

Study reveals impact of research assessments on UK legal publishing

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A comprehensive new study has unveiled how the UK's Research Assessment Exercises (RAE) and Research Excellence Framework (REF) have significantly influenced legal academic publishing over the past 30 years. Conducted by esteemed legal scholars Professor Johanna Gibson of Queen Mary University of London and Professor Phillip Johnson of Cardiff University, and Queen Mary alumnus, the research provides an unprecedented analysis of over 30,000 research outputs written between 1990 and 2021.

The full study is [published](#) in *The Modern Law Review*, titled "Thirty Years of Legal Research: An Empirical Analysis of Outputs Submitted to RAE and REF (1990–2021)."

The study found that authorship of textbooks and practitioner texts once seen as prestigious have long lost their sheen. And despite a higher proportion of monographs generally correlating to success in exercises, there appears to have been a strategic shift by academics and institutions to prioritize articles over monographs.

Submissions have become heavily concentrated in a select group of prestigious journals, notably *The Modern Law Review*, *Legal Studies*, the *Oxford Journal of Legal Studies* and the *Journal of Law & Society*. These four journals alone accounted for over 10% of all journal submissions since 2001, and over 50% of journal submissions come from less than 7% of all journal titles in the assessments.

The pressure to publish in top-tier generalist journals has steered academics towards research favored by these publications, potentially narrowing the scope and diversity of legal [scholarship](#) and damaging specialist legal scholarship.

The competitive landscape and emphasis on publishing in top-tier journals present significant challenges for early-career academics, who may face barriers to entry and increased pressure to conform to established research norms.

The findings raise concerns about the potential suppression of innovative and [interdisciplinary research](#), as scholars may avoid unconventional topics or formats that are less likely to score highly in assessment exercises.

Professor Johanna Gibson, Herchel Smith Professor of Intellectual Property Law commented, "Our analysis reveals that the structures put in place to assess research quality are profoundly shaping not just where, but also what and how legal academics publish. While aiming to promote excellence, these mechanisms may inadvertently be limiting the richness and diversity of legal scholarship."

Professor Phillip Johnson, Professor of Law added, "There is a very strong link between academic publishing behavior and the research exercises, and I think it is important that institutions implement strategies to achieve a balance between rigorous assessment and a diverse, innovative research environment which encourages all forms of legal scholarship."

Recommendations include:

- Re-evaluating assessment criteria: The study suggests a need for research exercises to positively encourage the dissemination of

research in a wider range of publication outlets thereby encouraging more diverse and exploratory scholarship.

- Supporting publication diversity: Institutions should consider initiatives that support and recognize the importance of long form scholarship and the critical contribution to scholarship made by specialist journals.
- Mentorship and resources for early-career academics: Enhanced [support systems](#) can help emerging scholars navigate the complex publishing landscape and so bring out their novel insights.

More information: Phillip Johnson et al, Thirty Years of Legal Research: An Empirical Analysis of Outputs Submitted to RAE and REF (1990-2021), *The Modern Law Review* (2024). [DOI: 10.1111/1468-2230.12913](#)

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