Scoping the Future Law and Social Justice - Listening & Hearing from the Frontline

Final Report

'Major societal re-set is needed – tinkering at the edges is no good'.[1]

Executive Summary

'Scoping the Future Law and Social Justice – Listening & Hearing from the Frontline' ran for eight months from November 2021 until June 2022. The project aimed to identify research priorities for the AHRC in the area of law and social justice, a broad field of study with diverse points of focus. It explores the role that the law and legal institutions play in addressing contemporary social challenges such as those associated with gender, the COVID-19 pandemic, modern slavery, hate crime, inequality, the digital revolution, capitalism, and climate change to achieve a more just society, particularly around meeting the needs and safeguarding the rights of excluded, vulnerable and marginalised communities. In considering the subthemes identified by the AHRC (governance, citizenship & representation, transitional justice, and cultures of exclusion), we note that many of the current debates in these fields are underpinned by the notion of accountability.

The project was designed around four workstreams (WS), which were designed to align with the AHRC and broader UKRI priorities. An interdisciplinary team at Nottingham Trent University undertook a comprehensive theoretical and empirical inquiry, informed by participatory action research, to formulate thematic and format-based recommendations for the AHRC. The research was co-designed with our research partners whom we refer to as 'trusted intermediaries' (TIs).

Feedback and guidance were received from the Advisory Group (AG), represented by members of academia and the public whose work is broadly related to social justice issues. Six meetings with the AG, either collectively or individually were held, and their feedback has been indispensable for sharpening our project design and reflecting on progress. The team adopted a mixed-methods approach, combining a literature (scoping) review as well as qualitative data collection and analysis. Through different stages of the project, we have developed three templates to enable consistent collation of data across the research team. The first template sought to elicit the gaps in the existing literature. The second reflected on the data collected through individual interviews or focus groups. The third triangulated the literature, transcripts from interviews, and transcript and field notes analysis against five benchmarks which had been identified at the beginning of the project in consultation with our TIs. Overall, we conducted 29 partners and TI semi-structured interviews, and six interviews and three focus groups with service-users. Analysis of this data led to findings and team discussions. A first draft of the report was presented at a Roundtable for feedback from TIs and the government officials present.

High quality research in the field of social justice, broadly defined, in the area of social justice is complex and multi-layered. This report recommends that future research in the field prioritises stakeholder engagement that enables ongoing and respectful participatory research models involving the active co-design and collaboration of research partners. This should ensure that the nature of challenges in the field are properly understood, rather than based on assumptions contained in much of the established literature that may be outdated or may not be evidenced through the lived experiences of beneficiaries.

While the research was commissioned by the AHRC, there are clear overlaps with the remit of the ESRC. Causes of social injustice (as the data and access to justice literature reflect) are complex and multi-layered, and key issues often intersect, compound, and are often structural in nature. Accordingly, academic 'silos' can be unhelpful in seeking to provide impactful and effective solutions to social injustice. This project has revealed fundamental inequities in policy and administrative settings that exacerbate exclusion.

This report recommends that future research should prioritise interdisciplinary and participatory approaches[2] which adopt shared language which cuts across disciplinary boundaries and is accessible to frontline service providers

and end-users. While the research team for this project drew from expertise across different fields of law, politics and social psychology, we appreciate that future cross-disciplinary research might usefully draw upon the wider range of subject areas falling within the AHRC's remit, including (but not limited to) to history, archaeology, anthropology, philosophy, languages, literature and the creative arts. This conclusion is based on our finding that creative pursuits can potentially play a useful role in reducing community isolation, build confidence, improve public trust and civic participation. The importance of interdisciplinary and cross-/multidisciplinary practice is also an area emerging as a way to improve responsiveness. This was noted by the REF2021 panel to be a point of strength and vibrancy in the current research landscape.[3]

The research findings also highlight the importance of using non-technical and accessible language and non-judgemental ways of working in order to gain buy-in from frontline service-providers, including groups who represent the interests of socially excluded communities. Such an approach would help to combat research fatigue and the sense of 'being used but not included' which had been flagged by a number of our TIs in relation to their involvement previous academic research projects.

It is well established that austerity and competition for limited resources has had a major impact upon this sector. The sense of exhaustion and distrust should be acknowledged in in formulating future research strategies. While our own approach to this project can be characterised as iterative, reflective and responsive so as to enable a sense of 'buy-in' among our TIs, this has clearly not been the case in many previous research exercises. The allocation of future research funding should bear in mind the importance of co-design and collaboration to ensure that such funding represents value for money and that the nature of any findings are practical, relevant and evidence-based. These recommendations are in line with the REF panel's observation that 'the strongest submissions included Impact at all Points of the Research strategy and provided support, training and resources to develop External partnerships and relationships,'[4] further noting the 'importance of outward focussing research with the outside organisation as 'of vital importance to social progress and development. [5]

Our recommendations for the AHRC focus is on the general characteristics of the support needed, specific recommendations for next steps, aims, type, scale, timelines, justification of support needed as well as partners and their roles.

> 1. The AHRC would benefit from funding mid to long term "Engagement Research": with local communities, NGOs (including Foodbanks, Legal Advice Centres, Domestic Abuse services with modest additional resources so as not to deflect from service delivery on the front line), local government, policy makers, corporations, legal practitioners etc. We have identified four themes for Engagement Research (trust, accountability, vulnerability, citizen's rights) and 10 topics.

> 2. The AHRC should fund Fellowships that utilise opportunities to work on internship/externship models to partner with third sector agencies so that on-the ground practical realities can shape and support empirical, comparative, theoretical and doctrinal research to address current global and domestic challenges. These areas of study are key to address particular challenges for which researchers may find it difficult to secure funding from other sources due to the nature of their discipline and research. These fellowships may follow three different routes: AHRC Scholarship Fellowships, AHRC Interdisciplinary Fellowships, and AHRC Engagement Fellowships. We have identified six themes to engage with for AHRC

> 3. AHRC should fund an independently evaluated pilot Digital Hub for police, which serves an important role in supplementing community policing by building and retaining useful shared information.

Project design is in line with equality, diversity, and inclusion (EDI) criteria – which were taken into consideration not only with respect to how we have formed our team and distributed the tasks, but also how we recruited and drew on the expertise of partners and participants within the project.

1. Approach and Methodology

This scoping project was based around four substantive WSs, twenty subthemes and six phases:

1.1 WSs and Subthemes

- 1.1.1 **WS 1: Public and corporate governance** (Zhao, Durdiyeva, Curran, Gallop, Trickett) The subthemes included: Subtheme A: Meaning and key players of governance; Subtheme B: Contemporary challenges; Subtheme C: Regulation and governance; Subtheme D: Governance, accountability and policing; Subtheme E: Governance and SDGs – mapping onto AHRC's priorities of culture assets, strategic-drive process, SDGs, interdisciplinarity for contemporary challenges.

- 1.1.2 **WS 2: Transitional justice and human rights** (Lewis, Gallop, Curran, Doak, Hall, Kellezi). The subthemes included: Subtheme A: Grassroots approaches and victim-centric approach to transitional justice; Subtheme B: Democratic decline and its impact on human rights; Subtheme C: The impact of government action during the COVID-19 pandemic upon human rights and personal liberty; Subtheme D: Accountability in transitional justice – on national and international levels; Subtheme E: Structural inequality and transitional justice – mapping onto AHRC's priorities of global engagement, interdisciplinarity for contemporary challenges.

- 1.1.3 **WS 3: Cultures of exclusion** (Hall, Curran, Doak, O'Nions, Trickett). The subthemes included: Subtheme A: Historically marginalised communities and their perception of corporate and public accountability; Subtheme B: Participation in the Justice System; Subtheme C: Participatory Democracy; Subtheme D: Legal Institutions and Exclusions; Subtheme E: Public and Voluntary Sector's Legitimacy – mapping onto UKRI's priority of enabling a dynamic, diverse and inclusive system of research and innovation, connecting international communities.

- 1.1.4 **WS 4: Citizenship and Corporate Citizenship** (Henn, O'Nions, Gallop, Kellezi, Zhao, Durdiyeva). The subthemes included: Subtheme A: Young Citizenship; Subtheme B: The notion of diverse and inclusive citizenship: Aligning good corporate citizenship with company strategy, SDGs and philanthropic initiatives; Subtheme C: Withdrawal from civil life of certain groups of citizens; Subtheme D: Political engagement and state legitimacy; Subtheme E: Diversity and citizenship – mapping onto AHRC's priorities of strategic-drive process, SDGs, interdisciplinarity for contemporary challenges.

Working across the WSs allowed the research team to develop a deep understanding of the cross-disciplinary research context of the project to ensure that common themes across WS were captured.

1.2 Project Phases

Phase 1: Scoping Review and initial brainstorming sessions

1.2.1 Phase 1 involved project set-up and initial engagement with project partners. WS leads organised a series of initial conversations with these partners, to discuss the parameters of the project, how their anticipated contributions could map on to each WS, and in some cases, how participants community members could most effectively be reached. Phase 1 also entailed obtaining full ethical approval.

1.2.2 Each WS had five subthemes, which were identified through a literature review that were under-researched, but nonetheless of significant contemporary importance and aligned with AHRC priorities. Each investigator was allocated a subtheme according to their expertise and was asked to complete a template highlighting key topics and summarising seminal points of debate and gaps in current knowledge that had emerged from the literature review. WS leads were then asked to consolidate the data. It ensured a consistent method was used for data collection across all WSs which would allow the team to effectively synthesise the findings. Investigators were afforded some degree of flexibility to include open format summation and reflection where appropriate.

Phase 2: Participatory Framework and Data Collection: Input from Tis and identified community members

1.2.4 Five main 'benchmarks' or characteristics of accountable practice were identified by the research team: trust; accessibility; confidence; capacity and capability; people-centred / non-bureaucratic practice. Benchmarks were taken from the existing literature as well as from the studies and reports of such organisations as WHO,[6] which has identified a comprehensive framework of benchmarks to measure levels of accountability. These informed the design of our research instrumentation and provided a clear reference point for later analysis of the data. These were developed from existing literature, and previous research experience of the team, as a framework for measuring levels of accountability.[7] These Benchmarks, along with a range of associated indicators,[8] were

subsequently refined through consultation with our research partners or 'trusted intermediaries' (TIs). TIs can be regarded as third sector organisations with whom the research team have a mutual relationship of trust, which enabled the team to harness their expertise and experience in dealing with their end-users, who are generally drawn from excluded communities which ordinarily lack of sense of 'voice'.

1.2.5 The Benchmarks were then used to inform the design of the qualitative element of the research. In the first stage of Phase 2, the team conducted 29 individual interviews with TIs and service providers. The interviews were underpinned by an interpretivist theoretical framework and followed a semi-structured format, allowing participants the opportunity to elaborate on their perspectives and experiences. Questions tested the Benchmarks identified above and how the participants had experienced these elements. Data generated through semi-structured interviews were digitally recorded, transcribed into MS Word, and checked by a member of the research team. In addition, to research partners with established links, we employed purposive sampling to reach additional TIs, building on contacts in our previous work.[9]

1.2.6 Interviewees' feedback informed the design of our focus groups ensuring our reflective, iterative approach to the research. We had planned to conduct three focus groups per WS with groups of identified communities. However, many of our TIs advised that the format of focus groups would not be appropriate for certain community members, and so the team adopted a blended approach using interviews and focus groups only where appropriate.

1.2.7 The team conducted six interviews with service users and three focus groups. The participants in each focus group were assembled according to a shared characteristic. EDI was considered and embedded throughout the recruitment of participants and data-gathering process. The format of the interviews and focus groups used empowerment models including narrative and storytelling to put participants at ease, feel safe, build trust and have their voices.[10] Snowball sampling, where participants and TIs gave their borrowed trust to provide us with other pathways to access community members and agencies who rarely have a voice but are often on the 'receiving end' of decisions that affect them,[11] was used to recruit focus group participants.[12]

Phase 3: Data analysis against existing benchmarks

1.2.9 The questions used in the interviews and focus groups (Phase 2) were designed to generate the necessary data used for analysis against the five benchmarks identified above. Thematic analysis[13] of the interview transcripts and field notes from focus groups (Phase 2) were used to identify how the content of participant talk mapped onto these benchmarks. This exercise allowed for a more nuanced insight into the nature of the benchmarks, including the question of whether the lived experience of participants supported them or, conversely, challenged their validity and/or point to the need for additions and revisions. This was used to inform findings and inform the recommendations in this to inform AHRC's future research priorities as the key aim of the project.

1.2.10 A second 'Phase 2' template was devised to allow each of the interviewers/focus group leads to extrapolate key themes from the empirical research against the benchmarks eliciting key challenges and opportunities raised by the research data. This template also considered how a praxis between lived experience and research endeavours in social justice might be enhanced.

1.2.11 Once this stage was completed, all WS leads produced an 'Enhanced' template, synthesising the data contained in Phase 1 and 2 templates. Each WS held a separate workshop where investigators undertook a detailed discussion of themes from the first two phases. This exercise entailed marrying the key themes and apparent gaps that emerged from the literature (scoping) review of Phase 1 with the data collected through interviews and focus groups, and subsequent data analysis against the benchmarks. These Enhanced templates subsequently provided a robust foundation for the Report's findings and recommendations.

Phase 4: The preliminary report and a briefing

1.2.12 Four WS reports were informed by the analysis discussed in Phase 3 to compile a preliminary report, which was then shared with WS Leads for initial feedback. The draft was then shared with all investigators for further critique and verification based on their sense of the data they collected. A preliminary report and a briefing paper were produced. This was provided to project partners (including TIs) and to relevant decision-making bodies and policy makers in preparation for the Law and Social Justice Roundtable Event (see phase 5), to which each organisation was invited.

Phase 5: Roundtable and Delivery of Report

1.2.13 The project culminated with a one-day Roundtable event for TIs and other stakeholders to elicit and synergise cross-cutting themes that have emerged from the project. The primary aim of the Roundtable was to build a 'feedback loop' to the project, to ensure the lived and diverse experiences of TIs, communities and individuals were heard not only by the investigators but also by policymakers, decision-makers and stakeholders.

All TI interviewees from Phase 2 were invited to participate, as well as representatives from the public sector. Overall, 28 invitations were issued to a diverse range of stakeholders in the case of government departments these invitations were issued through more than one source. These included government representatives, such as the Ministry of Justice (Chief of Social Research) and Home Office (Safeguarding Group); local authorities – Nottingham City Council and Nottingham City Homes; other funding bodies – Nuffield Foundation; and all the TIs and frontline workers who participated in the research.

1.2.14 Despite the range of invitations issued to these organisations, only one public sector representative (Public Health Department, Nottingham City Council) agreed to participate in the Roundtable. The disappointing level of response to some level indicates the unwillingness of many public sector bodies. This is consistent with the data from the empirical research in Phase 2 around a reluctance and in some cases a defensiveness that restricts engagement around lived experience of decision-makers This is further validation of the negative comments made by interviewees and focus group participants. On a positive note, however, the data reveals some exciting opportunities to shape improvements in accountability and responsiveness in these sectors. This seeming reluctance of public bodies to engage has not impacted our recommendations regarding specific funded research programmes. Whereas some of them involve some level of the public sector involvement, the principal focus is still on the academia and the third sector. As a case in point, the pilot Digital Hub for issues in policing recommendation emerged as the police (at least in Nottinghamshire) engaged willingly with the research. It may well be that other public sector organisations could similarly benefit from such a Hub. The proposed research recommendations including training and collaborative processes are designed deliberately to foster such change in public and private bodies where accountability is critical to democratic life and the rule of law.

1.2.15 The Roundtable itself was designed to empower participants to 'speak back' to project findings, to comment on the validity and usefulness, relevance and as a reality check on feasibility and practical application based on the 'state of play' given they are on the ground expertise. A choice was made by the team to conduct the Roundtable in a democratic and deliberative style with 'rules of engagement' to encourage a safe atmosphere and a forward-looking problem-solving focus. At the Roundtable its participants discussed current issues, challenges and knowledge gaps and suggested further research priorities in law and social justice to achieve the benchmarks. This dialogue identified, affirmed and informed key priorities for future AHRC funding for research to improve governance, justice, citizenship experience, and responsiveness to the community.

1.2.16 This Final Report contains a summary of our key findings and recommendations to inform AHRC future funding priorities. This exercise is informed directly by the voices from the front line that are often muted in academic research, as well as (albeit to a lesser extent) those from the public and private sectors.

2.   Research Underpinning the Project

2.1.1 The research aims for this project were set out across the four subthemes identified by the AHRC (governance, citizenship & representation, transitional justice, and cultures of exclusion). We also observed that many of the current debates in these fields are underpinned by the notion of accountability. Resonating strongly with the rule of law, it is broadly accepted that more accountable institutions can enable cultural participation, healing, address social challenges and create economic value.[14] The case for enhanced accountability of institutions becomes even more pressing in light of the COVID-19 pandemic and perceived a decline in public trust in the State and its agencies. For these reasons, we consider that the accountability of public and private sector bodies serves as a subtheme that crosses over the boundaries of the other subthemes identified by AHRC.

2.1.2 To formulate the key research questions asked (both for the project, as well as to our interviewees), the team developed a set of benchmarks (see 1.2.9-1.2.11) .[15]. This scoping exercise also enabled the research team to test these benchmarks to see if they had veracity and resonated with frontline agencies. It is anticipated that these benchmarks may assist the AHRC in designing future funding criteria for social justice research priorities.

2.1.3 In terms of the project's geographical scope, a national and an international perspective was adopted in line with advice from the AG. The literature review in Phase 1 compiled 'state of the field' from national and international research. The timeframe for delivery of the project, ongoing restrictions arising from the pandemic, meant that the majority of participants in Phase 2 of the project were based in the UK. However, the research team were able to draw on their own networks to enable some data collection with participants in Albania, Australia China, Kosovo, Northern Macedonia, and Rwanda.

2.1.4 The output of the Scoping Review project is the production of this report for the AHRC with recommendations for future research priorities. The key beneficiary is the AHRC in the short-term, but in the longer-term other beneficiaries will include vulnerable and marginalised groups in society, the broader academic community, and decision-makers in the public and corporate sectors.

3. AHRC, UKRI, and Wider Priorities

3.1.1 The scoping project is designed specifically to align with the AHRC's priorities of cultural assets, strategic-drive process, global engagement, Sustainable Development Goals (SDGs), and the need for an interdisciplinary response to address contemporary challenges. These priorities sit alongside wider UKRI priorities including responding to global emergencies, enabling a dynamic, diverse and inclusive system of research and innovation, connecting international communities, and strengthening networks across the research and innovation landscape.

3.1.2 Each WS also focuses directly upon current AHRC and UKRI priority areas:

- **WS 1:** Public and corporate governance maps to the priorities of culture assets, strategic-drive process, SDGs, interdisciplinarity for contemporary challenges.

- **WS 2:** Transitional justice and human rights maps to the priorities of global engagement, interdisciplinarity for contemporary challenges.

- **WS 3:** Cultures of exclusion maps to the priority of enabling a dynamic, diverse and inclusive system of research and innovation, connecting international communities.

- **WS 4:** Citizenship and Corporate Citizenship maps to the priorities of strategic-drive process, SDGs, interdisciplinarity for contemporary challenges.

The project team determined that a separate WS on the subtheme of accountability was not needed, as this sub-theme cuts across each and all of those already identified by the AHRC.

3.1.3 The contribution of arts and humanities oriented legal research and methodology:

3.1.4 It has been argued that there is an overlap between arts and humanities research and other areas of social sciences. Academic scholarship has widely acknowledged and reaffirmed the need to engage in interdisciplinary research to tackle modern challenges as many issues are intersectional.[16] As the scoping review has shown, the roots of many problems people face are legal, even if people do not consider their problems to be of legal nature. Law affects everyday aspects of our lives in ways that we do not always realise. At the same time, social, historical, anthropological, philosophical, cultural, behavioural aspects affect law and social justice, and, therefore, only a holistic approach to research, which is not bound by the limits of a single discipline, is needed. As stated in the Joint Statement by the AHRC and ESRC on subject coverage, whereas the focus area of the two bodies overlaps and no strict delineations between disciplines are intended, certain aspects are inherent to arts and humanities that can offer exclusive benefit to Law.

3.1.5 There is much that can be adopted from humanities and arts to benefit legal research, notably around the questions of methodology. It has been widely acknowledged that legal scholars receive much less rigorous training in the methodology of research, particularly if compared to those in other social sciences, arts, and humanities.[17] Traditionally, lawyers are not trained in methods and are not equipped with any other skills rather than blackletter law reading of primary and secondary documents and normative analysis of sources.[18] Whereas the knowledge and understanding of law, and the ability to apply it in practice is instrumental in practising law and being a successful solicitor or barrister, having little familiarity with other analytical tools prevents from engaging with law from a critical standpoint and does not foster an understanding of law in its full social context. Even legal scholars who pursue postgraduate research and academic careers may have little understanding of social research approaches or methodologies. While several texts are available on legal methods or methodologies,[19] these tend not to be as

advanced or nuanced as those commonly adopted in the social sciences. We therefore argue that methodological training will be particularly useful for postgraduate and early-career researchers (ECRs).

3.1.6 The popularity of blogs such as *Critical Legal Thinking* and journals such as *Law and Humanities* have allowed scholars to engage in greater cross-disciplinary dialogue. Indeed, the arts and humanities are now increasingly drawn upon in the design of educational materials, for example in educating young people and the general public about citizenship and human rights.[20] This is particularly pertinent given the known complexities around the use of 'legalese', as well as the social perception of Law as an elite academic discipline. Cross-fertilisation holds the potential to enrich Law and humanities more generally.[21] To sustain and develop such exchanges, greater institutional support is needed.[22] Moreover, establishing strong links cross-disciplinary link would help to encourage the reimagining of role of law and social institutions, particularly where those institutions have been shown to be dysfunctional. The potential for rich, critical inquiry could potentially explore questions around the role of law, whom it serves and how and why. For example, philosophical and historical debates could substantially enrich empirical research into the lived realities of vulnerable communities and the means by which social justice might most effectively be served.

This view is reinforced by the Main Panel C REF2021 Report, which notes that research outputs in Law 'were problem-focused, responding to the multiple challenges posed by economic, social, and political volatility, climate and ecological emergency, and rapid technological change.'[23] The engagement with other 'disciplines to devise regulatory solutions to complex multi-dimensional challenges' has been particularly praised.[24] The Panel further noted that 'there was a healthy proportion of outputs in such fields as commercial and corporate law, trade and investment law, bankruptcy and insolvency law, and financial regulation'.[25] Generally, outputs focused on 'understanding of the fundamental issues affecting society or responding to major topic concerns.'[26] The blurring of interdisciplinary boundaries was particularly encouraged, for example, when it came to the interrelation between law and science 'and the adaptation/transformation of legal conceptual frameworks to meet the regulatory challenges of an increasingly digital business environment.'[27] Moreover, the Panel praised the development of new legal methodologies, which is 'indicative of vitality and sustainability of law as a discipline.'[28] Diverse disciplinary theory and methodologies are evaluated favourably, particularly when empirical findings are situated within a broader theoretical and conceptual framework.[29] The fact that the UK researchers in law look beyond their disciplines and reach out to civil society and beyond academia can serve to inform 'key agendas.'[30]

3.1.7 Solely doctrinal and positivistic approaches to law have proven to render limited conclusions as law is essentially an applied discipline, much of its tenets are tested in practice and in the contexts.[31] As this Report illustrates, a clear gap remains between the 'law of the books' and the 'law in action'. Even where legislation provides for clear processes and lines of accountability, the reality for many vulnerable communities is that public institutions and legal processes are perceived to be inaccessible and disinterested in their everyday plights. Calling for a 'thicker understanding' of the field of transitional justice, Kieran McEvoy famously made a call for the discipline to be alert to the limitations of law and its institutions.[32] Although legal approaches are inherently dominant in such disciplines as transitional justice, the demands of victims and affected communities demonstrate a need for a 'thicker' understanding of justice more generally, which also involves the issues of structural inequalities, the everyday needs, cultural, religious, and indigenous approaches to, and understanding of, justice.[33]

4. Urgency and Current Landscape

4.1.1 Within the past five years, global political events have served to highlight fundamental questions on the structure of governance and the nature of relationships between individuals, communities, institutions, and the State in post-industrial societies. These events include the murder of George Floyd and the subsequent rise of the Black Lives Matter movement, media coverage around misogyny and violence against women and girls culminating in the rise of the 'Me Too' movement, austerity measures, Brexit, the threat of climate change and growth in environmental activism, the decisions of public and corporate authorities during the Covid-19 pandemic,[34] and geo-political uncertainties following the invasion of Ukraine and tension in the South China Sea.

4.1.2 Against this backdrop, approaches and solutions that we once had assumed to be unambiguous or universal have unravelled and are displaced by social fragmentation and individualisation.[35] This shift has created a sense of instability, anxiety and mistrust among individuals, communities, institutions and states.[36] These societal changes are intertwined with changes in technology, including: the rise of 'big data' and AI; the increased role of digital connectivity and digital exclusion; the rise of social media; challenges relating to freedom of information on the one

hand, and the need for regulation in light of such phenomenon as fake news on the other; difficulties in regulation that change the ways that individuals, communities and societies communicate and connect.[37]

4.1.3 Consequently, law and policymaking on both the national and international platforms is marked by an expansion of law and policies targeting perceived threats to safety and security at individual, community and societal levels. The nature of such risks is diverse, but they are characterised by uncertainty and social fear. The task of managing risk is shared between state bodies, corporate bodies, NGOs, communities, families and individuals themselves. Increasingly, law- and policy making, therefore, attempts to shape the conduct of various actors in order to manage and reduce risk. This is reflected in the establishment of the Partnership for Conflict, Crime and Security Research (PaCCS) by RCUK (now UKRI) in 2008 and is also evident in the priority areas of both the AHRC and UKRI.[38]

4.1.4 The Covid-19 pandemic is likely to have a transformative impact on public governance and public trust. Significant debate has already been generated on issues pertaining to the government's use of data during the pandemic, restrictions on the fundamental rights of citizens, the role of law enforcement, and the social and economic fallout.[39] The lasting effect of the pandemic has the potential to increase social inequality, injustice, and social tensions between different groups.[40] This, in turn, may result in a 'new normal' where marginalised communities are competing for dwindling resources, rather than a democratic model which supports people on the basis of their humanity, rights and needs. It is therefore vital that mechanisms for hearing directly from those individuals and communities are improved, and that tools for holding decision-makers to account are enhanced.

4.1.5 Given the very recent nature of these developments, the fast pace of change, and their global impact, there is a pressing need for research into the role of law and legal institutions in promoting and securing social justice and preventing cultural exclusion. There is evidence already to show that there is a growing perception that mechanisms which are intended to hold the executive and legislature to account are insufficient.[41] This was also a clear and consistent factor in the data in this research project. The 2022 UK 'party-gate' controversy has also served to erode public trust in those in authority.[42] More solution-focused research is clearly needed in terms of how public trust can be restored, particularly among socially and culturally excluded groups.

4.1.5 As noted above at 1.2.14, the fact that out of the four invited state institutions (Ministry of Justice, Home Office, Nottingham City Homes, and Nottinghamshire City Council), only Nottinghamshire City Council accepted an invitation (or even responded) to attend the Roundtable is on itself demonstrative of the problem of structural resistance to listening/hearing that many of the research participants noted. For these reasons, the accountability of public and private sector bodies serves as an underpinning subtheme which cuts across the project's benchmarks and WPs.

5. Key Individuals and Organisations

5.1.1 Our established relationships with our TIs enabled us to conduct a rigorous inquiry into the lived experiences of marginalised groups, including children and young people; people with disabilities, culturally and linguistically diverse groups, people with mental health issues; asylum seekers and refugees, the travelling community, amongst others. Our TIs have been instrumental in project design and were the key actors in the research, participating in interviews and focus groups (Phase 2), supporting investigators, providing analysis, and contributing to the final roundtable (Phase 5). The nature of our established working relationships between the research team and the TIs meant that we could mobilise expeditiously within the AHRC timeframe for delivery. During the project, a partner coordinator (Curran) was appointed to consolidate our existing networks and partnerships and develop new ones. The team worked together with our TIs to revalidate the research methodology. Access to such a wide range of partners also enabled two ECRs (Durdiyeva and Gallop) to build new networks and acquire new knowledge and skills in terms of project design and research methods.

5.1.2 The vast majority of our TIs were drawn from the third sector. As noted above, these TIs advised us on project design and methodology, but also played a critical role in providing us with first-hand accounts of the challenges facing end-users. They also acted as gatekeepers, enabling us to hear directly from a number of end-users through interviews and focus groups. This ensured that our research was participant-led, and that we amplify the voices of the marginalised and most vulnerable to ensure that the findings of our research speak on their behalf. In Appendix IV, we provide a full list of our TIs, partners, and interviewees who were interviewed in either a personal capacity or in as a representative of their respective organisation. We have maintained close communication and cooperation with the AHRC throughout the project, which was useful not only for ensuring that our work aligns with the AHRC needs and priorities, but also for building relationships between the funding body and other stakeholders.

6. Recommendations for AHRC

6.1 The General Characteristics of the Support Needed – Gaps Identified – Specific Recommendations for Next Steps

6.1.1 **"Engagement Research"-** The AHRC should fund mid-long term "Engagement Research" which is rooted in working with frontline service providers to ensure that it fully captures the realities on the ground. The findings of such research would be evidence-based, rigorous and potentially highly impactful. Such projects would typically require a robust relationship between the academic team and the relevant stakeholder / service provider, underpinned by co-design and an effective collaboration plan. Working in this way has the potential to foster lasting societal change, changes in practice and behaviour, as well as building trust between the academic community, third sector organisations, and the wider public. Projects will encourage and facilitate high-quality engagement as a two-way process to generate mutual benefit between the public, service providers and researchers and should have high impact potential. These projects reflect the AHRC's priorities of cultural assets, strategic-drive process, global engagement, SDGs, and interdisciplinarity for contemporary challenges. These projects should be funded strictly on the condition that the research involves at least one non-academic partner.

6.1.2 **Fellowships -** The AHRC should consider funded Fellowships to support empirical, theoretical and doctrinal research (including mixed-method and cross-disciplinary research) which addresses current global and domestic challenges. Place-based Fellowships can used to enrich research so that it is current and observes the day-to-day social injustice and structural impediments and on-the-ground lived experiences. Such a scheme could be of particular benefit to ECRs as it could serve to hone their collaboration skills, develop sustainable partnerships outside academia, and develop new or existing skills in applied and empirical methods. Potential areas of investigation might include, for example, responses to human rights abuses committed by multinational enterprises, responses to ongoing climate and humanitarian crises, or the changing nature of public or corporate governance. Such themes speak directly to the AHRC's priority of addressing contemporary challenges. These Fellowship projects may be investigated by individuals, both ECRs or established researchers, with or without research partners depending on the route of the fellowship. These fellowships may follow three different routes: AHRC Scholarship Fellowships with an emphasis on theoretical, empirical, and doctrinal research, AHRC Interdisciplinary Fellowships with the collaboration with other research councils of the UKRI, and finally AHRC Engagement Fellowships (tying in with Recommendation 1) with the focus on working with research partners to promote impactful research. The fellowships speak to the following AHRC priorities: culture assets, strategic-drive process, global engagement and interdisciplinarity for contemporary challenges.

6.1.3 **Pilot and Evaluation of a Digital Hub for Community Policing** - Funding research into the feasibility of, as well as the establishment of, a pilot Digital Hub could serve an important role in building and retaining useful information that can be shared by the research users and wider stakeholders. Digital hubs are a shared workspace, 'one-stop-shops,' or a software solution, which consolidate activities, data, meetings, and enables the 'users' and 'providers' of services to interact and easily access information and to ensure good practice is not lost when personnel leave (which was identified in the police participant data as a real problem in retaining expertise and knowledge. The police participants in our research expressed the need for a digital hub in supplementing community policing across the force (to be used by police, NGOs, and the community). The potential use of the digital hubs could extend beyond policing and could potentially be implemented in partnership with many other public bodies (for example, digital hubs are successfully used by many global corporations). The pilot Digital Hub will contribute to multi-agency partnerships and knowledge exchanges and serves as a navigational framework for both public bodies. However, it will need to be designed in a way that does not place strain or additional burden on organisations already stretched by limited recourses and should also take into account concerns over the use of 'big data'. The pilot Digital Hub will enable the fostering of awareness about the available services, will make the services more accessible with educational impact, while maintaining the issue of realism. This project will help shape the AHRC's priorities, may also help build trust between the police and the communities they serve.

6.2 Aims, Type, Scale, Timelines, Justification of Support Needed

6.2.1 Engagement Project:

6.2.2 Funding support for "engagement research." Engagement research will allow for the enhancement of academic research, partnership research and engagement or impact-enhancing research with corporations and their decision-makers, NGOs, and policymakers to fill the gap between the law in book and law in practice.

6.2.3 Partners and their Roles: The research engagement fellowships could be conducted individually, focusing on the theoretical side of questions. If the research methodology allows (for example, if participatory or participatory action research is envisaged), it is also possible to seek research partners to co-design the research and collaborate throughout the delivery of the project. It should be possible to conduct research with partners 'on the ground' even if the research is theoretically grounded as partners and fieldwork can help shape research questions and direct theoretical inquiry. Engagement research could help researchers identify gaps in the particular field of study. Research partners include museums (this project benefits from the National Justice Museum), theatres, libraries, and cultural heritage organisations where their missions align to those of the AHRC. Research undertaken in partnership with NGOs, local government, national government bodies, local community organisations, and service users are clearly needed based on the participant data and TI feedback. Parties should be given the opportunity to share their experiences and ideas with researchers, help focus on the priorities for stakeholders and service users, and work towards holistic management of identified issues. This relationship needs to be sustained not just at the research design phase but throughout and after with checking as part of the process so that in the shifting landscape research can be adapted and recalibrated so that has resonance and its impact can be sustained, owned and shared widely to inform improved social justice outcomes.

6.2.4 We suggest that the engagement project is conducted on the themes of (i) trust, (ii) accountability, (iii) vulnerability, and (iv) citizens' rights. The justification and reasoning is derived from the literature review and analysis of the empirical data. In each of these areas, there is considerable potential to address and fill gaps in existing knowledge. In addition, they map to the AHRC's priority of addressing contemporary challenges and are particularly significant due to recent global events (see 4.1). These themes are undoubtedly complex and nuanced in nature, and as such can be investigated from both academic perspectives (e.g., to draw on best practices worldwide, to have a strong theoretical and empirical basis) as well as practitioner perspectives (to tailor to different and diverse community members with the nuances of those working with the issues on daily basis).

Theme I – Trust

6.2.5 The scale and timelines of the project: long-term empirical project for 24-36 months.

6.2.6 AHRC Priorities: contemporary challenges and discovering ourselves.

Topic 1 – Trust Deficit in Decision-Making Processes and Bodies

6.2.7 A project should focus on the issues of engagement with the public and corporate decision-making and bureaucratic apparatus, with the emphasis on building trust within public and corporate governance. In particular, research into understanding human behaviour and the necessary efforts to train decision-makers to promote active listening and ensure respect for service-users will play an important role in encouraging engagement with available systems.[43] This would provide more avenues for broader stakeholder engagement in line with the AHRC's priorities.

6.2.8 We suggest further research investigations of existing best practice protocols, which may be effective in addressing the trust deficit, both in terms of: 1) Making substantive improvements to decision-making processes and provision of public and private sector functions, including increasing stakeholder participation; and 2) Changing perspectives and attitudes of actors within these processes, both in respect of public representatives and those interacting with them. One pertinent question worth considering pertains to procedural justice: even where outcomes do not match hopes or expectations, can trust be retained or even grown through empathetic and transparent dialogue?

Topic 2 – Political and Civic Participation and its Decline

6.2.9 In relation to both political and corporate accountability, there are two overarching issues facing marginalised groups: 1) practical barriers to participation; and 2) a deficit of trust leading to disengagement, and sometimes a conscious refusal to participate. Data from the empirical research conducted in Phase 2 strongly suggest that research is needed to identify the mechanisms needed to address, reduce, and potentially reverse citizens' disengagement from state-led structures and processes and from publicly funded service agencies.[44]

6.2.10 Further research is needed on strategies/means to enable and encourage participation within existing frameworks, and to identify alternative forms of engagement and accountability.[45] The research should not be

limited to addressing the context of a particular group or barrier to participation, but rather consider the wider, more holistic picture, covering a wide range of novel approaches to 'doing' justice including multi-disciplinary practice (constantly suggested in the project data) diversion, restorative justice, transformative justice, alternative/online dispute resolution, therapeutic jurisprudence, problem-orientated processes, glocal empowerment, and specialist courts dealing with pressing social issues or particularly vulnerable communities.[46] This further research exploring the impact of such alternative approaches on issues on social justice would be beneficial. In addition, there are other innovative models around the world that have been operating for some time in all of these areas and these could also be the subject of such research. This would be informative so that the research does not unnecessarily 'reinvent the wheel' whilst being adapted for local contexts and settings. The justification is derived from the project data and international literature.

6.2.11 Specific research questions worthy of further investigation include: why are many people increasingly turning to non-institutionalised forms of civic and political participation as tools to express their discontent or to have their voices heard? What do such developments tell us about the long-term legitimacy of the state, and the relationship between the state and its citizenry in post-industrial liberal democracies? How does the construction of a 'hostile environment' for 'others' impact on those who are lawfully present, including members of ethnic minorities, refugees and long-term residents? To what extent can different types of relationships be built between citizens and the state, and what institutional reforms are necessary to develop enhanced levels of civic engagement? What scope is there for citizens to access and participate more meaningfully in the shaping of state and publicly funded bodies? How does public policy and law – including their institutions and processes – reflect and/or listen to the diverse range of voices and take on board the concerns, rights and needs of marginalised groups? How does intersectionality impact the functioning of law / public policy and their institutions and processes? Which aspects of praxis act as 'enablers' to encourage and empower individuals and communities to participate in civic life, particularly those which are structurally excluded or deprived? How can law and policy best be mobilised to achieve this outcome?[47] These questions fall into the remit of arts and humanities because they involve theoretical discussion and imagining of alternative ways of human interaction and experience.

Justification (Theme: Trust; Topic 1 and Topic 2):

6.2.12 Civic participation is linked to public trust in government; research illustrates a correlation between an increased level of public participation and the level of trust in government.[48] Existing data confirms the existence of widespread social, economic and cultural disparity across the UK.[49] The perceptions and direct experiences of injustices among marginalised groups including discrimination, the lack of voice and agency, feelings of exclusion and alienation, and a sense that their needs and aspirations cannot be met by the state serve to heighten levels of social and political disaffection. These themes have featured prominently in both Phase 1 and Phase 2 of this research.[50] Such experiences can in turn lead to an erosion of confidence and trust in (and in some cases, antipathy towards) key public bodies and political representatives - as well as with the broader processes and institutions of representative democracy.[51]

6.2.13 These developments seem to have been exacerbated following the onset of Brexit. For instance, some participants in the interviews for this scoping study reported that their trust in political systems has fallen after Brexit - with one participant in particular noting that some feel that what has been delivered was not what was promised[52] and another noting that, as a resident of Northern Ireland, Brexit has stripped them of their sense of Britishness.[53] For those who are from migrant communities, including refugees, there is a clear sense that the impact of the hostile environment has exacerbated their sense of alienation..[54] Recently the Court of Appeal recognised that the 'right to rent' scheme led landlords to discriminate against those who appeared not to be British, including members of non-white minorities and those without a British passport.[55]

6.2.14 Our interviews and focus groups also reveal that groups that are intersectionally marginalised (such as those from a BAME background, homeless people, refugees and asylum-seekers, LGBTQ+, people with disabilities, and other groups, which are subject to discrimination or are vulnerable) are especially prone to such feelings of distrust and estrangement, and feeling their participation would not bring any change for them (or their group).[56] These developments may result in many citizens becoming 'pushed-out' of formal, state-sanctioned and electorally-oriented politics, and instead 'pulled-in' to less formal/alternative and extra-political forms of action (see also 6.2.8 above).[57] Focus group data derived from this scoping project revealed that young people in particular are typically rather sceptical of institutionalised forms of participation (such as voting) as a means for addressing their concerns and realising their needs and aspirations; instead, they are more inclined to embrace alternative forms of non-institutionalised and extra-parliamentary modes of political action such as using e-petitions and protests.[58] In

addition, the growth in recent decades of private and voluntary sector organisations in providing services previously within the public sector remit, can lead to an increase in barriers to participation, due to greater focus on financial concerns and less robust or proactive policies in this field, although this is not an inevitable outcome.[59]

6.2.15 Practical barriers to participation and engagement revealed from existing literature and from empirical research carried out for this project include: (1) economic disadvantage e.g., lack of access to smartphones, computers and other technologies, lack of digital literacy, or difficulty in funding transport costs for meetings and appointments. It may also make some forms of accountability involving formal legal processes unattainable; [60] (2) communication challenges for individuals for whom English is not the first language;[61] (3) accessibility for people with disabilities;[62] (4) educational disadvantages e.g. lack of confidence in reading documents or completing forms, lack of confidence speaking in public/formal contexts; [63] (5) resistance from family or cultural context to participation/visibility of certain groups e.g. women in a public forum; openly LGBTQ+ people.[64]

Topic 3: Accessibility of the Law to Build Trust: Knowledge and Communication

6.2.16 More research is needed into strategies to balance respect for freedom of expression on the one hand and protecting the public from inaccurate and/or harmful communications on the other, especially given the practical challenges of regulating discourse on social media.   This is noteworthy in the current context of the rise of 'fake news', contested narratives, widespread connectivity and unregulated/minimally regulated social media. It would also be valuable to have an enhanced understanding about the impact of how narratives emerge in the public domain, and the ways in which the initial presentation of stories from either professional journalists or 'posters' on social media sites moulds perceptions.

6.2.17 As a separate but related issue, research is also required to better understand the interplay between minority and majority narratives, and the extent to which in a democratic society, majority perceptions and political control of governmental accounts and policy may be mutually reinforcing, to the detriment of minorities. In other words, the ways in which political actors will inevitably align their policies and statements to the demands of the electorate, but also have a role in forming the perceptions and therefore priorities of voters, by shaping the official presentation of events. The project data also revealed a significant deficit in knowledge and confidence of front-line services and community members around their legal and human rights and a strong theme of fear of speaking up for risk of reprisals by authorities they relied on for social support. Research on how to legally empower the community and front-line agencies (drawing on education disciplines) might enhance people's ability to avail themselves of legal protections and ensure adherence and improve avenues for legal help early on.[65]

6.2.18 In addition, further research is required on educational strategies, both for young people and those at other life stages, to find ways of equipping citizens to navigate and evaluate the many competing sources of information available to them. Certain groups of the population are particularly vulnerable because of the open flow of information and the 'internet 2.0,' user-generated internet content, which is particularly vulnerable to misinformation and manipulation. It is key to explore the role/capacity of law in regulating fake news and promoting the accountability of media. Regulating technologies in different environments such as corporate settings, and media are key for public and corporate accountability. Without the ability to do this, the capacity of individuals to participate in political and civic dialogue, and to adequately hold corporations to account, is severely impaired.

Justification:

6.2.19 Access to knowledge is vital for the establishment of effective accountability mechanisms. It is impossible for individuals or communities to participate positively in conversations about civic and corporate policy without adequate information and understanding of 1) the factual paradigm; and 2) the structures and means available to participate in political and social dialogue.

6.2.20 The factors set out above in relation to trust, combined with barriers to participation (e.g., the impact of barriers to accessing information due to economic, social and/or linguistic exclusion, along with educational disadvantage), mean that for many individuals and communities, it is extremely difficult to obtain and objectively evaluate information about the factual paradigm relating to a concrete issue, and/or the processes in place to engage with policy on it.

6.2.21 Societies have accepted that the concept of "objective truth" is a mirage, and competing narratives are a constant reality.[66] Nevertheless, the Covid 19 pandemic demonstrated the dangers posed by the spread of misinformation, especially to vulnerable and marginalised groups. The disparity in death rates in relation to ethnicity and socio-economic context was striking, and lower vaccine uptake was one of the contributory factors.[67]

6.2.22 Communication was raised as an issue, with research participants characterising state and public bodies as overly complex and bureaucratic, and therefore remaining relatively inaccessible to citizens and serving as barriers to access.[68] Furthermore, participants drew attention to other internally-generated impediments to access, including staff expectations about deservingsupport, information and knowledge or rights,[69] and staff knowledge and awareness of, and stigma towards, mental health issues.[70] As an example, one service user commented in her interview that she had lost access to a social worker for her chronic mental health problems when her asylum case was refused.[71] The 'hostile environment' may be contributing to stigma as those working in front-facing social support roles - such as schools and hospitals - may struggle to differentiate between groups of migrants with the result that vulnerable people are refused the support they need.[72] These experiences reflected within the data suggest that research is needed to explore how such public agencies might re-design their methods for engaging with users in ways that are less mystifying, more transparent, timely, responsive, humane, empathetic, compassionate and ultimately more effective.[73]

Theme II: Accountability

6.2.23 The scale and timelines of the project: Long-term empirical project for 24-36 months.

6.2.24 AHRC Priorities: contemporary challenges, creative economy, and discovering ourselves.

> **Topic 1: "Glocal" Role Played by 'Accountor' to Promote Interests of Citizens and Corporate Stakeholders**

6.2.25 We recommend that AHRC prioritises projects designed to help increase the impact of academic research to promote corporate and public accountability and the protection of stakeholders while corporations and other authority holders should play a *"glocal"* role, building sustainable relationships with deprived communities, enabling affordable access to justice, and building social trust.

Justification:

6.2.26 Interviewees have expressed the importance of collaboration at every level for legal research, including engagement from the NGOs with every sector, leader and influencer that is relevant to that particular project.[74] The TIs[75] also expressed concerns that most deprived communities are not reached as those accessing services are more likely to be more educated and more middle/upper class, as they tend to know how to navigate complex service systems. Public bodies and authority figures need to win trust from citizens in order to promote more effective public governance mechanisms and correct culture of disbelief amongst local authorities.[76] The interviewees spoke of a dearth of accountability from leadership (local or national) for mistakes and ongoing policy issues,[77] with particular dissatisfaction expressed about the lack of accountability for wrong decisions being reached by the DWP and for their failure to follow proper processes.[78] They report that service users felt judged and demoralised.[79] In terms of corporate governance, interviewees also emphasise the need to better understand the nature of corporate accountability and the need for corporations to be more accountable to their suppliers and other stakeholders, and give marginalised parties more protection and a greater sense of 'voice'.[80] They need to play a "glocal" role within a globally networked view and undertake extraterritorial responsibility around.[81] That is, the corporations should be responsive to global and local interconnectedness, and ensure that they account for both global and local needs and considerations.

6.2.27 Participants often felt that such agencies and personnel (both public and corporate) are more accountable to their own internal imperatives and agendas than they are to the needs of potential users.[82] It was also felt that processes often lacked cultural sensitivity in service provision and interviewees reported being overwhelmed by the level of bureaucracy.[83] These issues are especially exacerbated for marginalised groups and those with multiple needs, and acutely so for specific groups with a cultural distrust of authority (such as Travelling and Roma Gypsies, women from certain communities, those with limited English or undocumented migrants, and those living in developing democracies).[84] Systematic research is required to better understand how new and more effective communication can be built between citizens, corporations, and the state, and what the nature of any structural or institutional reforms would be necessary to enhance civic engagement. This is an avenue in which corporations and private actors can be involved, possibly investigating international or global best practices, that could be incorporated locally, particularly around the issues of communication technology. This is one area where the AHRC might consider co-operating with ESRC and EPSRC given the complexity of the challenges and their cross-cutting nature.

> **Topic 2: Accountable Service-Providers**

6.2.28 This project should focus on the provision of services. This should be made up of two parts; research should look at factors impacting both support services (NGOs and community groups), and government-funded services (both local and national).

6.2.29 Research is needed into the role of NGOs concerning the scope and nature of the services they provide and on the extent to which they are displacing services formerly provided by the state. NGOs are diverse, and some are perceived (both by donors and users) negatively, while others positively. We encourage investigating the NGOs that work on the issue of social justice, and particularly those that deal with the practical aspects of the application of law in the everyday life of people. Possible topics may include: (1) Fragmentation of services. Research should focus on the fragmentation of NGO services and a lack of joined-up thinking across services when individuals seek help. This research should focus on the ways in which services have been siloed across the advice sector, and the impact that this has on the provision of services to vulnerable individuals. (2) Funding. Research should also focus on problems associated with external funding of NGOs and community groups. Primarily, the research could focus on the impact of dwindling funding on service provision. In addition, research should focus on the impact of short-term funding on service provision and on user focused provision. In particular, the researchers could examine the shift in focus to securing appropriate funding, and away from user needs, the role of unconscious bias in decision-making, and the impact that this has on long-term planning within the sector.

6.2.30 In relation to the public sector, it is essential that core services are structured and resourced in a manner that safeguards fundamental rights. Both national and local governments, along with law enforcement, should be trusted as enablers of social justice and champions of the rule of law. Research should focus on: (1) Funding and Austerity. Research would benefit from examining the relationship between austerity and social justice service provision. In particular, the research could examine the impact of austerity on government services, the burden it has on the third sector, possible ways forward, and the consequences that this has on the most vulnerable in society in the context of current challenges, such as COVID-19, inflation, and lack of public trust in public funding. It should further examine whether austerity has deepened the existing inaccessibility of governmental services. (2) Receptive provision. Research would benefit from examining the experience of citizens engaging with local and national government bodies when seeking to implement their legal/human rights.

6.2.31 In particular, research should look at issues including bias, discrimination, racism, and a failure to engage appropriately with service users.

Justification:

6.2.32 For NGO service provision, interviewees raised concerns about fragmentation of service provision across the non-governmental sector.[85] In particular, interviewees noted that the sector did not offer holistic help for those seeking assistance, and that citizens were effectively passed 'from pillar to post' when trying to seek help.[86] Whereas the issues have more of a socio-legal character, the specific contribution of the arts and humanities would be examining the role of civil society and institutions in general, investigating the relationships, reliance, applying a historical lens, and finding creative solutions when one sector is experiencing challenges.

6.2.33 Interviewees also highlighted the impact of limited/unreliable funding of the NGO sector. Participants noted that previously longer-term more stable funding for NGO and community organisations has been displaced by a shift towards shorter-term funding.[87] This change in funding has had negative consequences for service provision within the sector. Primarily, NGOs spend a significant amount of wasted time having to apply for new funding[88] and are prevented from engaging in long-term thinking and strategizing.[89] In addition, NGOs have to focus their services on funding requirements, rather than the needs of the local community and service users[90] - an issue that TIs reported contributed to a system where the needs of service users are not properly met. In addition, NGOs are now having to accept funding with significant conditions attached (for example funding with limited referral pathways),[91] and clients are left abandoned when short-term funding suddenly ends, which in one case nearly resulted in a suicide attempt.[92]

6.2.34 For Government Service provision, a significant number of our TIs highlighted the significant, negative impact of austerity on government service provision.[93] In particular, austerity has created a new and complex combination of legal and non-legal issues,[94] and individuals wanting to access government/local government support (such as benefits, housing etc) have had to jump through higher and more difficult hoops to get that support[95] which has in turn deepened the inaccessibility of rights.[96] Local government has also suffered as a result of austerity, with members of local government being asked to do more and more with fewer and fewer staff.[97] In turn, services are

not timely and cannot meet demand.[98] As with the NGO sector, austerity measures, mean that there is less funding for joined-up thinking across executive bodies.[99]

6.2.35 Participants also noted that citizens attempting to access and enforce their rights by engaging with government bodies are treated poorly and in a demeaning fashion.[100] Some TIs noted significant prejudice from government bodies, including different forms of discrimination including racism, a belief that some individuals were not worthy of help,[101] and generally a culture of disbelief.[102]

Theme III: Vulnerability

6.2.36 Vulnerability theory has long been critical of the liberal legal subject and an ideology that privileges consent and contract, manipulating concepts such as choice and autonomy to justify a restrained state.[103] We suggest exploring different dimensions of the topic of vulnerability. These would include discussions of the overlaps and discrepancies in the general approach to vulnerability, the changing dimensions/facets of vulnerability due to global uncertainties and challenges and the services and social connectivity that become increasingly digitalised, and in the context of austerity and uncertainty and the new reality created by Covid-19.

6.2.37 The suggested research centres around vulnerability theory and allows us to think about the nature of the state, its institutions and private corporations. Vulnerability theory specifies the importance of building resilience, inter-group relationsdue to collective responsibility and inequality.[104] We suggest further research is conducted into theory of vulnerability, further developing the role of law in mitigating vulnerability, particularly in light of emerging and existent challenges. Vulnerability as a universal phenomenon (experienced collectively and not solely on the individual level) could be a useful departing point on which further research could build.

6.2.38 The scale and timelines of the project: For the Mid-term doctrinal/empirical projects (circa £80k) for 12-18 months. This project could examine the impact of Covid-19 on vulnerability, the ways in which vulnerability has increased during Covid-19, and how this vulnerability can be appropriately managed.

6.2.39 AHRC Priorities: contemporary challenges; using policy, evidence to imagine a different future for the most vulnerable groups; health and well-being and SDGs; constructive civil discourse and a rich cultural infrastructure.

Topic 1: Vulnerability, Mitigating Vulnerability, and the Role of Law

6.2.40 The AHRC would benefit from supporting academic research that explores vulnerability and current changes in, and challenges to, national and local government. We suggested AHRC goes beyond the call on the idea of protecting the vulnerable parties in a traditional sense and become more creative. There are many hidden vulnerabilities and vulnerability is universal. Therefore, it is key to use an innovative solution to investigate this universal subject, defined by its shared and constant vulnerability, and called for a responsive state, corporations, and public authorities. This research should engage local government organisations, grassroots organisations who have seen the impact of austerity, and individuals who have engaged with these services. Research would particularly benefit from examining austerity measures, inaccessibility because of digitalisation, respect and encouraging government/local government to listen and take into consideration the feedback received from community they serve, and the impact of Covid-19 on existing vulnerability.

Justification:

6.2.41 Whereas the topic of vulnerability received considerable attention among scholars and practitioners, the new and emerging challenges and the persistent issues demonstrate that there is a need for deeper engagement with it. One of such realities is austerity that targets the most vulnerable. A significant number of the TIs highlighted the significant, negative impact of austerity on both local government service provision,[105] and on NGO service provision.[106] In particular, austerity has created new problems and has generated a new and complex combination of legal and non-legal issues.[107] Individuals wanting to access government/local government support (such as benefits, housing etc) have been confronted by increasing barriers to acquiring that support[108] which have deepened the inaccessibility of services.[109]

6.2.42 For local government and for associated NGOs, austerity and modern challenges have been more to do with less staff,[110] which has meant that services are not timely[111] and cannot manage demand.[112] The TIs observed that tighter budgets and fewer staff members[113] mean that there is less ability for joined-up thinking across executive bodies.[114] They also noted they are 'exhausted' 'fatigued' and were working long hours since austerity cuts and with increasing caseloads. This has worsened during and since the pandemic with a growing number of calls on their limited services.[115] This was reiterated by TIs at the Roundtable.

6.2.43 For some NGOs (those working on the issues of access to justice, disabilities rights, rehabilitation and integration of offenders back into community, prevention of offences relating to crimes of sexual nature), TIs reported that funding has been negatively impacted by austerity, and longer-term stable funding has been replaced with precarious short term funding.[116] In addition, NGOs have to focus their services on funding requirements, rather than the needs of the local community and service users.[117] TIs reported that as a consequence, the needs of service users were not being properly met. In addition, NGOs are now having to accept funding with significant conditions attached (which often limit referral pathways),[118] and clients are left abandoned when short term funding suddenly ends, which in one case nearly resulted in a suicide attempt.[119]

6.2.44 In addition, there are other acutely vulnerable individuals and groups whose rights of citizenship may be contested or under threat following Brexit,[120] or who face citizenship deprivation (for example, through deportation) – or indeed some who lack full citizenship rights. A report from Migration Observatory found that some groups of European migrants are far less likely to have secured settled status and may face removal and or destitution as a consequence.[121] Those most at risk include care leavers, victims of domestic violence, homeless people, modern slavery survivors, Roma and travelling people, undocumented migrants, refugees and refused asylum seekers[122]and their access to, and engagement with, the institutions and processes of the state and other public bodies and services may become increasingly tenuous as a result. Indeed, recent legislation (Immigration Act 2014 s.66) has attempted to make it easier to remove citizenship on public good grounds.[123] It has recently been argued that 'changes in citizenship policies, broadening state power and removing substantive and procedural safeguards, have eroded equal citizenship by creating a hierarchy among British citizens.'[124]

6.2.45 To tackle these issues, TI[125] highlighted the need for partnerships between research entities and grassroots organisations. They noted the need to identify issues affecting services and service users and to investigate holistic methods to address these issues, including building trust and relationships between relevant organisations.

Topic 2: Vulnerability, Rule of Law and Current Challenges

6.2.46 Topics for research may include (1) Covid-19 and the impact that this has had on existing understandings of vulnerability. Analysis could focus on understanding whether vulnerability increased during Covid-19, the ways in which vulnerability increased/decreased, mitigating vulnerability through a more effective coping mechanism in both private and public law; (2) empowering vulnerable parties and get their voices heard; identifying and protecting the most vulnerability and accelerated vulnerability due to Covid-19 and other social challenges.

Justification:

6.2.47 TIs noted that vulnerability has increased in recent years,[126] and that there has been less help available for vulnerable individuals during and since the Covid-19 pandemic.[127] The TIs further noted that the State is not responsive and does not resolve issues for those who are vulnerable to the State (those who are on benefits or in social housing),[128] and many resources/services have not improved or been reopened since relevant Covid-19 lockdowns.[129]

6.2.48 Vulnerability has increased because of treatment by the State towards 'others', namely those who are deemed not to be unworthy / less worthy of help,[130] and are faced with unconscious bias, racism, homophobia, and other forms of discrimination which may be intersectional in nature.[131] Covid-19 has also heightened the lack of trust in service-user communities, where the inability to meet people face-to-face means that existing relationships have often been lost or eroded, whilst new relationships have not been effectively built.[132]

6.2.49 TIs noted that Covid-19 and austerity have created newly vulnerable groups, in particular, it was mentioned that the 'working poor' who had previously been able to 'get by' without needing additional support were no longer able to manage.[133] The pandemic has also increased the vulnerability of already vulnerable grounds such as immigrants, who were forced into isolation during Covid-19 and were faced with loneliness and destitution, were not referred to appropriate resources, and could not be hosted appropriately.[134]

6.2.50 Interviewees felt that people who are most vulnerable, those on the margins of society (especially those in migrant communities/subject to modern slavery) do not get any help, and feel that they have no options.[135] Third-sector organisation spoke of becoming getting jaded and exhausted, with elements of compassion-fatigue impacting upon their service provision. Like their clients, they are losing faith in the system because of a lack of capacity/capability to assist their clients.[136]

Topic 3: Vulnerability, Corporate Citizens, and Corporate Governance

6.2.51 The AHRC would benefit from prioritising support for academic research that explores the vulnerability of certain corporate citizens. Research to explore questions around the legal subject as manifested in its corporate form will be valuable, e.g., investigating vulnerable stakeholders and companies themselves as vulnerable parties, particularly small and medium enterprises and micro-companies. Projects under this topic may investigate the nature and the scope of corporate vulnerability; corporate vulnerability as expressed in legal and policy discourse; the difference between corporate vulnerability and other forms of collective/institutional vulnerability; the level of protections of the interests and rights of (potentially competing) vulnerable stakeholders; the use of intelligence to prevent risk incumbent for vulnerable groups of the population when they engage with the public and private sectors; vulnerability as a framework to investigate the protection of vulnerable parties in the context of corporate (directors') duties in ways that promote sustainable and socially responsible corporate citizens.

Justification:

6.2.52 It is suggested projects are needed to articulate the justification for, and necessity of, protecting vulnerable parties through the framework of corporate law, and suggest how to use the analytical tools offered by vulnerability theory as an intellectual underpinning for corporate law.[137] Projects may also consolidate the justification for and necessity of protecting the vulnerable using corporate law, and suggest how to use the analytical tools offered by vulnerability theory as an intellectual underpinning for corporate law.

6.2.53 In addition, corporations should engage more with educational strategies, both for young people and at other life stages, to find ways of equipping citizens to navigate and evaluate the many competing sources of information available to them. Without the ability to do this, the capacity of individuals to participate in political and civic dialogue, and to adequately hold corporations to account, is severely impaired.

6.2.54 Emphasis on bringing about change for a more inclusive society, where people with learning disabilities can be better included into wider society.[138] Focus Group participants discussed the need not only for enhanced public services, but also for corporations to be inclusive, employing a broad and open-minded approach as what 'inclusivity' entails. One participant gave an example of how restaurants have ramps for wheelchair users, thus rendering the restaurant 'disabled-friendly', while they might be simultaneously disregarding the needs of the neurodiverse community, some of whom may struggle to enter public spaces where there are heightened levels of noise and/or light.[139]

6.2.55 The literature on the topic of corporate citizenship has been in decline since 2014, and has not been sufficiently interdisciplinary or collaborative, though published mainly in high-impact journals.[140] The unavailability of multi-level approaches to the study of corporate citizenship results in one-directional conclusions, or the absence of an explanation of the development of corporate citizenship that would render conclusive results.[141] No holistic studies exist that would incorporate numerous factors that drive global corporate citizenship approaches and, precisely, what might influence a company's decision to adopt voluntarily a sustainability disclosure approach.[142] It has been identified that it is important to differentiate 'due diligence as an organisation for compliance reasons or compliance as they believe in, as a good corporate citizen and then whether they move from compliance through prevention.'[143] Our partners have pointed out that we need services, which are – 'global in reach, but always culturally relevant.'[144]

6.2.56 Covid-19 requires a new direction of the study of corporate citizenship, with studies that focus on how to proactively engage in order to preserve brand authenticity and responsible citizenry in the Covid-19 era, particularly for large multinational corporations.[145] The topics that require prioritisation and that could be further adjusted in light of current circumstances are: green corporate citizenship, corporate culture and reputation.[146]

Theme IV: Citizens' Rights

6.2.57 The scale and timelines of the project: Long-term empirical project for 24-36 months.

6.2.58 The AHRC Priorities: contemporary challenges; constructive civil discourse and a rich cultural infrastructure.

Topic 1: Awareness of Rights

6.2.59 The first theme should focus on the awareness amongst citizens of their legal rights (this could be researched on multiple levels – on local, focusing on what being a citizen of a particular town or constituency mean, the UK level, or international). Research should focus on issues such as (1) Awareness of legal and human rights across the population. Research should include a focus on the awareness of rights with respect to social justice related rights (2) How information about rights is accessed. Research should also focus on the ways in which citizens

access information about their rights.[147] Routes of access may include families/communities; referrals from local government services; referrals from other NGOs or community organisations; information available on the internet or via other digital technology etc. (3) The reliability of information being accessed. Research should focus on the reliability of information available to citizens. It should examine how reliable both word-of-mouth information and online information is, and the impact that this information has on citizen's decision making when choosing to engage with their legal rights. (4) How awareness of rights amongst the general population can be improved. How can awareness amongst the general population of their rights be improved? This should tie into the previous research areas identified and focus on issues such as accessibility and reliability. How to enable individuals or communities to participate positively in conversations about civic and corporate policy without adequate information and understanding of: 1) The factual paradigm; and 2) The structures and means available to participate in political and social dialogue. [148]

Justification:

6.2.60 A strong theme that emerged from the interviews and research is the widespread lack of understanding and awareness amongst citizens of their legal rights and even of the fact that their problems might involve the law at all.[149] This issue was particularly apparent across vulnerable groups of the population including migrants, members of the homeless population, asylum-seekers, and amongst people with disabilities.[150] As a result, many were not aware that the problems that they faced were problems with legal solutions.[151] This deficit is seriously problematic in a number of ways (see below). Moreover, it resonates directly to key overarching concepts such as the rule of law, the accountability of public institutions, and democratic legitimacy or the perceived absence thereof.

6.2.61 Interviews highlighted that citizens attempt to access information about their rights in a number of ways. TIs noted that the reliance on online information was problematic, and assumed access to the internet,[152] digital literacy, and an adequate command of the English language.[153] There was also a reliance on word-of-mouth to make others aware of rights and available services,[154] but this the presence of services within the community to promote trust and accessibility.[155]

6.2.62 Finally, some interviewees noted that available information was not always reliable and sometimes individuals were dissuaded from engaging with their rights after hearing of bad experiences or having bad experiences themselves in the past.[156] Again, this resonates strongly with the apparent decline in levels of social trust in public institutions.

Topic 2: Access to Justice

6.2.63 The second theme should focus on the ways in which citizens in the UK attempt to access and engage with their rights. Research should focus on issues including: (1) The points at which people attempt to engage with and assert their rights as citizens (either within the UK or internationally). Research should examine the point at which citizens attempt to engage with and enforce their legal rights, and factors that either persuade or dissuade them to engage with the State. Research should examine: whether citizens attempt to engage with their rights at the point where they are initially denied (for example when benefits are refused, or when housing is denied); when they become aware of their legal rights; or if attempt to engage come at a later point. . (2) The ways in which citizens attempt to engage with and assert their rights. Research should also focus on the ways in which citizens attempt to engage with and assert their rights. Engagement efforts may involve attending a local Legal Advice Centre, or an alternative legal services provider. It may involve attending an appointment with a social or healthcare provider or emergent multidisciplinary work to reach people with legal problems earlier with agencies they turn to for help (for example a social worker / GP), and it may involve initial contact with either local or national government (such as a Housing Authority, or the Department of Work and Pensions).

Justification:

6.2.64 Even if people are knowledgeable about the rights that they hold, our findings suggest that there is a problem with respect to ensuring rights are accessed at an appropriate time. Many participants noted that when access to justice is required, it is very important to ensure early intervention to achieve the best outcomes.[157] In particular, it was noted that when engagement is delayed problems tend to escalate into greater and more complex issues at an obvious detriment to the individual,[158] and also costing the State significantly more overall.[159] However, TIs noted that delays were apparent when citizens were not aware that they were facing a legal problem,[160] could not access appropriate 'jargon-free' information,[161] and faced problems straddling many spheres (such as housing/health/benefits).[162]

6.2.65 With respect to the ways in which citizens attempt to access their rights, TIs noted that these attempts were multifaceted. Some made initial contact with services after an appointment with their GP,[163] their local MP,[164] or a local Legal Advice Centre.[165] TIs noted the referral process across NGOs,[166] which relies on awareness across the sector and also relies on initial engagement from citizens. Participants noted that this referral process was not always reliable,[167] and relies on organisations not closing down or changing focus.[168] Participants also noted that rights could be accessed and enforced using online portals, however, this was often problematic for service users,[169] particularly those who do not have access to the internet,[170] or do not have the requisite computer and language skills to use them effectively.[171] There is recent research that explores practical, step-by-step and new ways of working to enhance skills and capacity that could be examined.[172] As a result, some groups have been essentially been subjected to a kind of digital exclusion from accessing their rights.[173] Problems accessing rights have created a situation where it now tends to be the more educated (i.e. those who have some familiarity with legal terminology),[174] younger[175] individuals who are seeking advice about enforcing their rights, and thereby accessing them.

II.   Fellowships:

6.2.66 TIs stressed linking practitioners and academics to enable research in law, data and build the empirical research, emphasising the importance of evaluation independently for rigour and scrutiny, commitment and key performance criteria for staff who make assessments and have power in decision making that requires them to make informed, client centred, responsive action. [176] The fellowships could be either individual or multi-applicant. Individual scholarships apply to all fellowships, particularly the scholarship fellowships. The Engagement and Interdisciplinary scholarships could be designed for both individuals or multiple applicants, they could be inter-university to foster networking and the ones with the focus on knowledge-transfer from research to industry or third sector.

A.   AHRC Engagement Fellowships

6.2.67 Engagement Fellowships develop emerging leaders and support established researchers from a range of backgrounds so they can engage the public with law and social justice research. The investigators will undertake a self-directed fellowship that will enable them to transform the ways in which NGOs and public organisation involve legal research and build new research networks.

- **AHRC Engagement Fellowship 1**

6.2.68 Theme: Transparency, Trustworthy, Effectiveness and Efficacy of Public Authorities, including topics such as fairness, efficiency and effectiveness of their decisions, and the Rule of Law.

6.2.70 Research topics may include authorities and the culture of refusal, scrutinising the decision-making of authorities, co-partners between frontline service experience, academia and public authorities, transparency of expenditure, and promoting more accountable public authorities.

6.2.71 Scale and timelines of the project: Mid-Long doctrinal project (salary buyout) for 12 months. This project could explore the impact of the increasing use of technology by both local government and local NGOs/community organisations, the accessibility of these technologies, and the impact that technology has on their accountability.

6.2.72 AHRC Priorities: Contemporary challenges, creative economy, discovering ourselves.

Justification:

6.2.73 This evaluation including observational research, should explore whether public authorities, over time, change their culture of refusal and assumption of people trying to overclaim, to a person-centred culture that looks at the context of the person, their needs, and their entitlement to rights. Indicators of best practice point towards a problem-solving approach at an early-stage awareness of the processes and accountabilities that they need to adhere to in the way they practise.[177] This might include preparedness to scrutinise their own decision-making with a critical eye early, follow proper process and lawful processes engage in reflective practice. Based on the evaluative outcome, this can inform and shape organisational and staff 'continuous learning, reflection, development and implementation' to improve practice and decision making and ultimately accountability.[178]

6.2.74 Research on the timescales of the decision-making process (likely exacerbated by Covid), and its impact on clients. Impact on community members of not having decisions made in a timely way. For example, when they have

therefore no money, often no job and the promotion of poverty, stress and further date often caused by people seeking money from loan sharks to survive. [179]

6.2.75 More research into practices of public authorities that are designed to thwart oversight meaning poor practices go unchecked and poor practice is unaccountable (e.g., last minute offers of benefits to avert tribunal scrutiny). Research into problems caused by the lack of legal literacy and fragmented legal aid and legal assistance sector landscape caused by privatisation, austerity measures for over a decade and piecemeal contracting out.[180] "It is a miracle" if people get legal advice and support, they need to avail themselves of the protection of the rule law and human rights or ensure its adherence.[181] This has significant implications for the underpinnings of the social contract and good public governance. [182]

6.2.76 Alternative pathways that are properly resourced and backed by rigorous research into the experiences and advice-seeking behaviours, levels of support needed for community members include face-to-face due to relationship-building preconditions needed for groups/individuals to disclose that they have problems.[183] Further research and evidence are needed which Co-partners between frontline service experience and academia before the rollout of such initiatives proceeds.[184]

6.2.77 One area of research might examine the impact of bureaucracy, costs and delays in so-called 'high-end' test cases, which often carry little merit while absorbing a considerable amount of court time. There have a number of cases where the state has settled, often after considerable litigation, to avoid the creation of a judicial precedent. More transparency about this sort of expenditure of public funds by comparison with funds allocated by way of legal aid could prove highly insightful. [185]

6.2.78 Research in partnership with third sector agencies that explores the consequences of poor decision-making and the value in getting decisions right, earlier intervention for downstream positive outcomes for clients and community members, as well as potential savings for the taxpayer is needed. [186]

6.2.79 Research that provides an examination of overall justice spending to examine whether it might be adjusted to go where it is more needed in the community to solve problems earlier and avert costs of more expensive forms of funding on litigation. Such research might give greater transparency on money spent on high-end litigation that swallows resources and how it might be spent on the public good. [187]

- **AHRC Engagement Fellowship 2**

6.2.80 Theme: the nature and approach of regulation given austerity, fuelled by modern crisis and uncertainty, and the changing role of private actors. This would involve the study of the effects of global governance on Global South and whether global governance reinforces hegemonic tendencies of governance that disadvantage poorer nations, including those emerging from conflict.

6.2.81 Research topics may include (1) The role of state and non-state actors in the regulation and governance due to modern challenges? (crisis-management and crisis-resolution, neoliberalism and precarity, environmental challenges) (2) Who bears the burden when it comes to the regulation and governance – the state or private actors, such as corporations, and what are the prospects for successful cooperation between the two? (3) how to coordinate multiple levels of governance - between local, global, transnational business, and global governance.

6.2.82 Scale and timelines of the project: large-scale Multidisciplinary Collaborative Project 3-5 years.

6.2.83 AHRC priorities: Contemporary challenges, creative economy, discovering ourselves. UKRI Priorities: connecting international communities and strengthening networks across the research and innovation landscape.

Justification:

6.2.84 Effective governance is regulation that achieves not only efficiency and order, but also public participation and public accountability. Some of the contemporary challenges with respect to governance involve the questions around reform of public governance.[188] Increasing attention is paid to the role of private corporations in public governance, the issues relating to transparency in governance, and the dissonance between different government departments and bodies.[189] This has been reaffirmed by research, when a respondent argued that corporate governance is much about transparency.[190] Another respondent also stated that lack of trust is the result of a lack of transparency.[191] Whereas separation of powers is considered an important part of public governance, controversies around it exist particularly around ongoing political efforts to reform judicial independence, especially in light of Brexit and shifts in power and devolution across the UK.[192]

6.2.85 The contemporary challenges with respect to public governance inevitably relate to the challenges posed by the COVID 19 pandemic and raise such issues as government use of data during the pandemic, economic governance and impact of the pandemic on the population, impact of government policy on public trust, and the issues around policing.[193]

6.2.86 Public governance is also tied to the issues of austerity, and more precisely, the disproportionate impact of austerity on local governments and marginalised groups.[194] Our research participant also reaffirmed that austerity affected disproportionately local agencies who provide support to marginalised groups, which in turn affects their ability to help and engage with the community they are serving.[195] Our respondents argued that there is a great need for recreating community spaces and physical contact which had been lost due to austerity. There needs to be more community connection, community spaces, community activities and less fragmentation.[196] Austerity also results in agencies and institutions picking up the concerns, which are not directly under their area of responsibility, for example food banks identifying domestic abuse, or where, one respondent argued that the police are the only 24-hour general emergency organisation and will pick up variety of calls (take up the demand for other services particularly due to austerity/public cuts).[197] Another topic, which is overarching across many issues raised and merits further investigation is governance in a digital world, which includes such issues as the integration of services, needs-based holism, and digitalisation; the creation of institutions that govern the digital world in a way to benefit society; Governance and Cybersecurity; and digital transformation of public governance.[198]

6.2.87 Partners for AHRC Engagement Fellowships 1 & 2 their Role: ESRC. We suggest that research is undertaken with the involvement of NGOs, local government, national government bodies, local community organisations, and service users. Parties should be given the opportunity to share their experiences and data.

- **AHRC Engagement Fellowship 3**

6.2.88 Theme: intersectionality; research topics could include focusing on minorities within minorities and multi-layered exclusion.

6.2.89 The scale and timelines of the project: large-scale Multidisciplinary Collaborative Project 3-5 years.

6.2.90 AHRC priorities: culture assets, contemporary challenges, discovering ourselves.

6.2.91 Minorities within minorities, experiencing marginalisation from one than more majority community e.g., a strategy which effectively seeks to empower a minority group, may inadvertently further disempower minorities e.g. women, children, LGBTQ+ people and people with disabilities within this community. The position is highly complex, because minority groups are not homogenous, neither are members of minority groups immune from conscious or unconscious participation discriminatory or marginalising behaviours. Individuals may have a dynamic, evolving or conflicted sense of their own identity, and experience additional barriers to engaging with external sources of help and support.[199] Intersectionality-focused research is needed to examine the potential for the overlapping of such variables that may result in an intensification of disadvantage for multiply excluded minorities within minorities.

6.2.92 Relating to the issue of minorities within minorities, conflicts of interest between minority groups should be further investigated. There are occasions when the priorities and/or perspectives of two marginalised groups in society are in opposition e.g. the current debates between trans-rights and some interpretations of feminism; or clashes involving religious minorities and public bodies promoting awareness of LGBTQ+ people and their rights; or communities within communities; also communities overcoming the legacies of past abuse (transitional justice settings) when the needs of various victims and communities need to be addressed with limited resources.

6.2.93 Key questions to be asked in research on minorities within minorities is why such groups may feel they cannot or there is no point in participating, and/or are withdrawing from social and democratic life and from institutionalised politics What are the consequences for the declining levels of civic and political engagement of these groups and their increasing abstention from formal democratic life? What might be done to reduce or reverse these patterns and trends? What are the benefits of participation in civic life for these groups? How can civic and other resources be mobilised to increase civic participation but also to identify priorities of participation for these groups?

Justification:

6.2.94 The majority of existing research in relation to cultures of exclusion and vulnerable minorities addresses a particular identified group or challenge. This means that there is a significant gap in respect of studies which adopt a more holistic approach and consider how different exclusionary factors may operate in concert. Without a nuanced

understanding in this regard, there is a risk of policies being adopted to address an identified problem or inequality and having the unintended practical consequence of exacerbating other forms of vulnerability or exclusion.

6.2.95 This is an area in which more academic research is urgently required, encompassing a multidisciplinary approach, as these problems are by their very nature highly complex, and will require sophisticated strategies in order to achieve positive change. At the present time, greater understanding is required about the nature of these forms of multi-layered exclusion, and possible strategies to address this. It should also be noted that this is another area in which the operation of both political processes and market forces may be problematic, as both political and corporate actors will align themselves towards majority interests.

6.2.96 Research in this area would relate especially to the following AHRC priorities: contemporary challenges: analysing the present, and learning lessons from the past to shape a better future, constructive civil discourse and rich cultural infrastructure.

6.2.97 The patterns and the implications of inclusion and exclusion from state and public institutions, bodies and processes vary by social, economic, and cultural circumstance(s) of different groups of citizens in contemporary societies. Furthermore, the evidence suggests that these participation inequalities may be deepening and intersecting. For instance, there is now a considerable emerging corpus of literature that considers how generational inequalities are impacting young people's civic and political (dis)engagement and (non)participation.[200] However, our research for this project has identified a small and unfolding body of important literature concerning a number of other discriminated and marginalised groups (based on disability, race, gender, sexual identity and other characteristics and factors)[201] who remain at a relative distance from decision-making processes and the centres of political power. Consequently, their voices are under-represented, and this can serve to maintain - if not exacerbate - inequalities and the exclusion of such groups from society and from civic life. Our empirical research conducted for this scoping study reflects these albeit early and emergent findings from the literature.[202] In one of the focus groups conducted for this project,[203] one participant reflected on the lack of cultural understanding and awareness that characterised many areas of decision-making, including from the Home Office, health and housing providers. The perceived absence of decision-makers who have this cultural awareness undermines opportunities for empathy and reduces service user confidence in the fairness of proceedings. Our research suggests that an absence of understanding and empathy may lead to scepticism and disbelief across the asylum system.[204] Elsewhere in our interviews, we identified that marginalised groups (such as British Muslims) often feel their views and needs cannot be accounted for as long as those making decisions or offering services do not share the same experiences and/or do not acknowledge the intersectionality that interlock with the systems of power.[205] The same is true of transitional justice settings, where a conflict or oppression exacerbated structural inequality among the already disadvantaged and marginalised groups of the population.[206]

6.2.98 Partners for AHRC Engagement Fellowships 3 and their Role: ESRC. We also suggest that research is undertaken with the involvement of NGOs, charities, vulnerable third-party service providers, community interest companies, media, museums, and individuals.

- **AHRC Engagement Fellowship 4**

'Law and Beyond' Partnerships Project: Multi-University and Knowledge-Transfer Enhanced Network for Doctoral Students and ECRs

6.2.99 Scale and timelines of the project: Long-term.

6.2.100 AHRC priorities: discovering ourselves and contemporary challenges.

Recommendation and Justification

6.2.101 AHRC has successfully funded Doctoral Training Partnerships, one example of such project is Midlands4Cities that focuses on providing training to doctoral students in arts and humanities. It has studentship funding to support professional development, networking and collaborations, and training opportunities. Another example of doctoral and ECRs training is interdisciplinary collaborations, for example, 'Accelerating Business Collaboration' (ABC) funded by the ESRC, which focuses on collaboration between social sciences and industries. It is increasingly common for researchers to engage in multi (or inter) disciplinary research. The ABC fund is open for researchers who consider themselves to be at 'least 51% or more social scientists.' The ABC fund provides training on methodology, communication, and outreach of research to postgraduate and ECRs. The funds support projects where there is an active business collaboration or commercialisation of the research element.

6.2.102 We recommend following a similar structure to that of ABC, focusing on inter-university cooperation. This could be a long-term project between universities in one particular region (these could be different clusters), where each university appoints a designated person to overtake the management of funding and coordinate training on methodologies for postgraduate research students and ECRs. Grants should be made available to envisage cooperation between legal scholars and research users and other stakeholders by organising extracurricular events (workshops, small conferences or colloquium), seminar series, or maters classes.

6.2.103 We also recommend that in the framework of these ABC-style collaborations, a separate stream of grants should be made available for ECRs who engage with frontline workers on interdisciplinary collaborative projects on different themes of social justice. Examples of this include some of the Churchill Fellowships and Victoria Law Foundation Community Legal Centre Fellowships. Clinical Legal Education Programs in the UK also present opportunities for law and other discipline students to engage in collaborative research, a practice already in place at the Nottingham Law School Legal Advice Centre, Northumbria University with a recent Clinical Legal Education Policy Network UK established in 2022 and, in Australia and Canada.[207] Such interdisciplinary and inter-university cooperation would foster the building of networks and long-term relationships among scholars and practitioners.

B. AHRC Interdisciplinary Fellowship

6.2.104 Interdisciplinary Fellowship has been developed to provide career enhancement to support outstanding researchers seeking to shape the future for the betterment of society through Interdisciplinary or cross-disciplinary research. The fellowship provides investigators the opportunity to develop their skills to pursue work on novel ideas on law and technology, focusing on a range of global challenges and AHRC priorities.

- **AHRC Interdisciplinary Fellowship 1**

6.2.105 Theme - Accessibility, Accountability and Regulation of Technology. Research topics may include (1) Digitality accessibility: examining how widespread the use of technology is within the provision of government services, judicial practice and legal practice, the requirements for accessing technology, how accessible these services are, and making sure technology is available to the broadest range of users, including older people or people with disabilities; (2) Accountable AI and the regulatory framework in the UK; (3) Sharing and ownership of the data and law enforcement; (4) Promoting public and corporate accountability through technology; (5) Promoting public awareness and law enforcement through technology such as big data.

6.2.106 The research could be based on philosophical and theoretical aspects underpinning the use of technology – how much can it substitute (if at all) human interaction, examining the interaction between affect and agency. The research should focus on what the most appropriate regulative framework of technology should be (this would also be relevant for Digital Hubs). It would help establish an original theory to regulate technology in different contexts, for example, in court settings and look into a theory of fair use of technology in law enforcement.

6.2.107 Scale and timelines of the project: Short-term doctrinal project (salary buyout) for 12 months. This project could look at the increasing use of technology by both local government and local NGOs/community organisations, the accessibility of these technologies, and the impact that technology has on accountability.

6.2.108 AHRC priorities: contemporary challenges, creative economy, and discovering ourselves.

Justification:

6.2.109 Our TIs emphasised the importance of seeking justice through technology; such as using big data and facial recognition surveillance technology to build justice; winning the trust of the community members, stakeholders by technology; and the training of AI users and promoting accountable AI.[208] Technology is key for uncovering the picture of how trafficking functions and to enable a better understanding of the counter-measures adopted by criminal enterprises.[209] Our TIs shared their successful experience of using technology to connect directly with vulnerable communities in a culturally relevant (sensitive) way. In this way, modern technology will give stakeholders a voice at scale and reach private communities.[210] Our TIs emphasised the importance of building a data portfolio and hub, which is key for building digital platforms to drive transparency and democratisation.[211] The increasing use of technology was noted as problematic for both NGOs[212] and service users.[213] TIs noted that the increasing reliance on technology assumes base levels of language and computer skills,[214] and the ability to easily access the internet.[215] This has led to the exclusion of some from services both because they are 'digitally excluded' from those services[216] and because reliance on technology means that vulnerable individuals are less easy to identify.[217]

6.2.110 Digitisation plans by the Ministry of Justice for courts and tribunals have a significant risk of further excluding disadvantaged people from their entitlements. The over-reliance on complicated forms for people to be able to gain access to support and the already complex, complicated nature of courts, tribunals and the legal process further excludes people who do not have digital access or lack sufficient digital capability.[218]

6.2.111 Diverse and inclusive citizenship aligns with good corporate citizenship with company strategy, SDGs and philanthropic initiatives - it is imperative that digitisation, as well as service provision, has an impact on hard-to-reach communities. An important role in this is to be played by technology. As the use of technology becomes ever more pervasive within our lives, it is important to ensure that the safeguards are kept that allow people to be confidential and their rights to privacy are respected. This way, we can ensure that we give a voice to victims of data breaches/surveillance and provide them an alternative route to communicate their concerns and experience.[219]

6.2.112 Finally, disinformation and fake news are prevalent issues that are closely linked to the rise of digitalisation and the use of AI algorithms on social media. It is therefore appropriate that AHRC prioritise the role and capacity of the law in regulating fake news through media law and closer regulation of AI and other technologies.

6.2.113 Partners and Their Role: Innovate UK as the UK's national innovation agency supporting business-led innovation in all sectors, technologies and UK regions.

- **AHRC Interdisciplinary Fellowship 2**

6.2.114 Theme: Mentoring Schemes for Doctoral Researchers and Early-Career Researchers Undertaking Interdisciplinary Research

6.2.115 Scale and timelines of the project: Long-term.

6.2.116 AHRC priorities: discovering ourselves.

Recommendation and Justification

6.2.117 Mentoring schemes for doctoral researchers could be conducted within a network of numerous universities. This could be as many as eight-ten universities, third sector, think tanks, industry and government to accommodate specific profiles and research interests of researchers. One person could be appointed to manage the Schemes on a full-time or fractional basis, and would oversee cooperation and networking between the participating universities. The main aim of the scheme would be to prepare doctoral researchers to various career paths after completion of PhD, which could be academia, industry, think tanks, third sector, and government. Each mentee (a doctoral researcher) would be appointed a mentor from the database of mentors and would meet with the mentor once in three months. Mentoring would be useful to decode and explain the sometimes inaccessible language of academic life. For example, mentors could explain the difference between pursuing a postdoctoral fellowship as opposed to applying for a lectureship, or the meaning and nature of 'impact' and its various pathways, the REF process, the nature of the funding environment and how to write an effective grant application. Interdisciplinary cooperation could be particularly favoured as an impression exists that there are less career opportunities in arts and humanities as opposed to social sciences. Part of the mentorship could also include demystifying the different career paths that exist in arts and humanities and particularly how these disciplines could be combined with others. Mentoring opportunities are available, particularly to researchers in many departments of Oxford and Cambridge universities and are at a nascent stage of development in other universities. One of the potential barriers is that it could put an additional workload strain on senior academics; there would have to be sufficient financial incentive for them to agree to act as a mentor.

- **AHRC Interdisciplinary Fellowship 3**

6.2.118 Theme: Interdisciplinary Summer (Winter) Schools for Law Doctoral Researchers

6.2.119 Scale and timelines of the project: Short-term (1-2 months).

6.2.120 AHRC priorities: discovering ourselves.

Recommendation and Justification

6.2.121 To familiarise and build stronger theoretical and methodological foundations for researchers in law, with courses on the philosophy of law, critical approaches to law, and normative and theoretical methods (decolonial, feminist, queer, we suggest carrying out an Interdisciplinary Summer School on Law, Arts, and Humanities aimed at law researchers (doctoral students and ECRs) where researchers will have a chance to take such courses as:

Philosophy of Law; Theories of Justice; Jurisprudence; Legal Theory; History of Legal Disciplines; Feminist and Queer Theory and Law; Cultural Studies and Law; Anthropology of Law. Each participant of the Summer School would be able to audit two courses. The Summer School will be indispensable for legal researchers as doctoral research inevitably encompasses theory, on which methodology is based. Legal scholars are often focused on specific areas of law and their training on legal theory usually happens during the early years of the undergraduate degree, resulting in weaker theoretical training in contrast not only to the social science disciplines, but also certain arts and humanities courses. The lack of knowledge of theory and methodology can inevitably impact the design of postgraduate research studies. Enhancing understanding in this area would likely make the journey of Law PhD candidates somewhat smoother, and would equip them with the skills to choose an effective methodology. Such Summer Schools would also provide solid grounds for further research for early career researchers and will allow approach their topics more critically. Such training will help ECRs lay solid foundations for the proliferation and development of research at the intersection law, arts and humanities. Even if a legal researcher chooses not to pursue an arts and humanities focus, the study of any area of Law would benefit from a stronger theoretical understanding.

C. AHRC Scholarship Fellowships

6.2.122 Scholarship Fellowships is usually awarded for doctrinal and theoretical research based on the various specialised legal areas in order to develop or consolidate innovative research to inform the process, nature, and impact of existing law and policies, focusing on a range of global challenges and AHRC priorities.

- **AHRC Scholarship Fellowship 1**

6.2.123 Theme: Transitional Justice. The AHRC should fund a study to examine current **Transitional Justice** models and investigate issues such as harm, trust, community/victim-focus, and politicisation of justice. This study should take place across countries where official transitional justice measures have already been instigated. The study should involve fieldwork based in the relevant jurisdiction(s) and should be conducted in collaboration with state institutions, local communities, and any other relevant regional/international organisations. The specific direction that the research could focus on would be a historical analysis of transitional justice settings, history as a discipline informing the legal research (the role of historical commissions, historical dialogue), the questions of time and temporality, and embodied memory. The former UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greif has noted the indispensable role played by artistic, performative, literary, and cultural interventions in transitional justice settings.[220] The research on the role of arts and culture can be further examined in transitional justice settings. The interrelation of cultural memory and transitional justice also merits further investigation. Despite the proliferation and professionalisation of Transitional Justice as a discipline, the field remains under-theorised, and further theoretical and methodological inquiries will benefit the field.[221]

6.2.124 Themes for investigation could involve: (1) Whether victims' needs are currently met, or whether needs go beyond those currently explored. It may investigate the nature of the interplay between concepts such as State sovereignty, the accountability of state and non-state actors, the nature of reparation and the effective documentation of past harms. (2) Whether current models of transitional justice may create new harm(s) or exacerbate/sustain past harms by failing to appropriately secure justice in line with public expectations. (3) Whether the voices of victims and survivors are properly heard and prioritised within transitional justice approaches, particularly those which are apparently 'top-down' in nature. (4) Whether victims and ex-combatants are fully aware of their rights within, and have a clear understanding of, the opportunities and limitations which may be inherent within a particular transitional justice approach. an understanding of expectations within the Transitional Justice process? (5) The impact of intersectional harms and exclusion of minority and vulnerable groups from transitional justice (e.g., survivors of sexual violence, those with disabilities and post-traumatic stress, ex-combatants, child combatants, and those who do not conform to dominant post-conflict narratives; is there sufficient nuance in narratives around accountability? (6) Public trust in transitional justice and DDR processes; lack of trust among certain groups around the role of politicians and/or corruption amongst state officials.

6.2.125 Scale and timelines of the project: a long term (three years or longer).

6.2.126 AHRC priorities: Contemporary challenges; discovering ourselves.

Justification:

6.2.127 Whilst there were relatively few participants in this study concerned with issues of Transitional Justice, it was clear from interviews that significant research into current models of Transitional Justice and its shortcomings is needed. In significant ways the issues identified in the Transitional Justice context mirrored – albeit writ-large - those in the domestic/UK context.

6.2.128 Sustainability/Quality of Justice: Participants highlighted the need for research to ensure that the TJ process is sustainable and has sufficient quality of both process and outcome.[222] In turn, research should identify ways in which to increase access to justice so that it is not inaccessible, unaffordable, fragmented, and disempowering.[223] This requires that local barriers to accessing justice are overcome. Interviews identified that these barriers often centre on significant issues of (dis)trust and the relationship with the State and its institutions,[224] and official institutions must respond to and make reasonable adaptations for the needs of those communities.[225] To increase accessibility, TJ models should prioritise local solutions so challenges (both current and future) can be identified and predicted.[226] To ensure the sustainability of TJ more research is potentially needed into how to engage younger generations in a compelling manner, so they learn the lessons about oppression.[227] Importantly, one participant noted that memory changes and passes from one generation and another, so lessons must be properly retained.[228]

6.2.129 Victim/Community-Centred Transitional Justice: A number of participants raised concerns about the role of the victims in current models of TJ. Participants noted current issues around awareness of rights and unmet expectations within current models of TJ,[229] and a lack of trust between the State and participants.[230] In particular, there seems to be a disconnect between the State's understanding of the needs and aspirations of the TJ process and those of the affected community,[231] a problem often exacerbated by poor communication.[232] Others noted that current models do not properly centre the victim within the process of Transitional Justice. One noted the need to listen to victim's voices so as to more effectively identify Transitional Justice priorities,[233] and to ensure that TJ mechanisms effectively respond to issues such as intersectional harm.[234] In addition, there as a need to understand the victims' needs which can reflect harm beyond the specific conflict (e.g. pre conflict and fear for future).[235] Participants noted the need to expand the definition and priorities for TJ to include state sovereignty, compensation, and properly document all harm suffered,[236] and to explore the ways lack of justice maintains harm or creates new forms of harm.[237]

6.2.130 Less Visible Victims in Transitional Justice: Research is also needed to consider less visible victims in the TJ process. Those victims may be those who are also affected by additional systemic inequalities (e.g., gender-based violence),[238] or those stakeholders who do not conform to dominant narratives (e.g., ex-combatants and those who lack political voice).[239] Research is needed to identify intersectional factors and to identify strategies that can help overcome barriers to accessing the TJ process,[240] thereby ensuring nuance within the narrative.[241]

6.2.131 Dominant actors within Transitional Justice: Interviews noted that research is needed to explore not only the most appropriate actors to define and carry out Transitional Justice, but also their capacities within that process. This research should reflect issues around trust and distrust in political parties and their agendas, and the extent to which current agendas align with the needs of affected communities.[242] Interviewees noted that there needs to be research into issues such as corruption and concerns as to whether formal law/decisions are reflected in praxis.[243] Alongside political actors, there also needs to be research into the nature of funding of NGOs within the TJ process. Participants noted concerns around the culture of funding, and its priorities, criteria, and expectations around conformity.[244] In particular, participants noted issues around the funding of 'established' NGOs who conformed to official narratives, which in turn impacted the day-to-day work of those organisations.[245]

- **AHRC Scholarship Fellowship 2**

6.2.132 Theme: Democratic decline. A pervasive, sometimes latent, theme across the areas considered above is that of the decline of democracy, and the AHRC might profitably support projects that explore links between the democratic decline identified in the literature review, and the pervasive issues of trust, confidence, bureaucracy, and accessibility - in terms of dealings with state agencies and the justice system - that emerge strongly from the interviews. Can such links be evidenced? If so to what is the degree of causality? What strategies and recommendations might be appropriate to deal with this?

6.2.133 Related versions of the above might be undertaken both in the UK – where preponderant issues are around resources, with knock-on impacts on accessibility, trust, confidence, and over-bureaucratisation;and in post-conflict/post authoritarian states that are subject to corrupt practices, leading to similar though even worse

manifestations. Also, exploration of the rule of law and access to justice and the relation to perceived and actual democratic legitimacy.

6.2.134 As discussed above, a basic lack of awareness of legal rights, or even that issues involve law at all, are pervasive.[246] Lack of basic public understanding about the law and legal processes is a key factor in people not being able to access their rights, or even knowing they had a legal problem in the first place. This sits alongside the notion of the rule of law, the accountability of decision-makers and ultimately to the efficacy of and confidence in liberal democracy. Research into the link between lack of basic legal knowledge and decline in rule of law and democracy would help provide an important insight into this issue.

6.2.135 **The scale and timelines of the project:** (1) medium scale projects (approximately 100-120k) for 18-24 months; (2) large scale multidisciplinary project (approximately 300-400k) 3-4 years).

6.2.136 AHRC priorities: contemporary challenges; discovering ourselves (analysing the present and learning lessons from the past to shape a better future).

Justification:

6.2.137 Evidence based practice will enhance accountability by reflecting on lived experience and human-centred design. The FLS Interviewees[247] have expressed the importance of collaboration at every level for legal research; essential is the engagement from the NGOs/Third sector.

6.2.138 More partnerships between the third sector and academics are needed to document what actually happens.[248] Clients' experience points at poor administration or maladministration and a lack of accountability. There needs to be some documentation of this poor accountability on a systematic basis so that it can demonstrate the significant levels of harm caused, impacts on social determinants of health outcomes.[249] This research should also focus on the impact on people's lives of such poor decision making, how long in average it takes to get a benefit decision, rigour in getting a better picture across the country of the way authorities deal with people. [250]

6.2.139 Existing studies demonstrate that there are significant levels of distrust in relation to State decision-makers, broadly defined. This trend applies across the population but is more marked in marginalised groups (e.g., racial, cultural and religious minorities, communities living in areas of social and economic deprivation), who are statistically more likely to have direct experience of negative interactions with public bodies and processes.

6.2.140 Members of many minority groups are also compelled to interact with State decision-making processes, either due to legal demands which can be coercively enforced (e.g., in the case of asylum-seekers) or as a result of practical necessity (e.g., in the case of individuals claiming benefits, or victims of crime). These non-voluntary interactions are often by their very nature disempowering, as the outcomes of processes which are critical for the individuals involved are determined by third parties. Depending on the circumstances, these decision-makers may be acting remotely, and have no interpersonal dealings with the people to whom these processes relate, or there may be direct interaction. Equally, in some circumstances, decision-making processes may involve a mixture of remote and direct interaction.

6.2.141 Existing data show that there are significant levels of distrust about decision-making processes, and perceptions of irrational or unjust outcomes, whether these are direct, remote, or mixed in format.[251] Some of these inappropriate outcomes are understood to be discriminatory, and the consequence of conscious or unconscious bias, whilst others are seen as the chaotic effect of dysfunctional frameworks being in place. Furthermore, the distrust relates both to the bureaucratic and administrative processes, and the political policies driving them.

6.2.142 It has also emerged from the available evidence that the distrust in public decision-making processes is not confined to individuals who are subject to them. Individuals working within public sector contexts frequently express concern about the adequacy of processes and structures, both in terms of systemic matters (e.g. funding, availability of resources, security and planning) and human input (e.g. the personality and priorities of individual managers, colleagues taking a defensive approach to work, focused on meeting specific targets or policy objectives, rather than adopting a more holistic perspective).[252] Individuals within the public sector are often aware of the deficiencies in services and processes, but are not in a position to make significant changes within their working context, and perceive criticism from both user-groups and wider society as hostile and destructive, rather than constructive. This further reinforces an 'in-group/out-group' dynamic, and fuels distrust on both sides.

- **AHRC Scholarship Fellowship 3**

6.2.143 Theme: Law, Arts and Humanities First Book Fellowship

6.2.144 Scale and timelines of the project: Short Term (12 months).

6.2.145 AHRC priorities: discovering ourselves, contemporary challenges.

Recommendation and Justification

6.2.146 To foster innovative research at the intersection of Law, Arts and Humanities, we recommend supporting ECRs to work towards the publishing of their first monograph based on their PhD. The fellowship could last for up to 12 months, and a fellow should be released from other academic duties to focus on working on a publishable book based on their PhD. The fellowship should provide a monthly stipend to cover living expenses. These kinds of fellowships are offered by such funding bodies as Sociological Review Foundation and Independent Social Research Foundation but are rather rare, particularly those that focus on law and humanities. Training offered to doctoral researchers exists and usually such opportunities are abundant. However, postdoctoral opportunities are rather scarce, few opportunities exist outside of the highly competitive and selective fellowships as the ones offered by the Leverhulme and British Academy, and separate postdoctoral research opportunities offered by the institutions, which historically have more funding. At the same time, ECRs have much potential as they have recently undertaken training and are familiar with the key research in the are. The concept of a 'first-book' fellowship would offer considerable relief to the ECRs and could potentially provide motivation to undertake more innovative or ambitious research. Such research could be indispensable in advancing the studies at the intersection of law, arts and humanities. This could be the terrain where not much additional training would be needed as the researchers intending to publish their PhD, which is based on their research at the intersection of arts and humanities, are already well familiar with the subject matter. Many training opportunities on converting a PhD into a publishable book are already offered by the publishing houses themselves. We would again recommend prioritising (at least when initially introduced) non-Russel Group universities.

III.   Pilot and Evaluation of a Police Digital Hub

6.2.147 Small- Medium-scale empirical projects – designed to build a pilot for a digital hub informed by empirical research with community groups and third-party sector agencies that support them.

6.2.148 The scale and timelines of the pilot project: for subsequent projects 18-24 months on how the implementation of 'digital hubs' can inform the evidence base on policing thereby improving police engagement and good practice in the longer term, informing police training and policy development through the College of Policing and policing degrees, as well as measurements for evaluating the effectiveness of police service to move from a purely bureaucratic results based model to a model where public satisfaction based on quality of police interactions is also valued and potentially used as a measure of police efficacy and quality and in the longer term, inform police governance. Although focused on policing, the broader community will benefit from it – the third sector that engages with the police and community as a whole, as it will allow people to access information about the services offered by police in a more informed and coherent manner. The police, in turn, will benefit from having access to information provided by the third sector and community (for example, about specificities of particular contexts, the research and reports produced by the NGOs) in one single software. Although we suggest initially focusing on policing due to the demand coming from police, NGOs, and communities at the moment, the project could serve as a pilot with a possibility for digital hubs to be replicated if positively evaluated in the future for other services and industries. Pilot study, initial research with creation of a prototype Digital Hub to be tested by police, charities, and community would be the first step of an intervention to be supported by AHRC. If the idea proves to be successful, it could be broadened to other and multiple projects (for example, digital accessibility). Digital hubs are common among the private sector, which possesses more resources to develop them, and which is guided by the need to optimise everyday operations. There is however some literature noting that other endeavours have been problematic. Lessons from these studies would need to be taken on board.[253]

6.2.149 On a practical level, it would be necessary to hire a full-time Researcher, who would perform the tasks of an archivist and data analyst to maintain the pilot Digital Hub – this could be a researcher within academia, or someone hired independently to work within either of the institutions (police-Council-charities). Institutional affiliation and a commitment to fund the full-time Researcher for the Digital Hub beyond AHRC's project scope could ensure the sustainability of the project.

6.2.150 AHRC priorities: contemporary challenges, cultural assets, discovering ourselves.

Justification:

6.2.151 The focus on professionalisation, discussed above, of the force and a growing emphasis on increasing local accountability rather than centralised governance. Moreover, many of the targets for police in terms of 'what success looks like' are not set by the public but by policing agencies and the government.[254] HMICFRS Inspections and public inquiries serve to examine how well the police are doing in terms of a range of activities. But this is not the same as holding forces accountable to the public through public consultation and consideration of levels of public satisfaction. Moreover, much of the evaluation of police performance is 'reactive' and 'retrospective' and operates at a distance from the public. What 'success in policing looks like' is often about Home Office set targets which may look very different from 'what the public want' from the police.

6.2.152 Moreover, frameworks for 'governing' police action remain at a considerable distance from the public and may fail to address their discontent. Whilst PACE governs much police engagement with the public – remedies for breaches are widely regarded as inadequate. The IPCC governs police complaints and has seen some improvement, but many members of the public remain dissatisfied with outcomes, and the process of making a complaint may be arduous for people.[255]

6.2.153 Research on public satisfaction with policing indicates that trust and confidence in police are a perennial issue.[256] Research on social groups dissatisfied with policing have indicated several important factors including the need for balance between different aspects of the police role. Politically, recent years have seen a more bureaucratic approach taken to policing with a heavier emphasis on crime control rather than the service role of the police. Evidence indicates the need for research with marginalised communities and other social groups on overcoming barriers to police engagement, building trust and confidence in policing. Consultation with academics and charities supporting the public are also necessary. As charities are also operating within the context of austerity including higher demand for their services and fewer resources, it needs to be carefully considered how such knowledge exchanges can be preserved and built upon – a frustration with the representatives of the charities interviewed was that the police engaged with them on an 'ad-hoc' basis – and there was often a constant change in police roles at a time when they did not have much time to re-engage with police.[257]

6.2.154 At a time when austerity and other political effects have hit police and other agencies providing public services, it is important to consider how the police might work effectively with more limited resources and issues of public trust in police. Engaging with the public is key to community policing and is consistent with the Peelian principle 'the police are the public and the public are the police' – yet community policing is time consuming and labour intensive.[258] Digital hubs might serve an important role in supplementing community policing by building and retaining useful information that can be shared across the force. Such information hubs might serve a useful role in facilitating some level of 'democracy' within policing whilst supplementing community policing within times of austerity. Digital hubs should be informed by targeted research on and with communities and police to foster understanding of community issues, cultural and language barriers, what public expectations of policing are and what are the key differences between members of the public (including crime victims) reporting 'high levels of satisfaction' and those that do not.[259] This might result in a more informed use of community consultation/public involvement and enable more 'proactive' approaches to prevent community problems from festering. Through the building and use of digital hubs – the sharing of such information might be important for 'response' officers as well as 'community' police officers – the former, might be called to an incident/crime, involving local communities with which they are unfamiliar. A recurrent issue is the sharing of information between officers in different policing roles and (response) officers often having to spend time looking for information including local agencies that might better support victims.[260]

6.2.155 It has been identified that a Digital Hub is needed in light of (1) lack of sustainable police engagement - the engagement has been reactive and ad-hoc, because of turnover within agencies, the knowledge and training is often lost once an officer leaves; (2) community policing – there needs to be other agencies involved when the scope of services falls outside of police's focus. A Digital Hub may be equally needed for charities, for example, it will have all necessary public reports that would enable charities to draw on contextual issues, often needed when applying for bids to collect social information. With the Hub this information will be captured on a regular basis. As Participant 25 put it: 'I think that's going to be a really powerful tool for us moving forwards, because it will enable us to kind of put bids together in a more kind of exact and professional manner, because we will have the hard statistics to back up what we're saying'. A Digital Hub will also enable to advertise for services easier. Again, resources would be needed to update it regularly since services change, fold, amalgamate and their assessment processes and referral pathways are constantly changing and adapting.[261]Feedback would be needed with the third sector agencies prior to any such rollout to factor in these vagaries.[262] . Digital information hubs containing examples of best practice, national and local information on different community groups, might be built that help the police to

support communities during a period when resources are stretched.[263] Consideration should be given to 'researcher' roles being embedded within policing to keep digital hubs up to date.

6.2.156 Whilst there are undoubtedly current opportunities for the public to have input into the policing plan through voting for their Police and Crime Commissioner, participation in such elections is woefully low; many members of the public either do not know who their PCC is, or do not understand their role.[264] Moreover, such roles are undoubtedly 'politicised' with often very different agendas demonstrated by subsequent PCCs within the same geographical area. Digital hubs would be useful to all PCCs regardless of their political affiliation and agenda.

6.2.157 In the longer term, the digital hub would promotef research on communities and public consultation to better inform police governance and accountability.

6.2.158 Finally, it is essential to make clear to the public what the police remit is, in what circumstances the police can/cannot help and which other agencies might support them. It is also necessary to more successfully highlight the many examples of 'good policing' and performance – only 'bad news' tends to reach the public which is demoralizing for officers and continues to feed into public lack of trust and confidence. This however needs to be balanced against the data in this project and TI feedback at the roundtable about their clients from non-police participants who reported different experiences of police.

6.2.159 Partnership and their role: We suggest that empirical research is carried out by academics in collaboration with NGOs, policymakers, local communities and community police officers. The aim would be to generate data on (1) perspectives, experiences, needs and priorities of the public, and stakeholders that support marginalised communities; (2) perspectives, experiences, priorities and knowledge 'gaps' of police officers and professionals; (3) policing knowledge around police role, capacity and information on how policing is execute and what other agencies are available to support; (4) examination of emerging effective models improving access to justice.

6.2.160 Given both the socio-legal and humanities elements of the Research Hub, we recommend that AHRC and ESCR work on the development and maintenance of the Digital Hub together.

6.2.161 Some of the potential risks involved are the risks inherent to working with the data. Such questions as security of data; their usage – by whom, how, for how long; storage; as well as such dangers as breaking of the system or hacking should be considered. The questions of ethics (consent for the use of data, anonymisation and privacy) and security of data handling, as well as a well-developed data management plan should be envisaged in the project.

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[1] Participant 28.

[2] REF 2021 Overview report by Main Panel C and Sub-panels 13 to 24, Para 86, 25.

[3] REF 2021 Overview report by Main Panel C and Sub-panels 13 to 24, Para 89, 25.

[4] REF 2021 Overview report by Main Panel C and Sub-panels 13 to 24, Para 23, 5.

[5] REF 2021 Overview report by Main Panel C and Sub-panels 13 to 24, Para 24, 110.

[6] (WHO & Commission on Social Determinants of Health, 2008)

[7] Jody Zall Kusek, Ray C. Rist, Ten Steps to a Results-Based Monitoring and Evaluation System: A Handbook for Development Practitioners. (2004 World Bank) https://openknowledge.worldbank.org/handle/10986/14926; WHO, Closing the gap in a generation: health equity through action on the social determinants of health - Final report of the commission on social determinants of health, WHO/IER/CSDH/08.1 (27 August 2008) https://www.who.int/publications/i/item/WHO-IER-CSDH-08.1; T. Beeson, B.D. McAllister & M. Regenstein, 'Making the Case for Medical-Legal Partnerships: A Review of the Evidence' (The National Center for Medical-Legal Partnership Department of Health Policy School of Public Health and Health Services George Washington University 2013); L Curran, 'A Literature Review: Examining the Literature on How to Measure the "Successful Outcomes:" Quality, Effectiveness and Efficiency of Legal Assistance Services' [2012]; L Curran, 'Enabling Marginalised Voices to Be Heard: The Challenge to LawReform Bodies', in Ron Levy, Molly O'Brien, Simon Rice, Pauline Ridge and Margaret Thornton (eds) New Directions for Law in Australia: Essays in Contemporary Law Reform (ANU Pres 2017).

[8] The indicators include: awareness; accessibility; adaptability, flexibility and malleability; interactions; communication; vulnerability; diversity; inclusivity; technology-empowering; sustainability; respectfulness; timeliness; clarity and clear communication of processes; offers of alternatives; dignifying; participation enabled; safety; integrity; affordability; transparency; active listening and hearing; tailored and individualised; enables the voice of diverse communities with layers of difference; feedback loop; empowering; building resilience; strategic agility; dynamic capability. Informed by previous work of Curran. See Liz Curran & Pamela Taylor-Barnett 'Evaluating projects in multifaceted and marginalised communities: the need for mixed approaches, *Evaluation Journal of Australasia*, March 2019 https://journals.sagepub.com/eprint/ZKNthDuA6yJpAPTih8ez/full

[9] See for example, L Curran (Ibid); J Oliva Garcia & H Hall, Religion, Law and the Constitution Balancing Beliefs in Britain (Routledge 2018); B Kellezi, C Coupland, R Morriss, K Beckett, S Joseph, J Barnes, N Christie, J Sleney, D. Kendrick, 'The impact of psychological factors on recovery from injury: a multicentre cohort study' (2017) 52 Social Psychiatry and Psychiatric Epidemiology 855; G Kyroglou, M. Henn, 'Pulled in and pushed out of politics: The impact of neoliberalism on young people's differing political consumerist motivations in the UK and Greece' [2020] International Political Science Review 1; Louise Mullany, Loretta Trickett, Victoria Howard, 'Informing legal change: The language of misogyny hate crime, gender and enhancing protection through criminal law' in Irene Zempi, Jo Smith, Misogyny as Hate Crime (Taylor and Francis 2021) ; H O'Nions, Asylum. A Right Denied (Ashgate 2014).

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[12] W. P. Vogt, Dictionary of Statistics and Methodology: A Non-Technical Guide for the Social Sciences (Sage Publications 1999).

[13] Virginia Braun & Victoria Clarke, 'Using thematic analysis in psychology' (2006) 3 Qualitative Research in Psychology 77.

[14] Luc Bovens, 'Selection under Uncertainty: Affirmative Action at Shortlisting Stage' (2016) 125 Mind 421, 2017.

[15] See Appendix III for full details of the benchmarks.

[16] See, for example, Kelly, C., Kasperavicius, D., Duncan, D. et al. 'Doing' or 'using' intersectionality? Opportunities and challenges in incorporating intersectionality into knowledge translation theory and practice. Int J Equity Health 20, 187 (2021); Stanley Toops, Mark Allen Peterson, Walt Vanderbush, Naaborle Sackeyfio, Sheldon Anderson, *International Studies: An Interdisciplinary Approach to Global Issues* (Taylor & Francis, 2021).

[17] See, for example, Bryant G. Garth, 'Law as a discipline: Legal theory, interdisciplinary legal theory, and ways of speaking legitimacy to power,' In Shauhin Talesh, Elizabeth Mertz, and Heinz Klug (eds), *Research Handbook on Modern Legal Realism* (Edward Elgar, 2021); Matsuzawa, Shin, and Kimmo Nuotio. 'Methodology of Criminal Law Theory: Art, Politics or Science?', 1st ed. Vol. 4. Studien Zur Strafrechtstheorie Und Strafrechtsethik. Baden-Baden: Nomos Verlagsgesellschaft mbH & Co. KG, 2021; Maryam Salehijam, 'The Value of Systematic Content Analysis in Legal Research' (2018) 23(1) Tilburg International Law Review X; Aspasia I. Tsaoussi (2020) Using soft skills courses to inspire law teachers: a new methodology for a more humanistic legal education, The Law Teacher, 54:1, 1-30; Denvir, Catrina, *Modernizing Legal Education* (Cambridge University Press, 2020).

[18] Ibid.

[19] See for example, McConville, Mike, and Wing Hong Chui, eds. Research Methods for Law. Edinburgh: Edinburgh University Press, 2007; Fine, Michelle. Just Research in Contentious Times: Widening the Methodological Imagination. Illustrated edition. New York: Teachers College Press, 2017; Watkins, Dawn, and Mandy Burton. Research Methods in Law. London: Routledge, 2013.

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[22] https://talkinghumanities.blogs.sas.ac.uk/2022/03/07/the-humanities-and-law-more-intertwined-than-you-might-think/

[23] REF 2021: Overview report by Main Panel C and Sub-panels 13 to 24 (May 2022) Outputs Law, p. 106.

[24] Ibid.

[25] Ibid.

[26] Ibid, p. 108.

[27] Ibid.

[28] Ibid, p. 109.

[29] Ibid.

[30] Ibid, p. 115.

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[165] Participant 3, 6.

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