

1 May 2018

Information Sheet

Cross-Border Litigation in England and Wales: Brexit Implications

The project involves Dr Mihail Danov from the University of Exeter. He works in a close collaboration with Professor Paul Beaumont and Ms Jayne Holliday from the University of Aberdeen.

Details of Project

The purpose of this pilot study is to measure the *expected initial impact* of Brexit on parties' strategies which will in turn have a bearing on the litigants' access to legal remedies (as well as on settlement dynamics) in cross-border disputes. The newly generated data will enable us to consider the correlation between a possible change in the legal landscape and the parties' alternative strategies as well as to analyse the relationship between the litigants' tactics and private parties' access to justice in cross-border cases before the English and Welsh courts. On this basis, it would be possible to identify the main issues which need to be addressed by the UK policy-makers as priority with a view to setting up a well-functioning private international law regime in a post-Brexit context.

The results of this study are to be published in academic papers which will be presented at various academic conferences. The research data will be archived at the UK Data Archive < <http://www.data-archive.ac.uk/>, in order to allow for other researchers to use it as well.

In the short-term, we aim to set up an AHRC Research Network, in order to promote knowledge exchange and engagement activities, involving a range of potential beneficiaries (policy-makers, solicitors, barristers and academics). To this end, a funding application was submitted by the University of Aberdeen (*Ref No: AH/S003169/1*).

In the long-term, the pilot study will set the scene for a collaborative empirical project which is to capture the impact of the *actual changes* in the PIL framework, making a case for reform which promotes a new regime for judicial cooperation in cross-border cases.

Contact Details

For further information about this project and the relevant research data, please contact:

Dr Mihail Danov, Associate Professor, University of Exeter, School of Law, Amory Building, Rennes Drive, Exeter, EX4 4RJ, United Kingdom. Telephone: 00 44 (0) 1392723162. Email: m.danov@exeter.ac.uk.

If you have concerns/questions about the research you would like to discuss with someone else at the University, please contact:

Prof Andrea Lista, Director of Research. Tel: 00 44 (0) 1392722832. Email: a.lista2@exeter.ac.uk.

Confidentiality and Anonymity

Personal details will not be revealed to people outside the project. Every precaution will be taken to respect and safeguard each participant's privacy, and the confidentiality of their personal data. Interview recordings will be held in confidence. Interview tapes will not be used other than for the purposes of this project and third parties will not be allowed access to them (except as may be required by the law). Your personal data will be held in accordance with the Data Protection Act.

As early as possible in the data processing, all personal information will be rendered anonymous as far as is possible and consistent with the needs of the study. No one will be able to connect individual responses and any other information that identifies individual participants. In accordance

with the ICO Code on ‘Anonymisation: managing data protection risk code of practice’¹, the anonymisation of the research data will be complete, with a number assigned to each interview transcript and all the names (or any other information which may make the individual identifiable) redacted from the interview transcript. A copy of the anonymised interview transcripts will be sent to each interview respondent who will be invited to make any corrections s/he deems necessary.

The results of the research will be published in anonymised form. Research data will be held and used on an anonymous basis, with no mention of your name.

Data Protection Notice

Any personal data which is collected will be separately stored. All personal data will be protected. Personal data will be processed exclusively by Dr Danov. Personal details will not be revealed to other people. Every precaution will be taken to respect and safeguard each participant’s privacy, and the confidentiality of their personal data.

Electronic personal data will be encrypted and password-protected, being stored on the University of Exeter’s secured server. Any printed material will be kept in a locked filing cabinet in Dr Danov’s office at the University of Exeter.

Personal data collected in the course of research will be retained for a 5-year period in Exeter. After that, the archived personal data will be securely destroyed by shredding and disposal as confidential waste of any hard copies and by secure electronic deletion of any electronic copies.

The anonymised research data you provide will be used for research purposes. In order to allow for other researchers to use the anonymised research data, we will make sure for the relevant data to be archived at the UK Data Archive < <http://www.data-archive.ac.uk/> >.

Voluntary Participation and Consent

Your participation is voluntary, and you have the right to abstain from participation in this study. If you do decide to take part, you will be given this information sheet to keep and be asked to sign a consent form. If you decide to take part, you are still free to withdraw at any time without having to give any reasons for this decision.

Your explicit consent will be also sought for the anonymised research data you provide to be archived at the UK Data Archive.

¹ ICO Code on ‘Anonymisation: managing data protection risk code of practice’ < <https://ico.org.uk/media/for-organisations/documents/1061/anonymisation-code.pdf> >.