



From The Honorary Secretary  
Professor Stephen H. Bailey, Professor of Public Law  
School of Law, University of Nottingham, University Park, Nottingham, NG7 2RD  
Tel: 0115 951 5707; Fax: 0115 951 5696; e-mail: [stephen.bailey@nottingham.ac.uk](mailto:stephen.bailey@nottingham.ac.uk)  
[www.legalscholars.ac.uk](http://www.legalscholars.ac.uk)

## **AHRC REVIEW OF POSTGRADUATE FUNDING**

### **RESPONSE BY THE SOCIETY OF LEGAL SCHOLARS TO THE CONSULTATION BY THE AHRC, OCTOBER - NOVEMBER 2006**

1. The Society of Legal Scholars welcomes the opportunity to respond to the Consultation on the proposed arrangements for postgraduate funding issued in October 2006. The Society is a learned society whose members teach law in a University or similar institution or who are otherwise engaged in legal scholarship. Founded in 1908, and with a current membership of over 2,700, it is the oldest as well as the largest learned society in the field. The great majority of members of the Society are legal academics in Universities, although members of the senior judiciary and members of the legal professions also participate regularly in its work. The Society's membership is drawn from all jurisdictions in the British Isles and also includes some affiliated members typically working in other common law systems. The Society is the principal representative body for legal academics in the UK as well as one of the larger learned societies in arts, humanities and social science.
2. The Society notes that the questions set out in the Consultation Document are mostly directed at institutions. The questions in the pro-forma have been altered to seek a perspective from subject associations. Nevertheless, most of the matters are not ones on which a subject association is likely to have a view. We accordingly group our comments as answers to question 7.

S.H. Bailey

Hon. Secretary

Society of Legal Scholars

03/11/06

## **Questions for consideration by those responding to consultation**

We would be grateful if the Chairs of Subject Associations and Learned Societies could co-ordinate any responses to the report from members of their organisation, and use this pro-forma to submit their organisation's response.

### **1. How would a BGP bid be formulated in institutions supporting your subject area?**

### **2. Does your subject area have an existing strategy for postgraduate research and training in the arts and humanities that they could contribute to a bid for BGP funding?**

### **3. Would it be more helpful for institutions to bid for a sum of funding to be translated into specified award numbers, or to bid for a number of awards at a fixed unit cost?**

**4. What would be the advantages for your subject area of applying for up to 5 years' funding (as compared to the current annual competition system)?**

**5. Would the BGP work more effectively if some flexibility were allowed to institutions once awarded? What would be the extent of any changes institutions might wish to make to the proposed distribution of awards?**

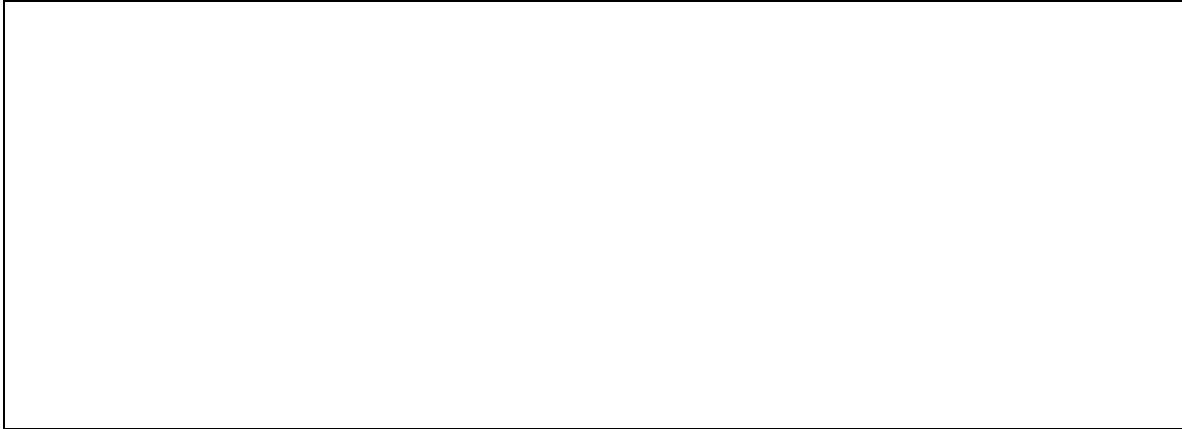
**6. Do you foresee any issues with the implementation of BGP funding in your subject area and/or the sector?**

**7. Do you have any suggestions for improvement to the model that would be beneficial for your subject area and/or the health of the sector as a whole?**

**The points the Society of Legal Scholars wishes to make are these:**

- 1. It is difficult to see that the proposed new arrangements offer any advantages for particular subject areas, such as Law, over the current arrangements. They would shift the emphasis for subject areas from competition at the national level to competition at the institutional level and would generate considerable uncertainty for both institutions and subjects. The decisions taken by AHRC would have a significant effect on Arts and Humanities departments within institutions and the need for the decision-making process to be robust and transparent would be all the greater.**
- 2. Awards to individuals should be restricted to (1) institutions without a BGP and (2) those subject areas at an institution with a BGP not covered as approved subjects within that partnership. This will help ensure that subjects can continue to be supported across a wide variety of institutions. This is important in Law where there is a large number of Law Schools with a wide variety of approaches. If (2) is not permitted, AHRC decision-making may hasten the closure of a department. The proposed balance between money distributed through BGPs and to individuals (the latter being on a "much more limited scale than is currently the case") may not be optimal for the right degree of flexibility to be maintained. In any event, five years is probably too long a period for the funding to be allocated.**
- 3. AHRC should address the question how it will engage with subject associations when considering which disciplines need nurturing through their decisions as to which partnerships to endorse.**
- 4. The document states on p 16 that the new system will retain its current emphasis on, inter alia, Master's level preparation for a professional career in key areas of the arts and humanities infrastructure, including a number of specified areas. One particular area that is not mentioned and should not be overlooked are those that enter academic law with a combination of a professional qualification and a Master's degree such as an M Res. Law Schools are competing with the legal profession to attract high quality entrants and it is not practicable to regard the PhD route as the only available one.**

**8. Are there potential or existing collaborations in your subject area that would consider putting forward a collaborative BGP bid to the AHRC?**



Thank you for completing this pro-forma. Please submit your response to Jessica Bacon, at [j.bacon@ahrc.ac.uk](mailto:j.bacon@ahrc.ac.uk), by **3 November 2006**.