

Environmental Law Initiative (ELI) Research Fund 2020 Application



The Environmental Initiative Law Research Fund is designed to enable staff and students from Te Herenga Waka—Victoria University of Wellington to undertake research on environmental law topics in priority areas. It is funded by the Environmental Law Initiative (ELI) Trust, which is a New Zealand Charitable Trust established to make a positive difference to the protection of New Zealand ecosystems and biodiversity through the application and improvement of New Zealand environmental law.

To meet this goal, the Trust is particularly interested in funding research that could lead to court proceedings to better protect New Zealand's natural environment. The aim is to fund the substantive legal research rather than its administration or any proceedings themselves.

The ELI Research Fund is administered by the Faculty of Law at Te Herenga Waka—Victoria University of Wellington on behalf of the ELI Trust. Applications will be accepted from current staff and students of Victoria University of Wellington carrying out research in New Zealand. Funding up to \$30,000 per application may be awarded. Projects to be funded will be selected by an external selection panel whose decision will be final.

Preferred Research Topics:

- research into laws relevant to the better protection of native biodiversity (including fish) – i.e., ecosystems, species, and their habitats – and especially the implementation of such laws by responsible authorities;
- law and policy relevant to the maintenance of sustainable fisheries, their implementation and enforcement opportunities.
- legislation and policy relating to protection of biodiversity in the marine environment.
- are environmental laws keeping up with changing science such as in relation to the state of and/or threats to particular species and their habitats;
- climate change law and litigation;
- freshwater quality and allocation laws and litigation;
- environmental law related research that creates new knowledge such as through investigating practices on the ground, particularly to see how well legal standards are being met (where such investigation does not appear to be undertaken by government or other relevant bodies);
- litigation opportunities for better conservation and related outcomes;
- combinations of these topics, such as on conservation in the face of climate change;
- conservation as a part of climate adaptation laws and policies;
- laws and litigation opportunities to better enable the exercise of mātāuranga Māori and indigenous approaches to environmental protection.

Some examples of more specific topic areas are:

- the Wildlife Act 1953: interpretation, application, and suggestions for reform or litigation to better protect native wildlife;
- the protection of biodiversity under the EEZ and Continental Shelf Act 2012;
- the use of international law to protect native biodiversity (e.g. UNCLOS and southern seabirds such as the Antipodean albatross, possibly including compulsory dispute settlement systems);
- The enforcement of legislation and policies aimed at the protection of biodiversity, natural character and the sustainable use of natural resources by national and regional authorities.

Other topics: Topics of wider focus may be approved where relevance to the Research Fund goals can be demonstrated. Examples may be: the protection of overseas biodiversity in the face of practices such as deep seabed mining in the Pacific; overseas protections of migratory species that migrate to New Zealand; other NZ law areas (such as contract, commercial, criminal, remedies) relevant to conservation goals.

Preference will be given to research that will:

- lead to results that will be of clear benefit to the protection of New Zealand's natural environment and the conservation of New Zealand native species;
- lead to the identification of future litigation and/or law reform strategies relevant to the above goals;
- lead to publications, particularly in policy and law practitioner-oriented outlets as well as academic ones;
- involve research on any of the identified Preferred Research Topics above;
- involve research that would be harder to do using normal University sources.

Items eligible for funding

Victoria University of Wellington permanent academic staff may apply for a total of up to \$30,000, made up of a combination of some or all of:

- teaching and marking relief as approved by their managers, using the rates in the Appendix;
- research assistance using hourly rates and/or Summer Research Scholarships, using the rates in the Appendix;
- domestic travel and accommodation costs where necessary for investigatory projects, quoted and booked according to University policy;
- other research items that are justified, such as book purchase, library interloan costs, or transcription costs if interviews are required. It is not expected that any computer or similar equipment would be covered.

Victoria University of Wellington students may apply for research-related expenses necessary to undertake their project. This may include book or library expenses and interview or other investigation expenses, including domestic travel and accommodation. Hourly rate payments for the research undertaken are not applicable; these must be applied for by a staff member and managed as a research assistant employment agreement.

Any requests for gifts or koha must be made according to the University policy, which requires approval in advance for all such requests, such as through this application process (<https://www.wgtn.ac.nz/documents/policy/finance/gift-and-koha-policy.pdf>).

Items not eligible for funding

Research grants will **not** be allowed to be spent on:

- Salary costs to employ Research Centre, Institute or other University staff who are not permanent academic employees
- Costs to support projects of Research Centres or Institutes that are already funded by other sources either internal or external. In general, the Research Centres or Institutes are expected to be funded externally
- Internal transfers - overhead costs or contributions to the costs of other parts of the University
- Funding to employ a post-doctoral fellow position (part or full-time)
- Student stipends, scholarships for the applicant's own degree, or student scholarships (apart from a Summer Research Scholarship).
- Funding to undertake literature reviews. The applicant is expected to have completed reviews of the literature relevant to the project before the project funding begins; these may be used to justify the funding application. Literature reviews should not be an element of the proposed research plan.
- Conference costs. The aim of this grant is to support the research and production of the outputs; attendance at conferences is not a typical method of law research. An exception may be made for student applications if this is demonstrated to be necessary for the research project.
- International travel, whether for staff, students, or research collaborators.

Term of funding

Research may begin any time after **1 August 2020**, and must be completed by **31 July 2021**. Any funds unspent by that date must be returned to the Research Fund, unless approval is given for an extension due to unforeseen circumstances.

Amount of funding

The maximum amount of a research grant is \$30,000. If the research fund is not fully allocated in this round, a second round will be called for toward the end of the year, for spending in the first half of 2021.

Application dates

All applications – from staff and students – must be received by midnight on **30 June 2020**.

Applications must be on this official application form, as below, and submitted as a single PDF File attached to an email, sent to <allison.kay@vuw.ac.nz>.

Questions about the application process may be addressed to <allison.kay@vuw.ac.nz>.

Individual details

1. Name of individual:
2. Postal address:
Phone number:
Email address:
Name of academic supervisor if student:

3. Are you receiving any funds for this research from other sources? Please detail amounts and sources.

Project application

1. Purpose of request / Project proposal

Please provide a title, description, clear objectives and details on the proposed methods/data collection and/or analysis of the project for which the request is being made. Has a literature review been undertaken? How would the funding money be used? (max. 1 page, 12pt font, single spaced).

3. Value to environmental law

Briefly outline the value of your research to progressing environmental law in New Zealand (max. 250 words)

4. Anticipated project results

What outcomes will you achieve if you receive this grant? What criteria are used to measure success? How are results measured? What are the timelines and milestones for performing the work of this request? (max. 1-page 12pt font, single spaced).

5. Publishing

Please identify what your final research report will address. (Note that final research reports will become publicly available; see Reporting requirements below.) Please also identify whether you anticipate additionally submitting your research findings to any journals or other media, and identify the types of publication(s) you intend to produce.

6. Budget

Please provide details of the expected costs of your project. Use the rates in the Appendix. Describe how and when the requested grant will be spent.

7. Previous experience

Provide a summary CV that outlines your experience relevant to your application; where applicable, include some relevant previous publications (max. 3 pages).

[Note that the maximum word and page limits do not need to be used to the full extent; they are maxima, not expectations nor guidelines.]

Reporting requirements

For projects beginning in August 2020:

- **an Interim Report** is due by **1 February 2021**
 - Your report should consist of a **one-page** summary, describing how the money was spent, progress made, and any problems encountered. If stated outcomes were not achieved, explain why.
- **a Final Project Report** is due by **1 August 2021**. This report needs to include:
 - a **one-page** summary, describing how the money was spent, progress made, and any problems encountered. If stated outcomes were not achieved, explain why.
 - a **final research report** summarising the results of the research in a document that can be made publicly available on the University's and/or the Sponsor's website. The researcher is able to publish books, chapters and articles from this work and retain and manage the

intellectual property rights of an author, while acknowledging support of the Sponsor for the project.

All reports will be made via email to the application email, <allison.kay@vuw.ac.nz>.

Note that some payments to the university by the ELI Trust will be made upon reports. If a researcher fails to report as required, they may be liable to reimburse the university for grant monies spent.

All publications and other outputs arising from the research undertaken pursuant to a grant from this fund must acknowledge the support provided by the Environmental Law Initiative Research Fund.

Agreement

The following agreement is part of the application process. If your application is granted, in total or in part, a signed copy of this agreement will be returned to you. The agreement is not legally effective unless it is signed on behalf of Victoria University of Wellington.

I, **(your name)** agree that any funds received from the Environmental Law Initiative Research Fund will be used as follows:

- The grant will be used only for the purposes and activities described in the application.
- I will provide Victoria University of Wellington with reports as described in this application on the use of the funds.
- I will not use the grant directly or indirectly to induce or encourage violations of law or public policy or improper private benefit.
- The laws of New Zealand govern this grant.

Agreed and accepted by:

Signature of applicant _____
Position _____
Date _____

Agreed and accepted by:

Signature of representative of Te Herenga Waka—Victoria University of Wellington

Position _____
Date _____