

Institution: University of Sussex

Unit of Assessment: UoA 20 Law

1. Context

The unit's research, focused strongly on issues of social justice in times of technological, environmental and societal change, has had an impact on a wide spectrum of audiences and users in national, EU-regional, foreign and international contexts. The research has benefited or been taken up by the legal practice community, the judiciary, governance officials responsible for administering justice, government ministers, legislators, policy-makers, institutions, lobby groups and others.

Sussex Law has executed its planned growth strategy from 17.2 FTE in 2008, significantly increasing its REF submission to 31 FTE by the REF census date, with most growth since 2011. Criteria for the appointment of new staff include their impact record, and this bodes well for the future in terms of developing existing and new research subject areas for impact and mentoring junior staff on impact strategy. New staff have, under REF rules, been required to leave their REF impact case studies with their previous institutions and thus the unit's submitted impact case studies derive from the much smaller number of original Law faculty.

2. Approach to impact

Law's 2008 RAE submission stated that a more intensive engagement with external research communities and research-users was a post-RAE goal. At the start of the REF period, even though constrained by its modest size, Law's impact was graphically demonstrated, e.g. through effecting change in the rules and practices of criminal law and criminal justice at both domestic and international levels in direct response to the work of individual researchers (e.g. Temkin and Vogler). This concern with the practical implications of legal research remains a strong feature of the impact strategy that has now been developed (e.g. Shute's work on inspection in the criminal justice system, Keating's work cited in the Law Commission's Consultation Paper No. 197 on unfitness to plead, and Fortin's work with the General Medical Council in relation to children's rights in the context of the medical treatment of children). Key elements of Law's strategy to facilitate the impact of research include:

Impact strategy is integrated into individual research planning and research support

Faculty 5-year Personal Research Plans (PRPs), discussed in a bi-annual meeting with the Law Research Convenors, include approaches to maximise the impact of their research. Law provides specific support for research activity which offers the potential for achieving impact (e.g. Craig's remission from teaching and administration to work with the Northern Ireland Human Rights Commission (NIHRC) – see below).

Providing institutional support through staff training in maximising impact and engaging with a variety of audiences

Training in media interviewing skills facilitated Temkin's media engagement (see case study), Barker's regular contributions to BBC Radio Sussex on topics including terrorism and extradition, and Dembour's film interview following her talk on 'Modes and Methods of Human Rights' to Amnesty International Amsterdam in December 2011.

Engaging with policy-makers to affect directly changes in law and policy

Staff are encouraged to access and shape the views of key actors in political and law-reform processes through networks. Consequently, requests are regularly made by policy-framers for interpretations of law or expertise to inform legal development. Examples include:

- Temkin's work for the Home Office, Vogler's for post-Soviet criminal justice reform committees and Shute's direct engagement with the Ministry of Justice and the Home Office on the electronic tracking of offenders and with various agencies responsible for criminal justice inspection.
- Craig won an NIHRC research contract to produce a report in 2013 on the protection and promotion of the human right to culture in the context of societies emerging from conflict.
- The research of the unit has had an impact on EU policy-makers. As a result of his research in diplomatic and consular law, Barker contributed to enumerating EU-wide regulation on diplomatic and

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consular assistance, thereby facilitating the EC's implementation of initiatives set out in the 2007–09 Action Plan on effective consular protection in third countries. Szyszczak's work (part of the 'TOMAS' – Transformation of Markets and the State' project) on the transition between state-provided services and private provision and inter-related issues of consumer rights in Europe and beyond, reached key policy-makers and lobbyist NGOs at the EU and EU national levels.

- Law encourages membership of external advisory bodies. Thus, among others, Walters (whilst an ECR) joined the Advisory Board for the Law Commission's project on hate-crime reform, the invitation being directly linked to Walters' 2012 *Criminal Law Review* article in the area; Barker is a member of the Executive Committee of the International Law Association; Omar's membership of the INSOL-European Academic Forum and linked groups provides a forum for impact, having recently generated ideas for insolvency law reform in the Channel Islands; and Harrop is a member of a scientific and advisory panel and general advisor on international legal matters to the UN Food and Agriculture Organisation (UN FAO) in direct response to his published research – this has resulted in his research forming the basis for, *inter alia*, the legal structure of UN FAO's Globally Important Agricultural Heritage Systems (GIAHS) project.

Profile-raising initiatives

These activities have made Law's work more accessible to wider audiences and attracted high-profile members of the practice community to engage in discussions challenging policies and attitudes on topical legal issues. Walters created a network, *The International Network for Hate Studies*, which seeks to disseminate knowledge about hate crimes to researchers, NGOs and the general public, to engage third- and public-sector organisations in academic research, and to encourage international collaboration. In April 2013, Law initiated SELNET, a network of university law schools in South-East England (with the UEA, Kent and Essex) which aims to encourage academic contact and collaboration between the Law schools, as part of a strategy to increase presence in the media and in public debate.

Public events are held to bring research to a wider audience and secure media coverage. Speakers have included Baroness Scotland QC (Attorney General), Keir Starmer QC (DPP), the Rt Hon Nick Herbert (Minister for Policing), Nick Hardwick (HM Chief Inspector of Prisons), Lord Ian Blair (former Commissioner of the Metropolitan Police), Prof. Sir Christopher Greenwood, Sir Jeremy Greenstock, Lord Malloch-Brown and Baroness Helena Kennedy. The *Sussex Salon Series* is a series of interdisciplinary events organised in conjunction with Brighton Dome and Festival offices and have attracted sell-out public audiences on a range of controversial topics which shape local and national public opinion and are debated by academics, political figures and media commentators. From the UoA, Barker, Bridgeman, Kochi, Lind and Skeet have contributed.

Impact-directed research within the Centre for Responsibilities, Rights and the Law (CRRL)

The CRRL was highlighted in the 2008 RAE as a research flagship for the UoA. Its agenda was timely because of a growing concern within the government and the media about the Human Rights Act 1998 and the European Court of Human Rights. The CRRL has engaged with policy-makers and government debates – with both the previous and the current government – on the development of a UK Bill of Rights and Responsibilities. These debates (e.g. the retention/repeal of the Human Rights Act 1998, the role of the European Court of Human Rights, the introduction of a UK Bill of Rights and Responsibilities and Bills of Rights within devolved administrations) fell within specific Law research repositories (e.g. Craig, Skeet, Dembour). Barker, Bridgeman and Keating met with Ministry of Justice civil servants and the Head of the Rights, Responsibilities and Values Unit following publication of the Labour Government's Green Paper, *Rights and Responsibilities: Developing our Constitutional Framework*, to discuss their relevant research. The CRRL has continued to influence the debate through its responses to Consultation Papers issued by the coalition's Commission on a Bill of Rights drawing upon the research of Craig (the right to cultural identity), Skeet (devolved administration) and Bridgeman (concepts of responsibility). The CRRL also aims to influence the terms of debate through public events and engaging with civil servants and legal practitioners.

3. Strategy and plans

Law's future plans involve intensifying both reach and significance without departing from the UoA's commitment to the advocacy of social justice in times of technological, environmental and societal change. Utilising the RCUK's typology of impacts, Law will also seek to leverage its work by:

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- publishing in open-access journals; highlighting articles and work-in-progress in open-access research networks and maintaining a record of staff research metrics;
- keynoting, chairing and speaking at ‘cross-over’ academic–professional conferences with a significant online and offline presence; and
- employing a social media strategy ensuring the widest possible exposure of Law research.

In addition to these over-arching points, three specific implementing strategies are in place:

Embedding impact in staff work strategies. Each staff member has a 5-year rolling Personal Research Plan in which impact strategy is delineated.

Broadening impact opportunities through growth. Law’s post-REF growth strategy presents multiple opportunities for impact as it engages with new areas of research (environmental law, media, information and IPR law) and for strategic leadership, as new faculty bring significant impact skills. Recent appointments have brought strong personal impact profiles, e.g.

- Environmental law – Harrop’s networks, research and impact, including implemented advice to the UN FAO on regulatory approaches for protecting biodiversity in conjunction with food-resilience and food-security strategies and his marine resource-management work with European partners (academic and stakeholders) when acting as Project Leader-UK for EU INTERREG IVa: *CHARM 3 (Channel Habitat Atlas for Marine Resource Management)*.
- Internet law – Marsden’s leading role in the FP7 Network of Excellence on Internet Science, co-chairing the first International Conference on Internet Science at the Royal Flemish Academy for Sciences and the Arts addressed by many European policy-makers, and his on-going advice to European and Asian governments on Internet law proposals.
- Transitional justice – Kearney’s research on Palestine’s position under international law and his work with NGOs such as Al Haq and Amnesty International.
- International IPR law (Guadamuz’ extensive research work for the World Intellectual Property Organisation (WIPO) relating to voluntary copyright relinquishment and public-domain dedications.

Proactive collaboration with other University researchers. Law seeks to build impact deriving from interdisciplinary work by targeting opportunities with other Sussex units and complementary partners elsewhere – exemplified by involvement in Sussex Centres (see REF 5) and through proactive involvement in other Sussex-wide interdisciplinary initiatives (e.g. environmental and climate-change research – McGillivray and Harrop – and hate crimes – Walters) and through collaboration with other universities (e.g. with Renmin Law School, Renmin University, China).

4. Relationship to case studies

The case studies, all particularly focusing on rights and responsibilities, demonstrate the application of the UoA’s support and its strategy to facilitating research impact. Temkin’s case study, responding to a controversial public issue which was engaging the Home Office, public enforcers and legal practitioners at the time of her work, describes research concerning rape myths and stereotypes that has caused shifts in practice approaches among legal and other practice professions and has directly affected judicial decisions through cross-over work and direct engagement with key officials and professions.

Fortin’s research on effective long-term child contact arrangements has, by direct engagement and by involvement with external advisory bodies influencing government policy, similarly affected legal–professional and judicial practice directions and influenced the debates linked to parliamentary change.

Shute’s work on the inspection of prisons, the police, probation, prosecution and the courts has directly influenced government decision-making and processes at the Ministerial and the devolved levels of public administrative action, also through direct engagement at the highest governmental level and through extensive participation in key executive advisory bodies.

And finally, Vogler’s research into the application of criminal justice, with subsequent engagement with officials and opposition NGOs – and later with government ministers, etc. – in addition to his work in cross-over consultancies and workshops, directly altered criminal justice procedures in the country of Georgia at the constitutional, legal-professional and judicial levels.