

<b>Institution:</b> University of Stirling
<b>Unit of Assessment:</b> C20 Law
<p><b>a. Context</b></p> <p>The Stirling Law School was established in 2005, following the strategic expansion of law as an academic discipline at the University. It is thus a relatively new but dynamic law school, which has already developed a strong, independent research impact profile in our specialist areas. A part of the School of Arts and Humanities, we share in the University's depth of experience in translating excellent research into economic and social benefit.</p> <p>We seek to have an impact beyond academia from our research by benefiting public policy, law-making and the legal framework, primarily (although not exclusively) in Scotland: we make a proactive contribution to the development of policy and legislation; we facilitate the participation of and communication between key user groups; and we consolidate, critically analyse and disseminate a range of materials for the benefit of non-academic users.</p> <p>Scotland is a separate legal jurisdiction, so many of us research primarily in different areas of Scots law. The main non-academic user groups for our research are: the Scottish Parliament - in terms of developing, framing and refining legislation; the Scottish Government - in terms of shaping administrative and legislative policy; the Law Society of Scotland (the statutory professional and regulatory body for Scottish solicitors) - in terms of shaping its responses to law reform and government initiatives; and courts and lawyers – in terms of elucidating and developing the common law so that it may be properly applied.</p>
<p><b>b. Approach to impact</b></p> <p>Colleagues are expected to engage proactively with key users in order that their research informs discussion and policy making in relevant areas and so that user concerns continue to inform our research agenda. We are well supported in our efforts to maximise impact. Leadership and guidance on research impact is provided by the senior management team of the School of Arts and Humanities. Extensive advice on impact in developing research grant applications and funding opportunities which may facilitate impact is available from the University Research Office where a dedicated Research Development Manager and Research Funding Officer work directly with the School. For example, the successful grant applications made by <b>Goodall</b> and <b>McArdle</b> for the work which underpins their case study received considerable assistance from the Research Office.</p> <p>The University also provides funding to support the development and dissemination of research findings which are of interest to our user communities. For example, <b>Heffron</b> received funding and administrative support to hold a conference on energy law and policy at Stirling in April 2013. This drew together an international group of academics, legal practitioners, policy makers and others to focus on policy delivery for low carbon energy generation in the UK. <b>Goodall</b> has similarly received support for the work underpinning her case study in the form of funding for transcription of recordings and secretarial support.</p> <p>As a consequence of our research focus much impact activity is concentrated within the Scottish jurisdiction and on developing relationships with the Scottish Government, Scottish Parliament and the Law Society of Scotland. This has involved securing funding for conferences and workshops which engage users and policy-makers as well as academics, the provision of expert advice to the Scottish Government when developing policy and draft legislation, and giving specialist evidence to the Scottish Parliament as part of the law-making process. Some examples are set out in the case studies but a much broader range of such engagement characterises our work:</p> <ul style="list-style-type: none"> <li>• Following <b>Little's</b> research on Scottish devolution and the environment and the regulation of nuclear installations in Scotland, he was asked to meet the then Scottish Government Energy Minister in March 2010 to discuss with him the status of devolved powers in relation</li> </ul>

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to nuclear energy. This is an area reserved to the UK Government, but where the Scottish Government has nonetheless developed an effective (and contrary) independent policy within existing UK law.

- **Sutherland** is an academic member of the Family Law Committee of the Law Society of Scotland, which is concerned with the reform of child and family law and responds to Scottish and UK Government and other consultations in this area on behalf of Scottish solicitors. The Committee is comprised mainly of solicitors, advocates and judges and her role is to draw on her own and other academic research to inform and support the committee's work. She also plays a major role in drafting Committee submissions and responses, which in certain cases have shaped subsequent legislation.
- **Davidson** is a co-founder of the Scottish Civil Justice Network, which involves academics and members of the Justice Department of the Scottish Government, and is supported by the Scottish Funding Council through a Knowledge Exchange grant. It facilitates a dialogue between academics and policy makers and has organised a series of major events in 2008-2011 (a period of major reform proposals and developments in Scottish civil justice), at which Davidson chaired sessions and key non-academic stakeholders were participants.

There is also a range of activity which extends the reach of our research impact beyond Scotland. For example:

- **Zahn** won a framework contract in 2011 as a member of a consortium organised by Brussels-based consultancy Milieu Ltd for the provision of services of external expertise on issues related to fundamental labour rights for the European Parliament 2011-2014.
- **Heffron** acted as a consultant for the World Bank, and provided technical assistance to the Romanian Competition Council and Romanian Energy Regulator for three months in 2013.

Apart from the above instances of direct engagement with non-academic user groups, impact on public policy and law-making has also been achieved through the use and citation of our research publications in Parliamentary proceedings and other official reports and papers. For example, **Sutherland's** book on Child and Family Law was cited by the Education, Lifelong Learning and Culture Committee of the Scottish Parliament in 2009. **Goodall's** work (with Craig and Fletcher) on asylum and immigration tribunals was cited in the Equality and Human Rights Commission's report *The equality implications of being a migrant in Britain* in 2009. **McArdle** edited a publication on access to civil justice on behalf of the Scottish Legal Action Group in 2008. It was discussed in a Scottish Parliament overview of the Civil Justice Review, mentioned in the Review itself and cited in a government report on the Mental Health (Care and Treatment) (Scotland) Act 2003. Certain colleagues have also had their research cited with approval by the courts on a number of occasions during the REF period (**Davidson, Sutherland**). Most recently, in the UK Supreme Court case *Societe Generale, London Branch v Geys* [2012] UKSC 63, Lord Hope and Lord Wilson cited **Brodie's** research with approval, while Lord Hope, Lord Wilson and Lord Sumption cited a co-authored article by **Zahn** with approval.

### c. Strategy and plans

We are confident that our approach to impact is delivering substantial engagement with our principal user communities and so enabling our research to make a sustained difference to public policy, law making and the legal framework. Our strategy is to build on this success through further enhancing our attention to and support for the delivery of impact.

As a Scottish Law School we will continue to pursue a strong and embedded influence on the law and policy framework of Scotland. In this context, as a result of the rapidly developing constitutional situation and its legal and policy implications, it is anticipated that there will be a number of significant opportunities arising in areas of staff research expertise including commercial

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law, public law, the justice system, human rights, the environment and energy.

We will also expand our influence beyond Scotland, reflecting the continuing development of the portfolio of expertise with the School. At an EU level opportunities are likely to arise in relation to influencing policy in areas including competition, support for the family and the regulation of the use of energy in new member states. Internationally, we shall look to influence the creation and/or reform of international conventions in areas including commercial dispute resolution, the resolution of sports disputes and the regulation of disputes regarding resources in South America.

Colleagues in the School, both individually and collectively, will continue to be required to consider the achievement of impact in their research plans. Consideration of impact opportunities will occur at the regular research meetings of the School. Individually, objectives for impact will be agreed and supported through the University's *Achieving Success* appraisal scheme and meetings between individual colleagues and the Director of Research and Head of Law. The Head of School and Director of Research for the School of Arts and Humanities will maintain an overview of that process. The location of law within the School of Arts and Humanities also means that colleagues will continue to benefit from initiatives addressing impact across the wider School, including being mentored by colleagues from other disciplines who can bring a wider perspective to the issue of impact.

Colleagues will continue to be supported by the Head of the Law School through the allocation of resources and the provision of mentoring in key areas of activity such as: applications for impact-related research grant funding; the organisation of workshops and conferences which will have a benefit for relevant key users and stakeholders; and the development of mutually beneficial links and networks with government officials, legislators, professional bodies and non-governmental organisations in order to contribute to policy and law making.

**d. Relationship to case studies**

The case studies presented in this submission demonstrate the key aspects of the Law School's approach to making a positive impact beyond academia by shaping public policy and legislation. They indicate how colleagues have proactively shaped discussion and debates, engaged with policy makers, government departments and legislators, the police, local authorities and the Crown Office, and have ultimately influenced the reform of important areas of the law in very significant ways.

*Hate Crime and Sectarianism in Scotland* demonstrates a sustained impact on policy and legislation in a highly topical and sensitive area of public life. Direct involvement in policy fora and the Scottish Parliament Justice Committee, together with wide ranging user engagement have translated our research into law making and public policy.

*Arbitration in Scotland* shows the profound influence of our research in framing a wholly new legislative framework for commercial dispute legislation. Again, direct engagement with Scottish Government and a Scottish Parliamentary Committee provided the channel for the translation of research expertise.

Our future strategy and approach to developing research impact has, in part, been informed by the experience of the work presented in these case studies. Not only do they exemplify successful aspects of our approach, they have been part of a very positive reflective learning process for us, indicating patterns of potential future impact.