Til Fakultetsstyret

Arkivsaksnummer:

Saksbehandler:

Fra Administrasjonssaken

Sakstype og evt. møtesaksnr: Vedtakssak V-SAK 2 Møtedato: 3. september 2020 Notatdato: 28. august 2020

Vedtak av mandat for nasjonal evaluering av rettsvitenskap (JUREVAL)

2019/14037

Jenny Graver

Hovedproblemstillinger

Forskningsrådet skal i 2020 evaluere norsk rettsvitenskap. De vil vurdere både kvaliteten på forskningen og forskningens relevans for utdanning og samfunnsbidrag. Institusjonene som deltar, har rettsvitenskap som en vesentlig del av sin virksomhet. Styret til hver av de deltakende institusjonene skal vedta mandatet for sin institusjon.

Det er åpent for at hver institusjon kan tilpasse mandatet slik at det blir pekt på sider ved virksomheten som de ønsker at komiteen skal ta spesielt hensyn til. Lokale tilpasninger i mandatet for evaluering av Det juridiske fakultet, UiO (vedlegg 1), er å finne i punkt 1-3 på side 1 (under overskriften «Assessment) i mandatutkastet. Punkt 1 er foreslått av Det juridiske fakultet i Bergen som et felles punkt for de tre juridiske fakultetene i Bergen. Punkt 2 og 3 skal gjelde kun for vårt fakultet.

Med unntak av de lokale tilpasningene, skal mandatteksten være felles for alle institusjonene. Mandatteksten hentes fra Forskningsrådets protokoll for JUREVAL (vedlegg 2). Det juridiske fakultet i Bergen har denne uken tatt initiativ til at de tre juridiske fakultetene skal be Forskningsrådet om å endre et avsnitt i mandatteksten, slik at teksten blir mer i tråd med rettsvitenskapens egenart (se alternativ 1 og alternativ 2 i vedlegg 1). Denne prosessen er per dags dato ikke landet.

Fakultetsstyret bes nå om følgende:

- a. Å vedta de lokale tilpasningene i mandatet (punkt 1-3).
- b. Dersom endringene i den generelle delen av mandatet er på plass før styremøtet, vil vi gjøre rede for dette i møtet. Vi vil da be fakultetsstyret om å vedta mandatet som helhet.
- c. Dersom den generelle delen av mandatet *ikke* er på plass før møtet, ber vi fakultetsstyret ta stilling til om styret ønsker å vedta mandatet som helhet på sirkulasjon, eller om styret gir dekanen fullmakt til å vedta mandatet når det foreligger.

Bakgrunn: Generelt om evalueringen

NIFU fungerer som sekretariat for evalueringen. Komiteen skal gjennomføre evalueringen med utgangspunkt i (a) en rapport med standardisert analyse og data utarbeidet av NIFU, og (b) en egenevaluering for hver institusjon som gjennomføres med utgangspunkt i en mal med et sett med indikatorer (vedlegg 3). Indikatorene har vært gjenstand for grundig diskusjon med





Forskningsrådet og NIFU i referansegruppen for JUREVAL, som har bestått av ledelsen ved de involverte enhetene inkludert dekanene ved de tre juridiske fakultetene.

Evalueringen skal lede frem til en overordnet rapport på nasjonalt nivå samt en rapport for hver deltakende institusjon. Maler for disse ligger vedlagt saken (vedlegg 4 og 5).

Forslag til vedtak:

• Dersom det generelle mandatet foreligger:

Fakultetsstyret vedtar mandatet med lokale tilpasninger (punkt 1-3), med de endringer som fremkom i møtet.

• Dersom det generelle mandatet ikke foreligger:

Fakultetsstyret vedtar de lokale tilpasningene i mandatet (punkt 1-3) med de endringer som fremkom i møtet.

Fakultetsstyret ber om å få mandatet som helhet til vedtak på sirkulasjon når den generelle teksten foreligger. ELLER Fakultetsstyret gir dekanen fullmakt til å vedta mandatet når den generelle teksten foreligger, med de lokale tilpasningene som vedtatt i dette møtet.

Vedlegg

- 1. Forslag til mandat for evaluering av Det juridiske fakultet, Universitetet i Oslo.
- 2. JUREVAL protokoll versjon 1.0
- 3. Mal for egenevaluering
- 4. Mal for nasjonal rapport
- 5. Mal for rapport per institusjon



The JUREVAL Evaluation Committee

Dato: 26.08.2020

Deres ref.:

Vår ref.: 2019/14037 JENNYGR

Terms of Reference, Evaluation of Legal Research in Norway (JUREVAL)

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

Assessment

[Alternativ 1: Opprinnelig mandattekst]

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.

[Alternativ 2: forslag fra UiB]

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. The assessment must take into consideration the local context, using the strategic considerations and targets at the evaluated institution as framework for the analysis and final report. You should do so by considering the unit's performance on three assessment criteria (a. to c.) below. In your analysis, please take into account relevant international trends, which in the case of Law mostly are restricted to National/Nordic developments in science and society.

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

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 2 aspects below in your assessment:



Kontoradr.:



- 1. The University of Oslo encompasses seven faculties, each of which is comprised of a diversity of disciplinary perspectives and academic cultures. The UiO Law faculty is one of three faculties in Norway offering a 5-year integrated master's degree based on a broad scoped research portfolio within a variety of law disciplines.
- 2. Our main strategic goal for the period of 2010-2020 has been to attend to our national responsibility for educating Norwegian lawyers and researching law in Norwegian society, while strengthening our position as an internationally leading research-intensive faculty of law.
- 3. We aim to maintain broad expertise in research and teaching across the various fields of law, including traditional fields such as private law and public law, adjacent subjects such as philosophy of law, sociology of law and criminology, and emerging fields such as legal technology.

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 chaired by Research professor Vera Schwach (<u>vera.schwach@nifu.no</u>) 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 the Research Council of Norway
- self-assessment based on a template provided by the JUREVAL secretariat at NIFU

Interviews with representatives from the evaluated units

Interviews with the Faculty of Law 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 RCN 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 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 Faculty of Law and the RCN within 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 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 October 2021.



Evaluation of Legal Research in Norway 2019

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 purpouse 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 unit¹ 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.

¹ 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 responsability 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 standadised 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. Institustions 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) - Template

The board of [faculty] hereby issues the following Terms of Reference to the assessment committee of [research unit], chaired by [name of chairperson].

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 available on the secure website www......

The documents will include at least the following:

- report with standardised analysis and indicators provided by the Research Council of Norway
- self-assessment with data and indicators defined by the board of [faculty]
- [to be completed by board]

Interviews with representatives from the evaluated units

Interviews with the [research unit] will take place on [date].² We will contact you about [to be completed by board – for example logistical matters] approximately [xx] months prior to the interviews.

Statement of impartiality

Before embarking on your assessment work, you will be asked to sign a statement of impartiality. In this statement, you declare that you have no direct relationship or connection with [research unit].

² Interviews may be organised as a site visit, in another specified location in Norway or as a video conference.

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 [to be developed]. A draft report should be sent to the [research unit] and the Research Council of Norway (RCN) by [date]. [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 [date].

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

-

³ Forskrift om kvalitetssikring og kvalitetsutvikling i høyere utdanning og fagskoleutdanning §2.1-2

Chapters	Subchapters /subsections	Assessment categories	Sources/background material	Responsibility
1.Introduction	 The mandate and scope of the evaluation The evaluation panel Data sources, methods, The evaluation process 		Institutions' evaluation reports	NIFU writes draft / Committee revises and accepts
2.Legal Research in Norway	 General background and context The national and institutional setting the institution assessed in this evaluation report 		Institutions' evaluation reports	NIFU writes draft / Committee revises and accepts
3.The committee's evaluation:	Introduction			Evaluation Committee
3.1 Research production and quality		Strategy Output Use of outputs Marks of recognition	Institutions' evaluation reports	Evaluation Committee
3.2 Relevance for education		Strategy Output Use of outputs Marks of recognition	Institutions' evaluation reports	Evaluation Committee
3.3 Societal relevance		Strategy Output Use of outputs Marks of recognition	Institutions' evaluation reports	Evaluation Committee
4.The committe's overall conclusion	Concluding assessments a. Overall view b. general resource situation: funding, personnel and infrastructure; c. PhD-training, recruitment, mobility and diversity; d. alignment of research capacity and educational activities;			Evaluation Committee

	e. research cooperation, on a national, Nordic and international level;	
	f. societal impact and the functions of the legal research in society.	
	g. Strenghts and weaknesses of legal research in an international context;	
	h. Opportunities and threats	
References		NIFU
Appendices (?)		NIFU

Common chapters for all institutions have a white background.

• Institution chapters are marked with a light grey shadow. Personnel, resources and publication analysis, NIFU report no. xx, 2020

Chapters	Subchapters / themes	Assessments	Sources/ background material	Responsibility	
	Common part for all institutions in JUREVAL				
1.Introduction	 a. The overall mandate and scope of the evaluation b. The evaluation committee c. Data sources, methods, d. The evaluation process 			NIFU writes draft / Committee revises and accepts	
2.Legal Research in Norway	 a. General background , international and national context b. Overview over institutions in the JUREVAL-his evaluation 		Personnel, resources and publication analysis, NIFU report no. xx, 2020	NIFU, writes draft / Committee revises and accepts	
	Specialised institutional chapter	<u></u>			
3.The committee's assessment	Introduction		 Term of reference from this institution Personnel, resources and publication analysis, NIFU report no. xx, 2020 The institution's self-assessment with data and documents enclosed, Impact cases Additional documents Additional data Interviews at the institutions 	Evaluation Committee	
3.1					

Overall				
strategy				
3.2 Research production and quality			Personnel, resources and publication analysis, NIFU report no. xx, 2020	Evaluation Committee
	Ph.D. programs / training			
	Quality, thematic diversity			
	/concentration, gender distribution	Quality of Ph.D. programs		
	Future employment / labour marked			
3.3 Research's relevance for	Study-programs			Evaluation Committee
education	Overview			
	co operation, internal			
3.4 Societal	a. diversity			Evaluation
relevance				Committee
4.The				Evaluation
committee's				Committee
overall				
conclusion				
References				NIFU
Appendices				NIFU