

Assessment Report for forskerutbildningen på forskarnivå at University of Lund, Faculty of Law

This assessment was carried out by a panel comprising:

Professor Inger Johanne Sand, Oslo Universitet

Professor Henrik Palmer Olsen, Københavns Universitet

1. Self-assessment process

The assessment was initiated by an e-mail dated 31 January 2020 in which Helena Josefsson forwarded the Faculty's Self-Assessment Report as well as a file entitled "Styrdokument för utbildningen på forskarnivå" which contained a list of links to various guidelines relevant to the assessment, such as access to supervision and other resources for doctoral students, employment procedures, stipend requirements, extension of enrolment and employment, study plans, course plans etc. Some of these documents were also made available to the panel in the form of a PDF document. The panel were furthermore informed that it could ask for further information and or documentation necessary for the assessment.

Additional information was collected from Helena Josefsson in the form of a complete list of doctoral theses that had been defended at the Faculty.

The self-assessment report consists of 50 pages and is, apart from a general introduction to the assessment process and the doctoral program divided into three parts entitled *Förutsetningar*, *Processer* and *Resultat*. The report is concluded with a summary statement, which includes a SWOT analysis.

The self-assessment provides a consistent, concise, and – by-and-large – comprehensive overview of the way in which the PhD recruitment, supervision and monitoring is organised at the Faculty of Law at the University of Lund, and how the PhD School is organisationally embedded in the faculty. These materials have provided the panel with an excellent basis for their discussions with the various representative groups (PhD students, supervisors, faculty management, etc.) the panel met with during a whole day online Zoom-based "visit" of the Faculty (Digitalt platsbesök), which was conducted 18th of June 2020.

The panel commends the PhD School for the very useful and well-written self-assessment report, as well as for the overall organization of the assessment, including the visit, which was delayed and shifted from on-site to on-line due to the Covid-19 lockdown in Denmark and Norway that prevented the panel members from travelling to Sweden.

The self-assessment report explains that the assessment is part of a University wide policy for quality assurance and development initiated by the Rectors office. The self-assessment covers the period 2013-2018. Among the additional assessment documents is an action plan that has been adopted by the Faculty, covering the period 2019-2021 (Juridiska fakultetens handlingsplan för forskning och utbildning på forskarnivå 2019–2021). The panel has included this plan in its assessment on the understanding that the assessment should also contain recommendations to the faculty about future development of its doctoral program.

The main body of the self-assessment (chapters 4 and 5) is organized around the following subsections:

- Rekrytering och antagning
- Individuell studieplan och samtal
- Avhandlingsskrivande och avhandlingar
- Obligatoriska seminarier
- Kursverksamhet
- Handledning
- Undervisningsskyldighet och övriginstitutionstjänstgöring
- Disputation och licentiatseminarium
- Internationell och gränsöverskridande samverkan
- Utvärdering, utvecklings- och kvalitetsarbete

This structure is very briefly explained in the introduction to chapter 4, where these categories are called central processes in the doctoral program (forskarutbildningen) at the Law Faculty.

While chapter 4 describes the faculty practice in relation to these categories, the section on results (self-assessment report chapter 5) focus on assessing this practice against 10 criteria, which have been lifted from the University's Policy for quality assurance and quality development of education at the University of Lund (Policy för kvalitetssäkring och kvalitetsutveckling av utbildning vid Lunds Universitet). These criteria are as follows:

- Att de faktiska studieresultaten motsvarar lärandemål och examensmål.
- Att utbildningen sätter studenters/doktoranders lärande i fokus och vilar på vetenskaplig och/eller konstnärlig grund samt beprövad erfarenhet.
- Att undervisande personal, inklusive handledare, har ändamålsenlig ämnesmässig, högskolepedagogisk, ämnesdidaktisk och övrig relevant kompetens, samt att lärarkapaciteten är tillräcklig.
- Att utbildningen ska vara relevant för studenterna och doktoranderna samt svara mot samhällets behov.
- Att studenterna och doktoranderna har inflytande i planering, genomförande och uppföljning av utbildningen.
- Att en ändamålsenlig och för alla tillgänglig studie- och lärandemiljö med välfungerande stödverksamhet föreligger.
- Att en kontinuerlig uppföljning och utveckling av utbildningen sker.
- Att internationalisering och internationella perspektiv främjas i utbildningen.
- Att jämställdhets- och likabehandlingsperspektiv integreras i utbildningen.
- Att ämnesrelevanta perspektiv i hållbar utveckling främjas i utbildningen.

The assessment then selects from this list of criteria to examine the quality achieved for each of the categories mentioned further above (recruitment; individual study plans, etc).

While this approach is very systematic and thorough as well as clearly embedded in broader University policy, it also has its limitations, at least when implemented as done here. To give an example. The first assessment criteria is that the actual study results corresponds with learning- and examination aims of the programme (Att de faktiska studieresultaten motsvarar

lärandemål och examensmål). This criteria is suitable for assessing the extent to which students are successful in obtaining the learning aim of the doctoral program. It does not, however, say anything about the standard and quality of those aims. Furthermore, as operationalised in the self-assessment report, it is difficult for the panel to assess to which extent the Faculty considers itself successful in achieving those. Again, we wish to illustrate this with an example. The criteria "Att de faktiska studieresultaten motsvarar lärandemål och examensmål" is included as relevant for assessing several of the listed categories. The most important of these, in our view, is the actual PhD thesis which takes up 210 of a total of 240 ECTS point (högskolepoäng). This is assessed in section 5.4. of the self-assessment report. The assessment however, for the most part, is a description of what is expected of thesis work etc., but very little is mentioned in terms of the quality of the theses that has been submitted for assessment. The self-assessment highlights that "several theses has been published by high ranking publishers such as publishing Cambridge University Press and Routledge." The panel appreciates that this is a relevant indicator of quality (i.e. ability to publish with the best publishing houses in a highly competitive international market), but would like to indicate that more could have been done to indicate the outcome quality of the Faculty's program by other indicators (for example: standing of members of the assessment panels; how many theses were published and where; how often would assessment committees praise PhD theses for their outstanding quality, as opposed to simply assess these as "passed", how many doctoral students has moved on to post doc or assistant professor positions and at which universities, etc.).

The panel would like to add that it also acknowledges that quality of final Ph.D theses are difficult to assess because they are reviewed by different committees, because there might be different challenges in the different academic fields, and because there are different views on what qualifies as academic quality. One way to ensure a continued review of the program and the theses' produced in the program is to include a higher degree of diversity among supervisors, mid-term and final-seminar commentators and Ph.d committee members from other Swedish, Nordic and international institutions.

Another way in which the self-assessment report could have addressed quality is through the operationalisation of some comparison. The Faculty could have chosen an equal or higher ranked law school from – for example - the Times Higher Education law school ranking or it could have selected one of the universities in the League of European Research Universities, of which Lund University is a member, in order to compare performance. The panel is aware that such initiatives would draw further resources from the Faculty and especially from those members of staff – academic as well as administrative – who are responsible for the doctoral programme and the self-assessment. We therefore offer these observations more as future recommendations than as points of critique.

2. Recruitment of candidates

Ph.D positions are announced twice every year. Three different calls are applied: - open general calls, calls within selected disciplines, and calls related to externally funded thematized projects. The Faculty Board may decide at each call what disciplines to prioritize. There are normally 3 - 4 internally financed positions for each term. Externally financed positions vary with the funding, but are fewer. It seems to be difficult for the Faculty to find external funding for Ph.D positions and it has at times had to supplement the external funding of doctoral students with internal resources.

Internally funded candidates have the advantage of proposing their own projects. Externally funded projects depend on the priorities of those supplying the external funding and thus leaves less to the academic freedom of candidates and Faculty. External funding can however be extremely valuable both in supplementing internal funds and in promoting new and societally relevant projects to established research fields, thereby advancing a development toward a more dynamic and vibrant research environment. They may add to innovation and to exploration of new societal challenges, for example related to technological innovation and to new forms of international law. Compared to some of the Danish and Norwegian Faculties there seems to be a potential for more diversity in the Faculty's acquisition of external funding for doctoral students. The panel however understands that to obtain such funds would require the distribution of resources towards a more active application strategy aimed at both public and private organisations.

The committee on doctoral education (NUF) will first assess the formal qualifications of the applicants. NUF will then appoint an admissions committee with members from NUF (the chair of NUF, a senior lecturer in NUF, the director of studies and a doctoral representative in NUF). The admissions committee will assess the applications with project proposals and propose who to interview for the positions. The doctoral education committee (NUF) will then interview the selected applicants and make a final prioritized list, with comments, of who to offer a position to. The applicants are informed of this proposal at least two weeks before the decision on admission is made, and they are informed of the possibility of lodging an objection to the admission proposal to the committee on doctoral education within a designated period of time. The Ph.D committee will make the final decisions on who to recruit. (See Allmän studieplan section 8, and Self assessment document section 4.2)

The panel finds the selection process to be thorough. The applicants are assessed by two different committees, but where the admissions committee is a form of sub-committee of the committee on doctoral education. The panel will point to two different ways to possibly make the process more robust. First, it may be an idea to give the heads of departments or research groups in the faculty the list of applicants and ask whether they have any views on the applicants and their proposals. Many disciplinary areas may not be represented in the assessment committees and adding these expert views may give the committee a more nuanced view of the qualifications of applicants. Second, it may improve the process to distinguish between the

committee who interviews and make the final short list, and a Faculty committee who makes the final decision on who to recruit. The latter may function as a quality control of the application of assessment criteria by the Ph.d committee. Ph.d selection processes are complex because there will often be competition among the different disciplines on who to recruit and excellent applications which are difficult to compare. Variation and quality in the procedures of assessment is consequently of high importance.

There is currently a proportionally a large number of international applicants of high quality. This has so far been seen as adding to increased variation, and thus potential quality, within the Ph.D group of researchers and for further recruitment. Requirements for Swedish language proficiency has so far been applied in a modest way for the international Ph.Ds. Recruiting Swedish Ph.D's might be a safer way to recruitment for permanent academic positions. On the other hand academic and international diversity may be vital elements in the further academic development of the Faculty. The panel do not have any strong views on what is the right balance, but it urges the Faculty to monitor the balance and to discuss how best to advance diversity and research innovation through international recruitment, while simultaneously assuring attention to the need for the Faculty to maintain a high quality of research that underpins the Faculty's legal education program at bachelor and master levels..

3. Supervision

The panel commends the Faculty for the the information provided on supervision. The panel appreciates the overall guidelines on PhD supervision. Not only does it clearly stipulate that supervisors should make themselves available to PhD students for supervisory meetings at least 6 times per year, but it also sets out that all PhD students must have both a main supervisor and a co-supervisor. Furthermore, PhD students must submit PhD plans, which contain information about how they will seek to meet the various rquirements in the PhD programme and work towards completion. This plan is followed up regularly by progress reports and have a somewhat flexible character in that adjustments are possible if approved.

As an overall framework for supervision of PhD students, this is exemplary. From the interviews conducted during the on-line visit we furthermore got the impression that there was general satisfaction among both PhD-students and supervisors with the framework for supervision.

The description of the form and content of supervision is also addressed in both the self-assessment report and in the Faculty's guidelines and policy for supervision. These reflect on the one hand a detailed attention to the issue of form and content. The self assessment report states:

“Det verkar finnas en övergripande samsyn bland handledare och doktorander om att

handledaren ska ha de uppgifter som nämns i fakultetens policy för handledning: granska och diskutera texter, stötta, peppa och uppmuntra, vara vetenskaplig samtalspartner och lära ut hantverket. vara tillgänglig, hjälpa till att formulera projekt och ringa in ämne, hjälpa till att strukturera och prioritera, introducera till vetenskapssamhället, förmedla ett vetenskapligt förhållningssätt, vara mentor, utgöra en social kontakt och diskutera livet efter disputationen.” (s. 41)

Yet, the same report, on the other hand, immediately adds: “Samtidigt finns det stora variationer i synen på handledarrollen, och på vilket sätt handledningsuppgiften ska utföras.” (s. 41)

Disse variationer synes også at præge fakultetets policy paper, der er karakteriseret ved at selve vejlederrollen diskuteres på et næsten filosofisk plan. Med henvisninger til bl.a. Aristoteles og Platon (via Lindén) peger dette dokument på at god vejledningsskik bedst fremmes ved at: ”kolleger diskutere selvoplevede erfaringer af handledning”.

There seem to be then, some uncertainty about the supervisory role which may in part derive from uncertainty about the academic aim of the school. In many passages research is described as a craft (see for example the quote above), which indicates that research is more about thorough routine and the application of pre-existing standards, than it is about creativity, invention and adding intellectual novelty to a field. This is perhaps due to the fact that research here is connected to law: legal research. Legal work is obviously embedded in the legal profession and work in the legal profession is notoriously averse to innovation and creativity – being, indeed, much closer associated to the ethics of craftsmanship.

The Self assessment report reflects awareness of some uncertainty in regards to how to handle the supervision requirement and the panel would like to applaud the Faculty for paying attention to this difficult issue. In the report, the following suggestion is made:

“För det mesta är detta oproblemiskt. Men i det kan också finnas fall där sådana variationer, tillsammans med oklarhet ifråga om vad som förväntas av en, blir besvärliga för både doktoranden och handledaren. Nämnden för utbildning på forskarnivå skulle kunna arbeta för att öka medvetenheten om frågor som rör roll- och ansvarsfördelningen inom forskarutbildningen, genom att fortsätta sprida information om nämndens och studierektorns arbete och ansvarsområden, och genom att initiera diskussioner med handledarna och doktoranderna, till exempel vid handledarträffar och i något av de sammanhang där doktoranderna och studierektorn möts.” (s. 41)

The panel appreciates this reflection and welcomes the suggested initiative as a positive first step. The panel would however also like to suggest that the faculty should address supervision and the supervisory role in the light of how the PhD school can best advance scientific novelty. Ph.d research in law may include both themes in traditional fields and new themes requiring more innovative approaches with interdisciplinary, international or just more diverse legal approaches. Examples may be the legal regulation of new technologies, the application of

international treaties in domestic settings, the role of transnational organisations (both private and public), environmental and climate change crisis etc. The panel believes that emphasising scientific novelty could have a positive effect on clarifying the aim of the Faculty's PhD research and hence make it clearer how supervisors might best support doctoral students in their effort to produce research of a high international standard in accordance with the Faculty's overall aim for research and education as set out in the action plan for 2019-2021:

“Enligt Juridiska fakultetens strategiska plan (2018–2026) ska utbildning och forskning vara sammanflätade, sträva efter högsta kvalitet samt vara etiskt förankrad. Forskningen och utbildningen på forskarnivå ska vidare vara fortsatt präglade av internationalisering samt av gränsöverskridande samverkan och tvärvetenskapligt samarbete.” (s.1)

It may be useful to more actively address the diversity of research problems dealt with in the most recent state-of-the-art in the various fields of legal research also in terms of what type of supervision is needed to advance the best possible quality of PhD theses.

One final note on supervision. During the panel visit we got the impression that almost all co-supervisors were researchers from the Faculty. While this is understandable and has many advantages it also reduces the scope of input and dynamic development that could be otherwise achieved. Especially in light of the Faculty's 2019-2021 action plan which focuses on interdisciplinarity and internationalisation, the panel would recommend the faculty to find ways of including co-supervisors from other research environments than the faculty's own. This could include co-supervisors from other disciplines at Lund University as well as from other research environments in Sweden, other Nordic faculties or even co-supervisors who would act as such through the Faculty's international collaborations.

4. Responsible conduct of research

There are assessments and evaluations at several steps of the program. The individual (oppstart-, midtveis- and slut) seminars are academic assessments, but should also include ethical aspects of the research. Research ethics is not mentioned as a specific theme in the course plans for the obligatory Ph.d research courses, but reflection on ethical dimensions is included among the themes in the research method curriculum together with abilities of critical and methodical reflection.

According to the Handlingsplan 2019-21 of the Lund Faculty of Law, high research quality and ethical evaluation are vital criteria for the operation of the Ph.d program. The research committee (forskningsnemnd) of Lund University is working on principles for quality assessment for the University. The Faculty of Law will have a separate working group on quality assessment and in engaging faculty members in this work. This will concern both the Ph.d program in general and the research of individual doctoral students. The Faculty will also

introduce internal ethical guidelines and support for ethical assessment in applications.

There are plans for quality dialogues with the leaders and research administration of the University. This will include the use of internal and external evaluations and to initiate a future model for quality assessments of the program. Doctoral students and supervisors will also be included in evaluation processes. The program as a whole shall be evaluated every sixth year.

The view of the panel is that there are comprehensive and varied plans for evaluations at several levels of the program in order to secure responsible research conduct. There should however, in the panels view, also be a part of the Ph.D course, which explicitly addresses research ethics.

. The panel has not found any information on whether the Faculty conducts routine checks for plagiarism, when PhD theses are submitted. If such routine are not already in place, the panel will recommends that the Faculty initiates such a a procedure. The panel has observed that there exist ‘nämnder för utredning av vetenskaplig oredlighet’ at the University level which seem to function when a complaint is made (cfr Lund university website). The Faculty is urged to include information about this committee and its practice in a PhD course focused on research ethics.

5. Courses and seminars

All doctoral students are to acquire 30 Höskolapoint (equal to 30 ECTS points) during the entirety of the 4 year PhD program. The remaining 210 ECTS point should be used to researching and writing the PhD thesis. The Faculty’s PhD program is build around 2 15 point courses entitled *Teoretisk forskarkursus I rättsvetenskap* and *Forskarskolan I rättsvetenskap*. These courses are both compulsory. Consequently, the entire 30 point courseload is made up of these compulsory courses.

In addition to the Courses, doctoral students are to participate in three compulsory seminars on their individual theses: An introductory seminar, a midway seminar, and a final end seminar. The two first of these seminars are an integrated part of the *Forskarskolan I rättsvetenskap*. The end seminar function as a kind of pre-defense seminar, which in effect gives an indication about whether or the doctoral student will be able to defend his/her PhD thesis: Forskarnämnden will after the end seminar make a descision on whether the dissertation is ready to be defended publicly. (Almän studieplan, s.4)

.
Doctoral students may attend other courses and if so, get credits for this; however, those courses will not count towards the degree. This also means that such course credits will not be visible

in the Lund University certificate. Such “other courses” will thus only be visible as a part of the doctoral student’s own CV and, if credits are fulfilled at Lund University, in the student’s record in the administrative student registration system, Ladok.

The panel has insufficient information to evaluate the quality of the individual seminars and classes that doctoral students attend and for which they obtain the above mentioned points. The panel finds however that the information provided in the self-assessment report and additional documents gives the impression that the themes and readings provided to the doctoral students are both relevant and for the most part contemporary. It is the panels overall view therefore, based on the report, that the research training and education provided through these course modules are well suited to the aim of pursuing a PhD in law. The panel do however also wish to raise a number of issues on which it finds that the Faculty may consider amendments to its program.

First of all, considering that the Law Faculty has a relatively small number of doctoral students within each of the various disciplines covered by the Faculty’s research, the panel finds that the Faculty could profit from collaborating with other PhD schools around Sweden, Scandinavia and Europe on more specific research topics. Even if doctoral students is pursuing a thesis in Swedish law it will often be useful to participate in research courses aimed at their specific legal field – say labor law, environmental law, health law etc. – with participants who does research in a similar field (but perhaps in some other country), rather than participating only in general courses at the Faculty in Lund with colleagues covering a wide variety of legal disciplines. This is not to say that general courses are unimportant or of a lesser value, but only that such courses may not provide the kind of relevance to and immersion in the specific research topic that a course aimed more specifically at a specific sub-discipline of legal scholarship may provide. Furthermore, since the aim set out in the action plan for 2019-2021 is (among other things) to enhance internationalisation and cross-border collaboration, the panel finds that a more flexible course structure allowing for students to get credits for participation in courses outside the Faculty, and perhaps even for structured collaboration with other universities on selected themes, would be appropriate. Such cooperation may potentially contribute to introductions to more diverse methodical and theoretical directions. The Faculty could also consider to host Scandinavian or international PhD courses, for example by building a PhD course module into conferences or taking other such initiatives.

Secondly, and relatedly, the panel got the impression from the online visit interviews that there is some difference across different research fields in terms of how much activity and involvement is committed to the PhD program. The panel got the impression that some fields are vibrant and dynamic with a lot of activity and academic debate whereas other fields are more toned down. This has given the panel an impression of a somewhat unequal access to relevant in-depth course activities and seminar-debate activity. The panel invites the faculty to carry out a mapping of how well course and seminar activity supports doctoral students in different research fields and consider whether it would be possible to build up a best practice standard and find ways of supporting those research environments where in-house resources are scarce. Variations in academic activity across the various disciplines of a law faculty is a

common experience and often unavoidable due to the resources realistically accessible. This underlines however the potential advantages of more cooperation on the doctoral program level among Nordic law faculties, and internationally.

Thirdly, one issue that was brought to the panels attention during the on-line visit, and also hinted at in the self-assessment report is the important role of the three seminars in the PhD program. First, since the course is compulsory there is a requirement to participate. Since the seminars are build around the research performance of individual doctoral students and since some of these focus on specific issues in Swedish law, wherefore the doctoral students who research these topics write their thesis in Swedish, some seminars are held in Swedish. This excludes doctoral students who do not speak Swedish from active participation in these seminars, giving rise to some of the concerns that are flagged in the self-asesment report at p. 40. The panel finds that while the language issue is an important concern in itself it can be seen as a specific manifestation of a broader and more general issue, namely that the program prescribes compulsory participation seminars for all doctoral students in this form. In the panel's view, it is unclear how much the doctoral students benefit from participating in numerous courses where their student colleagues present their thesis work. In the panels view, research projects within the field of legal research may be so diverse in terms of research approach, methodology, theoretical foundation, and topic – especially as projects become increasingly interdisciplinary (which is further promoted by the action plan 2019-2021) – that compulsory common seminars for all doctoral students in the Faculty may not be the most efficient way of promoting depth and originality in the thesis work of the doctoral students. The panel therefore encourages to Faculty to consider whether this model should perhaps be somewhat revised in the future. There is a difficult balance to be struck between opening up the boundaries between the disciplines and securing seminars with sufficient depth and originality.

Fourthly, and finally, the doctoral students, expressed some unease about these compulsory seminars. The panel got the impression, that there was somehow too much at stake at these seminars, and that these stakes could hinder a good learning environment. If students feel that their performance at these seminars will determine or at least have a high impact in the determination of their chances in having a future career at the Faculty, then performing well at the seminar and defending ones presentation, may take precedent over learning. Moreover, internal academic politics may spill over into these seminars and frustrate the ambition of creating a healthy and socially well functioning learning environment (safe space) for the students. To contribute to originality and diversity particularly in new legal fields it may further be important also to invite more external commentators in these seminars. Due to scarce resources many legal disciplines may be dominated by certain theoretical or methodological directions. External commentators may contribute to more variation. The panel also on this ground proposes that the Faculty engages in a process of trying to rethink the format for assessment and presentation practice in the doctoral program.

Overall, the panel would like to invite the PhD School more generally to reflect upon the broader vision of what it deems to be important in the educational program of doctoral students – and what the main objectives to be pursued should be – and to consider how that vision and

these objectives can best be achieved through course modules.

6. Internationalisation

There is currently a proportionally large number of international applicants of high quality to many Nordic Ph.d programs. This has so far been seen as adding to increased and welcome variation within the Ph.D group of researchers and for further and diverse recruitment at the Faculties. Requirements for Swedish language proficiency has so far been applied in a modest way for international Ph.D's during their work leading up to the Ph.D defense. On the other hand, Nordic law faculties are required to educate doctoral candidates also with knowledge of Swedish/Nordic law both for faculty recruitment and for legal research in general. There seems to be a sensible attention to a balance between Swedish and international applicants and candidates at the Faculty's Ph.D program, but the panel would like to emphasize the importance of continued reflection of this issue, so as to avoid both a research environment that is too inward looking and nationalistic in its orientation and a research environment that loses touch with the needs of the surrounding society for research that supports the need for a well educated legal profession with deep insights into both Swedish, European and international law. As mentioned above this also presents the faculty with certain challenges of language at Ph.D seminars. It is vital to be able to have mixed groups of international and Swedish doctoral students at the seminars of the program and in other research environments at the faculty. It may be necessary to have presentations of Swedish legal projects in English, or other languages, in order to create more diverse and inclusive research environments for all participants. This concerns both research quality and work environment.

There is funding for Ph.Ds who want to travel internationally. In the interviews of the panel with the doctoral students we got the impression that this opportunity is used by some, but could have been used by more. It may be necessary to point to the possibilities also of shorter international research visits or just conference participation if for example family obligations make such travel difficult and expensive. Nordic institutions can also use each other more than they do to secure some diversity in the experience of the candidates. The impression of the panel is that the Lund faculty does emphasize the importance of participation in international research environments for the candidates, and that there is a good infrastructure in place to support this. More established institutional contacts with other research institutions and emphasizing the role of supervisors in supporting international research stays of their supervisees may make the realization of this easier.

7. Teaching/dissemination of knowledge and work obligations

The panel would like to praise the Faculty for offering a very generous access to doctoral students to participate in pedagogical training and to undertake fully paid teaching as an integrated part of the doctoral programme. The net duration of the doctoral programme is four years, but the majority of students have their employment extended with a full year in return for undertaking a teaching load. This means that the doctoral program for most students is 5 years on a full salary with a build-in 20% teaching load.

Not only does this give the doctoral students a very good opportunity to gain teaching experience, something that is very important for CV building and job opportunities after the completion of the doctorate. It also extends the studies over a longer period of time, but still with full pay, thereby allowing the doctoral students longer time for reflection, which may help in advancing more mature theses to emerge.

The Faculty oversees that the teaching load is properly registered and checked in regular staff development interviews and in progress reports. This assures that doctoral students do not become negatively affected by teaching too much, which could otherwise lead to neglect of their research efforts.

The teaching component in the doctoral programme assist in embedding doctoral students more deeply in the Collegial environment of the Faculty and gives doctoral students a chance to get experience with the role of a teacher in law school, which is an important part of academia. It also gives doctoral fellows a chance to gain experience with disseminating legal problems, and in many cases, their own research, to bachelor and/or master students.

The panel finally notes that dissemination of research findings should not only be seen as a matter of gaining experience in teaching students at bachelor- and/or master level. It is also a part of academic training to disseminate research findings to on colleagues (for example at academic conferences), to lawyers and other stakeholders outside of academia and to the general public (via newspapers, radio, blogs, television, podcasts etc.). The panel has not been able to identify information about the extent to which doctoral students receive training on how to present research findings to various audiences. The panel recommends that the Faculty should consider such training as part of the doctoral program.

8. Completion and dissertation assessment

The completion and dissertation assessment procedures in Lund, and at many other Swedish faculties differ in some dimensions from the procedures applied in Danish and Norwegian

faculties. At the Law Faculty in Lund the slut-seminar close to the end of the Ph.d period plays a vital role for each candidate. The candidate must present a full draft of the dissertation, and it must be publicly available. An internal or an external senior researcher will comment on the presentation of the draft. The Ph.D committee (utbildningsnemnden) will then make a final decision on whether the quality of the dissertation is such that the faculty should promote distribution of the dissertation by covering the cost of producing the minimum number of copies prior to the public defense as decided by the Law Faculty Board. A doctoral student may always submit the thesis for a public defense and defend the thesis without any formal acceptance. The slut-seminar seems to be a very important element in the quality control of the work of the doctoral students (see also section above on courses and seminars).

At Danish and Norwegian faculties there are mid-term seminars and the more informal academic control of the supervisors. There is no 'slut-seminar' at the end of the doctoral training. In both Norway and Denmark doctoral students are free to hand in their dissertation without any form of formal acceptance by the supervisors or Ph.D-program committee (in Denmark supervisors are asked to declare that students have fulfilled the various requirements in the phd program, but this does not extend to any pronouncement on the quality of the thesis). There may be good arguments for both types of procedures, but there could be a reflection on whether the Swedish model has too much emphasis on advice and decisions by other senior researchers and the utbildningsnämnd in stead of relying more on the responsibility of the doctoral students and the supervisors.

The whole process of writing a Ph.D dissertation is a delicate balance between input, methodological traditions and learning from the (internal and external) academic environment and the independent academic work of each researcher. Today many dissertations are highly specialized and often focus on relatively new themes with insufficient internal expertise. It is vital that the researchers are able to work independently and also using external academic environments. At the same time, internal seminars and supportive environments are extremely valuable for successful environments for young researchers. Providing both supportive and high quality academic environments for doctoral students working on relatively new themes might in many cases be difficult to achieve for any institution. It is vital to support the choice of working on new academic themes, but also to offer critical advice to ensure the quality of the work. The use of expertise from other universities and academic may be important, including research collaboration beyond the Ph.D projects.

Summary:

The panel commends the PhD School for the very useful and well-written self-assessment report, as well as for the overall organization of the assessment, including the visit, which was delayed and shifted from on-site to on-line due to the Covid-19 lockdown in Denmark and Norway that prevented the panel members from travelling to Sweden.

The self-assessment report and the criteria of quality applied.

The material supplied and the on-line meeting gave access to information on many of the relevant themes and criteria of the evaluation. The criteria in the self-assessment included the extent to which students are successful in obtaining the learning aim of the doctoral program, but they do not address or discuss the quality of those aims, and to what degree the Faculty considers itself successful in achieving those through the program. The self-assessment includes many aspects of the work on the PhD thesis, but little in terms of criteria for the quality of the theses which have been submitted. The panel is aware that such criteria are difficult to decide on and to assess because there may be differing opinions on what the most important qualities of such a program are. The panel would suggest that the PhD-committee still should develop and apply some criteria to assess the quality of the program and the theses submitted. This could be the academic standing and diversity of members of the PhD-assessment committees; how many theses are published and where; how many are praised for outstanding quality; and how many of the doctoral candidates move on to post-doc or permanent positions in academic institutions. The panel is aware of the different methodical views on measuring the quality of PhD-theses, but still think that more indirect indicators as those suggested may be useful. The panel will further recommend a higher degree of diversity among the supervisors, midterm and final seminar commentators, and including more from other Swedish or from Nordic or international institutions.

Another way in which the self-assessment report could have addressed quality is through the operationalisation of some comparison. The Faculty could have chosen an equal or higher ranked law school in order to compare performance. The panel is aware that such initiatives would draw further resources from the Faculty and from the members of staff who are responsible for the doctoral programme. We therefore offer these observations more as future recommendations than as points of critique.

Recruitment

The panel suggests that the use of external funding for recruitment could be improved. External funding can be extremely valuable both in supplementing internal funds and in promoting new and societally relevant projects to established research fields, thereby advancing a development toward a more dynamic and vibrant research environment.

The panel finds the recruitment and assessment procedures systematic and thorough, but they may improve by differentiating between the committee which interviews and makes the final academic assessment and ranking, and the committee which makes the final decisions on the ranking of the candidates and who to offer positions to. No committee can have representatives of all relevant disciplines. Applying several levels of assessment may reduce the risk of excluding disciplines and ensure formal quality.

The panel do not have any strong views on the specific balance between Swedish and international doctoral students, but it urges the Faculty to monitor the balance and to discuss how best to advance diversity and research innovation through international recruitment, and assuring attention to the need for the Faculty to maintain a high quality of research and education.

Supervision

The panel finds that there are generally good routines for supervision. The panel will however suggest that the faculty should address more closely how supervision and the supervisory role best can advance scientific novelty. The panel believes that emphasising scientific novelty could have a positive effect on clarifying the aim of the Faculty's PhD research and hence make it clearer how supervisors might best support doctoral students. During the panel visit we got the impression that almost all co-supervisors were researchers from the Faculty. While this is understandable and has many advantages, it may reduce academic and methodical variations and a dynamic development that could otherwise be achieved. The panel recommend the faculty to include more (co-)supervisors from other research environments than the faculty's own. This could be from other disciplines at Lund University as well as from other research environments in Sweden, Nordic faculties or through the Faculty's international collaborations.

Responsible conduct of research and of research ethics

The view of the panel is that there are comprehensive and varied plans for evaluations at several levels of the program in order to secure responsible research conduct. There should however, in the panels view, also be a part of the Ph.D course, which explicitly addresses research ethics.

The panel has not found any information on whether the Faculty conducts routine checks for plagiarism, when PhD theses are submitted. If such routine are not already in place, the panel will recommends that the Faculty initiates such a procedure. The panel has observed that there exist 'nämnder för utredning av vetenskaplig oredlighet' at the University level which seem to function when a complaint is made (cfr Lund university website). The Faculty is urged to include information about this committee and its practice in a PhD course focused on research ethics.

Courses and seminars

Considering that the Law Faculty has a relatively small number of doctoral students within each of the various disciplines covered by the Faculty's research, the panel finds that the Faculty could profit form collaborating with other PhD schools around Sweden, Scandinavia and Europe on more specific research topics. The panel finds that a more flexible course structure allowing students to get credits for participation in courses outside the Faculty, and perhaps even for structured collaboration with other universities, would be appropriate.

The panel recommends the faculty to carry out a mapping of how well course and seminar activity support doctoral students in different research fields and consider whether it would be

possible to build up a best practice standard and find ways of supporting those research environments where in-house resources are scarce. In the panel's view, it is unclear how much the doctoral students benefit from participating in numerous courses where their student colleagues present their thesis work in very different fields.

In the panels view, research projects within the field of legal research may be so diverse in terms of research approach, methodology, theoretical foundation, and topic that compulsory common seminars for all doctoral students in the Faculty may not be the most efficient way of promoting depth and originality in the thesis work of the doctoral students. This model should perhaps be somewhat revised in the future.

The panel found that some of the doctoral students, expressed some unease about the many compulsory seminars. The panel got the impression, that there was somehow too much at stake at these seminars, and that these stakes contribute to a priority of performance and may hinder originality and a good learning environment. It may be important to invite more external commentators to these seminars to contribute to more variation. The panel proposes that the Faculty engages in a process of trying to rethink the format for assessment and presentation practice in the doctoral program.

Internationalisation

There seems to be a sensible attention to a balance between Swedish and international applicants and candidates at the Faculty's Ph.D program, but the panel would like to emphasize the importance of continued reflection of this issue.

It is vital to be able to have mixed groups of international and Swedish doctoral students at the seminars of the program and in other research environments at the faculty. It may be necessary to have presentations of Swedish legal projects in English, or other languages, in order to create more diverse and inclusive research environments for all participants.

In the interviews of the panel with the doctoral students we got the impression that the opportunity to participate internationally is used by some, but could have been used by more. It may be necessary to point to the possibilities also of shorter international research visits or just conference participation. More established institutional contacts with other research institutions and emphasizing the role of supervisors in supporting international research stays of their supervisees may make the realization of this easier.

Teaching/dissemination of knowledge and work obligations

The panel would like to praise the Faculty for offering a very generous access to doctoral students to participate in pedagogical training and to undertake fully paid teaching as an integrated part of the doctoral program. The panel notes that dissemination of research findings should not only be seen as a matter of gaining experience in teaching students at bachelor- and/or master level. It is also a part of academic training to disseminate research findings to colleagues and other stakeholders outside of academia. The panel recommends that the Faculty should consider such training as part of the doctoral program.

Completion and dissertation assessment

The completion and dissertation assessment procedures in Lund, and at many other Swedish faculties differ in some dimensions from the procedures applied in Danish and Norwegian

faculties. In both Norway and Denmark doctoral students are free to hand in their dissertation without any formal acceptance by the supervisors or Ph.D-program committee. There may be good arguments for both types of procedures, but there could be a reflection on whether the Swedish model has too much emphasis on advice and decisions by other senior researchers and the utbildningsnämnd in stead of relying more on the responsibility of the doctoral students and the supervisors. It is vital that the researchers are able to work independently and use external academic environments. At the same time, internal seminars and supportive environments are extremely valuable for successful environments for young researchers.