law study programme. In the Assessment Committee's view, the faculty has succeeded to a large extent with the strategic areas. In parallel with research within the prioritised areas, the faculty has aimed to strengthen basic research within traditional law disciplines, as well as developing research collaborations on a regional, national and international level.

The Assessment Committee wishes to draw attention to the wording of and focus on the strategy in terms of whether it should focus on law disciplines or the role of research and the relationship to other research areas. The Assessment Committee regards it as a challenging task to prioritise specific law disciplines, while at the same time being interdisciplinary.

The faculty keeps detailed 'teaching accounts' for each academic employee. The faculty has indicated that quite a few academic employees have a large surplus in their balance, i.e. the faculty 'owes' them quite a lot of research time. This 'debt' of research time that the faculty owes its research staff illustrates that there is a need for full-time academic positions to achieve satisfactory teaching capacity. This will not be sustainable in future. The faculty seems to be understaffed, and more staff are needed.

The faculty is in a vulnerable situation and has limited financial means. The faculty's vulnerability is partly caused by competition from the labour market outside academia (because of better salaries), and the lack of financial elbow room makes it hard to compete.

With regard to the quality of the research published by the academic staff, the committee finds that the quality is generally good and certainly at the top end of the institutions assessed in JUREVAL.

The committee is very pleased to note that the PhD candidates seem to be well integrated into the research communities, often having their main affiliation to a specific research group that takes responsibility for the social as well as the academic aspects of the PhD period.

Motivated and talented law students are encouraged to apply for a 70 ECTS master's thesis research track (*Forskerlinjen*). This is a student research programme mainly targeting students considering a career within academia. The committee welcomes this.

The committee's main recommendations to the faculty are to reduce the number of research groups, prioritise one or two large funding applications and make the research track permanent.

# Sammendrag

Innledningsvis ønsker komiteen å understreke at den gjennom institusjonens egevalueringsrapport, innsendte dokumenter og intervjuene med både ledelse og vitenskapelig ansatte, sitter igjen med et inntrykk av at det juridiske fakultet ved UiB har en usedvanlig åpen, inkluderende og engasjert holdning.

Komiteen mener at fakultetets visjon som er å utvikle juridisk kunnskap av høy kvalitet gjennom forskning, utdanning og formidling, og løpende utvikle og forbedre de integrerte forskningsbaserte mastergradsprogrammene, gjenspeiles i fakultetets aktiviteter. Videre har fakultetet en struktur som gir de ansatte muligheten til å samarbeide og konsentrere sin forskning rundt universitetets fagområder.

Fakultetet er inne i en strategiperiode hvor fakultetet både skal oppfylle kriterier i universitetets overordnede strategi, og fokusere på et robust fagmiljø som kan dekke alle de grunnleggende aspektene i et studieprogram for rettsvitenskap. Evalueringskomiteen mener fakultetet i stor grad har lyktes på de strategiske områdene. Parallelt med forskning på de prioriterte områdene har fakultetet tatt sikte på å styrke grunnforskningen innenfor tradisjonelle juridiske disipliner, i tillegg til å utvikle det regionale, nasjonale og internasjonale forskningssamarbeidet.

Komiteen ønsker å stille spørsmål ved om strategien bør sette søkelys på juridiske fagområder, eller på forskningens rolle og forholdet til andre forskningsområder. Evalueringskomiteen mener det er utfordrende å skulle prioritere spesifikke juridiske fagområder og samtidig være tverrfaglig.

Fakultetet fører et detaljert «undervisningsregnskap» for den enkelte vitenskapelig ansatte. Mange vitenskapelig ansatte har et stort overskudd i regnskapet, og fakultetet «skylder» dem forskningstid. Dette er ikke bærekraftig på sikt, og viser at for å ha nok undervisningskapasitet er det behov for vitenskapelig ansatte i fulltidsstillinger. Det virker som fakultetet er underbemannet og trenger flere ansatte.

Fakultetet er i en sårbar situasjon med begrensede økonomiske ressurser. Dette skyldes delvis konkurranse fra arbeidsmarkedet utenfor academia (på grunn av høyere lønninger), og mangelen på økonomisk handlingsrom gjør det vanskelig å konkurrere.

Når det gjelder kvaliteten på forskningen som er publisert av de vitenskapelig ansatte, mener komiteen at den generelt er god og at den helt klart befinner seg i toppsjiktet blant de evaluerte institusjonene i JUREVAL.

Komiteen er glad for å se at ph.d.-stipendiatene ser ut til å være godt integrert i forskningsmiljøene. De er ofte knyttet til en forskergruppe som tar ansvar for både sosiale og faglige aspekter i stipendiatperioden.

Motiverte og talentfulle jusstudenter oppfordres til å søke på masterstudiet tilknyttet forskerlinjen (70 studiepoeng). Dette er et program som hovedsakelig retter seg mot studenter som vurderer en karriere innen academia. Komiteen mener at dette er en god ordning.

Komiteens viktigste anbefalinger er at antallet forskergrupper reduseres, at fakultetet prioriterer én eller to større søknader om finansiering, og at forskerlinjen gjøres permanent.

# 1 The scope and terms of reference of the evaluation

A key task of the Research Council of Norway (abbreviated RCN) is to conduct evaluations of Norwegian research. Evaluations are reviews of how research fields, scientific disciplines and academic institutions are performing in the national and international context.

The overall aim of the evaluation of legal research (abbreviated JUREVAL) was to review the scientific quality and societal relevance of legal research conducted at Norwegian higher education institutions. This included the research's relevance to educational tasks. The aim of the assessment is to contribute to ensuring and further developing knowledge about scientific quality and societal relevance at each of the institutions evaluated, and at the national level. The target group for the evaluation comprises the academic institutions, bodies that fund and manage public research, the government and its ministries, and governmental agencies and society at large.

Each institution has a responsibility to follow up the evaluation's recommendations. The RCN aims to use the outcomes of the evaluation as a knowledge base for further discussions with the institutions on issues such as general plans and national measures relating to legal research. The RCN will use the evaluation in its development of funding instruments and in the advice, it gives to the ministries.

## 1.1 Terms of reference

The terms of reference and assessment criteria were adapted to the institutions' own strategies and objectives. To facilitate the institutional self-assessment, the JUREVAL units played an active part in planning and specifying the assessment criteria, and selecting relevant data, documentation and information for the evaluation (cf. 1.6). In addition to the general principles that apply to the assessment, each unit specified its own terms of reference. They included assessment criteria adjusted to their own strategic goals and organisation. The institutions' terms of reference contained specific information about the research unit that the evaluation committee was to consider in its assessment (see Appendix A). By emphasising the individual institutions' scope and ambitions, and by reviewing research's importance to education, the RCN wished to explore a new model for evaluations. In this sense, JUREVAL will serve as a pilot and a guide to developing an alternative model for future evaluations.

## 1.2 The JUREVAL units

The RCN invited eleven institutions to take part in JUREVAL. Nine institutions responded positively, out of which six were evaluated. Table 1-1 shows the six institutions and their evaluation units.

**Table 1-1:** The six institutions selected in JUREVAL.

Institutions	Evaluation unit
University of Oslo (UiO)	Faculty of Law*
University of Bergen (UiB)	Faculty of Law
UiT The Arctic University of Norway (UiT)	Faculty of Law
University of Agder (UiA)	Department of Law
University of South-Eastern Norway (USN)	Department of Business, Marketing and Law
BI Norwegian Business School (BI)	Department of Law and Governance

Notes to the table: \*At the Faculty of Law, UiO, all departments and centres are included in JUREVAL except for the Department of Criminology and Sociology of Law. However, five researchers working on legal research are included; The five were nominated by the faculty.

## 1.3 The evaluation committee

The RCN created the evaluation protocol, decided the assessment criteria (see Appendix B) and planned the review process. It also appointed an evaluation committee to review, conclude and make recommendations to each of the institutions, and to national authorities.

The committee's members were selected on the basis of input from the units taking part in JUREVAL and from candidates identified by the RCN. The members have expertise in the main areas of law and different aspects of the organisation and management of research and educational institutions. The committee consists of seven members engaged in legal research and affiliated to institutions abroad:

- Henrik Palmer Olsen, University of Copenhagen, Denmark (chair)
- Hanne Søndergaard Birkmose, University of Aarhus, Denmark; from 1 August 2021, The University of Southern Denmark,
- Sten Bønsing, University of Aalborg, Denmark
- Malgosia Fitzmaurice, Queen Mary University of London, United Kingdom
- Anna-Sara Lind, University of Uppsala, Sweden
- Jens Scherpe, University of Cambridge, United Kingdom
- Karsten Åstrøm, University of Lund, Sweden

The work of the assessment committee was assisted by a scientific secretariat composed of research professor Vera Schwach (head of the secretariat), senior adviser Lisa Scordato. The secretariat's duties included coordinating the institutions' data collection and processing and analysing the collected material.



## 1.4 Criteria for the assessment

The evaluation committee based its work on a set of criteria against which it reported its findings. These criteria were used to assess the six institutions individually. The six research institutions were asked to judge their performance based on the assessment criteria listed below (a–d). In addition, they were asked to review their research as a whole and in relation to the units' strategic targets.

The criteria used were as follows:

### a) Research production and quality

- The evaluation should assess the profile and quality of the unit's research and the contribution that the research makes to the body of scholarly knowledge. It should also assess the scale of the unit's research results (scholarly publications, research infrastructure developed by the unit, and other contributions to the field).

### b) Relevance to education

- *Study programmes*: the evaluation considers the relevance of the research to the study programmes at the institution, the resources used on educational activities and the teaching load of tenured staff. The results of recent evaluations of study programmes (within the last 5 years) should be presented to the committee when available.
- *PhD programmes*: the evaluation considers the capacity and quality of PhD training. Relevant topics include the institutional context of the PhD programmes, the programme content and structure, supervision and guidance of PhD candidates in relation to the job market, duration, success rate, exit numbers, and career prospects.

### c) Relevance to society

- The evaluation should assess the quality, scale and relevance of contributions aimed at specific economic, social or cultural target groups, of advisory reports on policy, of contributions to public debates etc. The point is to assess contributions in areas that the research unit has itself designated as target areas.

### d) Diversity and integrity of research<sup>1</sup>

- The diversity of the research unit and its policy for research integrity. This includes how the unit deals with research data, data management and integrity, and the extent to which independent and critical pursuit of research is possible within the unit.

The assessments were presented in six institutional reports. In addition, the assessment committee was asked to provide an assessment of Norwegian legal research at the national level in a separate report focusing on:

- Strengths and weaknesses of the discipline in the international context
- The general resource situation as regards funding, personnel and infrastructure
- PhD-training, recruitment, mobility and diversity
- Research cooperation nationally and internationally
- Alignment of research capacity and educational activities
- Societal impact and the functions of the disciplines in society.

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<sup>1</sup> The committee did not have sufficient data to carry out an assessment of these dimensions. This criterion is thus not treated separately in the assessment, but integrated with societal relevance and the institutions' overall strategy. While some data on diversity (such as gender, age and employment category) are included in Gunnar Sivertsen, Hebe Gunnes, Frøydís Steine and Lone Wanderås Fossum: *Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5*. issues related to integrity were not part of the self-assessment.

The content and topics included in the self-assessment reports are presented in Appendix C.

Moreover, the external assessment concerned:

- a) research that the research institution has conducted in the previous 10–15 years, and
- b) the research strategy that the research institution intends to pursue in future.

## 1.5 The evaluation process

### 1.5.1 Preparations and reference group

The initial phase was devoted to specifying the terms of reference for the evaluation for each institution. This phase lasted from December 2019 to August 2020. Several meetings were held from April to August 2020 between the RCN, the scientific secretariat and the reference group with the aim of agreeing on and defining the indicators to be included in the self-assessment reports. The table of indicators provided by the RCN. The evaluation protocol with its table of indicators (cf. Appendix B, p. 11) was used as a starting point for the discussions.

The secretariat outlined the structure and content of the institutional reports, and of the national synthesis report. Self-assessment forms were distributed to the institutions in mid- September 2020. By the end of October 2020, the secretariat had received the terms of reference specified by each of the six institutions.

### 1.5.2 The Committee's work process

The committee's work was carried out in five phases.

#### *First phase: September 2020–January 2021*

- Initial preparation and first committee meeting.
- 15 September, the scientific secretariat distributed self-assessment forms to all JUREVAL-institutions; the deadline for the self-assessment reports was first set to 15 December 2020, but was later prolonged until 8 January 2021.
- First Committee meeting, 23 September 2020,
- A slightly revised self-assessment form was sent to all JUREVAL-institutions.
- The institutions were asked to check the data on personnel from the Norwegian R&D-statistics as listed in *NIFU Working paper 2020:5*.

#### *Second phase: January–March 2021*

- The self-assessment reports were sent to the secretariat, which compiled, organised and distributed the reports to the committee, organised by institution and topic. Data from the R&D-statistics were double-checked.
- The scientific secretariat set up a document-sharing platform (Microsoft Teams), and all background material, as well as other data files and documents, was stored there. The committee shared files and work in progress in Teams.

- Division of work tasks between the committee members. In late-January, an internal committee meeting was held and the tasks of evaluating the scientific publications were divided between the Committee's members.
- The Committee agreed to use Research Excellence Framework (REF) criteria.
- Second Committee meeting, 16 February
- Discussion on data and self-assessments, and agreed on the interview process.

***Third phase: March–May 2021***

- Invitations to interviews
- Third Committee meeting, 17 March 2021
- The Committee members conducted interviews with representatives of the seven research units. The secretariat was responsible for setting up the interviews.
- Fourth meeting, 16 April 2021.

***Fourth phase: May/June –September 2021***

- Fifth Committee meeting, 20 June 2021
- The Committee members wrote their assessments and conclusions of the evaluation reports for each of the seven institutions. The assessment Committee divided the assessment and writing work between its members.
- Sixth Committee meeting, 20 August 2021
- The scientific secretariat sent draft reports for factual checking to the institutions involved in JUREVAL.
- The secretariat drafted Chapters 1 and 2 of the evaluation report.

***Fifth phase: October –November 2021***

- Seventh Committee meeting 11 October 2021
- The Committee discussed comments from the RCN and the JUREVAL units on the drafts for the six institutional evaluation reports and the national report, and in an overall context.
- The Committee revised the drafts.
- Eight Committee meeting 25 October 2021, summing up work and results.

All eight Committee meetings were held on the Teams platform. The RCN participated as observers at all Committee meetings, except the meeting on 11 October, at which the Committee discussed the comments from the RCN on the drafts of the six institutional evaluation reports and the national report.

## 1.6 Data and background material

The evaluation draws on a comprehensive set of quantitative and qualitative data. The Committee's evaluation is based on the following data and documentation.

### The institutions' self-assessment reports

Reports were submitted by all the research-performing units. They included quantitative and qualitative information at the institutional level and at the level of the disciplines/research areas (Appendix C).

- Time spent on teaching, research, administration and other activities
- A list of 10–20 academic publications/research contributions, with motivations
- A list of indicators of academic recognition received (prizes, centres, honorary professorships etc.)
- Distribution of PhD students and post-docs by thematic field/discipline
- A list of PhD dissertations published by a publishing house
- A list containing 10–20 examples of important dissemination and communication activities, with motivations
- Information from the public register of secondary jobs and ownership interests (sidegjøremålsregisteret)
- Additional information on selected topics based on the institutions' terms of reference

See Appendix C for information on timeframes for the assessments.

The institutions were responsible for collecting the data that was used to assess the locally defined assessment criteria. In a few cases, the secretariat contacted the institutions for clarification and details on behalf of the Committee.

### Societal impact cases

The institutions were asked to provide case studies documenting the broader non-academic, societal impact of their research. The total number of cases requested was adjusted to the size of each institution (see Appendix D for the template used for the societal impact cases).

### Report on personnel, publications and societal interaction

The RCN commissioned an analysis of resources, personnel and publications within legal research in Norway for the evaluation. The analysis was conducted by NIFU and published in the following report: Gunnar Sivertsen, Hebe Gunnes, Frøydis S. Steine and Lone Wanderås Fossum, *Resources, scholarly publishing, and societal interaction of legal research in Norway, NIFU Working Paper 2020:5*.

The report consists of three parts, the first focusing on resources allocated to legal research, the second on scholarly publishing and the third on societal interaction based on mapping broader written communication with society. The purpose was to contribute to the knowledge base about legal research in Norway by showing the development in the use of resources, and the results of legal research, as well as to put this research into a wider context.

### Data on students and master's degrees

The RCN asked NOKUT (The Norwegian agency for Quality Assurance in Education) to provide data on enrolled students:

- a national overview of students, 2010–2019, ECTS, the student-teacher ratio (UiO, UiB and UiT), candidates and student survey (in Norwegian).
- master's degrees including the number of credits for the master's thesis, total numbers and by credits, 30 and 60 credits, 2017–2019 (in Norwegian).

### **Project data**

The RCN provided data on project funding:

- The project data bank includes an overview of national and international participation in research programmes under or outside the auspices of the RCN and funded by the EU, 2011–2019 (in Norwegian)
- The RCN also provided data on how well the institutions perform with regard to RCN funding and how their success rate compares to other participating institutions. The data were used as background information in the national report.

### **Interviews**

The assessment committee carried out interviews with the six institutions. An interview protocol was developed in cooperation with the secretariat at NIFU. The secretariat was responsible for planning and setting up the interviews.

## 2 Legal Research in Norway and JUREVAL

This chapter presents a national overview of legal research in Norway and provides detailed information about the six units included in the evaluation of legal research. Section 2.1 presents research and education in law in general and at the six units. It describes research personnel, the institutions, funding, and recruitment to legal research and higher education. Section 2.2 reports facts on higher education in law, while section 2.3 deals with the scholarly output and section 2.4 with societal interaction. The evaluation concentrates on the years 2010 to 2019, but it also follows up the evaluation of law in Norway carried out in 2009. Section 2.5 summarises the main conclusions from the previous evaluation.

### 2.1 Research personnel with a higher degree in law

Researchers with a higher degree in law (in total 476 in 2019) are primarily employed as academic staff at higher education institutions, but also as research personnel at research institutes and health trusts. The number of research personnel has increased moderately since 2010 (Sivertsen et al., 2021: 20).<sup>2</sup> Positions were distributed using the categories in Figure 2-1.

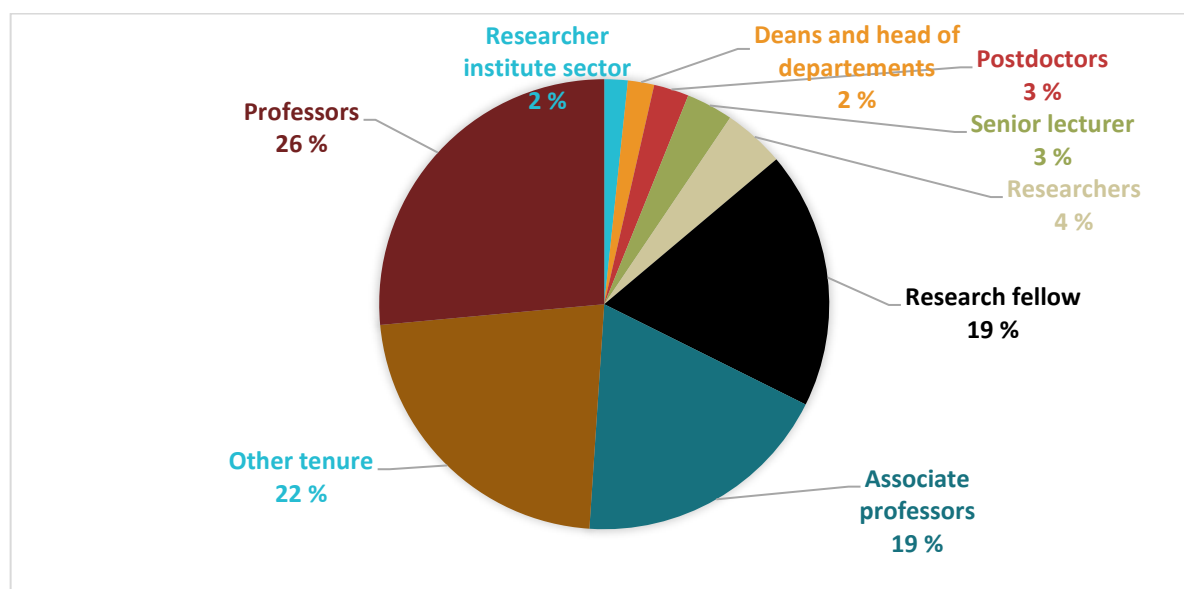
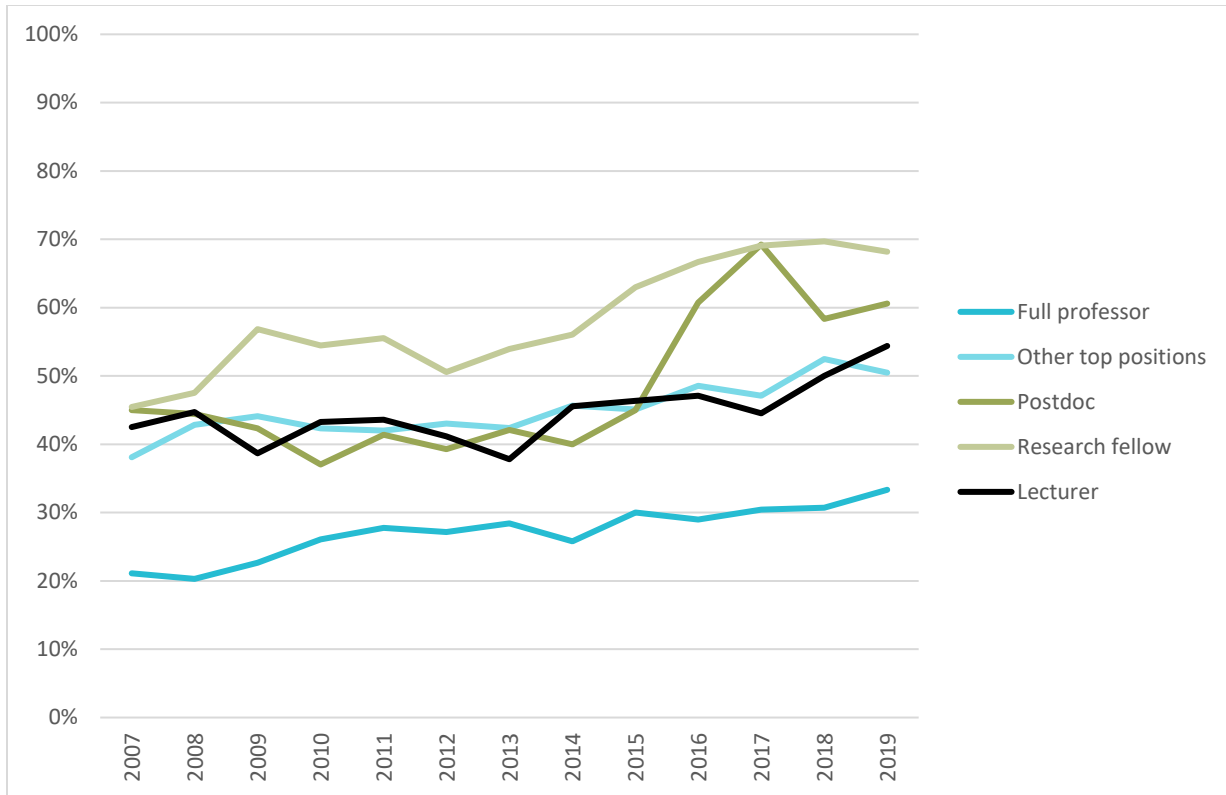


Figure 2-1 Academic staff with a higher degree in law in the Norwegian research system by position in 2019, per cent.

Source: NIFU, Register of Research Personnel

During the years 2010 –2019, the share of female academic staff increased for all positions, with the highest increase being among research fellows. However, despite having reached an approximate gender balance in recruitment positions and in the associate professors' group, a gender gap in disfavour of women still exists for top positions, see Figure 2-2 for a national overview (Sivertsen et al. 2021: 35-36). The situation we see in legal research is not exceptional, but typical for the social sciences.

<sup>2</sup> Gunnar Sivertsen, Hebe Gunnes, Frøydis S. Steine and Lone Wanderås Fossum, *Resources, scholarly publishing, and societal interaction of legal research in Norway*, NIFU Working Paper 2020:5.



**Figure 2-2 Share of female academic staff with a higher degree in law at Norwegian higher education institutions in selected positions, 2007-2019, per cent.**

Source: NIFU, Register of Research Personnel

## 2.2 The six JUREVAL units

Of the 51 Norwegian institutions conducting legal research in the years 2010 to 2019, the JUREVAL units represent about 64 per cent of legal research personnel overall (academic staff) (Sivertsen et al. 2020: 32).

Based on the number of publications in legal research, other significant institutions in 2019 are the Norwegian Police University College, Fridtjof Nansen Institute, Oslo Metropolitan University, Christian Michelsen’s Institute, the University of Stavanger and VID Specialized University (Sivertsen et al. 2020: 48).

Within JUREVAL, the three law faculties dominate, with 85 per cent of the academic staff (257 out of 303). The Faculty of Law at the University of Oslo stands out with 44 per cent, followed by the Faculty of Law at the University of Bergen with 22 per cent, and the Faculty of Law at the Arctic University of Norway with 19 per cent, see Table 2-1.<sup>3</sup>

<sup>3</sup> The numbers are based on Sivertsen et al. 2020: 32, Table 2.2.

**Table 2-1 Academic staff<sup>1</sup> at the JUREVAL units, number of staff with a higher degree in law, and with a PhD, by institution, in numbers and per cent, 2019.**

Institution	Staff with degree in law	Share of total staff	Staff with PhD	Share with PhD <sup>2</sup>	Total staff
University of Oslo	132	90%	105	98%	147
University of Bergen	68	94%	50	100%	72
University of Tromsø	57	97%	33	80%	59
University of South-Eastern Norway	11	20%	20	44%	56
BI Norwegian Business School	22	55%	24	65%	40
University of Agder	13	100%	5	42%	13
Total JUREVAL units	303	75%	237	78%	387

<sup>1</sup> Research assistants and personnel with less than 25 per cent employment at the units are excluded.

<sup>2</sup> Research fellows are not included in the calculation.

Source: NIFU, Register of Research Personnel.

### 2.2.1 Academic staff

The JUREVAL units fall into two groups. The first and largest group measured by the number of academic staff and students comprises the Faculties of Law at the Universities of Oslo (UiO), Bergen (UiB) and Tromsø (UiT). Around 80–90 per cent of legal research at the three universities is carried out at the law faculties. They are specialised in legal research, and their study programmes concentrate on law. More than 90 per cent of the academic staff held a higher degree in law in 2019.

In the three units in the second group, comprising the Department of Law and Governance at BI Norwegian Business School (BI), the Department of Law at the University of Agder (UiA) and the Department of Business, Marketing and Law at the University of South-Eastern Norway (USN), the departments/sections and academic staff are part of a multidisciplinary unit. Legal academic staff typically make up a small share, varying from 20 to 45 per cent. They typically perform research in selected fields of law and the units offer study programmes that include law, but do not aim to cover all areas of law and the legal system.

Legal research at BI and UiA focuses on business and management research, whereas research at USN focuses on psychology, social medicine, philosophy and education (Sivertsen, et al., 2020: 49).

### 2.2.2 Organisational changes since 2009

While the three Faculties of Law have maintained the same organisational set up, the three smaller units have undergone considerable changes since 2009, when the previous evaluation took place. The main changes are as follows:



#### **BI, Norwegian Business School, Department of Law and Governance**

- 2007–14: Institutt for regnskap, revisjon og jus
- 2015–16: Institutt for rettsvitenskap
- 2017–19: Institutt for rettsvitenskap og styring

#### **University of South-East Norway, Department of Business, Marketing and Law**

- 2011: Avdeling for økonomi og samfunnsvitenskap, Høgskolen i Buskerud
- 2012–13: Fakultet for økonomi og samfunnsvitenskap, Høgskolen i Buskerud
- 2014–15: Institutt for strategi og økonomi, Høgskolen i Buskerud og Vestfold
- 2016: Institutt for strategi og økonomi, Høgskolen i Sørøst-Norge
- 2017: Institutt for økonomi, markedsføring og jus, Høgskolen i Sørøst-Norge
- 2018–19: Institutt for økonomi, markedsføring og jus, Universitetet i Sørøst-Norge

#### **University of Agder, Department of Law, School of Business and Law**

- 2011–13: Institutt for økonomi, Fakultet for økonomi og samfunnsvitenskap
- 2014–19: Institutt for rettsvitenskap, Handelshøgskolen ved UiA

## **2.3 Expenditure and funding**

In 2019, expenditure on legal research in Norway amounted to NOK 466 million in current prices. The funding grew steadily from the late 1990s to 2017 before stagnating from 2017 to 2019, in fixed prices.<sup>4</sup>

The funding sources for legal research can be divided into five categories, where the three major sources are 1) basic governmental funds for the universities, 2) project funding from ministries and other public sources, 3) funding from the Research Council of Norway (RCN). Basic funding was the most important source of funding throughout the period (1997–2019). The share of external funding has fluctuated between approximately 23 and 48 per cent; project funding from ministries and other public sources dominated. The RCN was the third largest funding source (Sivertsen et al. 2021;41-43). See Figure 2-3.

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<sup>4</sup>2017: NOK 433 mill.; 2019: NOK 420 mill.

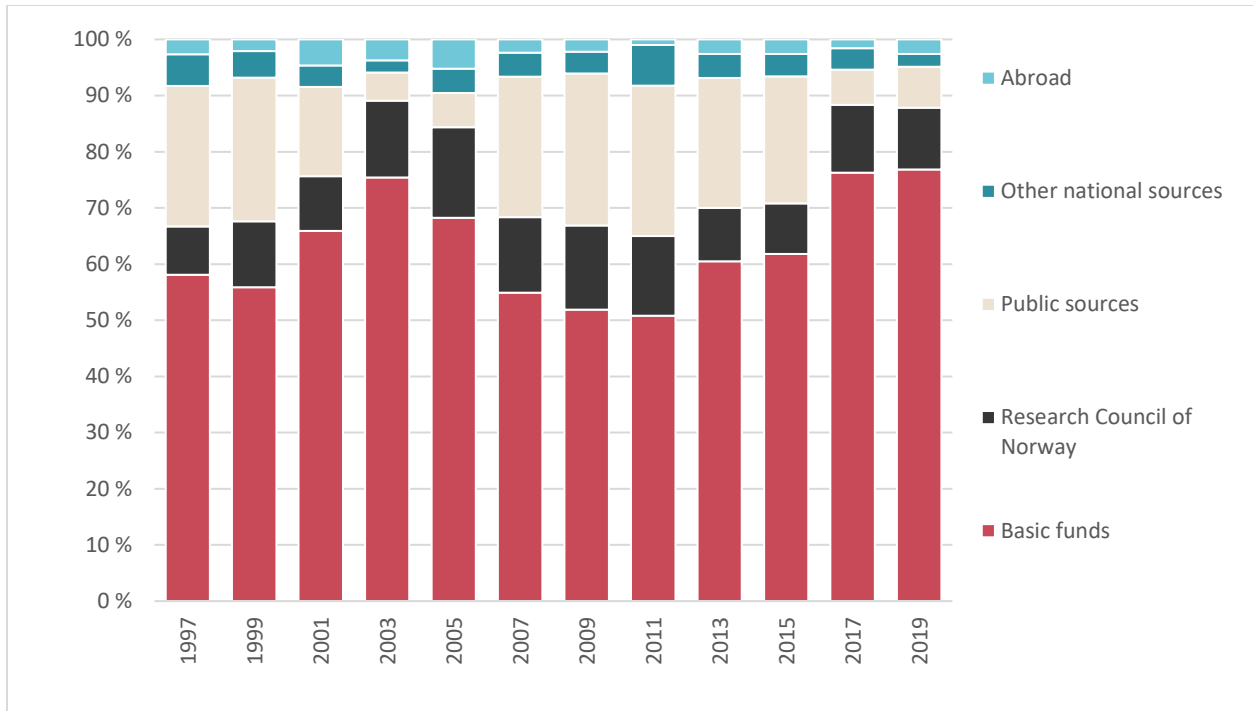


Figure 2-3 R&D expenditure on legal research by source of funds, 1997–2019, per cent.

Source: NIFU, Register of Research Personnel

Table 2-2 provides an overview of applications for research projects. The table shows rejections and grants and projects granted funding as a share of total applications. Moreover, it compares applications in the field of law with other social sciences.

Table 2-2 Research Council of Norway, applications for research projects, faculties of law and social sciences, rejections, grants, total amount granted as a percentage of the total number of applications, 2010–2019.

Research projects	Rejection	Funding	Sum	Share granted
<b>UIB</b>				
<b>Faculty of Law</b>				
Open Arena (FRIPRO)	15	2	17	12%
Programmes	9	2	11	18%
<b>Faculty of Social Sciences</b>				
Open Arena (FRIPRO)	74	17	91	19%
Programmes	64	10	74	14%
<b>UIO</b>				
<b>Faculty of Law</b>				
Open Arena (FRIPRO)	42	5	47	11%
Programmes	36	9	45	20%
<b>Faculty of Social Sciences</b>				
Open Arena (FRIPRO)	117	10	127	8%

Programmes	82	45	127	35%
<b>UIT</b>				
<b>Faculty of Law</b>				
Open Arena (FRIPRO)	2		2	0%
Programmes	5	5	10	50%
<b>Faculty of Humanities, Social Sciences and Education</b>				
Open Arena (FRIPRO)	96	14	110	13%
Programmes	56	14	70	20%

Source: RCN, Project database.

## 2.4 Recruitment – doctorates

The three universities award doctoral degrees in law, mostly PhD degrees. A few completed another doctoral degree, typically a *dr.juris*.<sup>5</sup> From 2010 to 2019, a total of 203 doctoral degrees in law were awarded at the universities, see Table 2-3. An average of 20 doctoral degrees have been awarded each year.

**Table 2-3 Doctoral degrees in law awarded in Norway, in total and by institution, 2010–2019.**

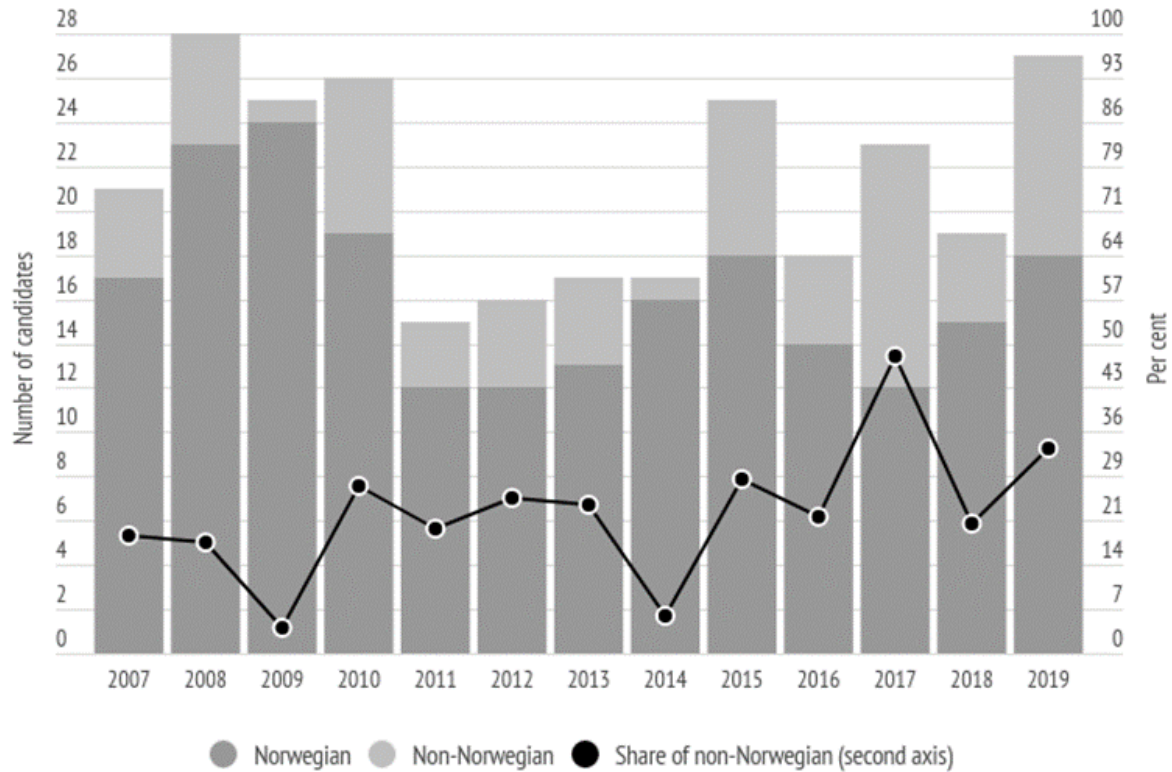
	UiB	UiO	UiT	Total 2010–2019
2010	7	15	4	26
2011	8	6	1	15
2012	6	9	1	16
2013	3	11	3	17
2014	4	9	4	17
2015	5	16	4	25
2016	6	10	2	18
2017	5	15	3	23
2018	2	14	3	19
2019	5	16	6	27
	51	121	31	203

Source: NIFU, Doctoral Degree Register.

In 2019, a PhD graduate in law was 39 years old on average, for both women and men, the same as in 2007 and in social sciences overall (Sivertsen et al. 2020: 27).

<sup>5</sup> NIFU, Doctoral Degree Register.

Since 2007, about 30 per cent of the doctorates awarded in law were awarded to persons with non-Norwegian citizenship at the time of the dissertation, see Figure 2-7. The share with non-Norwegian citizenship is the same as in social sciences overall.<sup>6</sup>



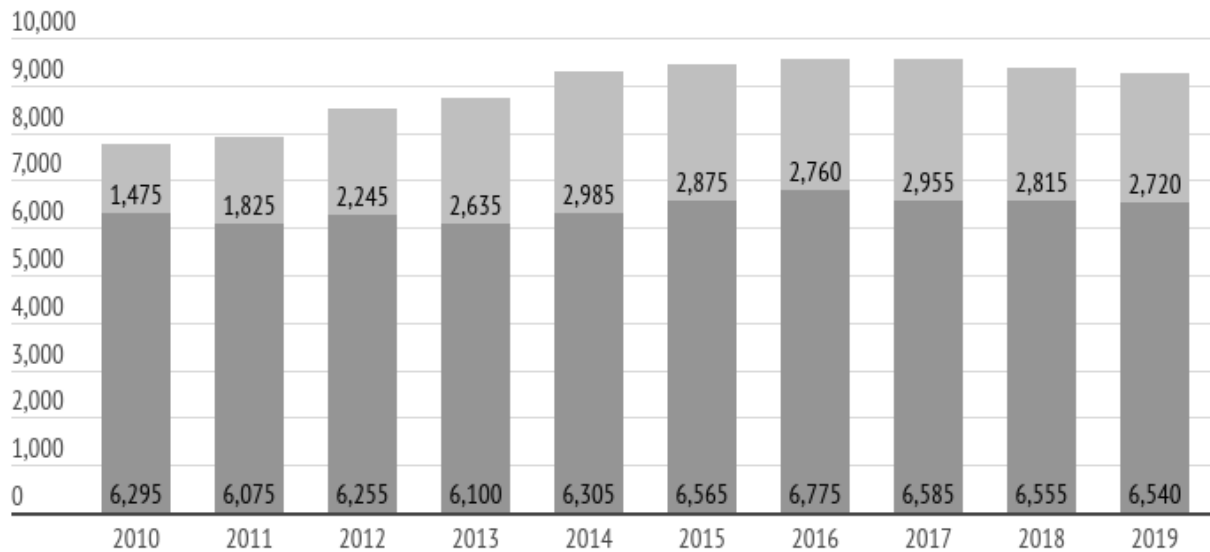
**Figure 2-4 Doctorates in law in Norway by citizenship, 2007–2019.**

Source: NIFU, Doctoral Degree Register

## 2.5 Education

In Norway, higher education in law consists of either a five-year integrated master's programme or a three-year bachelor's degree and a two-year master's degree (3+2). The most popular study programme is the integrated master's programme. The number of law students increased slightly from 2010 to 2019, mainly due to a larger number of students being enrolled in bachelor's programmes. Most law students are registered in a master's programme, where the number varied between 6,100 and 6,800 students. See Figure 2-6 below. During the period, about 60 per cent of the students in law at both the bachelor's and master's level have been female (Sivertsen et al. 2021: 29-30).

<sup>6</sup> NIFU, Doctoral Degree Register.



**Figure 2-5 Students in law, 2010–2019.**

Source: Norwegian Centre for Research Data, (NSD); Database for Statistics on Higher Education (DBH).

The number of graduates with a master’s degree rose from 2010 to 2016 but fell slightly from 2016 to 2019. The number of graduates in law on ISCED levels 6 and 7 per year has been about 1,000 yearly. ISCED levels 6 and 7 correspond to the bachelor’s and master’s degrees, respectively. See Table 2-4 below (Sivertsen et al. 2021: 30).

**Table 2-4 Number of graduates in Law on ISCED 7 level by institution, 2007–2019.**

	2007–2010	2011–2014	2015–2018	2019
University of Bergen	1 049	1 231	1 346	380
University of Oslo	2 161	2 368	2 483	425
University of Tromsø	277	315	411	145
Sum	3 487	3 914	4 240	950

Source: DBH.

## 2.6 Scholarly output

Scientific publications are a hallmark of knowledge production and dissemination within the national and international community of legal researchers. In 2019, 4,060 publications categorised as legal research were published in Norway.<sup>7</sup> Legal research was conducted at 54 institutions, but largely concentrated at a few institutions. The three universities, UiO, UiB and UiT, had a share of 72 per cent of all scientific publishing (2,913 of 4,060). This share includes both law faculties and other units at the universities. The other 51 institutions had a combined share of 28 per cent.

The publication analysis confirms the results from the personnel analysis in terms of concentration: legal academic staff at the universities are for the most part employed at the faculties of law. At other institutions (for example BI, UiA and USN), legal academic staff are part of multidisciplinary departments (cf. 2.2.1).

### 2.6.1 The six JUREVAL units

In 2019, 65 per cent (2620 of the 4060) of all publications in law in Norway came from the six JUREVAL units. Hence, JUREVAL covers an important part of overall legal research in Norway (Sivertsen et al. 2021: 48, Table 3.1.).

The three faculties of law at UiO, UiB and UiT dominate with 93 per cent of all publications by the JUREVAL units (2,461 out of 2,620). UiO accounts for 55 per cent of all publications, followed by UiB with 25 per cent and UiT with 13 per cent. See Table 2–5 (Sivertsen et al. 2021:49, Table 3.2).

**Table 2-5 The number of publications in legal research from the JUREVAL units, 2011–2019.**

JUREVAL unit	Publications in legal research
UiO	1,466
UiB	655
UiT	340
BI	143
UiA	12
USN	4
Total	2,620

Source: *The Norwegian Science Index (NSI)*.

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<sup>7</sup> The analysis is based on the Current Research Information System in Norway (abbreviated CRISTin). CRISTin data are complete from 2011 (Sivertsen et al. 2021: 45–47).

## 2.6.2 Publication patterns

Overall, legal researchers at the JUREVAL units favour journal articles and book chapters over monographs. Journal articles accounted for 45 per cent and book chapters 49 per cent, while only 6 per cent of scholarly output was presented in monographies, see Table 2-6.

**Table 2-6 The distribution of publications in legal research by publication type, 2011–2019, in per cent.**

Unit	Publications	Journal articles	Book chapters	Books	Total
UiO	1,459	45%	49%	6%	100%
UiB	654	42%	52%	6%	100%
UiT	339	47%	46%	7%	100%
BI	142	41%	53%	6%	100%
UiA	12	50%	33%	17%	100%
USN	4	75%	0%	25%	100%
Total	2610 <sup>1</sup>	45%	49%	6%	100%

<sup>1</sup> The publication type is unknown for 10 items.

Source: NSI

The distribution across publication types differs somewhat, but UiO, UiB, UiT and BI largely reflect the general picture. While the total numbers for UiA and USN are low.

The Norwegian language was used in 49 per cent of the publications and English in 48 per cent. Only 3 per cent were publications in other languages than Norwegian and English. About 8 per cent of publications are co-authored with peers abroad. The share of international co-authored publications differs across the units as follows: UiT:14%; UiO 9%; UiB 4%; and BI 1%. As stated above, 49 per cent of the publications are in books. They have been published by 103 different publishers, most of them with only one book each (Sivertsen et al. 2021: 53–54).

The publication points have remained relatively stable during the period but have been rising since 2016. See Table 2-7.

**Table 2-7 Annual publication points per person-year, 2011–2019.<sup>1</sup>**

	2011	2012	2013	2014	2015	2016	2017	2018	2019
BI	0.72	0.67	N/A	0.47	0.48	2.24	0.88	1.13	1.09
UiB	1.09	0.91	1.35	1.43	1.44	1.48	1.09	1.18	1.31
UiO	1.89	1.62	1.86	1.62	1.86	1.93	1.81	1.93	2.23
UiT	1.11	0.9	1.02	1.02	0.99	1.39	1.2	1.24	1.04

<sup>1</sup>As published in NSD's Database for statistikk om høgre utdanning.

Source: NSD, DBH

## 2.7 Societal interaction

Interaction with society occurs in numerous communication channels, such as teaching, practical training, policy and planning, industrial applications and technological innovation. In the social sciences and humanities, researchers' written communications targeting a wider audience is important in societal interaction. This is also the case for legal research, with formalised genres for written contributions to society.

Legal academic staff in Norway contribute significantly to society at large, for example by serving on committees, boards etc. and sharing their expertise in legal practice, as illustrated in Table 2-8 (Sivertsen et al. 2021:63–64).<sup>8</sup>

**Table 2-8 Contributions to sources of law in the most frequent categories in Lovdata, 2011–2019.**

Categories in Lovdata	Sub-categories	Number of matched author names
Commissions and committees, etc.	<i>The Consumer Disputes Commission</i>	2,694
	<i>The Norwegian Financial Services Complaints Board</i>	2,631
	<i>The Patients' Injury Compensation Board</i>	1,052
	<i>The Tax Disputes Commission</i>	1,006
	<i>The Norwegian Complaints Board for Public Procurement</i>	588
	<i>The Norwegian Anti-Discrimination Tribunal</i>	415
Judgments	<i>The Courts of Appeal</i>	2,317
	<i>The District Courts</i>	686
	<i>The Supreme Court</i>	450
Parliamentary papers	<i>Official Norwegian Reports, NOU</i>	213
	<i>Draft Resolutions and Bills, St. prop.</i>	134
	<i>Recommendations from Standing Committees</i>	121

Source: Lovdata.

## 2.8 The evaluation of 2009

The overall goal of the previous evaluation was to provide an aggregated assessment of the quality of legal research in Norway and of the national academic environments.<sup>9</sup> The review devoted particular attention to the performance of research groups. The evaluation aimed to identify measures that could contribute to quality, provide a knowledge base for the research units, the Research Council of Norway and for relevant ministries and contribute to developing legal research in Norway. The quality assessment was based on an international standard, taking account of national circumstances and needs, and the resources available to the individual research environments (RCN, *Legal research in Norway. An evaluation* (RCN), Oslo 2009). The panel concluded that several of the research groups and research areas could be characterised as strong in the Norwegian, Nordic, and international context. None of the evaluated research areas were considered to be weak in terms of the quantity and quality of research output. However, it was observed that some research environments were found to be too

<sup>8</sup> For a detailed account of sources and methods, see Sivertsen et al. 2021: 58-64.

<sup>9</sup> The evaluation comprised five units: the three faculties of law at University of Oslo, University of Bergen, University of Tromsø, the Department of Accountancy, Auditing and Law at the Norwegian Business School (BI) and the Fridtjof Nansen Institute (FNI).



small and thus vulnerable because of the numbers of research personnel and financial resources available.

- 1) Research quality and relevance.** The committee concluded that legal research in Norway was generally of good quality and on a par with the quality of corresponding legal research environments in other Nordic countries. It found that the research and the legal researchers' dissemination of research had considerable influence on and relevance to society, businesses and working life in Norway, and had a strong position in the Nordic research community. Moreover, the committee concluded that Nordic legal research in general, and legal research in Norway in particular, had a high societal impact/relevance compared with the impact of legal research internationally.
- 2) Organisation, cooperation and PhD education.** While the day-to-day organisation of the institutions was based on formal organisation structures, much of the research activity was organised in interdisciplinary research groups. Interdisciplinary cooperation took place across units within the same faculty (UiO) and/or across research groups from different faculties (UiO, UiB, UiT). The evaluated research environments were of different sizes, ranging from a few to larger groups with 25–30 researchers. The committee recommended all research groups to focus on attracting and including PhD fellows and junior academic staff in their research communities, and to devote attention to achieving gender balance among PhD fellows.
- 3) Publication and dissemination.** The committee observed that the publication channels for legal research were mostly of Norwegian or Nordic origin. It was also noted that the publications were largely written in Norwegian. The national orientation of Norwegian legal research publications was seen as normal given that legal research is primarily a nationally oriented discipline. At the same time, the panel found that all research groups published in international journals and in foreign languages (typically English), but that the quantity of international publications varied and was not always compatible with the discipline's international orientation.
- 4) Resources and funding.** The committee concluded that research had a high level of external funding, although this varied between the research units/groups. The high dependence on external funding was seen as a weakness, as it hampered the research groups/projects' possibilities of developing long-term plans and strategies, and thereby ensuring continuity in their research work and knowledge development in traditional core disciplines, and in new ones.

# 3 The Committee's assessment

## 3.1 Introduction

### 3.1.1 Presentation and strategy

The faculty is organised as a single academic unit. Responsibility for human resources is shared between the Dean and the Vice-Dean for Research. The faculty is divided into around 15 research groups, mainly with a shared leadership. All academic staff are members of one or more research groups. It is not mandatory to be part of a group, but very rare not to be. New groups are established on the initiative of academic staff, but by decision of a research committee. Funds are allocated to both start up projects and help them with research assistance.

The faculty has adopted the following goals:

- Strengthen the research collaboration at the faculty,
- Build up inclusive and attractive communities for researchers at various levels,
- Contribute to the facilitation of a more systematic research leadership,
- Create a platform for growth and development of research and projects,
- Facilitate network building with national and international communities,
- Strengthen the profiling of staff's contributions to the national and international research frontier

In its strategic plan for 2016–2022, the faculty chose to continue with the previous general priorities and specific academic fields (see section 3.2.1). The strategy was adapted to fit the university's plan period and thematic priority areas. An ambition to increase cross-faculty collaboration had a central place in the university's strategy, particularly in connection with climate/energy transformation, marine research and global challenges. Environmental law was therefore highlighted in the faculty's strategy. An evaluation of the research groups was part of the work on the strategy process.

The impression from the interviews is that the faculty's staff (both academic staff and the management) find the strategy work difficult. On one hand, it can be challenging to live up to the overall, central goals of the university, while, on the other, the staff find that the university's central management understands that it is necessary to allow room for a faculty strategy with a narrower approach that suits the needs of the Faculty of Law. In the faculty's view, it is acceptable that not all faculties at the university have to live up to all elements of the university's strategy. Therefore, it is the Committee's impression from the interviews with the academic staff, that the faculty is dealing with the strategy process by implementing elements of the university's overall strategy, while at the same time focusing on a robust law environment that covers all the basic elements in the law study programme.

The Committee has not identified any specific initiatives promoting social diversity. In the Committee's view, the faculty focuses on achieving an overall gender balance in research groups and in academic and management positions. This aim can be difficult to fulfil in every research area and at research group level. The proportion of women in leading positions has increased, from 36.2% of full-time equivalents in

first-level positions in 2010 to 45% in 2019. The Committee has not identified any initiatives relating to ethnicity, age, nationality or other issues.

In the Committee's opinion, the faculty has a very well-balanced strategy process in which both employees and research groups are involved.

Although the faculty's structure enables staff to focus their research on the university's expert areas and to cooperate, the assessment Committee suggests that the faculty reduce the number of research groups. Around 15 groups is rather a large number given the size of the faculty.

The Committee recommends reducing the number of groups to approximately 10. This will make the groups both a bit larger and more robust.

Overall, the Committee finds that the faculty's vision of developing legal knowledge of high quality through research, education and dissemination, and of constantly developing and improving the integrated, research-based, master's degree programmes, is reflected in its activities. Furthermore, the faculty structure enables staff to focus their research on the university's expert areas and to cooperate.

Gender equality at the faculty is satisfactory, although there does not currently appear to be a clear and strict policy for this. The Committee finds that the gender equality at the faculty is not the result of a conscious policy. The Committee nevertheless encourages the faculty to address this issue in order to ensure that the gender balance is maintained.

The faculty has little focus on other aspects of promoting diversity, such as social, ethnic and cultural factors, which the faculty should consider improving, since socially, ethnically and culturally diverse groups often stimulate innovation and promote broader perspectives on the development of research.

### **3.1.2 Education: purpose and arrangements**

The university initiated law studies and a higher degree (cand. jur.) in 1969 and it established the Faculty of Law in 1980. Today, the faculty offers an integrated five-year master's programme, and from 2014, a two-year master's programme that is the same as the two last years of the integrated five-year master's programme and admits students with a Bachelor of Law degree.

Approximately 350 students graduate annually with a Master of Law from the two programmes combined.

The teaching staff primarily comprises associate and full professors supported by post-docs and PhD fellows. The number of academic full-time equivalents (FTEs) has varied, but there was a slight increase from 2010 to 2019. The number of full professors has doubled. From 2015 to 2019, there was a decrease in associate professors (5 FTEs), lecturers (2 FTEs) and PhD fellows (4 FTEs). The latter is the result of a corresponding decrease in externally funded projects.

The faculty has detailed 'teaching accounts' for each academic employee, a document that the employee fills in and submits at the end of the year. All teaching activity and time spent on administration during each calendar year is registered and approved annually, (the remaining time is research time). The allocation of working hours in a full academic position is 775 hours of teaching, 145

hours of administration, and 775 of research. Extra administrative tasks, e.g. representing the faculty on university committees etc., can qualify individuals for an additional reduction of teaching hours.

The faculty has indicated that the primary purpose of these teaching accounts is to protect the designated research time of each academic's position. Everyone ends up with an annual balance of teaching hours, which is transferred to the following year. The goal is to balance the distribution between hours spent on teaching and research, respectively, over time. The faculty has indicated that quite a few of its academic staff have a large surplus in their balance, i.e. the faculty 'owes' them quite a lot of research time. This 'debt' of research time that the faculty owes its research staff illustrates that there still is a need for more full-time academic positions in order to ensure satisfactory teaching capacity.

The Committee finds that this is definitely not sustainable in future. The faculty appears to be understaffed, and more staff are needed.

The faculty's goal is that its education should be research-based. One way to achieve this is to ensure that the person in charge of courses has a PhD in the subject. The Committee welcomes this goal and finds it both essential and praiseworthy.

The faculty has increased the proportion of the research-based syllabus that is used in teaching in-house and at other institutions, and the academic staff are encouraged to publish articles on the areas they teach. These publications are used at all levels of the study programme. The mandatory courses contain sound scholarly contributions.

### **3.1.3 Financial conditions for research and education**

Like other institutions of higher education in Norway, the Faculty of Law at the University of Bergen has two sources of funding – annual block grants from the ministry and external research grants.

In 2010, external funding accounted for around 13% of all funding. This rose to approximately 15% in 2013, but fell to below 10% in 2019. It is worth noting that funding from the RCN has fallen from around 10% in 2010 to about 2% in 2019. This is primarily because the faculty did not succeed in obtaining any grants from the RCN in 2017, 2018 and 2019, despite submitting between seven and nine applications a year. (Source: Bergen Self-assessment report, p. 5)

The faculty has managed to secure funding for several large research projects that are in line with the strategic priorities for the period. It is characteristic of the projects that they, explicitly or implicitly, require a substantial amount of matching and/or own funding from the faculty.

External funding from the RCN, the Trond Mohn Foundation (previously Bergen Research Foundation) and the Norwegian Tax Administration has had a significant impact on the amount of research within the faculty's prioritised areas in the strategies from 2011–2022. This applies in particular to fields that have been prioritised based on their strength and growth potential.

The faculty has informed the Committee that, when the University Board approved the annual budget in November 2020, the faculty was informed that it could not expect any increase in basic funding from 2022, which means that the budget will finance the same number of academic personnel as in 2015–2016. Consequently, the faculty will not be able to employ more staff in permanent positions unless staff currently employed in these positions resign or retire.

The faculty sees this as a vulnerable situation with limited financial elbow room. The faculty's vulnerability is partly caused by competition from the labour market outside academia, which offers higher salaries, and the lack of financial elbow room makes it hard to compete.

The Committee recommends the faculty to prioritise one or two large projects that would mark the faculty as a leader in the area and attract significant external funding from the RCN and EU/EEA. This could give the faculty an international network and be a stepping stone to future projects and thereby to a better financial situation.

Moreover, the committee wishes to highlight the potential advantages of seeking project collaboration with research groups from other areas within the university. In the Committee's experience, many research projects in other research areas, e.g. in the natural sciences or medicine, often need to integrate perspectives from law in their research. This could be an important opportunity to increase funding.

The Committee finds that a combination of large, prioritised projects led by leading researchers from the faculty and participation in projects from other scientific areas could be a good way of funding the faculty's research activities.

## **3.2 Research production and quality**

### **3.2.1 Development of objectives and priorities the last ten years**

In 2010, the faculty adopted a strategy for the period 2011–2015. In the research context, the strategy prioritised the disciplines of Criminal Law and Criminal Procedure Law, Competition and Market Regulation and the Law of Obligations. In addition, the faculty decided to continue to focus on Democracy and the Rule of Law.

The faculty has to a large extent succeeded with its strategic areas. In 2019, the Faculty has a very productive competition law centre (BECCLE), which has produced several PhD theses – most of them later published as articles, and subsequently resulting in postdoc positions. The same applies to the research groups in Criminal Law and the Law of Obligations. Both these research groups have produced many PhD theses compared with the rest of the faculty.

Based on the documentation submitted for the evaluation, the Committee concludes that the prioritised areas have succeeded in producing societally relevant research and having an impact on both legislative work in Norway and media activities.

In parallel with the research in the prioritised areas, the faculty has endeavoured to strengthen basic research within traditional law disciplines, and to develop research collaborations on the regional, national and international level.

The Committee appreciates this effort and finds that the faculty is very strong in this respect.

In the assessment period, the faculty has been organised in around 15 research groups. The groups are semi-formal in their organisation, with a group leader and a very modest budget, but informal in their research activities.

The cooperation between the academics in the different research groups seems to run smoothly. Many academics are members of more than one group and, based on the interviews, the Committee finds that the overall intellectual environment is positive and constructive.

One general development during the period 2010 to 2019 was an increase in co-authored scholarly articles or books. The co-authors were peers from Norway, Scandinavia and other countries.

Most of the legal research at the faculty is published in Norwegian journals (60%), while the rest is divided almost equally between Nordic and international journals. (Source: NIFU working paper 2020-5, pp. 54–55, incl. Table 3.8)

The scholarly production had an increasingly international outlook. The proportion of English language publications was, on average, close to 40% during the period reviewed. (Source: NIFU working paper 2020-5, p. 53)

Based on interviews with the academic staff, the Committee's impression is that there is a strong focus on internationalisation and on international networking and publishing. The faculty encourages researchers to publish in English and offers support, such as covering the costs of proofreading. It also encourages researchers to participate in international conferences and meetings, and participate in Erasmus teaching exchanges.

There are clearly significant differences between individual researchers in the approach they take to internationalisation. These differences depend on the research area in question. For instance, International Law, IP and Comparative Law are more targeted at an international audience than Property Law and Administrative Law. Taking such differences between areas into account, the Committee nevertheless notes with approval that even the less international disciplines focus on international aspects.

The researchers highlight that the many international students in the master's programme benefit the research environment. The international students bring different perspectives on international questions and can serve as a link to research groups at universities abroad. On the other hand, the researchers point out that Norwegian students generally focus on domestic law and not often on internationalisation.

The Faculty of Law forms the core of legal research at the University of Bergen, and 89% of the legal research conducted at the university takes place at the faculty; it is highly specialised and 87% of the scientific publications are in legal research. This means that 13% of the publications from the law faculty are categorised as non-legal research, and that 11% of legal research at UiB comes from other parts of UiB than the law faculty. This pattern of concentration and specialisation is the same as at the law faculties in Oslo and Tromsø, but differs from BI, USN and UiA. Of the 13% non-legal research carried out at the faculty, 4 percentage points are 'interdisciplinary social science' (as defined by NSI). (Source: NIFU working paper 2020-5, pp. 49–50, incl. Tables 3.2 and 3.3)

The legal research at UiB has resulted in 732 scholarly publications during the period 2011–2019. Looking at scholarly productivity, UiB has a predominance of legal research compared with the national average for universities: 2.6% of the scholarly publications at UiB are in the legal area, while the national average for universities is 1.8%. Looking at the Faculty of Law at UiB (which is responsible for approximately 89 % of the legal research at UiB, cf. above), researchers at the faculty have published

274 articles in journals and written 384 contributions to monographs and book chapters. (Source: NIFU working paper 2020-5, pp. 47-48)

The faculty has a relatively high share of books compared with the national average, but a similar share to the other big institutions in Norway. A possible explanation for this could be that the big universities feel that they have a greater responsibility to produce textbooks for higher education in law.

From the review of the scholarly publications selected by the faculty, the Committee finds that the quality is generally good and certainly at the top end of the institutions assessed in JUREVAL.

The selected publications show good coherence between the strategy and the output. The Committee finds that the faculty has a both robust and broad research output. The samples indicate that the faculty focuses on research that is innovative and questions existing research. The research shows that the researchers, on the one hand, deal with new topics that are important and topical, while, on the other hand, contributing research on traditional topics.

The faculty takes part in many projects with external funding. While there has been a decline in RCN funding, there has been an increase in funding from private and other external sources (see section 3.1.3. above). Overall, the faculty has succeeded in achieving the goal of collaborating with national and international research environments. However, since 2014, the faculty has had an unsatisfactorily low success rate for RCN applications. The faculty seems to have less success in obtaining funding for projects where the faculty is the lead.

Academics from the faculty have received extensive recognition over the last ten years, and at least one of the researchers has won a prize almost every year. Among the many prizes, the Committee highlights the Nordic Nils Klim Prize in 2011. Jørn Jacobsen was awarded this prize for his original scholarly work in Criminal Law Theory.

However, it needs to be noted that quite a large share of the prizes are 'local' prizes (e.g. UiB prizes), while only a few are international. As the assessment Committee understands the submitted information, there are no Norwegian national prizes.

Researchers are active and recognised as peer reviewers and for work on editorial boards for research, journals, books etc. In a faculty survey carried out in autumn 2020, 60 of the academics answered 'yes' to having been editor of one or several journals, 28 of 60 answered 'yes' to having served on editorial boards of journals/books, and 44 of 60 answered 'yes' to having done peer-reviewing for journals/books.

The Committee is very impressed by the way the faculty has balanced having both an international outlook and inspiration, while at the same time producing research that is useful for textbooks, syllabuses and the law profession/practitioners. The Committee encourages the faculty to maintain this balance.

### **3.2.2 Future areas of strengths and priorities**

The faculty will continue to prioritise the same four academic fields as during the last ten years (Criminal Law, Law of Obligations, Competition Law and Democracy/Rule of Law). At the same time, the faculty must comply with the strategy for the university as a whole. UiB prioritises the following areas: marine research, climate and energy transformation, and global challenges.

In addition to the strategic areas at both the university level and faculty level, the faculty intends to strengthen interdisciplinary research. Here, the goal is to make legal research relevant and visible in order to be included in interdisciplinary research. Another ambition is to strengthen research collaboration with other institutions in the legal domain.

The Assessment Committee notes the wording and focus of the strategy as regards whether it should focus on law disciplines or the role of the research and its relationship to other research areas. The Assessment Committee considers it a challenging task to prioritise specific law disciplines while being interdisciplinary at the same time.

The Faculty is to some extent dependent on being self-sufficient as regards the supply of academic staff.

This means pursuing a recruitment strategy where master's students are encouraged to take an interest in PhD projects, and giving PhD fellows attractive working conditions, so that they opt for a scholarly career in academia – preferably in Bergen. Especially in private law areas, it seems to be difficult to compete with the salaries paid by private law firms. As mentioned in section 3.2.3 below, approximately 40% of the PhDs from the faculty stay at the faculty. This means that the faculty has good opportunities to recruit internally.

The faculty has established a Chinese law centre: the Norwegian China Law Centre/the Norwegian Centre for Chinese Law. The faculty has thereby extended its efforts to China and Chinese law. It is not entirely clear to the Committee, however, how the law centre is incorporated in research at the faculty and in the general strategy. Still, the centre seems to have been a platform for master's student exchange programmes – Norwegian students going to China and Chinese students coming to Norway. The centre is to a certain extent involved in PhD programmes. It has, for example, taken part in PhD seminars on Chinese Legal Culture held at the Nordic Centre, Fudan, in Shanghai as a part of the faculty's efforts to extend its links with China.

The Committee's impression is that the research activities of the Chinese law centre are to some extent separate from the rest of the faculty. The Committee therefore encourages the faculty to rethink the position and role of the centre, for example by more actively incorporating its research output in the rest of the research at the faculty.

### **3.2.3 Recruitment and PhD programmes**

During the period 2010–2019, the faculty awarded 51 theses a PhD degree. Thematically, Criminal Law has the highest number of theses, with nine. It is followed by the Competition and Market/Commercial law area with six, and the Law of Obligations area with five theses.

These figures reflect the faculty's strategy. Only the Rule of Law strategic area seems not to be reflected in the theses figures, having only produced two PhD theses. The other theses are fairly equally spread



between a broad range of traditional legal research areas: Legal Theory, Tort Law, International Law, Civil Procedure, Labour Law, Company Law, Intellectual Property Law, Data Protection Law, Administrative Law, Human Rights etc.

Some research areas can be singled out for being interdisciplinary. All theses in Legal Theory and Method are interdisciplinary. Apart from that, only around 10% of the theses are interdisciplinary.

Twenty-nine of the PhDs were authored by men, and 22 by women. Remarkably, all the theses in Civil Law were written by women, while in Tort Law and Legal Theory/Method, all of the authors were men. Apart from this, the distribution of women and men in the different fields is more or less equal.

Of those enrolled in the PhD programme during the period, more than half stayed in academia (31 persons), while about 30% of them (17 persons) went on to hold permanent positions in the Faculty of Law (20 persons or 40% when temporary positions are included). Eleven PhD graduates (21%) are employed in academia outside UiB, while seven are employed in the public sector outside academia and nine (17%) in the private sector.

There are currently 47 PhD-students. It is to be expected that this number will significantly increase the possibilities to recruit in the coming years. If the budget and financial conditions keep pace with the need for recruitment, it will be possible for the faculty to double its self-recruitment to academia. This presupposes an appropriate budget with room for hiring. Unfortunately, the Assessment Committee's impression is that this seems doubtful considering the financial situation at the faculty. The Committee notes with very strong regret that, after several years of successfully building up the academic recruitment potential at the faculty, the current budget from UiB does not follow this up. The faculty's efforts will thereby go unrewarded and only very few recruitments will be possible.

Even though men only author seven more theses than women, other figures show that those transitioning from a PhD position to a permanent position are almost exclusively male. At the same time, women hold the majority of temporary positions at the faculty: postdoc positions. The faculty has reported to JUREVAL that specific measures exist that are dedicated to the career development of women, such as seminars, mentoring, and opportunities for paid sabbatical leave after fewer years than their male colleagues to qualify for professorships.

The PhD fellows seem to be well integrated into the research communities. They are often primarily affiliated to a specific research group that takes responsibility for the social as well as the academic aspects of the PhD period.

The Committee finds it very important for the faculty to address the gender imbalance in the ratio between permanent positions and temporary positions for academic staff at the beginning of their career after the PhD level.

## 3.3 Relevance for education

### 3.3.1 Discipline, legal research and education: learning methods, principles and practices

The faculty has encouraged academics to write research-based textbooks for use in teaching. The mandatory courses utilise sound scholarly contributions developed by researchers over several years. The researchers see it as important that their research is integrated in relevant syllabuses and in textbooks used by lawyers in practice. The Committee finds this activity important and welcomes this practice.

During their fifth and final year, students can choose to write either a 30 ECTS or a 60 ECTS master's thesis. As an alternative, motivated and talented students are encouraged to apply for the research option of a 70 ECTS master's thesis, which is a student research programme particularly targeting students who are considering a career within academia or another research-based career. The option is currently a pilot established in 2017 and, from 2018, partly funded by the Research Council (RCN) under the name 'Forskerlinjen' (the researcher track). From 2020, Tromsø has also offered the same option, and Tromsø and Bergen are currently the only JUREVAL institutions offering it. The course aims to increase the students' awareness of the relevance of scholarly methods and to offer a general education conferring skills that are transferrable to other legal professions. The courses in the programme also include research training, and some of them are part of the PhD programme at the faculty. The Committee finds this initiative interesting and praiseworthy. The Committee's impression is that this 70 ECTS master's thesis will be beneficial by connecting and increasing students' ties to the faculty.

The Committee has the impression that the 30 ECTS master's thesis could make the faculty rather vulnerable, because it allows students to study from a distance (e.g. from Oslo). This could lead to fewer students on campus and fewer candidates for a subsequent career in Bergen and the faculty. The Committee wishes to draw attention to this.

The faculty has considered having some tracks in the final year led by qualified and specialised professors. This could give students the possibility of both having a clear structure and specialising. This also makes it possible for the faculty to define the 70 ECTS master's thesis research programme as a track. The Assessment Committee finds these ideas interesting and agrees that they could be valuable for the students.

In recent years, the faculty has increased the number of courses taught in English. Some of them are closely connected to the research at the faculty, e.g. Human Rights, Energy Law, Commercial Law, Company Law and Legal Philosophy. Other courses now include: Law of the Seas and its uses; Privacy and Data Protection – GDPR, EU and EEA State Law; International and Comparative Energy and Climate Law; Comparing Legal Cultures in Europe; Competition Law; and International Criminal Law.

Interdisciplinary study programmes were initiated in the latter half of the assessment period, such as the course in Constitution and Politics in collaboration with the Department of Comparative Politics at UiB. TVEPS [Centre for Interprofessional Work-Place Learning] is highlighted as a recent collaboration between the faculties of Medicine, Psychology and Law at UiB, and the Faculty of Health and Social

Sciences at the Western Norway University of Applied Sciences, Fjell Municipality and Bergen Municipality aimed at developing an inter-professional perspective.

The faculty also notes that international education agreements – such as the collaboration between the faculty and Chinese universities – have led to research collaboration with Renmin University of China Law School.

The faculty has regularly used practitioners as part-time teachers. They are used more in elective courses and less in basic courses. Following a reform after which evening teaching was minimised, fewer practitioners are used for teaching purposes. Practitioners are frequently used in connection with examinations. Almost every course (both elective and basic/mandatory) has a specialised researcher as the responsible course leader.

### **3.3.2 Learning and practicing law and legal research methods**

Since 2013, the faculty has made significant investments in establishing the Dragefjellet Centre of Learning and Communication. The centre plays a vital role in both teaching students at the faculty and in continuing education for practitioners, and it plays an important role in developing pedagogical concepts in education. The centre's target group also includes the legal community, external funds and society as a whole.

The centre acts as a link between research, on the one hand, and education and society, on the other. The centre focuses on getting research out of the 'laboratory'.

Dragefjellet has, for example, made films about law topics. One of the film projects that received most attention from students and peers is the '*Biltur med metodediskusjon*' (road trip with methodology discussion). The centre has facilitated a more interactive teaching structure and culture, and it is a crucial part of developing the digitalisation of teaching at the faculty.

Several researchers have been important in developing teaching methods at the faculty. During his period as Vice-Dean of Education and later Vice-Dean of Digitalisation, Knut Martin Tande facilitated a more interactive teaching structure and culture – an effort for which he received several awards. Jan-Ove Færstad has also played a crucial role in this work and achieved the status of Excellent Teaching Practitioner in 2020 for these efforts, among other things. Together with Johan Giertsen, he has also developed the immensely popular *Kontraktrettsfredag* ('Contract Law Friday'), which is a recorded dialogue between Giertsen, Færstad and a student. This initiative was awarded UiB's local prize for quality in education in 2018.

The National Student Barometer shows that students at the faculty give their knowledge of scholarly methods a score of approximately 3.2 on a scale from 1 to 5. It is worth mentioning that the survey is sent to second-year and fifth-year students, and that the score is the same for second-year and fifth-year students. These scores are about the same as at the other JUREVAL institutions offering master programmes. The Student Barometer shows that, when students are asked about their experience of research work, the average score is approximately 2.5 on the 1 to 5 scale. That is a little lower than UiT and a little higher than UiO.

The faculty has initiated a range of measures to increase student awareness of the role of research. Research groups have invited students to participate. Following a systematic effort, 19 highly qualified students applied for the Student Research Course in 2019. There has also been a general increase in student requests to participate in research groups. The research group in Information and Innovation Law has entered into a formal collaboration with the faculty's largest student association (Innorett), which has 170 members, on projects within the field of research and education relating to technological development and innovation, including collaborations with Medicine, Information Science and Informatics.

Students are affiliated to the research groups in several ways. For instance, the groups have increased their use of students as research assistants. It is also worth noting that master's students have published academically in publication channels such as *Bergen Journal of Criminal Law & Criminal Justice*, *Tidsskrift for rettsvitenskap* [Journal of Law], and *Tidsskrift for erstatningsrett* [Journal of Tort Law].

The focus on student active research and digitalisation in recent years has motivated the Norwegian Agency for International Cooperation and Quality Enhancement in Higher Education (DIKU) to fund the faculty and the project Better Teaching, Better Lawyers. According to the faculty, the project will increase the use of digital tools to promote student active learning, and new opportunities are planned for integrating research in teaching at the faculty as a whole.

## 3.4 Societal relevance

### 3.4.1 Outward-oriented activities

The faculty is in many ways very active when it comes to dissemination activities that have an impact on society.

The faculty (as part of UiB) publishes a list of secondary activities of researchers on its website. The list shows that the researchers participate in an extensive range of activities, serving on commissions, boards, committees etc. In this context, the faculty highlights that one of the researchers occupies an important international position as a member of the Council of Europe's European Commission for Democracy through Law (the Venice Commission), while another researcher, whose participation in commissions such as the Board of Appeal for Commercial Competition (*Konkurransklagenemda*), the Market Council, and the Norwegian Board of Appeal for Industrial Property Rights bears witness to a significant position in the field of Commercial Law, and yet another has been appointed Supreme Court Judge for four periods during the last ten years.

For the purpose of JUREVAL, the faculty conducted a survey in which it asked researchers about activities to supplement the official list. All researchers report that they have contributed through one or more appointments to committees etc. based on their professional competence during the period — several report more than five such appointments. The survey shows a substantial societal impact that, according to the faculty, is not reflected in the official figures, such as the Government's database of boards and committees 2010–2019, which has only recorded 35 such appointments from the faculty.

The Assessment Committee appreciates these activities and finds them very important. The Committee recommends the faculty to encourage academic staff to become further involved in such activities.

In its strategy, the faculty has set goals for targeted dissemination as part of its interaction with society. One goal is that academic staff at the faculty shall be at the forefront with respect to disseminating knowledge about the rules of law, the legal state, and the role of law in society. Dissemination of knowledge of the law to a broad public contributes to enlightenment and civil debate. In the faculty's view, such broad dissemination is vital for the development of democracy. Dissemination is an example of how research at the faculty gives value back to society. The faculty wishes to demonstrate that investment in legal research benefits society. In this way, dissemination will contribute to conveying the importance of legal research to society.

It is a goal for the faculty and part of its strategy that academics shall have a high public profile nationally and internationally in the field of law. The faculty has therefore focused on the following target groups in particular: 1) general society (including edited media and social media), 2) legal institutions (fields of practice), 3) the legal community (peers), 4) law students, and 5) politicians and research-funding institutions.

Two of the researchers at the faculty have won awards for excellent dissemination. The Meltzer Research Fund Award for Excellence in the Dissemination of Research was awarded to Jørn Øyrehagen Sunde in 2012 and to Hans Fredrik Marthinussen in 2018. The latter also received the regional newspaper *Bergens Tidende's* 'Debater of the year' award in 2017.

The impact cases selected and submitted by the faculty to JUREVAL show a broad range of significant impacts on society. This demonstrates that the researchers, based on their research, find it important to disseminate their research to society. The impact on society ranges from activities targeting the legislative process and the courts to dissemination to the public in the sense of explaining the law.

From the interviews with the academic staff, the Assessment Committee understands that the researchers feel a great responsibility to disseminate their research to society. Therefore, participating in public commissions, committees, boards, social media and media/the press is seen as valuable and widely accepted in the scholarly environment at the faculty.

The impact cases show that dissemination is based on sound research, and that the activities can have an impact on society, for example through new legislation and court decisions, and contribute to public debate.

The Committee finds that the faculty largely succeeds in implementing the societal goals in the strategy.

### **3.4.2 Contribution to the achievement of societal goals**

The faculty states that, during the last ten years, research at the faculty has increasingly contributed to addressing societal challenges, regionally, nationally and internationally. This mainly takes place within UiB's three strategic areas – marine research, global challenges, and climate and energy transition. The faculty's current strategy explicitly states that its research should focus on the university's overall strategic areas. These priority areas largely correspond to national strategic areas and goals for research, e.g. the priority list from the Ministry of Justice and Public Security and the Government's long-term plans for research.

The Assessment Committee finds that national societal goals are achieved both through implementing and contributing to the strategic goals at UiB, and through regular ordinary legal research at the faculty.

The Committee finds that the focus on, and the robust research environment in, the climate and energy area correspond well to the priorities in the Government's Long-term Plan for Research and Higher Education 2019–2028.

Several positions as PhD fellows and postdocs have been allocated to UiB's priority area climate and energy transformation. For example, a PhD position has been created within the field of offshore wind. It was filled in 2019. Furthermore, the faculty has received funding for a tenure-track position in the climate and energy transformation priority area with a specific focus on offshore wind. Finally, the faculty states that, in 2019, it submitted an application for financing of a centre for offshore wind in collaboration with industrial partners. The application did not lead to a grant, but the partnership will explore more possibilities.

The faculty states that it has been granted funding for a PhD position within the UiB priority area global challenges. The project is being carried out in close collaboration with researchers from the Faculty of Medicine. The project, which is grounded in the research group in Welfare Law and focuses on maternal health, will have a comparative and empirical dimension, comparing Ethiopia and Norway.

In selected areas, the faculty has focused its research so that it complies with the national research priorities. In the field of migration and global societal changes, for instance, the faculty only carried out a little research in 2016, before the strategy plan for 2016–2022 was adopted. Research in the above-mentioned areas has increased since 2016 to comply with the strategy. Several of the researchers from the Administrative Law and Welfare Law research group contribute to research in the field of migration, especially to projects concerning human rights of vulnerable groups and their access to health care in Norway and Africa. Several of the externally funded projects are based in this research environment (e.g. the WAIT-project, the project 'Transnationalism from above and below: Migration Management and how migrants manage' and 'Migration to Norway: Flows and Regulations'). Researchers in these areas have been active in disseminating their research.

The faculty has a robust research environment in criminal law and criminal procedure, as it has had for many years. The thematic focus corresponds well with the special, prioritised research funding for areas that the Ministry of Justice lists as priority areas. Emphasis has been placed on efficiency in the chain of criminal procedure and migration, and the research has focused on a broad range of legal and other issues. The faculty's academic staff has produced research on an international level on a broad spectrum of fields within nearly all of the ministry's strategic priority areas during the last decade. Even though the list from the Ministry of Justice only includes a narrow selection of themes, it supplements the overall national priorities, and contributes to the strategy for and funding of law research in Bergen along with other sources.

In general, researchers in Criminal Law and Criminal Procedure are regarded as crucial and valuable for the faculty in terms of contributing to achieving societal goals. The faculty has informed the Assessment Committee that, based on the Research Council of Norway's criteria for applications for Centres of Excellence, the community submitted a comprehensive statement illustrating that they produced high-quality research across the entire breadth of the field of Criminal Law. The research group was therefore

highlighted in the faculty's strategy for strengthening the position of the academic community as an internationally leading research environment.

The Committee concludes that the faculty manages to prioritise societal goals within UiB and the Ministry of Justice's priority areas. Societal goals are well incorporated into the strategy. The committee finds that the faculty has struck a good balance between achieving societal goals and fulfilling the task of carrying out research that is useful for education and publishable.

The Committee notes that the documents the faculty submitted to JUREVAL do not document that the faculty has a particular focus on or strategy targeting the United Nations Sustainable Development Goals (SDG's). Several SDGs are relevant to the research area of law, and part of the research at the faculty is relevant to the SDGs, but the SDGs are not regarded as a focus area.

The committee recommends the Faculty to focus explicitly on SDGs in its strategy and to clearly emphasise the SDGs in the faculty's research.

## 4 The committee's overall conclusion and recommendations

### 4.1 Conclusion

Initially, the Committee wishes to emphasise that its impression from the self-assessment report, the submitted documents and the interviews with both management and academic staff is that the faculty has an extraordinarily open-minded, accommodating and responsive attitude. When the Committee has raised questions about topics, its impression is that the Faculty is sincere and open for suggestions and critique.

The faculty is organised as a single academic unit divided into around 15 research groups, mainly with a shared leadership. All academic staff are members of one or more research groups. It is not mandatory to be part of a group, but very rare not to be. New groups are established on the initiative of academic staff, but by decision of a research committee.

Overall, the Committee finds that the faculty's vision – to develop legal knowledge of high quality through research, education and dissemination, and to constantly develop and improve the integrated research-based master's degree programmes – is reflected in its activities. Furthermore, the faculty's structure enables staff to focus their research on the university's expert areas and to cooperate.

In its strategic plan for 2016–2022, the faculty chose to continue with the previous general priorities and specific academic fields. The strategy was adapted to fit the university's plan period and thematic priority areas. The ambition to increase cross-faculty collaboration is central to the university's strategy, particularly on climate/energy transformation, marine research and global challenges.

The faculty carries out a strategy process, in which it implements elements of the overall university strategy, while at the same time focusing on a robust law environment that covers all fundamental aspects of a study programme in law.

As the Committee understands it, the faculty will continue to prioritise the academic fields developed over the last ten years (Criminal Law, Law of Obligations, Competition Law and Democracy/Rule of Law). At the same time, the faculty will comply with the strategy for the university as a whole. This strategy prioritises the areas of marine research, climate and energy transformation, and global challenges.

In addition to the strategic areas at both the university and faculty level, the faculty shall strengthen interdisciplinary research. It is a goal to make legal research relevant and visible so that it can be included in interdisciplinary research. It is also the faculty's ambition to enhance research collaboration with other institutions in the legal domain.

The Assessment Committee wishes to draw attention to the wording and focus of the strategy as regards whether it should focus on law disciplines or the role of the research and the relationship to other research areas. The Assessment Committee regards it as a challenging task to prioritise specific law disciplines while at the same time being interdisciplinary.

Gender equality at the faculty is satisfactory, although there does not seem to be a clear and strict policy in this regard. The gender equality actually achieved at the faculty is thus not the result of an express



policy. The Assessment Committee recognises this fact, but encourages the faculty to focus on this issue in order to monitor that the gender balance is maintained.

The faculty has little focus on other aspects of promoting diversity, such as social, ethnic and cultural factors, which the faculty should consider improving, since socially, ethnically and culturally diverse groups often stimulate innovation and promote broader perspectives on the development of research.

The faculty offers an integrated five-year master's programme and, since 2014, a two-year master's programme that is the same as the two final years of the five-year master's programme and admits students with a Bachelor of Law degree.

Approximately 350 students graduate annually with a Master of Law from the two programmes combined.

The faculty has detailed 'teaching accounts' for each academic employee, a document that the employee fills in and submits at the end of the year.

The faculty has indicated that quite a few academic employees have a large surplus in their balance, i.e. the Faculty 'owes' them quite a lot of research time. This 'debt' of research time that the faculty owes its research staff illustrates that there is still a need for full-time academic positions in order to ensure satisfactory teaching capacity. This is definitely not sustainable in future. The faculty seems to be understaffed, and more staff are needed.

The faculty is in a vulnerable situation and has limited financial means. The faculty's vulnerability is partly caused by competition from the labour market outside academia (better salaries), and the lack of financial elbow room makes it hard to compete.

In 2010, the faculty adopted a strategy for the period 2011–2015. As regards research, the strategy prioritised the disciplines of Criminal Law and Criminal Procedure Law, Competition and Market Regulation, and Law of Obligations. At the same time, the faculty wanted to continue its focus on Democracy and the Rule of Law.

In the Assessment Committee's view, the faculty has succeeded to a large extent with its strategic areas.

In parallel with research within the prioritised areas, the faculty has aimed to strengthen basic research within traditional law disciplines, as well as developing research collaborations at the regional, national and international level.

Its scholarly production has had an increasingly international perspective. The percentage of English language publications has, on average, been close to 40% in the last ten years.

Most of the legal research from the faculty is published in Norwegian journals (60%), while the rest is almost equally divided between Nordic and international journals.

Our impression is that there is a strong focus on internationalisation, and a focus on international networking and publishing. The faculty supports and encourage researchers to publish in English (e.g. by paying for proofreading) and to participate in international conferences and meetings.

The committee finds that the quality is generally good and certainly at the top end of the institutions assessed by JUREVAL.

The faculty is part of many projects with external funding. While there has been a decline in RCN funding, there has been an increase in funding from private and other external sources. The faculty seems to have less success in obtaining funding for projects where the faculty is the lead.

Researchers from the faculty have won recognition and awards in the last ten years.

The PhD candidates seem to be well integrated into the research communities, often with a main affiliation to a specific research group that takes responsibility for the social as well as the academic aspects of the PhD period.

The faculty has encouraged researchers to write research-based textbooks for use in teaching (syllabus). The mandatory courses contain sound scholarly contributions developed by academic staff. The researchers see it as important that their research is translated into relevant curriculum/syllabus as well as textbooks used by lawyers in practice.

During their fifth and final year, the students can choose to write either a 30 ECTS or a 60 ECTS master's thesis. In addition, motivated and talented students are encouraged to apply for a research option of a 70 ECTS master's thesis, a student research programme mainly targeting students considering a career in academia.

The faculty has considered having some tracks for the final year led by qualified and specialised professors. This could give students the possibility of both having a clear structure and specialising. This would also give the faculty with an opportunity to define the 70 ECTS master's thesis research programme as a track. The Assessment Committee finds these ideas interesting and agrees that they could be valuable to the students.

The faculty has made significant investments in establishing the Dragefjellet Centre of Learning and Communication. The centre plays a vital role in teaching students at the faculty and in continuing education for practitioners. In addition, the centre plays an essential role in developing pedagogical concepts in education. The centre's target group also includes the legal community, external funds and society as a whole.

The centre serves as a link between research, on the one hand, and education and society, on the other. The centre focuses on getting research out of the 'laboratory'.

The faculty has initiated a range of measures to increase student awareness of the role of research. Students are affiliated to the research groups in several ways.

The faculty is in many ways very active as regards dissemination activities that have an impact on society. In the strategy, the faculty has set goals for targeted dissemination as part of its interaction with society. It is a goal that academic staff at the faculty shall be at the forefront when it comes to disseminating knowledge about the rules of law, the legal state and the role of law in society. Dissemination of knowledge of the law to a broad public contributes to enlightenment and civil debate.

In the Assessment Committee's view, national societal goals are achieved both through implementing and contributing to the strategic goals at UiB and through the ordinary legal research carried out at the faculty, which largely contributes to achieving national societal goals.

## 4.2 Recommendations

- Although the faculty structure enables staff to focus their research on the university's expert areas and to cooperate, the Assessment Committee suggests that the faculty reduce the number of research groups. Around 15 groups is rather a large number given the size of the faculty. The Committee recommends reducing the number of groups to approximately 10. This will make the groups both a bit larger and more robust.
- The Committee recommends the faculty to concentrate its strategy and focus on a few selected topics: Criminal Law, Law of Obligations, Competition Law and Democracy/Rule of Law, Marine Research, Climate and Energy Transformation and Global Challenges, and to focus on interdisciplinary work.
- The faculty should continue to focus on gender equality in order to ensure that the gender balance is maintained. The faculty should also include other aspects than gender on its agenda to ensure diversity, i.e. social, ethnical and cultural aspects.
- The faculty should ensure that the researcher track with a 70 ECTS master's thesis is also an option in future after the pilot ends.
- The faculty should prioritise one or two large projects that could give the faculty a leading role in these areas and help it to gain access to substantial external funding from the RCN and EU/EEA. This could further strengthen its international networks and be a stepping stone to future projects. The Committee finds that a combination of large, prioritised projects led by leading researchers from the faculty and participation in large projects in other scientific areas can be a good way of funding the faculty.
- The Committee recommends the faculty to establish some tracks for the final year of the master's programme. This could give students the possibility of both having a clear structure and specialising.
- The Committee recommends the faculty to focus explicitly on the SDGs in its strategy and to clearly emphasise them in its research.

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# Appendices

## Appendix A: Terms of Reference (ToR)- UiB

### Terms of Reference, evaluation of Legal Research in Norway (JUREVAL)

The board of the Faculty of Law, University of Bergen (UiB) mandates the assessment committee appointed by the Research Council of Norway chaired by Professor Henrik Palmer Olsen (Copenhagen University) to assess the Faculty of Law based on the following Terms of Reference.

### Assessment

You are being asked to assess the quality of research and its relevance for education and wider society of the research conducted by the Faculty of Law as well as its strategic targets and the extent to which it is equipped to achieve them. You should do so by judging the unit's performance on three assessment criteria (a. to c.) below. Be sure to take into account current international trends and developments in science and society in your analysis.

- a. research production and quality
- b. relevance for education
- c. societal relevance

For a description of these criteria, see Section 2 of the JUREVAL protocol. Please provide a written assessment on each of the three criteria. Please also provide recommendations for improvement. We ask you to pay special attention to the following 4 aspects below in your assessment:

1. The University of Bergen is organised into seven faculties, each of which is comprised of a diversity of disciplinary perspectives and academic cultures. Organised legal teaching has been offered since 1969. The faculty was established in 1980 and is organised as one research unit divided into several thematic researcher groups. We are one of three faculties in Norway offering a 5-year integrated master's degree based on a broad research portfolio within a variety of legal areas. Bound by our social contract to educate legal practitioners we put great resources, administrative and academic, into managing a large master's program, as well as an integrated research-based master. Our strategic efforts during the evaluation period have been aimed at strengthening basic research within traditional Law disciplines, as well as developing interdisciplinary research collaborations on a regional, national, and international level. We build on UiB's extensive experience in joint projects and profile as an internationalized institution with deep regional and national engagement. Our efforts must be seen in relation to the specific geographical, economical, and institutional preconditions, including the particular national/Nordic alignment of the institution.

2. In the strategic period 2001-2015 the Faculty's ambition has been to strengthen traditional research fields such as criminal law and criminal justice; the rule of law and democracy; competition law and the law of the markets; and the law of property and obligations.

3. During the current strategic period (2015-2022) we are aiming to make research fields within Law visible as significant contributors to relevant research milieus and to knowledge-based sustainable social

development. In this regard, we have incorporated UiB's three strategic areas - marine research, climate and energy transformation and global challenges – in our project planning and researcher group activities.

4. During both strategic periods we have encouraged young researchers to engage in basic research and the Faculty has aimed to produce several high-quality PhD dissertations influencing basic research at the faculty and beyond.

In addition, we would like your report to provide a qualitative assessment of the Faculty of Law as a whole in relation to its strategic targets. The committee assesses the strategy that the research unit intends to pursue in the years ahead and the extent to which it will be capable of meeting its targets in research and society during this period based on available resources and competencies. The committee is also invited to make recommendations concerning these two subjects. Finally, the committee is asked to make a reflection on matters of research integrity and diversity as defined in section 2 of the JUREVAL protocol.

### **Documentation**

The necessary documentation will be made available by the JUREVAL secretariat at NIFU chaired by Research professor Vera Schwach (vera.schwach@nifu.no)

The documents will include at least the following:

- report with standardised analyses and indicators provided by the Research Council of Norway
- self-assessment based on a template provided by the JUREVAL secretariat at NIFU
- Report from the national committee for research line pilots (commissioned by the Research Council of Norway). The Faculty of Law, UiB, participated in the pilot together with veterinary medicine, NMBU; Psychology, UiT; Engineering, NTNU; and Informatics, UiO. The integrated research-based master has since become a permanent study programme at the Faculty of Law, UiB.

### **Interviews with representatives from the evaluated units**

Interviews with the Faculty of Law, UiB will be organised by the evaluation secretariat at NIFU. Such interviews may be organised as a site visit, in another specified location in Norway or as a video conference.

### **Statement of impartiality and confidence**

The assessment should be performed in accordance with the *Regulations on Impartiality and Confidence in the Research Council of Norway*. A statement of the impartiality of the committee members has been recorded by the Research Council of Norway as a part of the appointment process. The impartiality and confidence of committee members should be confirmed when evaluation data from the Faculty of Law is made available to the committee and before any assessments are being made based on these data. RCN should be notified if questions of impartiality are raised by committee members during the evaluation process.

### **Assessment report**

We ask you to report your findings in an assessment report drawn up in accordance with a format specified in the attached template. The committee may suggest minor adjustments to this format at its first meeting 23 September. A draft report should be sent to the Faculty of Law and the Research

Council of Norway (RCN) by 15. September 2021. The Faculty of Law will check the report for factual inaccuracies; if such inaccuracies are detected, they will be reported to the committee and to RCN no later than two weeks after reception of the draft report. After you have made the amendments judged necessary, a corrected version of the assessment report should be sent to the board of the Faculty of Law, UiB and the RCN no later than two weeks after all feedback on inaccuracies are received from the Faculty of Law.

Finally, the assessment committee is asked to provide an assessment of Norwegian legal research at the national level in a separate report paying specific attention to:

- Strengths and weaknesses of the discipline in an international context
- General resource situation regarding funding, personnel and infrastructure
- PhD-training, recruitment, mobility and diversity
- Research cooperation nationally and internationally
- Alignment of research capacity and educational activities
- Societal impact and the functions of the disciplines in society.

This national level assessment should be presented to the evaluated units and RCN within 15 September 2021.

## Appendix B: Protocol and assessment criteria



### Evaluation of Legal Research in Norway 2019

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JUREVAL protocol version 1.0

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# 1 Introduction

## 1.1 Aims and target groups

Research assessments based on the JUREVAL serve different aims and target groups. The primary aim of JUREVAL is to reveal and confirm the quality and the relevance of research performed at Norwegian Higher Education Institutions. Assessments should serve a formative purpose in contributing to the development of research quality and relevance within these institutions and at the national level.

### 1.1.1 Target groups

- Researchers and research group leaders
- Institutional management and boards
- Research funders
- Government
- Society at large

## 1.2 JUREVAL: Basic principles

The basic principles of the JUREVAL are as follows.

1. The evaluation serves to guarantee, reveal and confirm the quality and relevance of academic research. The assessment concerns the scientific, organisational and societal aspects of the research.
2. The boards of the faculties (or other relevant level decided by the institution), take responsibility for tailoring the assessment to their specific needs and following up on them within their own institutions.
3. The research unit's own strategy and targets are guiding principles when designing the assessment process. This includes the specification of the Terms of Reference and the substance of the self-assessment.
4. The Research council of Norway will take responsibility for following up assessments and recommendations at the national level

## 1.3 JUREVAL in a nutshell

The external assessment concerns

- a) research that the research unit has conducted in the previous 10-15 years and
- b) the research strategy that the unit<sup>1</sup> intends to pursue going forward.

The relevant board must specify the Terms of Reference for each assessment. It determines the aggregate level of assessment and selects an appropriate benchmark, in consultation with the research units.

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<sup>1</sup> The units of evaluation are defined by the institutions. It may be a research group, a programme or a department.

The Research council appoints an assessment committee. The committee should be impartial and international. The committee must be capable, as a body, to pass a judgement regarding all assessment criteria.

The responsibility of the assessments and possible recommendations in the report is solely the responsibility of the assessment committee. The Research Council may decide to let a professional secretariat outside of its own organisation support the assessment committee in its work.

The research units subject to assessment provides information on the research that it has conducted and its strategy going forward. It does this by carrying out a self-assessment and by providing additional documents.

The assessment committee reaches a judgement regarding the research based on the self-assessment, the additional documents, and interviews with representatives of the research unit. The additional documents will include a standardised analysis of research personnel and publications provided by the Research Council of Norway.

The committee takes into account international trends and developments in science and society as it forms its judgement. In judging the quality and relevance of the research, the committee bears in mind the targets that the unit has set for itself.

The committee will assess the performance of the institution within the following criteria:

- Research production and quality
- Relevance for education
- Societal relevance
- Diversity and integrity of research

For the three first criteria, data on the research units should be collected and presented to the committee within the following categories (See appendix B for relevant indicators):

- Strategy, resources and organisation
- Output
- Use of output
- Marks of recognition

The criteria Diversity and integrity is evaluated based on a self-assessment provided by the unit of evaluation. Finally, the assessment committee passes a judgement on the research unit as a whole in qualitative terms.

The research unit under evaluations should be consulted for a checking of factual information before the report is delivered to the board of the institution. The relevant board receives the assessment report and acquaints itself with the research unit's comments. It then determines its own position on the assessment outcomes. In its position document, it states what consequences it attaches to the assessment. The assessment report and the board's position document are then published.

## 2 Assessment criteria

The assessment committee assesses the research unit on the four assessment criteria. It is important for the committee to relate these criteria to the research unit's strategic targets. The four criteria are applied with a view to international standards.

### 2.1 Research production and quality

The committee assesses the profile and quality of the unit's research and the contribution that research makes to the body of scholarly knowledge. The committee also assesses the scale of the unit's research results (scholarly publications, research infrastructure developed by the unit, and other contributions to the field).

### 2.2 Relevance for education

#### *Study-programmes*

The assessment committee considers the relevance of the research for the study-programmes at the institution, the resources used on educational activities and the teaching load of tenured staff. Results of recent study-programme evaluations (within last 5 years) should be presented to the committee when available.

#### *PhD programmes*

The assessment committee considers the capacity and quality of PhD-training. The relevant subjects include the institutional context of the PhD programmes, the programme content and structure, supervision and guidance of PhD candidates to the job market, duration, success rate, exit numbers, and career prospects.

### 2.3 Relevance to society

The committee assesses the quality, scale and relevance of contributions targeting specific economic, social or cultural target groups, of advisory reports for policy, of contributions to public debates, and so on. The point is to assess contributions in areas that the research unit has itself designated as target areas.

### 2.4 Diversity and integrity of research

The assessment committee considers the diversity of the research unit. It is precisely the presence of mutual differences that can act as a powerful incentive for creativity and talent development in a diverse research unit. Diversity is not an end in itself in that regard, but a tool for bringing together different perspectives and opinions.

The assessment committee considers the research unit's policy on research integrity and the way in which violations of such integrity are prevented. It is interested in how the unit deals with research data, data management and integrity, and in the extent to which an independent and critical pursuit of research is made possible within the unit.

## 3 The research units

*This section discusses the aggregate level of the research units that are assessed.*

### 3.1 Aggregate level of assessment within an institution

The relevant board decides which research units will be assessed. For example, a board may decide that the assessment will concern a research group, a research institute, a research cluster or the research carried out within a faculty. The following conditions apply:

1. The research unit must have its own clearly defined strategy and be sufficiently large in size, i.e. at least five persons with research obligations including staff with tenure-track positions and not including PhD candidates and post-docs. This merely indicates the minimum number, however; larger units are preferable.
2. The research unit subject to assessment should have been established at least three years previously. If groups of a more recent date are to be assessed, their self-assessment should indicate their stage of development.
3. The research unit should be known as such both within and outside the institution and should be capable of proposing a suitable benchmark in its self-assessment. The benchmark would preferably be an international one.

The board determines whether the research unit has met the above conditions.

## 4 Scheduling and managing an assessment

### 4.1 Terms of Reference, ToR

The Research Council provides a template for the ToR specifying criteria and indicators that should be used for all institutions.

The board of each institution specifies the Terms of Reference (ToR) by including evaluation criteria that are relevant for its strategic goals and the organisation of its research.

The Terms of Reference contain specific information about the research unit to be assessed and/or about elements that the assessment committee must consider. This information may be related to a) strategic questions or b) a research unit's specific tasks.

The assessment committee is asked to make strategic recommendations to each institution and for the entire discipline at the national level

### 4.2 Composition of the assessment committee

The procedure and conditions below apply when composing an assessment committee.

*Procedure for assembling an assessment committee*

The Research Council is responsible for setting up the procedure to assemble the assessment committee. Institutions taking part in the evaluation should be invited to nominate

candidates for the committee. The Research Council ensures that the assessment committee's overall profile matches the research profile of the institutions under evaluation.

*Conditions for the composition of an assessment committee*

A number of conditions must be met in the composition of the committee, listed below in points. The point is to ensure that the committee as a whole satisfies all the conditions, so that it can arrive at a satisfactory assessment of the various aspects of the ToR. It is therefore not necessary (and also not possible) for each individual committee member to satisfy all conditions.

An international assessment committee:

- a. should be familiar with recent trends and developments in the relevant research fields and be capable of assessing the research in its current international context;
- b. should be capable of assessing the applicability of the research unit's research and its relevance to society;
- c. should have a strategic understanding of the relevant research field;
- d. should be capable of assessing the research unit's management;
- e. should have a good knowledge of and experience working with the Norwegian research system, including the funding mechanisms;
- f. should be impartial and maintain confidentiality.

# Appendix A

## Terms of References (ToR)

*Amended version 200828*

The board of [faculty] mandates the assessment committee appointed by the Research Council of Norway (RCN) chaired by Professor Henrik Palmer Olsen (Copenhagen University) to assess [research unit] based on the following Terms of Reference.

### Assessment

You are being asked to assess the quality of research and its relevance for education and wider society of the research conducted by [research unit] as well as its strategic targets and the extent to which it is equipped to achieve them. You should do so by judging the unit's performance on three assessment criteria (a. to c.) below. Be sure to take into account current international trends and developments in science and society in your analysis.

- a. research production and quality;
- b. relevance for education;
- c. societal relevance;

For a description of these criteria, see Section 2 of the JUREVAL protocol. Please provide a written assessment on each of the three criteria. Please also provide recommendations for improvement. We ask you to pay special attention to the following [n] aspects below in your assessment:

1. ...
2. ...
- ...

[To be completed by the board: specific aspects that the assessment committee should focus on – these may be related to a) strategic issues or b) a research unit's specific tasks.]

In addition, we would like your report to provide a qualitative assessment of [research unit] as a whole in relation to its strategic targets. The committee assesses the strategy that the research unit intends to pursue in the years ahead and the extent to which it will be capable of meeting its targets in research and society during this period based on available resources and competencies. The committee is also invited to make recommendations concerning these two subjects. Finally, the committee is asked to make a reflection on matters of research integrity and diversity as defined in section 2 of the JUREVAL protocol.

### Documentation

The necessary documentation will be made available by the JUREVAL secretariat chaired by Research professor Vera Schwach ([vera.schwach@nifu.no](mailto:vera.schwach@nifu.no)) at the Nordic Institute for Studies in Innovation, Research and Education (NIFU)

The documents will include at least the following:

- report with standardised analysis and indicators commissioned by RCN
- self-assessment based on a template provided by the JUREVAL secretariat at NIFU
- [to be completed by board]

### Interviews with representatives from the evaluated units

Interviews with the [research unit] will be organised by the evaluation secretariat at NIFU. Such interviews may be organised as a site visit, in another specified location in Norway or as a video conference

**Statement of impartiality and confidence**

The assessment should be performed in accordance with the *Regulations on Impartiality and Confidence in the Research Council of Norway*. A statement of the impartiality of the committee members has been recorded by RCN as a part of the appointment process. The impartiality and confidence of committee members should be confirmed when evaluation data from [the research unit] is made available to the committee and before any assessments are being made based on these data. RCN should be notified if questions of impartiality and confidence are raised by committee members during the evaluation process.

**Assessment report**

We ask you to report your findings in an assessment report drawn up in accordance with a format specified in the attached template. The committee may suggest adjustments to this format at its first meeting 23 September 2020. A draft report should be sent to the [research unit] and RCN within 15 September 2021. [Research unit] will check the report for factual inaccuracies; if such inaccuracies are detected, they will be reported to the committee and to RCN no later than two weeks after reception of the draft report. After you have made the amendments judged necessary, a corrected version of the assessment report should be sent to the board [of the faculty] and the RCN no later than two weeks after all feedback on inaccuracies are received from [research unit].

Finally, the assessment committee is asked to provide an assessment of Norwegian legal research at the national level in a separate report paying specific attention to:

- Strengths and weaknesses of the discipline in an international context;
- General resource situation regarding funding, personnel and infrastructure;
- PhD-training, recruitment, mobility and diversity;
- Research cooperation nationally and internationally;
- Alignment of research capacity and educational activities
- Societal impact and the functions of the disciplines in society.

This national level assessment should be presented to the evaluated units and RCN within 15 October 2021.



## Appendix B

### Table of indicators

The table lists indicators that are expected to be used in the assessment of all research units. Other indicators may be added by the board responsible for the research unit.

Data & indicators National standard Self-reported	Research production and quality	Relevance for education	Societal relevance
Strategy, resources and organisation	R&D budget R&D Full time equivalents (FTE) Personnel per category/gender Researcher mobility  Recruitment (PhD/p.doc/tenure) Strategic goals	Students per FTE PhDs per FTE  Teaching hours by tenured personnel Study programmes PhD-programmes Strategic goals	Research capacity and contributions related to: - UN SDGs - Norwegian LTP - The legal sectors  Engagement with non- academic partners Strategic goals
Outputs	Publications per FTE Publication profiles/types Cooperation across disciplines, institutions and countries	Students per study- programme ECTS per student Examined students Examined PhDs	Policy evidence/reports Non-academic publications
Use of outputs	Scientific impact (cases) Use of infrastructure & datasets Placement of PhD candidates	Students knowledge of research methods and involvement in research (Studiebarometeret)  Use of research methods in education Students participation in research	References to research in national policy-making (NOUs etc)  Societal impact (cases) Projects with societal partners Contract research Social innovation Policy-advice
Marks of recognition	Research grants and success rates (RCN & EU) Prizes Research grants other than RCN & EU Participation in scholarly or editorial boards	Prizes Participation in advisory bodies in education Periodic evaluation of study-programmes (if relevant) <sup>3</sup>	Prizes Participation in public advisory committies - national & international

<sup>3</sup> [Forskrift om kvalitetssikring og kvalitetsutvikling i høvere utdanning og fagskoleutdanning](#) §2.1-2

# Appendix C: Template for self-assessment

## JUREVAL-Evaluation of Legal Research in Norway 2020–2021: self-assessment form

Maksimum 20 pages (attachements excluded)

### 1.1.1 Instructions: data sources and colour codes for column “Data, documentation and methods”

**Black:** national data, see attachments no. 2–5 to the self-assessment template:

**Blue:** answers mainly based on a description, summary and assessment

**Orange:** data and documentation from the institution, if available: Please refer to relevant documents/ web pages/attach relevant files;

4.1.1 Content	4.1.2 Topics	4.1.3 Data, documentation and methods 4.1.4
<p><b>1</b></p> <p><b>Introduction and framing</b></p>	<p><i>1.1 Presentation and strategy:</i></p> <ul style="list-style-type: none"> <li>institutional, professional and framework conditions, and central aspects/(strategies)</li> <li>initiatives promoting social diversity, such as gender, ethnical and age balance.</li> </ul>	<p>Attachment no 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5.</i></p> <p>Historical and other relevant literature, the webpage of the institution, strategy and other planning</p> <p>Strategy-/planning documents</p>
	<p><i>1.2 Education: purpose and arrangements:</i></p> <ul style="list-style-type: none"> <li>for legal research at bachelor-/master level</li> <li>purpose and arrangement of legal research as part of other education areas</li> <li>distribution of time spent on teaching, research, administration and other activities by type of academic position</li> <li>cooperation with other departments at the same institution</li> <li>cooperation with other institutions/cooperation agreements</li> </ul>	<p>Attachment no 2, NOKUT, National overview, students for 2010–2019, ECTS, candidates, student-teacher-ratio (in Norwegian)</p> <p>Hours/percentage of employment dedicated to teaching, personnel by type of position</p> <p>Attachment 1: templates, Table 1</p> <p>Eventually describe resources used on teaching activities</p>

<p>Financial framework for research and education</p>	<p><i>1.3 What is the size and importance of external funding (research grants and assignments for public authorities) for research and education at the institution?</i></p> <ul style="list-style-type: none"> <li>• national and international participation in research programmes, under or outside the auspices of the RCN and funded by the EU</li> <li>• other types of assignments and funding bodies</li> <li>• private gift schemes/ other funding sources</li> </ul>	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Attachment no. 5, The Research Council of Norway, project data bank, national and international participation in research programmes, under or outside the auspices of the RCN and funded by the EU, (2004–2019 (in Norwegian))</p> <p>Does the institution have an overview of projects/programmes and funding sources?</p> <p>The institution's own documentation and data</p>
<p><b>2.</b></p> <p><b>Productivity and research quality,</b> resources, organisation and strategy</p> <p>2009/2010–2019</p>	<p><i>2.1 Development, objectives and priorities the last ten years:</i></p> <ul style="list-style-type: none"> <li>• if relevant: follow up of the evaluation of legal research from 2009, at the institutional level or at the level of research groups.</li> <li>• disciplinary development and achieved results at a general level</li> <li>• prioritised/selected disciplines</li> <li>• if possible, formal /informal research groups and their implication for the discipline</li> <li>• the institution's cooperation with national, Nordic and other international research groups /scientific communities</li> <li>• the institutions opinion about its disciplinary contribution and implication for legal research at the national, Nordic and international levels.</li> </ul>	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Research Council of Norway, Legal research in Norway. An evaluation. (Research Council of Norway), Oslo 2009, <a href="https://www.forskningradet.no/siteassets/publikasjoner/1253953293406.pdf">https://www.forskningradet.no/siteassets/publikasjoner/1253953293406.pdf</a></p> <p>Annual reports, strategies and other relevant documentation from the institution from the period 2010–2019</p> <p>2.1.a Examples of academic publications, 2010–2019.</p> <p>Please select publications you consider to be representative /the best of the work undertaken at your institution.</p> <p>For each publication write in short (not more than 500 words) why it was selected/ why it is representative.</p> <p>Please <u>select</u>, <u>motivate</u> and <u>send electronic copies</u> / files of the publications to the secretariat, vera.schwach@nifu.no</p>

		<p>If relevant, the examples may refer to the impact case studies (societal impact):</p> <p><b>For articles and book chapters:</b> Please select publications, or parts thereof, that are no longer than 12.000 words including footnotes.</p> <p><b>For monographs:</b> Please select 1 or 2 chapters, or parts thereof, that are both representative of the overall quality of the book and which also cover the theory and methodology used in the book. Chapters should be accompanied by the list of contents of the monograph. Please select chapters that are no longer than 12.000 words including footnotes each. Each chapter will count as a publication towards the maximum amount of publications allowed for submission to the committee.</p> <ul style="list-style-type: none"> <li>• higher education institutions with up to 50 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 10 examples of academic publications/research contributions within prioritised/selected areas, <b>motivation for the selection of the examples should be included/attached to the template,</b></li> <li>• higher education institutions with up to 100 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 15 examples of academic publications/research contributions within prioritised/selected areas, <b>a list with motivation for the selection of the examples should be included/attached to the template,</b></li> <li>• higher education institutions with above 100 academic employees (including PhD fellows, and post-docs, level 2 professors and potentially also externally financed researchers), up to 20 examples of academic</li> </ul>
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		<p>publications/research contributions within prioritised/selected areas,</p> <ul style="list-style-type: none"> <li>• a list with motivation for the selection of the examples should be included/attached to the template</li> </ul> <p>Attachment 1: templates, table 2 (for 2.1.a)</p>
2010–2019	<ul style="list-style-type: none"> <li>• marks of recognition: prizes, centres for excellent research (senter/(re) for fremragende forskning)</li> <li>• editor/ editorial work for academic journals, books etc., peer review for academic publications and teaching material</li> <li>• professorship of honour etc.</li> </ul>	<p>2.1.b, A list of prizes, centres, participation in editorial boards, academic appointments, peer review for academic publications and teaching material professorships of honour, etc. (2010-2019)</p> <p>Attachment 1: templates , table 3 (for 2.1.b)</p>
2020–2030	<p><i>2.2 The institution's areas of strengths and priorities in a future perspective up to 2030:</i></p> <ul style="list-style-type: none"> <li>• If available, formal/informal research groups role for disciplinary areas of strengths and specialisation</li> <li>• initiatives to implement the strategies: recruitment</li> <li>• partners/ internal and external institutional cooperation</li> <li>• benchmarking: which national/Nordic/ international institution represents a model of reference in terms when it comes to setting a disciplinary standard and ambition level for the institution?</li> </ul>	<p>Strategies-/planning documents</p> <p>cooperation agreements? other relevant documents</p> <p>Please explain the choice of model of reference. (no specific data sources/documentation is required).</p>
Recruitment, PhD Programme(s)	<p><i>2.3 Thematic/ disciplinary distribution:</i></p> <ul style="list-style-type: none"> <li>• PhD students and post docs by thematic area/discipline/-disciplinary group/possibly also fellows/post docs with interdisciplinary projects, numbers in total and by gender</li> <li>• Do PhD students have access to relevant academic environments?</li> </ul>	<p>If possible, provide an overview of the thematic distribution 2010 –2019, by total numbers. by gender, (if relevant mark interdisciplinary projects/programmes with an*. Definition of Interdisciplinary research: combining methods, theories and/or knowledge from other disciplines/fields of studies with legal research</p> <p>Attachment 1: templates , table 4</p> <p>Published dissertations by publisher</p> <p>Attachment 1: templates , table 5</p> <p>Description and assessment</p>

	<p>2.4 If available, labour market:</p> <ul style="list-style-type: none"> <li>Where do PhD fellows find employment? Categories: 1) academia, 2) public sector outside academia, 3) private sector/industry, 4) independent worker, 5) other, 6) on leave/unemployed</li> </ul>	<p>Data/documentation if available</p> <p>Description/analysis based on impressions and own judgement</p>
<p><b>3.</b></p> <p><b>Relevance of research on education</b></p> <p>Resources, strategy, organisation and academic environment</p>	<p>3.1 Discipline, legal research and education: learning principles, methods and legal reasoning:</p> <ul style="list-style-type: none"> <li>research (and development) for building and /or developing study programmes/ courses, relevant themes for disciplines, practice and professional practice</li> </ul>	<p>Description and analyses of research and education. The assessment form for societal impact can be used to also document the role of research in education (se societal relevance below) on possible description of thematic choices, and training/ /guidance in methodological and legal thinking.</p>
	<p>3.2 Absorbing and adopting law and legal research methods</p> <ul style="list-style-type: none"> <li>feedback from students on how they perceive learn research methods</li> <li>student learning of academic working methods and research/ methods of legal research</li> <li>students' participation in research/academic activities at the institution and /or in close connection to the study programme</li> <li>completed master's degrees (with 60 credits) with title of the master thesis</li> </ul>	<p>Attachment no. 2, NOKUT, National overview, students for 2010–2019, ECTS, candidates, student-teacher-ratio, the student survey (in Norwegian)</p> <p>Attachment no.3, NOKUT, overview of master's degrees with size of the obtained credits for the master thesis, total numbers and by credits, 30 and 60 credits, 2017–2019.</p> <p>Local data/documentation</p> <p>With comments if relevant</p>
<p><b>4.</b></p> <p><b>Dissemination, communication and societal relevance</b></p> <p>Suggested categories: public experts, politicians, public administration, civil society</p>	<p>4.1. Societal relevance of law, for public and private legal contexts: what type of outward oriented activities does the institution/the academic staff engage in?</p> <ul style="list-style-type: none"> <li>engagement of the academic staff in boards and in other types of appointments in private organisations and businesses</li> <li>the institution's and researchers' outward activities in national public and private sectors <ul style="list-style-type: none"> <li>media</li> <li>public commissions, committees, boards, etc.</li> </ul> </li> </ul>	<p>Attachment no. 4, Gunnar Sivertsen, Hebe Gunnes, Frøydis Steine and Lone Wanderås Fossum: <i>Resources, publication and societal interaction of Legal Research in Norway, NIFU Working Paper, 2020:5</i></p> <p>Information from the public register on sideline jobs and owner interests (sidegjøremålsregisteret), <a href="https://www.uio.no/om/regelverk/personal/felles/sidegjoremal.html">https://www.uio.no/om/regelverk/personal/felles/sidegjoremal.html</a>, especially point 10, retrieve data/documentation from the register</p>

	<ul style="list-style-type: none"> <li>• other, Norwegian, Nordic or internationally oriented organisations</li> </ul>	<p><b>Strategy documents, documentation</b></p> <p>Describe dissemination and communication strategies, organised connection and other types of dialogue with the public experts, public administration, politicians and civil society, 2010–2019, The selected examples may be linked to the societal impact cases, if relevant.</p> <ul style="list-style-type: none"> <li>• Higher education institutions with up to 50 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 10 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society</li> <li>• a list with explanations for the selected examples to be attached.</li> <li>• Higher education institutions with up to 100 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 15 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society</li> <li>• a list with explanations for the selected examples to be attached</li> <li>• Higher education institutions with above 100 academic employees (including PhD fellows, post-docs and externally funded researchers), should provide a list of up to 20 examples indicating activities on dissemination and communication, contact and dialogue carried out during the last 5–10 years; possibly specified by target groups; public experts, politicians, public authorities and civil society</li> <li>• a list with explanations for the selected examples to be attached</li> </ul> <p><b>Impact cases</b></p> <p>Attachment no 6: Template for The societal impact of the research – impact cases</p> <p>The institution is invited to document examples (cases) of the impact of their research beyond</p>
	<p><i>4.2 Contribution to the achievement of societal goals:</i></p> <p>(See appendices below)</p> <ul style="list-style-type: none"> <li>• list from the Ministry of Justice and Public Security *</li> <li>• contribution to other ministries/central and local government</li> <li>• the Government’s Long-term plan for research and higher education 2019–2028**</li> <li>• the UN Sustainable Development Goals***</li> </ul>	

		<p>academia, according to the definition in attachment no. 7</p> <p>The research underpinning the impact cases should be anchored within the research institution.</p> <p>Both the research and the impact should have been produced within the last 10 – 15 years. Priority should be given to more recent examples. Special circumstances may allow for extending the given time interval when necessary to explain longer research traditions relevant to the reported impact. In such cases, great importance should be attached to documenting tangible impacts within the time frame provided.</p> <ul style="list-style-type: none"> <li>• Higher education institutions with up to 50 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to five impact cases.</li> <li>• higher education institutions with up to 100 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to seven impact cases.</li> <li>• higher education institutions with above 100 academic employees (including PhD fellows, post-docs and externally funded researchers), may submit up to 10 impact cases.</li> </ul>
<b>5. Mandate for each institution</b>	<i>5.1 Topic 1</i>	
	<ul style="list-style-type: none"> <li>• Sub-topic 1</li> </ul>	local data / local documentation
	<ul style="list-style-type: none"> <li>• Sub-topic 2</li> </ul>	local data / local documentation
	<i>5.2 If available, Topic 2</i>	local data / local documentation
<b>6. Conclusion</b>	Summary and conclusion, including arguments about the framework conditions for legal research and higher education: strengths, problems and potential	4.1.1.1.1 Qualitative summary and conclusion



## Attachment number 1 to the self-assessment form

**Table 1. Time spent on teaching, research, administration and other activities hours/percentage by type of position, cf. 1.2**

Position	Activities				Hours per week	<b>OR</b> percentage of employment
	Teaching	Research	Administration	Other		
Full Professor						
Associate Professor						
Senior lecturer						
University/college lecturer						
Post-doc						
Researchers						
Research fellow						
Research (student assistants)						
Other						

**Table 2. Examples of representative/ best academic publications, cf.2.1a**

Number	Complete Reference	Motivation for the selection	Published as open access (yes/no)	Used as impact case (yes/no)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Add rows as necessary				
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**Table 3. List of academic marks of recognitions received, 2010–2019. cf. 2.1b**

Categories	Description*
Prizes	
Awards	
Centres of Excellence	
Participation in editorial boards (journals, books)	
Peer review for academic publications and teaching material/books	
Academic appointments	
Professorships of honour	
Other	

\*Please provide a comprehensive list as far as possible

**Table 4. Distribution of PhD students and post-docs by thematic field/discipline, 2010–2019. cf. 2.3**

Thematic areas	Description* Interdisciplinary**	Number of PhD students		
		total	m	f
<i>Thematic area x</i>				
<i>Thematic area y</i>				
<i>Thematic area z</i>				
Add rows as necessary				
Thematic area		Number of Post-docs		
		total	m	f

<i>Thematic area x</i>				
<i>Thematic area y</i>				
<i>Thematic area y</i>				
Add rows as necessary				

\*Please provide a comprehensive list as far as possible

\*\*Definition of Interdisciplinary dissertations: combining methods, theories and/or knowledge from other disciplines/fields of studies with Legal Research.

**Table 5. Ph.D.-dissertations published by a publishing house**

<b>Thematic areas</b>	<b>Numbers</b>
<i>Thematic area x</i>	
<i>Thematic area y</i>	
<i>Thematic area z</i>	
Add rows as necessary	

**Table 6. Selected examples of societal communication and activities by target groups, 2010–2019. cf. 4.2.**

<b>Target group</b>	<b>Examples</b>	<b>Description of the selected examples contributions</b>
<i>Public expert groups (such as NOU-er etc., committees and commissions)</i>		
<i>Political organisations (such as the Storting, political parties)</i>		
<i>Public administration (such as ministries, public agencies, regional and local municipalities)</i>		
<i>Public and private enterprises and business organisations (including professional- and trade unions)</i>		

<i>Civil society (such as NGOs, think-tanks,)</i>		
<i>Media</i>		
<i>Other</i>		

## Appendices

### 1.1 \*Summary of the priority list from the Ministry of Justice and Public Security

#### 1.1 Public security and emergency preparedness

Here under: civil protection and protection of critical infrastructure, ICT security, preventing and acting against terrorism, risks and protection, CBRNE ([Chemical substances \(C\)](#), [biological agents \(B\)](#), [radioactive substances \(R\)](#), [nuclear material \(N\)](#) and [explosives \(E\)](#)), steering, organisation, culture and leadership for good public security and emergency preparedness, cooperation with emergency services and fire safety

#### **Immigration**

Hereunder: why asylum seekers choose Norway, family migration, identity, irregular migration, return, including also knowledge about immigrants who choose to stay in Norway instead of returning to their home country, integration, regional solutions and connection the connection between aid and development policy, comparative European perspectives, consequences of immigration and mobility on the sustainability of the welfare state.

#### **Penalty, criminal proceedings and crime prevention (straffesakskjeden”)**

Hereunder: violence in close relationships and sexual assaults, economic crime, globalisation and international crime, radicalisation and violent extremism, the police as social institution, court research, including, consequences of court decisions, the use of experts, conciliation boards, free legal aid and side expenses in criminal cases, correctional services, long term research of penalty, criminal proceedings and crime prevention (straffesakskjeden), contexts and bottlenecks, impact of initiatives to fight and prevent crime, the actors in the (criminal proceedings and crime prevention) straffesakskjeden, how to ensure rule of law, legal research on the penal code, criminal procedure, with weight on issues related to a complete and functional rule of law.

#### **Regulations and legal research**

Hereunder: research on the consequences of law making, research and evaluation connected to large reforms and development of regulations in the field of justice and emergency preparedness, research on agreements in the field of justice and domestic affairs with the EU and research on the specific added value the agreements bring to Norway and if they are exploited well enough.

Source: adapted list retrieved from:

## **\*\*Objectives and long-term priorities**

### ***Thematic objectives and priorities:***

ocean, climate,  
environment and environmentally friendly energy,  
enabling and industrial technologies,  
public security and cohesion in a globalised world.

### ***Horizontal objectives and priorities:***

Enhanced competitiveness and innovative capacity  
meeting grand societal challenges  
development of academic environments and excellent research

Source: Meld. St. 4 (2018-2019), Long-term plan for research and higher education 2019—2028: 8

## **\*\*\* United Nation's Sustainable Development Goals**



Source: United Nations, <https://www.un.org/sustainabledevelopment/>

# Appendix D: Template for impact cases

## JUREVAL, Evaluation of Legal Research in Norway 2020-2021.

### Attachment 6 to the self-assessment form

## The societal impact of the research – impact cases

The Research Council of Norway, September 2020

### Societal impact

The institution is invited to submit impact cases documenting societal impact according to the definition below:

Definition of Societal impact: an effect on, change or benefit to the economy, society, culture, public policy or services, health, the environment or quality of life, beyond academia.

Impact includes the reduction or prevention of harm, risk, cost or other negative effects.

Academic impacts on research or the advancement of academic knowledge are excluded. Impacts on students, teaching or other activities both within and/or beyond the submitting institution are included.

Impact includes, but is not limited to, an effect on, change or benefit to:

- the activity, attitude, awareness, behaviour, capacity, opportunity, performance, policy, practice, process or understanding
- of an audience, beneficiary, community, constituency, organisation or individuals
- in any geographic location whether locally, regionally, nationally or internationally.

### How to report impact-cases?

Use the template on the next page to report the impact. Please copy the form for the submission of more than one impact case, so that only one case is reported per form. Each completed case study template will be limited to **five pages** in length. Each case-study should be clearly named (name of institution, name of case), and submitted as a Word document.

Each case study should include sufficiently clear and detailed information to enable the committee to make judgements exclusively based on the information in the template. References to other sources of information will be used for verification purposes only, not as a means for the committee to gather further information to inform judgements.

The impact cases will be published in the form they are submitted to the evaluation by the participating institutions, with two exceptions: 1) Supporting materials of a private character, such as the inclusion of personal statements, will be omitted. 2) Names and contact information for external references will be left out.

## Template for Impact case

<b>Institution:</b>		
<b>Name of unit of assessment:</b>		
<b>Title of case:</b>		
<b>Period when the underpinning research was undertaken:</b>		
<b>Details of staff conducting the underpinning research from the submitting unit</b>		
<b>Name(s):</b>	<b>Role(s) (e.g. job title):</b>	<b>Period(s) employed by submitting institution:</b>
<b>Period when the impact occurred:</b>		
<p><b>1. Summary of the impact</b> (indicative maximum 100 words)  This section should briefly state what specific impact is being described in the case study</p>		
<p><b>2. Underpinning research</b> (indicative maximum 500 words)  This section should outline the key scientific insights or findings that underpinned the impact, and provide details of what research was undertaken, when, and by whom. This research may be a body of work produced over a number of years or may be the output(s) of a particular project. References to specific research outputs that embody the research described in this section, and evidence of its quality, should be provided in the next section (section 3).</p> <p>Details of the following should be provided in this section:</p> <ul style="list-style-type: none"> <li>• The nature of the scientific insights or findings which relate to the impact in the case.</li> <li>• An outline of what the underpinning research produced by the submitted unit was (this may relate to one or more research outputs, projects or programmes).</li> <li>• Any relevant key contextual information about this area of research.</li> </ul>		
<p><b>3. References to the research</b> (indicative maximum of six references)  This section should provide references to key outputs from the research described in the previous section, and evidence about the quality of the research. Underpinning research outputs may include publications that are reported, or could have been reported, as scientific publication according to the definition in the Norwegian Publication Indicator (CRISTin).</p> <p>Include the following details for each cited output:</p> <ul style="list-style-type: none"> <li>• author(s)</li> <li>• title</li> <li>• year of publication</li> <li>• type of output and other relevant details required to identify the output (for example, DOI, journal title and issue)</li> </ul>		
<p><b>4. Details of the impact</b> (indicative maximum 750 words).  This section should provide a narrative, with supporting evidence, to explain:</p> <ul style="list-style-type: none"> <li>• how the research underpinned (made a distinct and material contribution to) the impact;</li> </ul>		

- the nature and extent of the impact.

The following should be provided:

- An explanation of the process or means through which the research led to, underpinned or made a contribution to the impact (for example, how it was disseminated, how it came to influence users or beneficiaries, or how it came to be exploited, taken up or applied).
- Where the submitted unit's research was part of a wider body of research that contributed to the impact (for example, where there has been research collaboration with other institutions), the case study should specify the particular contribution of the submitted unit's research and acknowledge other key research contributions.
- Details of the beneficiaries – who or what community, constituency or organisation, civil society, has benefitted, been affected or impacted on.
- Details of the nature of the impact – how they have benefitted, been affected or impacted on.
- Evidence or indicators of the extent of the impact described, as appropriate to the case being made.
- Timespan of when these impacts occurred.

**5. Sources to corroborate the impact** (indicative maximum of ten references)

This section should list sources that could corroborate key claims made about the impact of the unit's research (reports, reviews, web links or other documented sources of information in the public domain, users/beneficiaries who could be contacted to corroborate claims, etc.)



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The report can be ordered and downloaded at  
[www.forskningsradet.no/publikasjoner](http://www.forskningsradet.no/publikasjoner)

Graphic design cover: BOLDT

Photo/illustration: Dan Freeman, Unsplash

Oslo, November 2011

ISBN 978-82-12-03911-7 (pdf)

