



Doing Feminist Legal Work Best Practice Guide 5



DFLW Best Practice Guide 5

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Transitioning from PhD to an Academic Career

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This best practice guide brings together the lived experience and personal insights from legal academics and postdocs on how to navigate the transition from doing a PhD to starting a career. This transition is rarely straightforward and increasingly involves precarious employment. What is here is people's personal experiences. This best practice guide is intended to provide support and encouragement to PhDs and junior academics in navigating the complicated and challenging initial years of life in universities.

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What is feminist legal work?

Any form of action that ensures that issues of gender are central in legal policy making, legal education and public discussions.

What do we mean by 'transitioning' from PhD to an Academic Career?

This best practice guide is directed at PhD students and early career researchers who are seeking academic employment and/or in the first few years of employment in academia.



Transitions

Fionnuala Ní Aoláin

Life as an academic is a constant series of transitions. Completing my Ph.D. involved a series of divergent paths which ultimately led to my first full time academic role at the Hebrew University of Jerusalem in 1998. I did not have a straightforward entry to a full-time academic position, and, in hindsight my career and my personal life have been all the better for it. In the early 1990's, an established road-map for doctoral study was not well-laid out, and there were few women undertaking doctoral research so my path was particularly lightly trodden. During my Ph.D. studies, I applied for and received a Fulbright scholarship, and spent an academic year at Harvard Law School (1993-1994). Being away from Belfast and in an entirely different institutional and legal system was transformative for my research and the way I saw the world. That led to another opportunity, which was an associate in law position at Colombia Law School, teaching legal research and writing and taking on an LL.M. in parallel with the completion of my Ph.D. This was not an obvious first choice for an international lawyer, but Colombia brought me to Professor Martha Fineman and serious feminist mentoring allied with a community of feminist peers. It gave me a lifetime of friendship and changed the work I do, in ways that resonate until the present. It meant living in another city, experiencing close-up the workings of a big American law school, and it widened my aperture on legal issues and the kind of lawyer/professor I wanted to be. Living in New York meant proximity to the United Nations, and proximity to big INGOs. Those formative years in New York meant I built friendships and work alliances that have stayed with me through my career in academia but also served me well while I was UN Special Rapporteur on counter-terrorism and human rights (2017-2023). For me the lessons are obvious, embrace transitions and newness, try the non-obvious things even as they seem risky and most of all bring new ideas and new people into your academic life from the very beginning.

I Love Plans

Silvia Steininger

I love plans. During my PhD, my supervisor asked us in our annual examination not only about our plans for the upcoming year but also where we hope to be in five, or even ten years. And what would be Plan B or C, if Plan A does not work out? As a first-generation student, having a Plan A, B, and C - hell, sometimes even D or E - for how my life could look in and outside of academia gave me comfort. Of course, now one-year post-PhD, I know that those plans only gave me an illusion of control. What I learned transitioning from the PhD into Postdoc life was that plan(s) fail but having a good strategy (and fallback options on what to do next) remains key.

I was lucky. At the end of my PhD, Plan A had worked out splendidly: a multi-year research postdoc in a fantastic city, in an interdisciplinary team, selective graduate-level teaching in my specialty, working with two fabulous star professors. However, life happens, one professor had left before I even started, with the other one announcing a move soon after. Instead of high-level elective courses, teaching needs in large compulsory courses had to be filled. Instead of co-authoring, I sat in selection committee meetings trying to navigate how to find a new professor. I felt very disoriented as my beautiful plan was crumbling right before my eyes. Talking to friends and colleagues, I learned that this is not uncommon. Transitioning from a PhD rarely follows a straight path. Plans need to be adapted.

What can you do as a Postdoc when Plan A turns on its head? When talking to others, I identified three things:

- 1 **Take stock of what you have done:** Many PhD students engage in a variety of activities other than just writing a PhD thesis. Putting down my experiences in various dimensions (research, publications, teaching, supervision, service/admin, grants/external funding, networking, outreach) and asking mentors and friends where they would think I did enough and where I could improve helped to readjust.
- 2 **Strategize and make a list of priorities:** Compared to the PhD where everyone shared the same goal, the goal(s) of a Postdoc can look quite different. More importantly, depending on your goal, different activities must be prioritized. Contract lengths differ. Counting backward from the end of a contract and putting down short-, medium-, and long-term priorities helped me to create a new plan.
- 3 **Build a horizontal community:** A PhD is dominated by vertical relationships with your supervisor, committee members etc. As a Postdoc, you can step out of this and create a more horizontal network of support and care. Colleagues, former mentors, and other early-career researchers can become collaborators, join you for panels and co-authorships, and all the highs and lows that Postdoc life entails. It's a marathon, not a sprint, and it's much more fun to not have to do it alone.

ABC's of REF for Early Career Academics in Law

Colin Murray

The Research Excellence Framework is a periodic assessment of the quality of research at UK universities. In REF 2021, there were 69 submissions to the Unit of Assessment (UoA) for Law. In UK Law Schools, research management is often in a continuous loop of REF preparation, which peaks in intensity as the next submission date (for REF 2029) nears. The direct significance of the REF is that its outcomes determine the allocation of block research funding (but has become steadily less important to universities). The indirect significance is that it becomes a proxy for institutional standing.

Members of an expert panel for each UoA make their assessment across three components: Contribution to Knowledge and Understanding (50%), Engagement and Impact (25%) and People, Culture and Environment (25%). These roughly map onto the three elements: research outputs, impact case studies (ICS) and research environment. The balance between these elements has altered over successive exercises, with the “outputs” element becoming less significant in recent cycles. Outputs often tend to be overvalued in institutional thinking. Within each of these categories, submissions are assessed on a five-point scale (4*/3*/2*/1*/Unclassified), with funding awards skewed to the proportion of 4* (“world leading”) research, but league tables often rank Schools based on overall GPA.

Contributions to Knowledge and Understanding cover any form of published research, but in disciplinary terms this has come to mean substantial articles and book chapters, alongside monographs, assessed based on their rigour, significance and originality. These three categories tilt the exercise against textbooks, case notes and book reviews (in short, all of these are valuable academic exercises, but not in REF terms). Each School/Department submits an overall number of outputs calculated on the basis of their average number of FTE staff in the cycle (staff number x 2.5). For REF 2029, there is no minimum number of outputs that colleagues within a school need to submit.

Quality over quantity is the throw-away REF mantra, but that does not help much when researchers are trying to experiment and find their voice at the start of their careers. Some see the “no minimum” submission rule as a way that schools can shield colleagues from REF pressure, but it will also mean that Schools/Department could submit a select group of “research stars”, almost inevitably senior colleagues, generating pressure on others to pick up a disproportionate share of teaching and research responsibilities. In this scenario to strengthen a claim for inclusion in an output return, these rules tip priorities towards perhaps producing a monograph out of PhD work, rather than multiple articles.

Academics can engage NGOs and policy makers because of their expertise in a field, but that is often very difficult to tie to a particular output. Impact Case Studies arrived in 2014, to encourage and recognise academic efforts to inform public policy and society. Each ICS amounts to a large proportion of a REF return than an output. A Department/School with 40 FTE staff will have to submit 100 outputs under the REF 2029 rules but might be required to submit only 3 ICS (these 2029 rules have yet to be set, another feature of the REF). A significant change is that a case study no longer needs to be grounded on a 2* research output.

The People, Culture and Environment component used to be a single statement and a significant element of REF returns, capturing information essential to the research life of a Law School like the number of PhDs completed in the REF cycle. At worst, however, the preparation of this statement can be an afterthought; to be put together as a deadline looms. For REF 2029, both the Contributions to Knowledge and Understanding and the Engagement and Impact components require their own statements. This means that even if a School/Department rely disproportionately on a small number of impact or output “stars”, it will still have to explain research activity across its staff base. For early career academics this means that even if your policy-oriented work is not part of an ICS, it could still be important to this statement element.

One of the biggest shifts in the REF is in the plan to use HESA – a body that collates data on UK universities. This is an attempt to prevent gaming of the system and to reduce the workload associated with the REF, but it opens up a range of questions – HESA data does not map to Schools/Department – and will potentially see the disappearance of the “census date” of previous REFs. Other issues, such as whether published articles move with the individual if they change jobs, or stays with the institution at time of publication, remain unanswered.

The best thing that anyone can do, in their first REF, is ask direct questions. Those “out of the loop” will extend far beyond early career academics. Continuing uncertainty around changes occurs in each REF cycle as new rules are often decided towards the end of the cycle while debates from previous exercises continue to shape discussions. All too often Law sets itself up on a pedestal. On average, 84% of submissions in REF2021 were awarded 3*/4*, whereas Law only awarded these to 77% of submissions. As an academic discipline, we are predisposed to be harder on ourselves than most of our peers. We love a yardstick to measure ourselves against, and find fault by, even if it means that less funding is allocated to Law Schools as a result. Probably something we all (and particularly senior colleagues) need to reflect upon.

Research Funding

Aisling McMahon

Obtaining research funding can at times feel daunting. As you move from PhD to early career academic, it may take time to understand the research funding landscape, including what schemes may be most suitable for your research, and often it can be useful to discuss with a mentor or academic colleague.

If you are starting out and looking for your first grant, one way to start out can be to apply for funding to organise a conference/workshop, such as by applying for internal university funding or other event funding schemes. If you are developing your first research led project as a PI, consider applying for small grant schemes. Such schemes can be highly beneficial to develop an aspect of a project and to gain experience in applying for and leading funded projects on a smaller scale. Having such a grant, can also enable you to build a track record of managing funding projects, and this may be needed for future larger funding bids.

My other main advice when considering applying for funding is to think about whether the project you have in mind requires funding to deliver its objectives. If it does require funding, think about what type of funding schemes are available and may be the best fit for your work and aims. For example, consider the scale of the project and what you need the funding for. You may want to apply for funding to enable you to have a dedicated block of concentrated time to write and publish on a book on a new area, in this case, a fellowship scheme may be beneficial. Alternatively, you may have a big idea which you want to develop as a large project that requires funding for you to bring together a team of multi-disciplinary researchers to tackle this big issue, in this case, an interdisciplinary funding scheme for large projects may be suitable.

The other thing to remember is that given the highly competitive funding landscape, many bids will end in rejection. Grant rejection decisions can be difficult especially when it is a project you really believe in and have taken time to develop. However, remember most successful PIs often will first have many rejected bids. Moreover, if a bid is rejected, you will often receive feedback on it and this feedback can be useful in developing the idea and shaping it for alternative funding schemes or bids. Writing the research bid can also help develop your thinking in an area, and this may strengthen the research and lead to publications or other benefits.

Priorities

Jane Rooney

This post aims to propose feminist approaches to prioritising research during the teaching year. It is aimed at ECRs who have completed their PhD, are working as a full-time academic, and have completed their first year of getting new teaching materials together and adjusting to a new working environment. A deep breath and sigh of relief follows. When you have filled up the depleted piggy bank of acts of self-love, it is important to find a normal rhythm of working life that includes research. There are so many competing demands on time at this point in your career and one tends to prioritise teaching and administrative tasks to the exclusion of research.

A feminist method of fitting in research during the academic year is to establish an online writing group one or two hours a week during term time. Block out the time in your calendar with a couple of other colleagues and login to a zoom or teams meeting. To begin, briefly state the task you wish to complete within that time, and 5 minutes before the end of the session share whether it was completed or not. The task could be to read and make notes on a book chapter. It could be to write 200 words (any words). You will get better at defining the task with this practice. There is no nonsense: it is not for a chat and catch up. It humanises the research process because there is an honesty about the challenges and difficulty research presents. It builds community, empathy and a more compassionate workplace.

Building Research Connections Across the Island as an ECR

Kevin J. Brown

Jurisdiction matters in law. It shapes what and who we study as undergraduate and postgraduate students. It influences the direction of our research as ECRs and onwards in our academic careers. This is especially true for those of us researching domestic areas of law, in my case criminal law, but even international lawyers tend to view their work through the prism of their home jurisdiction at least initially. The impact of intellectual jurisdictional boundaries is very much felt on the island of Ireland with its two legal jurisdictions. Even when we do look to other jurisdictions in my experience there is a reflexive tendency for academics in both jurisdictions on the island to look eastward to Britain or westward to North America rather than north/south on the island. Whatever your position on the constitutional question I want to make the case here for encouraging all academics on the island to make the effort to reap the benefits of cross-jurisdictional engagement north and south.

Before setting out suggested pathways to greater cross-border collaboration, I would like to establish what I see as the advantages of engaging in such a pursuit. At its core it is intellectual enrichment with the development of broader and more diverse perspectives

on issues which are often common across the island. Through better cross-border relationships opportunities are created for research funding (e.g. through the Shared Island Fund and European level funding awards). Cross-border collaboration also facilitates opportunities for curriculum development including the potential for co-taught doctoral supervisions, modules and even degrees. Networking with those in a different institutional setting also helps provide perspective and an appreciation that our institution's way of doing something is not the only one. It also enhances career prospects by expanding the number of potential employers for an ECR.

In terms of how we facilitate those cross-border connections there are a range of methods and forums. All-island conferences are a great way of building a network across the two jurisdictions. As well as one off events, there are several annual or bi-annual conferences that provide an excellent opportunity to broaden our jurisdictional horizons. The largest such meeting for legal academics is the Irish Association of Law Teachers annual conference which has been running for over 45 years. It is a generalist conference that is hosted by a different university on the island each year. Annual attendance in recent years has totalled over 100 academics from the island ranging from PGRs to established professors. As a former President of the Association, I would strongly encourage colleagues at any stage of their career to attend. For international colleagues based in Irish institutions crossing the border for such events can bring visa complications, although thankfully increasing awareness of this is encouraging organisations to facilitate online attendance.

When it comes to invited speakers to your events or those of your institution, yes, it's important to look beyond the island for diverse viewpoints, but we also shouldn't overlook our academic colleagues from the north or south. There is a wealth of expertise within both jurisdictions that is often highly relevant to the legal and societal challenges we face on this island. Just because a speaker comes from a larger jurisdiction outside the island doesn't necessarily mean they bring more insight or value to the conversation. Those who are invited to give talks tend to reciprocate.

I would also urge people to advertise research events that their school or department is hosting to academics across the island. By broadening the invitation list, we can attract a more diverse range of perspectives, fostering richer discussions and collaborations that might not have been possible within a narrower, localised audience. As ECRs I would encourage you to attend such events in other institutions.

As academics on the island, we can sometimes fall into the habit of taking an insular view of our own jurisdiction while being overly deferential to colleagues in larger jurisdictions to our east and west. In this brief piece, I hope to have encouraged ECRs to recognise the valuable opportunities and benefits that come from strengthening our research connections across the island.

Writing One's First Monograph after a Doctoral Thesis

Professor Devyani Prabhat

It is quite natural to be tempted to instantly produce a book proposal after defending one's thesis; some publishers may be reaching out seeking proposals. However, when it comes to converting your thesis into the first monograph it is important to first pause and take a break from the area of scholarship, or simply the act of writing. Perhaps you are already in your first job in the academic market are you or applying for positions, it is best to shift gears and focus on that first. It is worth looking at other areas of research connected to what you are teaching or follow-on projects from the thesis or engaging in a few short pieces of writing such as articles or research summaries, case notes, or blogs, prior to embarking on the book proposal.

My first monograph *Unleashing the Force of Law* won the Birks Prize for Outstanding legal scholarship from the UK and Ireland Society of Legal Scholars (SLS), and it was also shortlisted as one of two potential winners for best book by Socio-Legal Studies Association (SLSA) in 2017. I defended my thesis in 2012. In between the completion of my PhD and writing out my book, I had changed countries (US to UK) and started my first academic job in the UK teaching completely new areas of law (mainly public law: constitutional rights). I had also applied for a major research grant to the ESRC in this period developing further my interest in migration; a topic only incidentally relevant to my thesis which focussed on human rights work by lawyers in different jurisdictions where national security issues had become critical. Yet I think doing these different activities between the thesis and the book really enhanced my ability to engage with the deeper ideas of the thesis and to understand their relevance for the wider world of legal scholarship. A whole new set of ideas related to the constitutional law aspects I was teaching helped me frame my understanding of the role of law and lawyers much better. I definitely would not have had this depth had I simply embarked on book writing just after defending my thesis.

Unlike a thesis, a book sometimes needs to capture a lot of different doctrinal elements normally the lay of the land for the legal developments in terms of statute, case law and other materials but it can do so with a broadbrush approach. Giving the highlights of the core legal developments and explaining why these matter for the specific arguments of the book is useful for the generalist reader to get a grasp of the field and to understand those arguments in the backdrop of the law.

The book should demonstrate the specific voice of its author. It is not just a summary of the literature, so it needs to have an active forward momentum which introduces the author to the readers. Readers do grasp ideas better if they can see the honest purpose and motivations of an author so no matter what stories you share (academic or personal) have your own authentic voice come through in your work. One thing I always do is read aloud my work and see if it sounds all right; this is a check against use of unnecessary jargons as well as a check for authenticity and simplicity.

Above all have confidence in your ideas; what you have researched for several years would have uncovered interesting and original material which will be appreciated by others. Remember writing is like anything else; it improves with practice. It also involves a lot of reading to fuel it. So, do not begrudge the time it needs to work its way out from your fingertips to the screen and enjoy!

Contributors



As Northern Ireland's only Professor of Criminal Law, **Kevin Brown's** research explores the relationship between criminal law and society, particularly the law's impact on society's vulnerable. Kevin also has a focus on the use of criminal laws to regulate public space. Kevin's excellence in teaching criminal law was recognised through a Sustained Excellence in Teaching Award from Queen's University Belfast (2017) and his shortlisting for OUP UK Law Teacher of the Year (2018).



Dr Maebh Harding is a lecturer in Family and Child Law at University College Dublin. She obtained and led a competitive research grant from the Nuffield Foundation to investigate court promotion of shared parenting arrangements in the English courts. Her work has been widely cited and has significantly impacted policy and practice. She is an editor of *Family Law in Context* (Clarus 2023) and a founder of the Doing Feminist Legal Work Network.



Aisling McMahon is a Professor of Law at the School of Law and Criminology, Maynooth University. Her research focuses on health law and intellectual property law, with a particular interest in how laws can shape access, development and delivery of emerging health-technologies in an ethical manner. She is the Principal Investigator on an ERC funded PatentsInHumans project which examines the bioethical issues posed by patent grant and use over technologies related to the human body.



Colin Murray is Professor of Law and Democracy at Newcastle Law School. His research tackles pressing challenges within the UK's democratic constitutional order, including prisoner disenfranchisement and the right to vote, the UK's treatment of the Chagos Islanders, the human rights implications of special counter-terrorism powers and the consequences of Brexit for Northern Ireland. He is on BlueSky at @colinmurray.bsky.social.



Professor Fionnuala Ní Aoláin is concurrently Regents Professor and Robina Professor of Law, Public Policy and Society at the University of Minnesota Law School and Professor of Law at the Queens University, Belfast, Northern Ireland. Professor Ní Aoláin is the recipient of numerous academic awards and honors including the Leverhulme Fellowship, British Academy Awards, Fulbright scholarship, the Alon Prize, the Robert Schumann Scholarship, a European Commission award, and the Lawlor fellowship. She is an elected fellow of the Royal Irish Academy. Professor Ní Aoláin was United Nations Special Rapporteur on the Protection and Promotion of Human Rights while Countering Terrorism (2017- 2023). She was appointed K.C (Hons) in 2004.



Aoife O'Donoghue is Professor of Law at Queens University Belfast. Her research examines how legal structures enable or prevent states, institutions and individuals to (not) act and the ramifications of such actions. She researches utopias and tyranny and the impact of Brexit. She was one of the Directors of the Northern/Ireland Feminist Judgments Project and now co-leads Feminist Constitutional Futures. She is a founder of the Doing Feminist Legal Work Network.



Devyani Prabhat is Professor of Law at the University of Bristol Law School, UK, with legal practice experience in Constitutional law. She holds a LL.M and a PhD from New York University. She researches and teaches Migration, Citizenship and Nationality from a socio-legal and comparative perspective. She sits on the editorial board of Social and Legal Studies, is an executive committee member of the Society of Legal Scholars and is Co-Chair of UK SALS (UK South Asian Legal Scholars Association)



Dr Jane Rooney is Associate Professor in International Law at Durham Law School. Jane's areas of research include feminist constitutional law, the extraterritorial application of human rights, and international law. She has written extensively on constitutional matters relating to the reform of abortion on the island of Ireland, and the human rights obligations of multi-national corporations.



Dr Silvia Steininger is a Postdoctoral Researcher at the Hertie School's Centre for Fundamental Rights Berlin and a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law Heidelberg. She has been an inaugural member of the Early-Career Network of the European Society of International Law and a representative of Postdoctoral Researchers and Research Associates at the Hertie School.



Further Resources

The Government of Ireland Postgraduate Scholarship Programme call opens every year in August for postdocs to start the following September. It will be administered by Taighde Éireann from 2025.

Council for European Studies offers conference travel grants to junior academics: <https://councilforeuropeanstudies.org/grants-awards-fellowships/>

Irish Association of Law Teachers: <https://www.ialt.ie/>

Laura Bassi Scholarship for editorial assistance to postgraduate and junior academics. Funding schemes are open 3 times per year: <https://www.editing.press/bassi>

Socio-Legal Studies Association offers small grants: <https://www.slsa.ac.uk/index.php/small-grants>

The Society of Legal Scholars offers small grants <https://www.legalscholars.ac.uk/research-activities-fund/>

The Leverhulme Trust offers both Postdoctoral opportunities and Early Career Fellowships <https://www.leverhulme.ac.uk/>