

University of Helsinki

Research Assessment Exercise 1999

Panel 14 The Law Departments

Department of Criminal Law and Procedural Law

Although the research in criminal law and judicial procedure is organizationally conducted together with general jurisprudential studies, for present purposes criminal law and judicial procedure are regarded as a separate entity.

The department has presented a list of active research staff which comprises 20 persons; six of them are not yet doctors but all of those are now licentiates. The panel had decided not to include two docents in criminal law who have been employed elsewhere. 14 persons have belonged to the staff throughout the period examined.

34 works, approximately three quarters of which were published in Finnish, have been subjected to examination. They are somewhat unevenly distributed between criminal law and judicial procedure; one professor of procedure is represented by six works (in one case as co-author). The works include four doctoral dissertations.

A clear majority of the works submitted for examination are at least at a good international level and virtually all others at a fair international level. As a result, *the department is awarded the mark of 5.*

This mark does not really reflect the quality of the department's research activities. First of all, the mark is as such a strong one, and the panel got an impression of greater qualitative consistency in this department than in any of the others. Secondly, there are a number of points that contribute to enhancing the overall judgment.

The presentation of the research activities indicated a particular spirit of cooperation.

The topics chosen for research show realism and good judgment. The theoretical and pragmatic approaches are well balanced. The heavy burden of providing textbooks has been carried in a commendable way. It is difficult to find fault with the planning and the conducting of research. The panel would like to see criminal procedure receive more attention from permanent staff, but on the other hand, there is an exceptional competence in insolvency law, and it might be argued that it is better to strive for excellence in a limited number of areas than to try to cover everything.

Efforts have obviously been made to establish fruitful multidisciplinary relations. Several projects have a clear multidisciplinary focus. It is with pleasure and admiration that the panel notes that both the criminal law section and the judicial procedure section have succeeded in establishing ambitious and topical research projects, one concerning different aspects of medical law, the other concerning gender and violence, with some emphasis on domestic violence. Five persons are involved in each project. The outcome will be of immediate interest to the international research community

provided that the research is presented in English. This brings us to the section's interaction and collaboration with foreign researchers and research units. The criminal law section has for several decades had a strong international orientation. Its researchers form part of an international network at the highest level, which means that there is easy access to the "frontiers" of research in the field. There is no need to go into details as regards the permanently established channels of communication and cooperation. The Helsinki criminal law section is an important actor on the international scene. The judicial procedure section is also highly regarded in international circles. Its profile is, however, somewhat lower and the panel got the impression that its involvement in international cooperation is mainly confined to the Nordic countries.

Against the background of submitted works, there is reason to underline the fact that several of the criminal law researchers have been not only involved in, but also to a considerable extent responsible for the final parts of the comprehensive reform of Finnish criminal law. This can, of course, be seen as a detriment to research, but the panel suggests that it is more appropriate to see it as a recognition of the competence of the researchers and as providing them with invaluable insights. Mention should be made of the fact that several researchers have been involved in producing a remarkable textbook in criminal law which was published in the beginning of 1999, and that the judicial procedure section faces the challenging task of dealing with, in commentaries and textbooks, the extensive procedural reforms undertaken during the 1990s.

The criminal law section has been particularly successful in raising external funding. The weakness of the department is still its lack of adequate financial resources especially for post-graduate and post-doctoral research. The absence of secure research positions in the middle range could, in the long run, be disastrous for the recruitment of scholars, and in any case, it tends to make research less efficient. Otherwise, the panel got the impression that in this department, the younger researchers were comparatively well off as regards equipment, research possibilities abroad, and so on, thanks to special efforts of the senior staff.