"I Don't Have Data": Creating RDM Guidelines for Law Researchers

Andreas Mertin
Ria Hamblett

eResearch Australasia Conference 2025

Acknowledgment of Country

We acknowledge the Jagera and Turrbal people upon whose lands we meet today, here in Meanjin.

We also acknowledge the Gadigal people, the Bidjigal people and the Gamaygal people of the Eora Nation; and the Boorooberongal people of the Dharug Nation, upon whose lands UTS' campuses now stand.

We pay respect to Elders past and present, acknowledging them as the Traditional Custodians for these lands.

Agenda

- Project overview
- Rationale
- Process and findings
- Outputs

Project Overview

Objectives:

- Create Research Data Management (RDM) guidelines tailored for Faculty of Law researchers.
- Explore the types of 'research data' utilised by researchers within UTS Faculty of Law.

Outputs:

- RDM for Faculty of Law Guidelines
- Case studies
- Workflows and solutions

Legal Research / RDM Misalignment

What does RDM look like for legal research, when some law academics argue they do not have any data?

- Much of the attention on RDM focused towards STEM disciplines.*
- Legal research is methodologically diverse, “data” takes many forms.
- Standard RDM frameworks do not align with practices and outputs of legal research.

STEM data is often:
- quantitative
- structured
- reproducible

HASS research is often:
- interpretive
- source-based
- long-form

*digital humanities peeps, we know you’re across this!

Process

Focus Groups – with researchers doing different kinds of research using different kinds of ‘data’. 5 conceptual groupings based on types of data and methodologies (next slide).

Case Studies – illustrate the types of data in each area; demonstrate how treating them as data supports the Principles from the *Australian Code*, helps address risks, provides benefits for the researcher or wider community.

General Guidelines – case studies will inform more general guidelines on the treatment of research data/sources/material, localising the UTS RDM Procedure to a Faculty-specific context.

Workflows and Solutions – translate requirements outlined in the guidelines and case studies to specific workflows and tools. Recommend RDM actions – creation of RDMPs, data records, data publications, selecting appropriate data storage and collaboration platforms.

Focus Groups and Workshops

Group	Data Type(s)
Focus Group 1: Archival Research	Gathering and analysing materials from various archives, from public online sources like Trove through to closed or private collections.
Focus Group 2: Human Participant Research	Conducting interviews, surveys, and other methods that collect Personally Identifying Information.
Faculty Wide Workshop: Are sources the same as data?	Faculty-wide discussion: what do you consider data? Is it the same as sources? What researcher materials do you gather that are not data? How do you manage/curate your data? Do you include explanations of methodology with your findings?
Focus Group 3: First Nations	Researchers working with Indigenous communities/participants, collecting and handling Indigenous Cultural and Intellectual Property (ICIP) materials.
Focus Group 4: Text and Technology	Collecting and analysing various text data: public documents, corpus data, media releases, regulatory submissions, policy, AI-assisted text analysis.
Focus Group 5: Source-based	Doctrinal/theoretical research: hermeneutic techniques focused on cases, legislation, literature and other ‘non-law sources’ like philosophical texts.

Definition of Data

“This definition requires I exclude some things I would have considered data”

"What would I be reproducing?"

Research data is defined in the UTS Research Policy as:

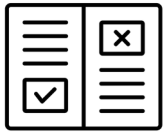
"data collected, generated or created during research, used to **validate** research findings and/or used to enable **reproduction** of the research. It can be digital, non-digital, observational, experimental, simulation, derived or reference material."

This implies validating by deriving; rather than interpreting, reasoning, scholarly argument

“Data is what creates findings, not what validates them”

Reproduction is not always appropriate or possible, e.g. ICIP / Indigenous data sovereignty

Outputs and Engagement



Tangible Outputs:

- Faculty Guidelines
- Case Studies
- Workflows tailored for the Faculty
- Where to get help

(currently being drafted)

Non-tangible:

- Faculty engagement
- Stonger understanding of Faculty research needs
- Clearer awareness of support available
- Fostering dialogue
- Developing trust

Wider Implications

UTS Applications

- Ensuring our policies, processes and resources are supporting diverse research practices (e.g. definitions and terminology)
- Potential to replicate process and outputs for other HASS faculties
- Findings are informing University-wide RDM Review

Sector Wide Considerations

- Do your RDM requirements and processes cater for non-STEM disciplines?
    - Does the terminology resonate with HASS researchers?
- Are your HASS researchers clear on how RDM is beneficial to them?
- Are support services and resources tailored to HASS researcher needs?

Interested in unpacking these sector wide considerations? Stick around for our BoF at 4:20!

Questions?

Photo by Immo Wegmann on Unsplash