

Institution: University of Leicester

Unit of Assessment: UoA20 Law

a. Context

A substantial number of the research projects conducted within the School of Law have had significant impact outside the academic community. The main non-academic user groups, beneficiaries or audiences of our research are: **1.** Public sector organisations **2.** Businesses **3.** Consumers **4.** Voluntary sector organisations **5.** NGOs **6.** Policy advisory bodies and policy makers **7.** Courts and tribunals **8.** Campaign groups and **9.** Members of the general public. These beneficiaries exist on a number of different levels: national, European and global, appropriate to the subject matter of the research.

- A. At a **national level** beneficiaries of our research include: the Law Commission of England and Wales; the courts and judiciary; NGOs and charities; Government Departments; Parliamentary Committees; businesses; trade associations; consumer organisations; professional associations; the police; the Crown Prosecution Service; victims of crime; lawyers and other legal practitioners; and market regulators.
- B. At a **European level** beneficiaries of our research include: the European Commission; the European Parliament; the Court of Justice of the European Union, Council of Europe; national governments; trade unions; European NGOs; civil servants and lawyers from Member States.
- C. At a **global level** beneficiaries of our research include: courts such as the International Criminal Court and the Israeli Supreme Court; the UN; national governments; international networks; and NGOs and charities.

At all levels, the type of impacts are made in one or more of a number of different ways:

- **Informing policy making** (governments and government departments, police and CPS; courts, European Commission and NGOs). For example, **Hodson's** research reports written for ILGA-Europe have been heavily relied upon by NGOs in establishing the rights and legal status of children raised in LGBT families.
- **Changing individuals' and organisations' understanding of the law and how it works** (all beneficiaries, but particularly charities and NGOs). Empirical research has particularly contributed in this way. For example, **Cunningham's** research on causing death by driving offences in England and Wales and on serious driving offences in Sweden, has come to the attention of organisations such as the Parliamentary Advisory Council on Transport Safety (PACTS), the charity RoadPeace and the Institute of Advanced Motorists.
- **Developing changes to organisational practices and approaches** in order to ensure compliance with or exploitation of the law. For example, **Ulph's** work with the Museums' Association has led to the development of Due Diligence Guidelines relating to the sale of items from museum collections. In addition, she has been able to provide advice to individual museums on specific problematic cases relating to disposal of their collections.
- **Informing law reform** to enhance the law's ability to achieve the objectives set out for it (Law Commission, government departments and the European Commission). For example, **Clarkson's** article (2009) *OJLS* 1-17 was cited by LC Report 318 seven times, and can be seen to have been one factor leading to the radical reform of inchoate offences being abandoned. He was also appointed Special Advisor to the House of Commons Subcommittee (Joint Subcommittee: Home Affairs and Work and Pensions) tasked with considering new legislation on Corporate Manslaughter. At a European level Cortés was appointed as a consultant by the European Commission to assist in the drafting of a

directive and a regulation to improve consumer redress.

- **Enhancing understanding of the law** to encourage its correct application (courts, the judiciary, lawyers and trade unions). For example, **Bonner** and **White** contribute to *Social Security Legislation*: four-volumes of annotated social security legislation, which is updated annually and available in every tribunal in the country. This commentary is the first point of reference for the judiciary hearing social security appeals, enabling easy and speedy access to the interpretation of legislation and case-law. Many members of the Unit at all levels of their career have had an impact on judicial decision-making (e.g. from **Turton's** citation by the High Court to **Shaw's** citation by the International Criminal Court).
- **Improving citizens' experiences:** Any impact that is made at a policy or legislative level will have a secondary impact on members of the public, since it is the business of law to structure and shape relationships between citizens and between citizens and the State. For example, **Burton's** work on specialist domestic violence courts and non-molestation orders has had a positive secondary impact on victims of domestic violence. Such individuals are now better protected from perpetrators of domestic violence thanks to the new policies in place informed by her research. Also, research can have a direct impact on individuals, such as the work of **Walsh**, whose research on the legal status of plant psychedelics has led to her being involved in giving legal advice to individuals arrested for 'offences' involving these substances. A number of criminal prosecutions have been abandoned due to her research being able to promote an argument of abuse of process.

b. Approach to impact

The way in which impact is achieved will depend largely upon the type of research conducted (whether empirical or doctrinal), the potential beneficiaries and the subject matter. Members of the Unit are encouraged to interact, engage and develop relationships with key users, beneficiaries and audiences. The main mechanisms used are:

- **Contract research:** **Burton** has conducted a number of research projects under contract for bodies such as the Legal Services Commission, Crown Prosecution Service, Ministry of Justice and Home Office. These have had direct impacts (see case study). **Sommerlad** (left 2013) was commissioned by the Legal Services Board (LSB) to undertake research on diversity in the legal profession. The LSB acted on her findings from this project in publishing a consultation paper on their diversity priorities in December 2011. Under the umbrella of the Centre for Consumers and Essential Services, in September 2011 **Graham** and Sommerlad prepared a report for the Legal Ombudsman on how to improve its services. In addition, the Centre has carried out various reports on consumer protection and complaint handling processes for various bodies, such as Consumer Focus.
- **Consultancy agreements:** **Cortés** worked as a consultant for the European Commission helping in the drafting of European legislation targeted to improve out-of-court redress options for half a billion consumers living in the EU.
- **Interdisciplinary conferences and workshops:** **Cunningham** organised an end of project workshop for her AHRC project on death by driving offences, delegates to which were primarily serving police officers. She has been invited to speak at conferences organised by PACTS and acted as a panel member at a discussion on charging policy organised by RoadPeace. **Sommerlad** held an 'Access to Legal Work Experience' day workshop for the LSB in June 2010.
- **Individual members' established relationships with external organisations,** often through appointment to external bodies. For example, **Bell** chaired an ad hoc expert group on anti-discrimination law for the European Network Against Racism and was a member of the European Commission's Network of Legal Experts in the Non-Discrimination Field. **Graham** has been building a relationship with European Commission's Working Group on vulnerable

Impact template (REF3a)

consumers in the energy market and has presented a report to the Group. **Hodson** has strong links with ILGA-Europe and has written reports for that organisation on the subject of LGBT family law. **Miola** is a member of the Council of the Royal Society of Medicine (since Feb 2012).

- Knowledge Exchange: **Ulph** was awarded an AHRC Public Policy Fellowship Placement (2011-12) with the Museums' Association. This allowed her to share her legal knowledge (which relates to moveable property in general and cultural property in particular) with the staff at the Museums Association.

Engagement with these mechanisms is encouraged by the Unit and wider University in a number of different ways. At the institutional level, the University has a framework of professional services which support the enabling of impact, built on significant investment in PR and communications and IT-based services, including an Academic Practice Unit to build researchers' skills and knowledge, Enterprise and Business Development Office (EBDO) and Research Support services. The College of Arts, Humanities & Law (CAHL) encourages interdisciplinary research and has a dedicated Business Development Manager, who works closely with academics to support the development of contract research, consultancy, knowledge transfer partnerships and CPD/short courses. The College Enterprise Plan focusses on strengths and potential in contract research, consultancy and short course (CPD provision).

EBDO has set up the Prospects Fund, allowing staff to bid for funds to develop projects with income generation potential and knowledge exchange outcomes. CAHL also administers a College Development Fund for staff which encourages bids up to £5,000 and prioritises those which have significant income-generating potential. Additionally, the Unit provides a personal research allowance to be used by members of the School for travel and conference fees, permitting attendance at events attracting delegates from outside academia.

The Unit endeavours to promote research that impacts outside academia as part of its Annual Research Review. Once a year the School monitors the progress of research of academic staff. The monitoring process includes not only research outputs but also the potential impact that each output has outside of academia. Each academic has a meeting with two senior academics with the goal of supporting and providing advice on their research progress. Cases that have been identified as having potential future impact include: **Ahmed**, whose research has led him to be invited to join a specialist sub-committee of the Civil Procedure Rule Committee; **Cygan**, who is being consulted on the options for a referendum on membership of the EU by the Foreign Commonwealth Office; and **Lorber**, who has been appointed as an expert by the European Trade Union Institute to analyse how the European Works Council Directive (1994/454/EC), recast in 2009, has been implemented through transposing national laws.

c. Strategy and plans

The Unit's approach is guided by the University's commitment to maximising the economic and societal impact of its research. A key aspect of its strategy is the development and sustainability of an internal culture that encourages, supports and builds further the capacity for impact. The Unit seeks to do this by cultivating relationships with beneficiaries. Researchers are encouraged to develop existing contacts, to initiate contacts with potential beneficiaries, and to exploit any interactions that occur with those that might have an interest in research conducted within the Unit. A key to maximizing impact beyond the REF will be, on the one hand, to investigate the needs that end-users might have for research in the areas in which our expertise lies whilst, on the other, to communicate to those end-users what it is that we do and how we, as researchers, can help them achieve their goals. Rather than treating impact as an add-on to research projects, researchers are encouraged to consider the needs of non-academic beneficiaries as an integral element of their research proposals. Many researchers have been involved in such research for a long time, so as well as promoting Impact, part of the Unit's strategy is to monitor and record what impact is being attained.

Impact template (REF3a)

The Unit's strategy of encouraging individual development of personal research agendas, while simultaneously promoting collaboration where possible, is reinforced by research clusters, which allow those projects with the potential for impact to be supported. The strengthening of the socio-legal elements of the Unit's membership is an obvious way in which research with impact can be identified, but those that fall outside that grouping are equally encouraged to consider the potential for the impact of their research. This is being achieved in part through the development of examples of best-practice and a rigorous peer review system for funding proposals. Where impact has occurred through serendipitous means, the way in which relationships have been developed can be analysed to try to replicate such success in future. For example, Cunningham's relationship with PACTS is identifiable as being central to her ability to influence other stakeholders in the field, such as ACPO, since being on a list of "experts" in the area kept by PACTS allowed her to come to the attention of such organisations.

d. Relationship to case studies

The case studies provided have been selected as our best examples of research that has had impact at the different levels described above in section (a). They are also representative of how the Unit's strategy is effectively put into practice.

In terms of our research informing policy making at a national level, **Cunningham's** work on driving offences has fed into the development of a five-year roads policing strategy by the Association of Chief Police Officers. Equally, **Burton's** research on Specialist Domestic Violence Courts led to such courts being extended nationally; while **Graham's** work on information and advice barriers in the energy market has helped Ofgem develop its policy on helping vulnerable consumers, and has also led to recommendations to energy suppliers, including Scottish Power, being made and followed-up by Consumer Focus.

At a European and global level, **Cortés's** case study illustrates how research has informed the drafting of European legislation that improves consumers' out-of-court redress; while **Bell's** research has helped to shape EU law and policy on combating discrimination.

All the case studies demonstrate how research within the Unit has had an impact on varied stakeholders and represent some of the areas of research expertise within the Unit: criminal justice; consumer protection and employment law.