

Institution: University College London
Unit of Assessment: 20 - Law
a. Context

The UCL Laws Faculty has a longstanding reputation for high-quality legal research with real world impact. Since January 2008 this has accelerated and expanded. Our research has had far-reaching influences on the development of government policies, national and international laws and legal principles, and contributed to improvements in justice policy, court procedure and legal practice, as well as public debate and understanding of the law and legal rights.

Key users of our research include: **UK government** (Cabinet Office, Ministry of Justice, Foreign and Commonwealth Office, Home Office, Parliamentary committees and government agencies); **courts and judiciaries** (UK Supreme Court, JCPC, Judicial College, Courts and Tribunals judiciary, HMCTS, ECtHR, ICC, ECJ); **international organizations and governments** (UN, World Bank, WTO, European Commission and Parliament, Council of Europe); **non-governmental organisations** (Shelter, Youth Access, Amnesty International, Howard League); **legal profession** (Law Society, Bar Standards Board, ABA, IBA); **industry and the private sector** (Rio Tinto, Crown Estate, AXA, nPower, Shell); as well as the **media** (all national broadcasters and newspapers, international media as well as new media); **arts and cultural sectors** (British Library, Hay Festival, Tricycle Theatre) and **the public** (local, national and international). We have delivered impact to these key users by: (1) **providing robust empirical evidence** that informs policy decisions, (2) **transferring specialist knowledge** and providing expert advice to decision-makers, and (3) **raising public awareness** of and participation in social debates.

Examples of the range of our research impacts extend across the Faculty's areas of expertise, including commercial and competition law, environmental regulation, professional ethics, human and social rights, international criminal law, legal history and empirical studies. A few include: research on legal issues faced by small businesses (*In Need of Advice?*) addresses the legal needs of this frequently overlooked group and is now being used by government and practice to better design services for small businesses. The *Transnational Insolvency Project's* 2012 global principles for cooperation in international insolvency cases have been used by judiciaries in the UK, Australia, Netherlands, Brazil and the EU Commission. Expert advice on *Modern Piracy* was provided to the UN, Danish and Swedish governments to help address the problem of Somali piracy. A comparative study of *Competition Law Reform* for the Chilean, Russian, Greek and Argentinian competition authorities has informed their domestic reform programmes.

b. Approach to impact

Consolidation, expansion and innovation: Since 2008, our approach to impact has been to widen and deepen the influence of our research in the UK and abroad, and to pioneer new areas of and methods for achieving impact. We have pursued this through **5 specific strategies**: (1) creating research partnerships with users; (2) building empirical and high impact expertise; (3) developing innovative knowledge transfer activities; (4) increasing participation in high-level policy groups; and (5) investing in inventive research communication and dissemination strategies.

(1) Creating research partnerships: One of the Faculty's distinctive features is its close and enduring working relationships with the users of our research. Whether judges, lawyers, NGOs, government departments or industry in the UK or abroad, these research partners play an active role in our research, helping to develop research agendas, facilitate research, provide feedback on work in progress and disseminate and debate results. Our types of research partnerships include:

- **Directly commissioned research:** Since 2008 we have undertaken 49 research projects commissioned directly by non-academic partners: 16 projects funded by Government, 12 by NGOs and 21 by industry and practice. For example, the National Secular Society commissioned O'Connell to examine the compatibility of the established status of the Church of England in relation to legalising same-sex marriage.
- **Research collaborations:** These involve sharing non-financial resources, such as facilities, data and access, between users and the Faculty. We have collaborated in this way with over

Impact template (REF3a)

20 government, third sector and industry groups during the reporting period. For example, the advice agency PLP has partnered with our Centre for Access to Justice to share data on applications for “exceptional funding” under LASPO to assess the impact of legal aid cuts.

- **User participation:** The partners who serve on our research Centre and project advisory boards actively participate in developing, reviewing and disseminating our research. For example, research questions and methods in the Nuffield-funded Tribunal Decision-Making Project were developed through discussions with the project’s board members: Lord Carnwath (then Senior President of Tribunals), HHJ Martin (President, Social Entitlement Chamber) and Upper Tribunal Judge Wikeley. Judge Martin facilitated access to tribunal panels to run the case simulations, and all 3 helped disseminate findings to ensure their use in tribunal training.

We support staff to develop partnerships through our Research Review Process, which helps staff navigate the legal and ethical issues that could arise in conducting partnership research. The Vice Dean (Research) and Faculty Manager review all research arrangements and co-ordinate research partnerships through UCL Legal Services, UCL Consultants and UCL Research Finance. These partnerships are highly valued, recognised and rewarded in all staff appraisals and promotions.

(2) Building empirical and high impact expertise: Recognising both the need for and chronic lack of reliable empirical evidence to shape sound policy-making in law, the Faculty has prioritised and invested in the recruitment of outstanding scholars conducting interdisciplinary, policy-relevant research with an emphasis on empirical methods. We successfully secured UCL institutional support for strategic appointments of empirical legal scholars (Balmer, Moorhead and Thomas), and successfully targeted the UCL Provost’s Strategic Development Fund to develop two of our highest impact research centres - the Judicial Institute (JI) and Bentham Project. This strategy has produced major new research with immediate impact. For example, the Judicial Institute’s new UK Supreme Court (UKSC) and Judicial Committee of the Privy Council (JCPC) Database Project has provided empirical evidence to both courts that has prompted changes in court procedures. Balmer and Pleasence’s empirical study of *The Legal Problems and Mental Health Needs of Young Advice Service Users* has also been used to implement a model programme (YIAC) for youth services in the UK combining information, advice and counseling.

(3) Developing innovative knowledge transfer events: Senior members of industry and the judiciary exert some of the greatest influence on the development of law and policy. Yet engaging them in open and meaningful policy discussions is not easy to achieve. High-level participation and openness from these users requires a relationship of trust and confidence in the confidential nature of such discussions. Our researchers have developed two innovative means for engaging these senior decision makers in problem-solving forums: **Industry-Research Think Tanks** and **Confidential Expert Conversations**. The Centre for Ethics and Law has pioneered the Industry-Research Think Tank, where senior industry and academic thought leaders debate real-life case studies on ethics and regulatory compliance. The first Think Tank at UCL in July 2010 on *Pharmaceutical Company Information on Prescription Medicines* was led by AstraZeneca’s Global Compliance Policy Director. The European Bank of Reconstruction and Development and Deputy Governor of the Bank of England led other Think Tanks, and over 100 industry leaders took part. In 2011 the JI introduced Confidential Expert Conversations with senior judges, practitioners, policy makers and academics, based around a new Database of court decisions. These include: *The UK Supreme Court Two Years On* (2011) with 10 UKSC Justices and 70 other senior legal figures; *Interpreting Rights in Multi-Level Jurisdictions* (2012) with senior judges from UK, Canada, US, Europe and Africa; and *The Future of the JCPC* (2012) with JCPC, Caribbean and Crown Dependency judges. The 2011 UKSC event had an immediate impact when the UKSC decided to formally publish reasons for decisions on all applications for permissions to appeal, citing the JI event as the catalyst for change in its 2012 User Group Report. We supported these initiatives by ensuring senior members of UCL (Deans and Vice Deans across faculties) participated in setting up and running the events and by ensuring they operated strictly under the Chatham House Rule.

(4) Participating in high-level policy bodies: Staff who serve on key policy bodies provide an important channel to transfer our specialist research expertise. The Faculty explicitly encourages and facilitates such membership by nominating and supporting applications for membership on policy bodies, granting staff flexibility in their Faculty timetable and relief from administrative duties, and through positive recognition of such work in UCL’s promotion and pay review criteria for staff

Impact template (REF3a)

at all levels. Since January 2008 Faculty members have served on **18 expert boards and 10 professional bodies** including: the Civil Justice Council, Criminal Justice Council, World Bank Global Task Force on Insolvency; Royal Commission on Environmental Pollution; Committee on UK Bill of Rights; Judicial Appointments Commission; European Committee on Social Rights; Judicial College; Lord Chancellor's Advisory Panel on Judicial Diversity. **Twenty-seven staff have served as special advisers** to external policy bodies. Among them: Rawlings was Legal Adviser to the House of Lords Constitution Committee (2011-13); Oliver advised the Home Office Animal Procedures Committee (2003-11); Mokal was Special Legal Adviser to the World Bank (2009-13); O'Conneide served as Specialist Legal Adviser to the Joint Select Committee on Human Rights (2008-10) and Expert Adviser to the Northern Ireland Human Rights Commission (since 2008); and Guilfoyle advised the UN Contact Group on Piracy off the Coast of Somalia and served as Expert Adviser to the House of Commons Foreign Affairs Committee inquiry into Somali piracy (2011-12).

(5) Investing in a Global Events and Communications Strategy: In the reporting period, the Faculty held over 445 public events, including 42 conferences, 315 public lectures and panel discussions, 72 workshops, seminars and forums. In total, these have attracted and engaged over 38,000 practitioners, judges, government officials, policy-makers, NGOs, media and members of the public from the UK and abroad with our research. We encourage and provide financial support for staff to hold high profile UCL events abroad and engage overseas users with our research. The UCL Laws 2010 Civil Justice Conference in Hong Kong, 2010 Global Competition Law Conference in Delhi and 2009 Environmental Law Conference in Delhi brought foreign policy-makers, judges, lawyers and industry together with our researchers and our UK partners (senior judges and policy-makers), who also played a leading role. To support this increase in outreach since RAE2008, we have invested in two new Faculty Events and Communications posts and an impact and engagement fund (REIF). We also secured UCL institutional funds to install video-conferencing and recording facilities to allow more people to take part virtually in our events and to create a digital events library on our website. Greater staff involvement in **media, arts and cultural** events also extended the reach of our research, which we supported by developing closer links with the UCL Communications team and their press contacts and by providing media training for staff. Our research has been featured by all national broadcasters (including BBC, ITV, Sky and Channel 4 News, *Newsnight*, *Today Programme*, *Moral Maze*, *Law in Action*, *Unreliable Evidence*), in all national newspapers, in international media, new media (YouTube, TedX), live cultural events (Hay Literary Festival, Cheltenham Science Festival), theatrical performances and museum exhibitions. Our production of an exclusive interview with Lord Saville on the Bloody Sunday Inquiry for a US syndicated television programme *The Digital Age* reached an audience of over 2 million.

c. Strategy and plans

The Faculty's Impact Strategy is to: (1) grow specific areas of impact; (2) ring-fence funding for impact; (3) expand impact skills training; (4) increase monitoring of impact; and (5) expand methods of participation and communication of impact. Specific plans include:

(1) Grow areas of impact: We have targeted future impact case studies in several areas where our research can help address pressing societal concerns requiring policy responses. We plan to:

- Use "confidential expert conversations" between senior **health professionals and judges** to create a research agenda and action plan for improving policy on end of life and critical care.
- Expand our **transfer of legal advice** by establishing an online Alternative Dispute Resolution advice service from 2014, and including special educational needs and whistleblowing in our pro bono advice provision to vulnerable members of our local community.
- Provide **judicial education and training** in Africa and the Caribbean over the next 5 years. Underpinned by our research expertise in judicial studies, this will help address the pressing need for judiciaries in these areas to develop their own training expertise.
- Conduct research through the Centre for Ethics and Law on **ethical decision-making** in industry and by law students and practising lawyers, which will serve as the basis for new Think Tanks with industry leaders and training within the legal profession.
- Increase our knowledge transfer in **criminal law** by providing "Masterclasses" for judges and legal practitioners, addressing how to deal with current problems in the application of the ever-growing volume of new criminal laws and procedural rules.

Impact template (REF3a)

(2) Develop new methods of recognising and rewarding impact-generating activity. We have ring-fenced £100,000 over the next three years to support innovative approaches to research impact and the delivery of international impact. From 2014 a new annual Faculty Research Impact Award (FRIA) of a sabbatical term will be made to the most conceptually innovative research project with the strongest potential for real world impact.

(3) Expand impact skills training for staff: This will include Faculty Impact Workshops on innovative ways to incorporate impact into research, using IT to increase impact, Open Access and how to transfer research knowledge to industry through CPD courses. In developing these workshops we will draw on institutional expertise including that offered by the UCL Public Engagement, Communications and Knowledge Transfer Partnerships teams.

(4) Increase monitoring of impact: From 2014 we will establish a Laws Research Impact Team (RIT) that will assist staff in identifying and fostering impact in all Laws research areas. Staff will also take part in annual impact monitoring and data gathering designed to track areas of existing impact, recognise and reward impact, and target areas where impact could be better developed.

(5) Enhance communications: A *Research and New Technology Project* involving both research and professional services staff will be instituted in 2014 involving a research IT suite with an in-house video, audio and editing facility. This will be used to train more staff in how to create filmed interviews and audio files, to stream research events and use video-conferencing to maximise the accessibility and public dissemination of our research. A termly on-line *Laws Research Bulletin* will also highlight outstanding examples of research impact and opportunities to increase impact.

d. Relationship to case studies
--

Our case studies demonstrate the range of our research impact (from legal history to criminal, civil and environmental law and judicial studies) as well as the success of our research impact strategy. The case studies on *Juries* (UCL20-THO), *Access to Justice* (UCL20-GEN), *Environmental Sanctions* (UCL20-MAC), and *Judicial Selection and Training* (UCL20-JUD) exemplify the Faculty's **research partnership** strategy. Each project employed some form of partnership with non-academic beneficiaries. Collectively they demonstrate how effective this approach is in bringing about real change in policy and practice. Our ground-breaking *Jury Project* started with research commissioned by MoJ and developed into a unique and successful research collaboration with the senior judiciary, HMCTS and other users who helped develop the research agenda, facilitate access to jurors in highly confidential circumstances and implement changes.

The long term and international policy impact of Genn's *Access to Justice* research on legal needs demonstrated the benefits of investment in **empirical legal research**. This led to our strategic investment in judicial studies, which underpins the successful impact in both our *Judicial Selection and Training* and *Juries* case studies. The *Access to Justice*, *Environmental Sanctions* and *Torture Team* (UCL20-SAN) studies illustrate the success of the Faculty's policy, not merely to recruit, but to **retain staff with high impact expertise** and strong links to practice and government (Genn, Macrory and Sands).

The international award-winning *Transcribe Bentham* project (UCL20-SCH) exemplifies our approach to developing **innovative knowledge transfer activities**. By using crowdsourcing, this project has not only advanced the transcription of Bentham manuscripts but developed history, IT and analytical skills in over 4000 members of the public. This case study, along with *Torture Team*, also demonstrates how our **global events and communication strategy** has connected us to audiences legal research rarely reaches. Beyond its policy impact, *Torture Team's* exposure of government complicity in torture has inspired international theatrical performances and large-scale public debates at arts and cultural festivals.

Both the *Environmental Sanctions*, and *Judicial Selection and Training* case studies came about as a result of our active **participation in high level policy bodies**. The Cabinet Office appointment of Macrory to lead a review of regulatory sanctions led to the Macrory Report and subsequent regulatory change. The Judicial Studies Board appointment of Genn to lead a training needs analysis, and the Judicial Diversity Panel's selection of Thomas to lead a review of international appointments practices, ensured that the research underpinning the *Judicial Selection and Training* case study had a direct impact on the judicial appointments and training policies adopted.