

Mapping best practice in clinical legal education

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Preface

An online version of this report is due to be posted onto the ProBonoUK.net website (www.probono.net). The online version will include additional material, including a resource bank of materials obtained from the institutions studied, the original project proposal, PowerPoint presentations made by the project team at several conferences and the template used in interviews. Subject to the advice of ProBonoUK.net the online version may also include any necessary stylistic or editorial changes, particularly in order to make the material Web friendly.

The possibility of ProBonoUK.net making the site interactive or using it as a platform for posting further information about clinical and pro bono activities in law schools is to be explored, but not within the scope of the UKCLE funded project.

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Executive summary

This research was conducted between March 2003 and August 2004. It was funded to a large extent through UKCLE's Project Development Fund.

The purpose of the research was to identify and examine contrasting models of clinical legal education in UK law schools and to chart, from the information provided, good professional and education practice. Based on the information gathered and methodology used a second phase of the research is planned (subject to funding), to compile a comprehensive directory of clinical practice in UK law schools.

The research relied initially on the working knowledge of the two researchers, both of whom have extensive experience in establishing and running clinics in law schools. The five universities and colleges chosen as subjects of the research were selected in part because of the particular clinical models they ran and in part to give geographical spread, to cover the 'new' and 'old' providers and to include institutions providing both undergraduate and overtly vocational programmes. The five are:

- College of Law
- University of Kent
- Northumbria University
- University of Sunderland
- Queen's University Belfast (QUB)

At the time of the research the researchers worked in the College of Law and the University of Sunderland. They chose to use these institutions for several reasons; testing the methodology, provision of information that should be made available more widely and limitation of funding. The obvious risk of personal bias is considered where relevant in this report, but this does not affect, we hope, the usefulness of the research overall.

The research was conducted through interviews with key stakeholders, including academic staff, management, students and external organisations (in particular hosts for student placements), and through a review of course and related materials.

The findings reveal rich and diverse activity that was highly valued by all participants. In addition to anecdotal evidence of value, the research also produced interesting commentary on value in terms of the price the institutions put on their clinical work, particularly the extent to which programmes were, in the main, funded by the institutions themselves.

The materials generated by the research are appended to the report and available in hard and electronic copy. A 'best practice' guide from the mid 1990s has also been included and annotated, in order to demonstrate the movement in model design and implementation and to highlight remaining and emergent pressures implicit in such work.

Four basic models of clinical activity were identified:

- in-house advice and representation services
- outreach services run by the institution but based in an external setting
- placements in organisations external to the institution
- legal literacy programmes focusing on awareness of rights and

responsibilities

In each instance benefits and challenges are examined, including the logistical and resourcing concerns surrounding the setting up and running of particular clinics.

Apart from providing a wealth of detail from tried and tested models to those involved in or aspiring to have clinical programmes, the research report includes a set of 'frequently asked questions' with answers drawn from the research findings. This information should prevent the reinvention of wheels and give guidance on how the research findings might be adapted and used in other contexts.

1 Introduction

1.1 Background

This research was carried out between March 2003 and August 2004. It was funded to a large extent through UKCLE's Project Development Fund.

The rationale behind the project was based on the following principles:

- experiential learning has been long established as effective pedagogy (Kolb, Gibbs, Rogers, Schön)
- law schools have been generally slow to take up learning by doing (with notable exceptions!)
- there is perceived and increasing recognition of and demand for clinical programmes
- a desire to get the cart moving and not reinvent the wheel.

The research had three objectives:

- to examine contrasting clinical programmes in selected law schools to highlight models for hands-on learning opportunities
- to extract from this operational methods and indicators of best practice (first two bullet points – stage 1)
- to create a template for a further study (stage 2 – a full directory of law school clinical activity)

The providers selected offered a range of activity that brought students into direct contact with clients and/or other service providers.

1.2 The institutions

The research looked at clinical legal education programmes at five institutions:

- College of Law
- University of Kent
- Northumbria University
- University of Sunderland
- Queen's University Belfast (QUB)

Each institution places a particular, and often very different, emphasis on clinical work. The whole encompasses a wide range and varying history of clinical teaching and learning in a domestic context. The selection was based on a mix of universities in the 'old' and 'new' sectors and one vocational provider, with a wide geographical spread. Although the institutions were chosen to reflect this variety they were primarily selected because of the different approaches to clinical legal education they offered. The institutions were selected based on the personal knowledge of the researchers of the programmes each ran. The understanding of the objectives and operational detail held by the researchers was confirmed during the research.

The proposal for the research was discussed with delegates at the Lord Chancellor's Standing Conference on Legal Education (London, November 2002) and the Learning in Law Initiative (LILI) conference in January 2003, and the five suggested institutions were confirmed as appropriate.

1.3 The methodology

All five institutions were visited between March 2003 and March 2004. The methodology used in each case was to conduct a review of course and module literature, to look at samples of students' work, to consider external examiners' comments and programme evaluations and to conduct interviews with the relevant stakeholders (university management, teaching staff, students, host organisations). The template used for interviews is included in the online version of this report.

The researchers have or have had strong personal links with two of the institutions (the College of Law and Sunderland). It is acknowledged that this may have led to a degree of subjectivity in both perception and response. To minimise any potential bias the research was conducted by the researcher who did not have the personal institutional link at each named institution. Hugh Brayne therefore conducted the interviews at the College of Law with Richard Grimes doing the same at Sunderland. Hugh then visited Kent, Richard Northumbria and both researchers visited QUB.

Feedback on preliminary findings has been given at a range of conferences, workshops and meetings, including the annual LILI conference (Warwick, January 2003 and 2004), Institute for Learning and Teaching (Warwick, July 2003), Law Society Training Committee meeting (London, March 2004), Bar Vocational Course Providers conference (Bath, July 2004), International Journal of Clinical Legal Education conference (Edinburgh, July 2004).

1.4 The models

The five institutions encompass a range of different clinical models including:

- in-house advice centres and/or representation services
- outreach clinics (advice and/or representation)
- community based consultancy services
- placements
- legal literacy clinics (Streetlaw)
- simulation clinics

Some institutions offer more than one model.

1.5 Key issues

In summary the following findings were made and conclusions reached:

- materials - a significant amount of material has been identified that appears to be easily adaptable and could be included in any manual of best practice
- cost - cost of provision is major issue; administrative, supervisory, tutoring, together with other resources, for example premises, travel and office running costs
- funding – initially problematic due to relatively high set-up and operational costs, but viable partnerships have been identified along with potential funding sources
- logistical concerns – many issues have arisen; for host organisations, for the educational provider, for the student and for the client, for example location of clinic, transport to and from clinic, timing of clinics, reliability of service/client, safety issues for participants, suitability of premises

- academic issues - including weighting, assessment, quality assurance and integration within the overall curriculum
- benefits - very positive feedback from all concerned

2 Introduction to the institutions

This section of the report outlines the methods used in selecting the five institutions forming the basis of the research and summarises the clinical programme(s) at each. For the full case study on each institution see section 5.

2.1 Selection of the institutions

Institutions were selected according to a number of criteria; spread within the UK, range of types of programmes, and to include new and old universities and a vocational provider. When the project was started the legal academic community was canvassed for suggestions, via the LILI conference and the Standing Conference on Legal Education. Taking into account these criteria, and not having received further suggestions, five institutions were selected and research took place at all five over the period March 2003 to March 2004. The summaries are set out in the order that the institutions were visited.

2.1.1 University of Sunderland Law in the Community programme

This new programme was selected for two main reasons; firstly, the work had attracted interest at the 2003 LILI conference, and secondly the fact that one of the researchers was running the module enabled us to test the methodology of setting a programme of interviews with staff, students and partners involved. It also was a new programme set within a new law programme, and known to lack the resource beyond the availability of a module leader. It offered the opportunity to explore what could be achieved without significant investment. Interviews took place over two days in March 2003. The programme (then) comprised a second year module in which students are placed into three separate community settings over the course of a year – a school, a community agency and a solicitors office.

2.1.2 Queen's University Belfast Law in the Community programme

This old university programme was initially selected because it was known to the researchers as an interesting, and written up, example of advice work in a placement setting. It was discovered that the nature of the placement had in fact changed and no advice work was being undertaken. The researchers decided to continue with QUB as a subject of the project, firstly to explore what could be achieved in terms of educational and community objectives without engaging in actual legal service work, and secondly as an example of a provider with a considerable track record in community involvement. The research visit took place over two days in May 2003. Students are involved as part of the third year of the LLB in conducting a negotiated research project on behalf of a placement organisation.

2.1.3 The College of Law

The College, having started on a clinical programme in 1999, now provides a clinical experience, through one institution, to arguably the largest number of law students in the world. It was selected not only for this reason but also because its work is very varied, ranging from legal literacy work through to advice. It has secured significant external funding and works closely with national, international and local agencies (for example the UN, the New Deal for Communities, the Legal Services Commission and law firms). It is also interesting in that a relatively small part of the experience is assessed within the curriculum. It was also the only institution surveyed that provided

exclusively graduate legal education. Although, like Sunderland, one of the researchers is involved in the programme, it was felt that the range of initiatives, the number of staff and students involved and the geographical spread merited selection for the purposes of the project. Given the branch structure of the College the 'visit' was conducted by videoconference in December 2003.

2.1.4 Kent Law Clinic

Kent was involved in the earliest stages of the development of law clinics in the UK, in the 1970s. It was selected as a model of a clinic which has goals and organisational structures not explicitly shared by all clinic providers; the university does not place its students but runs its clinical programme in partnership with the community, it explicitly seeks to provide a service to the community as well as to meet educational goals, and it places considerable emphasis on reflection and critical analysis of the law and legal services, as well as skill building and providing experience for the student. The research visit took place in December 2003. All members of the law school, and local providers of legal services, have the opportunity to become members of the law clinic. Additionally there is an assessed module for students who do casework.

2.1.5 Northumbria University

This provider is the only one in which involvement is compulsory (as part of the four year exempting degree), and it is also the largest university provider of an in-house clinic and therefore the closest to the medical clinic from which clinical legal education derives its name. It provides services under the supervision of solicitor academics and has obtained the Legal Services Commission's Quality Mark. Despite the extent of its service the Student Law Office receives virtually no external funding. The research visit took place in March 2004.

3 Findings, commentary and tentative conclusions

This part of the report looks at the following issues:

- what we found in terms of the objectives of those running the various clinical and pro bono programmes
- the different types of models for involving students in clinical and pro bono work
- the benefits
- the challenges and operational considerations
- sustainability of clinical programmes
- reflections on and conclusion to the report (stage 1)

3.1 Objectives of the programmes in the different institutions

Clinical programmes can exist to achieve a range of objectives, and each participant is likely to have their own additional personal motive. For example, teachers report greater satisfaction from their closer and, they feel, more effective personal involvement in the students' learning. Students obtain satisfaction at achieving something both on behalf of others and in their own development of skill and understanding, plus, of course, an enhanced CV.

The formal objectives of the programme depend on whether it is incorporated within the curriculum, which is the case in all of the programmes save, in part, at the College of Law, but bearing in mind that most students at Kent Law Clinic do their clinical work outside the curriculum. All programmes with assessed outcomes, we found, address the development of both legal knowledge and skill and wider transferable or personal skills such as teamwork and presentation. Kent Law Clinic appeared to us to have the most overt public service mission as well as the educational mission. It also appeared to us to have the most clearly articulated requirement for students to reflect critically on law. The result is a clinic jointly owned by the community and the university. At the other end of the spectrum, perhaps, Northumbria appeared to have the most overt professional training objective, which is not surprising given that the fourth year of the degree programme involves students who all intend to become solicitors or barristers. Both Sunderland and QUB had objectives which were confined to the module rather than permeating the ethos of the degree.

The impression the researchers have gained is that stated objectives are very important, since they inform any outcomes which will be assessed by the institution. But there are less tangible objectives, which are often a product of history and personality; our impressions from talking with staff and students is that often as much is learned by an undocumented process which might be called osmosis, or role modelling, as can be demonstrated through assessed outcomes. The student feedback, again, is probably the best way to identify this. For anyone reading this report thinking of setting up a programme and despairing at the difficulty of identifying the objectives that really matter to them personally – changing people, planting a lifelong interest in justice, etc – our experience (personal and through this research) is that you will never succeed but do not need to try. It is perhaps legitimate to settle for more mundane objectives which are recognisable within the normal academic structures of programmes. Then you will not fail. This does not prevent you achieving the higher order objectives, but if you defined them and claimed to assess your achievement of them, you would face potential disappointment and a range of

challenges in terms of actual assessment of students' work.

3.2 Models of clinical and pro bono programmes

The five institutions encompass a range of different clinical models including:

- in-house advice centres and/or representation services – where advice and/or further assistance (including advocacy) is offered by a service run by and at the educational provider
- outreach clinics (advice and/or representation) – a service involving the same extent of provision, run by the educational provider but at a community-based venue outside of the institution
- community-based consultancy services – where the institution provides a consultancy service for another organisation using staff and students at that institution to provide the service
- placements – students placed with a host organisation and working there under the direction of that organisation's management. The host is responsible for the delivery of the relevant service.
- legal literacy clinics (otherwise known generically as Street Law TM) – here students deliver classes on rights and responsibilities in the context of everyday legal issues to local groups. The classes are interactive and customised to meet the needs of the particular community.
- simulation clinics – where there is no real client but where the hands-on experience is simulated through the use of role play

Some institutions offer more than one model.

3.3 Benefits

Specific examples in the case studies demonstrate the perceptions within the institutions and their partners of the benefits listed below.

3.3.1 Professional

- more aware and employable entrants to the profession – commercial and ethical – QUB interview with Science Shop
- more skilled (legal and transferable) and motivated – interview with caseworker and trainee at Northumbria
- improve public image of lawyers – College of Law, partner firms
- joined up provision (linking law schools with law firms and government) – Sunderland partnership with Legal Services Commission and Community Legal Services Partnership

3.3.2 Educational

- improve motivation – student feedback at QUB
- increase self-confidence – tutor feedback at Sunderland
- improve team working capacity – pro bono co-ordinator feedback at the College of Law
- complement study elsewhere – supervisor feedback at Northumbria
- increase depth of knowledge and critical awareness in applied setting – tutor feedback at Kent
- improve skills – student feedback at Northumbria
- develop understanding of professional values – student feedback at Kent

- increase performance standards in other areas of the curriculum – Bar Vocational Course supervisor at the College of Law
- help students decide on career destination (law and non-law) – student feedback at Sunderland
- build capacity in public interest law – UN Asylum Clinic at the College of Law

3.4 Challenges and operational considerations: best practice

(See also Appendix 1, the CLEO model standards.)

The following issues were raised by the study:

- Insurance – a requirement if a solicitor’s practice and best practice regardless to safeguard clients, institutions and staff/students. Experience suggests (College of Law, Sunderland, Northumbria) that such insurance cover can be added as an extension to the institution’s policy without additional charge – some conditions apply, for example, not handling clients’ money and having professional supervision.
- Premises – general client care concerns and educational needs; requirement for premises that meet practice requirements (interviewing, casework, administration and storage space). May be used part time but must be capable of being secured to protect confidentiality.
- Staff time – administrative and supervisory; sufficient time needed to allow for effective administration and casework supervision. Has implications for staffing, as staff need allocated time to carry out relevant tasks. In some cases staff are dedicated exclusively to the clinic (some staff at the College of Law). In other cases staff have combined clinic and teaching roles (Northumbria). In some instances staff receive no allocation but do their clinic work as additional tasks over and above other obligations (some staff at the College of Law).
- Clients - meeting need and getting regular supply; targeting services to meet need is an important consideration, especially if external funding is sought. It can also be a concern to ensure a regular flow of clients to meet the institution’s educational agenda.
- Training – best practice seems to indicate the need for structured induction and training. This requires organisation and resources, both academic/professional and administrative.
- Practising certificates – it will be a professional requirement (if a supervisor is held out as a solicitor/barrister) and is best practice to ensure that all supervisory staff hold the relevant practising rights
- Managing expectations – a major concern expressed at all surveyed institutions; ensuring that the level and standard of service is clearly communicated to all participants, clients, students, staff and external bodies linked to the service
- Making reflection happen – the evidence from those interviewed suggests that although clinics claim to produce increased levels of reflection on the part

of the student this does not happen as a result simply of direct casework experience. The student needs to be guided through the process by which reflection can take place. The College of Law's City and Guilds Senior Award Scheme contains in its reflective guide an example of how this process can be structured. See also the module option for Kent's clinical option.

- Office manual – the need for clear guidance on how a particular clinic operates was identified as crucial to both smooth operation and managing expectations. It is also a requirement for compliance with the Legal Services Commission Quality Mark.
- Legal Services Commission Quality Mark compliance – those institutions holding the quality mark (College of Law, Kent and Northumbria) reported that although the procedures for obtaining and complying with the quality mark rules are demanding they do promote good practice through the structures and policies required. The attitude of the Legal Services Commission was generally seen as supportive and designed to help institutions obtain the desired outcome. The benefits of quality mark compliance also include the ability to take referrals and eligibility for funding grants.
- Assessment – particular challenges are thrown up by the assessment of clinical work. In particular, these include ensuring an equivalence of experience that can be assessed by reference to fixed criteria. Group work and intensive feedback also pose difficulties, in the sense that it must be clear whose work is actually being assessed. Clear outcomes and assessment by individual portfolio are seen as ways through this area of challenge.
- Funding generally – it was commonly stated by the surveyed institutions that a particular challenge was finding resources to meet running, as well as staff, costs. Realistic budgets were needed to ensure that such costs were met. Although all of the institutions surveyed made significant contributions to these costs, some (three out of five) looked to external sources through private donation (for example, law firms), government grants (for example, Legal Services Commission) and funds specifically from sources supporting developments in higher education.
- Continuity in vacations/exam periods – the timing of clinical programmes posed two time related problems, one in relation to the students' overall study commitments and the other to specific periods in the academic year when it was difficult to fit in clinical work; vacations and exam periods. Some institutions did not programme clinics when pressure points arose, others devised ways of spreading loads, for example by using different cohorts of students or by offering a skeleton service.
- Meeting local legal needs – to ensure effective service provision it was considered important by all surveyed institutions to meet and collaborate with existing providers, particularly, where appropriate, through such bodies as the Community Legal Services Partnerships.
- Addressing needs that public funding should meet – a tension was discernable in some of the survey responses that linked service provision with the perceived decline in public funding for legal services. It was generally accepted that need amongst the community was sufficient to warrant law school based services, but that law schools were not and should not be major

service providers and that pro bono work generally was no substitute for properly funded legal services.

3.5 Sustainability

A number of issues have come out of this research which anyone planning a programme may wish to consider. All clinical or potential clinical programmes have to face, to some extent, the question of whether the programme can be resourced on a long term basis. Below is a summary of the principal concerns expressed.

- At Sunderland the clinical programme reflected the personal interest of the module leader and the aspirations of the university, but not the personal preferences or background of the majority of the small team delivering the new law degree. The module leader had a background in clinical legal education and was keen to establish a programme within the new law degree. His ambitions to obtain funding for an advice centre jointly run by the university and a community partner, supported by the Community Legal Service Partnership and the university, might have resulted in long term viability which would have been less dependent on individual enthusiasms. As it was, his decision to leave the university – in part triggered by the lack of shared interest in community engagement - meant the Law in the Community programme did not continue.
- However, it appears to be a common theme in the conversations we have had that programmes both successful and, the few that are not successful, often share a common feature, which is that their launch depended on initial enthusiasm rather than institutional resource or impetus. Programmes which have now demonstrated long term viability and institutional acceptance nevertheless could not have guaranteed this at the time of launch, and a measure of success has been necessary to convince colleagues to join in. (The researchers can refer to other programmes, not covered in this research, where one person's lone activity led to the involvement of colleagues and continuing viability after that person left. For example, see Brayne H (1996) *Developing an undergraduate clinical programme: a case study* chapter 6 in Webb J and Maughan C (eds) *Teaching lawyers' skills*, Butterworth, which refers to the early history of the Student Law Office and the clinical activities which preceded it at Northumbria.)
- At QUB, modularisation in particular, and the long term demands of clinical supervision for students involved in actual advice giving, led to a re-evaluation of the programme and a decision to move the clinical experience into community research projects. Our reaction to this, as outside observers, is to note that the learning and personal skill development seems to be as valuable and as exciting as experiences encountered by students on other programmes. Sustainability can include significant change as well as continuity.
- The College of Law programmes are now heavily dependent on inward investment, pro bono input from practitioners and the College's continuous funding. Northumbria's enviable resourcing clearly requires a financially buoyant law school and a continuing willingness to use resources in this way. Whether the risk of those resources being one day withdrawn is a reason for caution in the first place is a matter of judgement. Probably you would not be reading this report if such fears put you off – and all funding streams can be

withdrawn, not just those which support clinic and pro bono.

- Kent had a law clinic in the 1970s. For reasons which we have not explored it did not survive, however the university's critical and contextual approach to learning law remained a constant, and provided a fertile environment for the Kent Law Clinic to revive and flourish. Failure is not in fact failure! We also know that those involved in the 1970s version are influential members of the legal education community, and their ideas and experience are available to support some of the initiatives which flourish today.

The conclusions we would draw on sustainability are relatively simple.

- There are many reasons to fear failure – but we have not met anyone who would advocate not starting a clinic just because the long term cannot be guaranteed.
- If all else fails the enthusiasm of one person can be enough, but far better for the project to be owned with the institution by more than one person. A mix of skills and personalities is politically more subtle and acceptable within the institution than the lone, possibly evangelical, individual.

3.6 Reflections and conclusions

We designed and obtained funding for a fairly limited project, which is aimed to share experience as widely as possible. We intended to gather personal and documented experience of those who we, using our judgement, identified as being able to describe good and even best practice in clinical legal education, and to disseminate what we found to anyone who could be interested. We have delivered workshops describing our work in progress on several occasions already – for example the LILI conference, the Bar Vocational Course conference, the International Journal of Legal Education conference – and we have shared our ideas and findings informally with, for example, the Law Society and the Solicitors Pro Bono Group. During the time we have been carrying out our research the idea of clinical method seems to have moved from fringe to mainstream, perhaps aided by the clear messages in the Law Society's Training Framework Review that it is what you can do, not what qualifications you carry, that will matter for entry to the solicitors profession. A recent CHULS meeting (where heads of law schools gather) apparently produced the evidence that there is almost no institution where no clinical programme at all is taking place.

Stage 2 of this project, funds and researchers permitting, is more ambitious than the stage we have reached so far. We think there is scope for a comprehensive directory which will enable clinical resources to be exploited by service providers and funders, who will know which law schools or student bodies are available to undertake which services, and vice versa. In the same way that teaching hospitals are a mainstream part of health services, we hope that legal education will play a mainstream role in high quality legal service and legal literacy provision. We have not yet applied for funding and would welcome feedback on the shape of such a project and the best sources we might approach for funding. It won't be cheap but we hope it will be valuable.

Our own thinking in relation to what we have found can be summarised as follows:

- there already exists a significant amount of material generated that is easily adaptable and could be included in any manual of best practice
- cost of provision is a key issue – administrative, supervisory, tutoring, other resources (for example, premises, travel and office running costs)
- logistical concerns require detailed attention - for host organisations, educational provider, student and client (for example, location of clinic, transport to and from clinic, timing of clinics, reliability of service/client, safety issues for participants, suitability of premises)
- academic issues also require detailed attention – weighting, assessment, equivalence in particular
- funding – appears initially problematic, but viable partnerships have been identified along with potential funding sources
- benefits - very positive feedback from all concerned

4 20 questions

20 frequently asked questions (FAQs) which our findings can help to answer. For help with the detail of the answers see sections 5 of this report (the case studies) and the online resource bank.

Q1	I want to start a clinic – how do I go about it?	Find out what is needed in your area. The models described in this report should help you with ideas. Talk to other service providers. A good starting point is your Community Legal Service Partnership (CLSP) – contact your local district or borough council – they normally employ a liaison officer who helps organise CLSP work.
Q2	Are there things that we cannot (or perhaps should not) do for clients?	Do what you think you can do well and start small. Manage everyone's expectations from the beginning; clients, students and staff. Avoid taking on cases with pressing deadlines. The students need time to work on a case. The client in urgent need should be referred to a source of help that can meet his or her need.
Q3	None of my colleagues are interested – what should I do?	You cannot make people enthusiastic but you can demonstrate what can be achieved. The clinics surveyed show how a carefully controlled model can both identify need and show how that need can be addressed. Get the students to meet with staff and talk about their experiences. Ask the students to raise their experiences (but preserving client confidentiality) with their tutors in the relevant subject area.
Q4	Can we start a clinic without additional resources?	In principle yes, but be realistic about what it might cost. Some clinics, for example Streetlaw, are relatively cost effective, whereas others, for example full representation, are more resource intensive. Try to avoid over committing – start and stay small until resources allow for expansion. Often a successful pilot will encourage support and allow for growth.

Q5	How do we control the over-enthusiasm – particularly (but not exclusively) of students?	Again this is part of managing expectations. Have a comprehensive induction programme and have regular meetings with individuals (or firms) to monitor progress. Be clear with the students what is expected of them. Have them sign up to a contract setting out these expectations. Stress that if a student goes beyond what the service states it can provide the responsibility falls on them and they may not be covered by the institution's insurance cover!!
Q6	How do we go about assessing the students?	In essence no differently from any other assessed topic. Have clear outcomes and assessment criteria. Be sure that what is being assessed is that student's work. Reflective journals are often an effective means of gauging student progress.
Q7	Doesn't clinical work interfere with work in other subjects?	It can do, as clinic tends to promote high levels of motivation and interest. Explain to students at the outset what time input is expected (typically 5–10 hours per week).
Q8	Should a law school be responsible for client care?	If you do real client work you must accept responsibility for the client care associated with it. If you hold yourself out to be a solicitors practice you must comply with Law Society standards.
Q9	Why should students and staff be expected to do pro bono work?	The surveyed institutions all stated that doing pro bono work opened the students' eyes to issues of substantive law, legal and transferable skills and ethical considerations. For providers at the overtly vocational stage this has direct career links. For undergraduate law schools this is a unique opportunity to make the students aware of the applied context of legal study.
Q10	Why can't this kind of practical work be left until the vocational stage of legal education?	It can, but isn't it a wasted opportunity to wait to give students the chance to put theory into practice and help meet some legal need?
Q11	Do I need to have professional indemnity insurance cover?	Unless you are a solicitors practice – technically no, but there would be considerable risks in not having this cover. In most instances it can be obtained without additional premium.
Q12	Am I subject to the Law Society or Bar Council's professional conduct and practice rules?	If you hold yourself out as a practitioner – yes.

Q13	Are there sources of funds I can access to help fund my clinic?	Yes, there are many possible sources of funding. The clinics surveyed in this research have revealed funding opportunities through sponsorship (law firms and commercial companies), government regeneration schemes, Legal Services Commission grants and contracts, learning and teaching funds for higher education, foundations supporting charitable activities and through European Union funds.
Q14	What if local lawyers object to my clinic and how can I deal with any objections?	Lawyers (and others) have objected in the past to law school clinics largely on the grounds of suspected competition. Meet with your local Law Society. Ask their members to sit on an advisory committee for your clinic. Involve them and other providers and stakeholders in your set-up discussion. Misconceived views should soon be dispelled.
Q15	Are there areas of work that are unsuitable for students to handle?	Hold on to the ideal that the clinic is a powerful learning tool. Isn't the primary reason for running a clinic is to meet this educational agenda? With this in mind only take on those cases that serve educational needs (although once taken on a case must be handled professionally). Be selective and avoid those cases (however hard that might be) where the subject matter is too urgent, complex or mundane to meet educational objectives.
Q16	How do I make links with other legal service providers to make sure local needs are met?	A good starting point is your Community Legal Services Partnership. Other possible networks are local Councils for Voluntary Service, Citizens Advice Bureaux and local councils.
Q17	Do I need a manual to set out how the clinic runs?	For several reasons do insist on a manual. It will help make clear what the operational rules are. It will be a useful teaching aid and it will help set out expectations. You will also need a manual if you are to apply for Legal Services Commission Quality Mark recognition.
Q18	Should I involve the local community in the clinic?	Much will depend on how you want to run the clinic, but experience suggests that if you do have community input your clinic will better reflect need and will attract local support. An advisory board will help structure this.

Q19	Does my clinic have to run all year long or can I limit the service to term time only?	You can set this agenda. Try not to be driven just by client need. As long as everyone knows when and how the clinic operates you should be able to open when it best suits you and the institution.
Q20	What do the students get out of a clinic?	It is a long list! In essence improving knowledge, skills and values, but students might say other things, including adding to their CV, increasing self confidence and building capacity through encouraging lawyers to have an interest in public interest cases.

5 Case studies

This section is the most important part of the report – it contains the live data from our research, and, we hope, gives a reasonably full picture of the activities at each of the law schools.

We provide a write-up of the visits and findings to each of the five institutions:

- Queen's University Belfast
- College of Law
- Northumbria University Student Law Office
- Kent Law Clinic
- University of Sunderland

The various institutions have kindly made available a range of documents that not only help to understand the programmes, but are also useful for identification of good practice - these can be accessed from the online version of the report.

5.1 Queen's University Belfast

information obtained	visit 8-9 May 2003, discussions with the module leader and other staff and partners
law school home page	www.law.qub.ac.uk
contact	module leader: Laura Lundy (e-mail: l.lundy@qub.ac.uk)

5.1.1 Introduction

The senior lecturer in charge of the clinical module set up a schedule of meetings with university colleagues and visits to organisations that the university worked with on its clinical and pro bono module – Law in the Community. The researchers met with her and her colleague with whom she runs the module, with the head of the law school, with host organisations taking student placements and with students from the present and previous academic year who were taking or had taken the module. A draft of the relevant section of this report was submitted to each interviewee or group of interviewees for their approval in respect of the comments made concerning them or their institutions. This report is based on that authenticated version.

The clinical programme in outline

The module involves a placement of the student in a host organisation; the placement is either arranged by the module leader or by the students themselves and approved by the module leader. Each placement lasts for a semester, normally 15 weeks.

The nature of the placement has varied over the years the elective has been offered. In the past this has included client-based advice work.

Students are now given a research brief and then work at and with the host organisation in order to produce a report that serves that organisation's needs. The students must produce a reflective journal and final report which form the basis for assessment.

The idea of student placements has existed at QUB for over 20 years. In the past it has principally been a client-focused service, where students, as volunteers, supplemented the staff resource at the host organisation, working under the direct supervision of staff at that organisation. This was a relatively resource efficient model so far as the university was concerned, as the bulk of the supervisory cost was borne by the host body. In an attempt to better integrate the activity within the curriculum a credit bearing elective was created.

Four years ago the placement model was adapted to cover both advice work and research. This was in part the result of a wish to increase the number of students taking part. It was also a development that fitted in with the main academic agenda, being more in the nature of study that leads to the equivalent of a dissertation, and the increasing difficulty of providing direct client advice services given the increasing standards of supervision within the advice sector.

In 2001 discussions were held to consider making the elective entirely research-centred. Factors which triggered this decision included:

- changes in the staffing of the module (caused by heavy workloads and maternity leave)

- alterations to the content and structure of the degree programme (the welfare elective, which had been a prerequisite for the Law in the Community module, did not run)
- modularisation/semesterisation, meaning that the student experience and assessment had to be completed within 15 and not 30 weeks.

Compressing client-advice placements into one semester caused quality concerns – students had insufficient time to prepare for and deliver the advice. For the current year (2002-03) the placements have all been research-based with no individual advice work being offered. The documentation for the elective still makes advice giving possible, but for the foreseeable future the module will remain research-based. This reflects both a shift in strategy and staffing cover and is explored further below.

The move to research-focused work has been popular with placement hosts, as it removed much of the supervisory impact on the hosts and produced a useful output in terms of research findings.

It is unlikely that QUB will revert to doing advice clinics, because the resources are not currently available. Also advice organisations need to train their advice volunteers, and this is difficult within a one semester module.

Place of the clinical programme in the law school curriculum

The Law in the Community module is offered as part of the LLB programme. It is an elective open to year 3 students in the second semester of a three year degree programme. It has run in various forms since 1980, with all students placed with community-based organisations. Numbers taking part in this elective vary from year to year depending on student take-up, available placements and staff resources. Numbers have varied from 12 to 30. In 2002-03 15 students opted to take part. The module runs over one semester and is weighted as a full 20 credit module, that is one standard module on the overall programme. Students study three modules per semester.

The placement

As well as the placement and the research project, the student engages in weekly discussion in class with supervisors and co-students and one to one supervisory meetings with the university supervisor as necessary. All students must keep and submit on a weekly basis a learning journal describing the work undertaken, law encountered and skills developed.

Examples of placements

- Northern Ireland Human Rights Commission (NIHRC)

The researchers interviewed the Education Officer at the NIHRC. There is at present no formal long term relationship between the university and the Commission. The Officer believed the Commission might have the capacity to take on one law student per year. To some extent this would depend on the qualities of the individual student, although the Commission would not have (or wish for) the possibility of vetting the student.

The Commission has taken on one student to carry out a research project this year, a result of personal contact between the module leader at QUB and the Education

Officer at NIHRC rather than of a long term commitment by the Commission. The Science Shop played no role in this placement.

The student's task has been to assist in the revision of a school rights guide. He has visited the Commission on a weekly basis to discuss his ongoing research, spending about an hour each time with NIHRC staff discussing progress. The result of the work has been that the student has recommended improvements in the original draft, which the Commission has now implemented. NIHRC is pleased with the work.

The Officer believed that the Commission has obtained a net benefit, in that the work of the student outweighs any supervision requirement. This is the advantage of a research project compared with a placement, in that the host organisation has no need to train the student or provide experience extending beyond the requirements for carrying out the research brief.

The Commission receives a large number of requests for placements and internships and can meet only a small number. It cannot favour requests from one programme over another, although since Law in the Community research projects do not require training or long term supervision such students may be able to be involved notwithstanding these difficulties.

It was said on behalf of the Commission that as a host organisation the Commission would be unlikely to have the time to have involvement in the QUB programme beyond taking one student per year. There was some discussion about the possible benefits of more training for students before the project starts, but it was acknowledged that if the host organisation does not itself have to train the student this training can take place during the project rather than before it starts.

- Children's Law Centre (CLC)

The researchers interviewed the supervising solicitor at the Northern Ireland Children's Law Centre.

The CLC has taken two students in each of the past two years and has found the experience both positive and beneficial. One student last year looked at the implications of the Northern Ireland Youth Justice Bill, as well as producing a written report for the purpose of training for CLC staff on the issues arising from the bill. The other prepared a leaflet for young people on police powers.

This year two students were involved. One worked on an international study of integrated family courts and possibilities within Northern Ireland, the second on researching the voice of the child in legal proceedings. Staff at the Centre have been extremely impressed with the quality of the work, particularly that of a student who prepared a police powers leaflet (discussed below). The student has continued to work on development of the leaflet after the module was finished and it will be published shortly.

The students do not have an induction programme at the CLC, just a discussion with staff – this is something that the CLC will look at for the future, although the short period for which the module runs means that students need to get on with the project quite quickly.

Students can work on site or away. If on site all of the facilities of the CLC are available and staff can be consulted. The initial three way discussion in which the

project is defined, leading to a clear written agreement, is essential. The good links between the law school and the Centre are equally vital, and depend as much on personal relationships as on any protocols. The relationship has worked very well.

The CLC is clear that it would not have the capacity to take on students to do casework. The possibility of spreading the module over two semesters would work just as well as the present one semester arrangement.

5.1.2 Academic issues

Assessment

The students must produce a reflective journal and a summative report of what they have learned. The learning journal is not marked as such, but is taken into account – generally to help resolve any doubt about how much work has been done and to increase a mark accordingly.

The research project comprises 100% of the work assessed. The assessment is marked against the module outcomes of developing legal skills and transferable skills, and in particular in light of the student's success in meeting the information need of the placement host.

The module leader observed that the ability to communicate law to the identified audience for a piece of work (which is often a lay audience if a leaflet or training materials are being produced) is a valuable outcome. But on its own it is not sufficient, and students are required also to document the research and reasoning that led to the particular draft – a bit like asking students in maths to show their working method as well as the answer. She thought that an ideal project would therefore have elements addressed at three target readers:

1. a lay reader – clarity of communication
2. a lawyer – record of detailed research and authority relied on
3. an academic – evaluation and critique

The researchers raised the question of whether the module might be worth more than 20 credits. The module leader said that the work is broadly equivalent to the research dissertation module, and doubted that there was enough work to merit an increase in credits. This however was a view not shared by the students.

The outcomes include initiative – for example, the confidence to talk to people, to chase up information, make phone calls and listen. These skills are probably as well developed as in live client work. One of the key ingredients is the close and individual relationship with the supervisor, a teaching approach which is common to the research clinic and the client clinic.

Maximising educational benefit

Management in the law school is supportive of the clinical work. However, the module staff are concerned that there is a lack of appreciation of the extent of the resources needed to run the elective. The university was quick to talk up the benefits from the clinic (particularly improving community links, skilling students and producing award winning results) and yet the staffing allocation for the module was little different from that allocated to other electives. In the long term this could be a point of vulnerability.

Availability of work for students

Northern Ireland has many province-wide agencies, mostly based in Belfast. Many agencies have very close links with the academic community. The post Good Friday climate has led to the growth of interest in rights. The law school has a long history of involvement with agencies such as the Children's Law Centre. As a result there are many agencies in close proximity, needing research and known to the clinic staff. There is a history of student commitment and quality supervision, which means agencies are willing to discuss new projects. The clinic is therefore able to negotiate projects for the numbers of students involved and even to permit students a measure of choice.

Agencies taking students in 2003 were:

- Northern Ireland Human Rights Commission - producing a guide for schools on human rights
- East Belfast Independent Advice Centre - a review of the modernisation of the benefit payments system and a critique of arrangements for funding advice and information
- Children's Law Centre - study of international models for children's courts, voice of the child in legal proceedings
- Northern Ireland Women's Aid Foundation - analysis of law on contact in cases of domestic violence and other contact issues
- Child Accident Protection Trust - review of models for protection of children on farms
- Law Centre (Northern Ireland) - notes on mental incapacity for social services training, detention of asylum seekers including recommendations to government
- Northern Ireland Women's Coalition - legal structures for political representation of ethnic minority groups in light of Good Friday agreement, comparative analysis of regulation of sex education, critique of law on religious education
- Gingerbread Northern Ireland - preparation of leaflets to explain changes in benefit law
- Office of the First Minister - powers of the Equality Commission

5.1.3 Professional practice issues

Because the students are not currently engaged in delivery of a legal service no external requirements (in particular Law Society) need to be observed. However, students are required to maintain standards of reliability, punctuality and courtesy. No correspondence in the name of the clinic or the host is to be sent without authorisation. A statement of the rights and obligations of the student, and the obligations of the law school, is provided in the clinic handbook.

5.1.4 Strategic issues

School context

The following derives from discussion with the head of the law school, who had overall responsibility for the module as part of the school portfolio.

He explained that the school has a long history of involvement between its staff and

students and NGOs or agencies such as the Human Rights Commission. He believed that this involvement produces twin benefits; a sharing of intellectual ideas and the development of a range of student skills. A clinical programme is becoming more important, as the school has to work out ways of delivering and assessing a wider range of skills than traditionally in order to comply with benchmark requirements.

The school has moved away from clinical programmes in which students provide direct advice to individual clients, and the present programme is geared to producing bespoke research outputs for external clients. The head of law thought the move has been beneficial, and he felt no sense of sacrifice in no longer carrying out advice work.

He acknowledged that this kind of clinical work is more expensive and time consuming than the delivery of traditional taught modules. It therefore required staff involved to be allocated more time. At present it was possible to do this because additional funding through the Higher Education Reach Out to Business and the Community (HEROBC) fund was available, but in the absence of additional funding any resource cost would be met by the school. He saw no reason for staff to consider that they were damaging their careers through involvement in clinic work.

The head of law thought that students on clinical modules generally did as well as or better than in their other modules. He knew of no student failing the module unless they failed to submit work. He did not perceive there to be a problem that students might obtain more formative help with the final assessed work than in other modules.

Student demand for clinical programmes generally exceeded places available, and therefore selection was on the basis of previous grades. It would not be possible for resource reasons to offer a clinical experience to every student.

The school was considering developing the model and providing a clinical experience of a similar nature for postgraduate students, at a higher level of research. Students on the Human Rights masters were already involved in placements with the Human Rights Commission.

Linkage to the university's community strategy: QUB Science Shop

The following is derived from conversation with Co-ordinator of the Science Shop. (The word 'science' is used here in the European sense of knowledge rather than in a disciplinary context.)

The Science Shop was when started a unique initiative (now being replicated in other universities) between QUB and the University of Ulster. The two work closely together in the design and delivery of the project.

The Co-ordinator has a university-wide job building links with the community, principally through research initiatives. Students are matched with community organisations and are asked to produce research reports that meet those bodies' needs. The rationale is that all stakeholders gain as a result – students develop their knowledge and skills, the community gets the benefit of the research findings and the university fulfils part of its general mission.

In the current year the Science Shop at QUB has placed around 90 students, mainly in Belfast but also elsewhere in Northern Ireland. The shop maintains a database of

local and regional opportunities and has an operational budget of around £85,000, from core funding and external sources (some European money). It was backed initially by the Nuffield Foundation.

The Co-ordinator saw her role very much as a facilitator, bringing university and community together and embedding the concept in both camps. Her links with the law school go back to when the Science Shop was set up in 1988. In her view the Law in the Community module is now so well established it needs relatively little input from the shop. It is a good example of how such a programme can be established and then be self-supporting. Similar successes had been achieved in other departments, including Geography, Social Science and IT. Resistance had been experienced in other disciplines, notably Psychology and Engineering.

The Co-ordinator's objective was to see one placement/research elective in every QUB degree programme.

5.1.5 How is the clinic organised?

Once students have been selected (in the event of excessive demand selection is based on academic performance in year 2) they are offered up to three placements and asked to choose from these in order of preference. The module leader then selects, taking into account the student preference, student suitability and host needs. Where possible two placement opportunities are identified within each host organisation in the expectation that at least one position can be filled.

Allocation of student to topic starts with the placement organisation filling in a form containing the details of the work they want done. The student also fills in a form stating what their background experience has been and the areas that particularly interest them. The decision on who to allocate to which organisation is taken by module leader, following negotiation. Generally students are happy with the outcome.

It is possible that a good project may not be taken up because the right student with the right skill is not available. Where this happens the hope is the project can be picked up in future years, and where possible at least one project per host will go ahead so that good relations can be maintained. Unused projects are also offered to non-clinic students in their final year, who have the opportunity to switch modules even though the clinic module is 'full'. Students who already have involvement in an organisation and can propose their own appropriate project are in a position to join the module, even if there are otherwise no places.

Each placement lasts for a semester, normally 15 weeks. Students are expected to agree with the host organisation the times and dates they will attend at the host's offices. This varies according to the detail of each placement, but is typically for one day per week.

Training of the student at first focuses on the administrative side of getting people started on their particular project, and pastoral support for the same purpose. The next task is research. In theory students already have the necessary research skills. In practice a detailed session, particularly on the use of databases, is useful and given its relevance to the task, likely to be more useful than previous training sessions (this was the view of the students interviewed). Each of the classroom sessions starts with a round for students to recap on the work they have been doing. Weekly contact is also maintained by the students submitting their learning journal for the week. The first time this is submitted the students are given feedback in relation

to the skill of reflecting on their progress.

5.1.6 The student perception

Current students (2002-03)

The meeting was well attended by most of the class. The students were invited to talk about their reasons for taking the elective, their experience on it and their views on how (if at all) the module could be improved.

Their opinions were freely divulged! The general view was that the module offered a unique opportunity (in the context of their overall legal studies) to apply their knowledge. It was a chance to develop skills as well as knowledge and in particular to enhance research capacity. By contrast, their other studies seemed overly 'academic' and even boring. Many students saw this as a chance to bolster their CVs. All the students agreed that the module had met their expectations and in many instances exceeded them.

There was however some constructive criticism. The amount of work involved in the module was felt to be greatly in excess of that required on similarly weighted modules. Some suggested that it ought to be considered a double module.

Some thought that there could have been a more detailed induction programme to prepare them for the elective. Others felt this was part of the challenge and hence the learning was being 'thrown in at the deep end'.

It was generally agreed that the projects seemed to vary considerably in breadth and detail. It was suggested that a large project, with individuals taking specific roles within a shared enterprise, would have been valuable. The weekly seminars at QUB were valuable but were often simply reports on progress, and there was not a great deal of learning to be extracted in terms of the substantive law across each others' research projects.

The timing of the module was an issue for several students. As final year students they would have preferred to take part in the first semester of year 3 to avoid some of the pressure caused by the heavy workload in the second semester.

The students generally agreed that they would not have had the knowledge or confidence to tackle the module if it was available earlier than year 3 in their course of study.

They all said that they were glad to have taken part and would recommend the experience to other students, providing they appreciated the extent of the commitment.

Last year's students (2001-02)

Only one student was able to attend. She, like the others in the cohort, had already left QUB. Her comments are in part incorporated in the section on the Children's Law Centre.

This student was the one mentioned by the supervising solicitor at the Children's Law Centre for producing outstanding work on police powers in 2002-03 (and also by the module leader, for the same reasons – the work scored 90% and the student got a First overall).

The student spoke very positively of the module. She felt that because the responsibility for the work is with the student, it makes you go out and seek information and contacts. She stated that other students felt the same way. She had also learned a great deal about a topic only touched on in formal teaching, as well as gaining perspectives on the topic from a variety of standpoints which would not have been available to her otherwise. Speaking personally, she felt that she now had the confidence to look critically at information, whoever it came from, whereas previously she would have accepted uncritically anything coming from someone in authority. She had found it very valuable that the perspectives of outside agencies – police or the Children’s Legal Centre for example – were different, so she had to weigh them up critically and come to her own conclusions.

At the start of the module she had felt a sense of panic – there was no reading list and no clear direction to go in. This was not voiced as a criticism, and she did not see how such a result could be avoided.

The main skill she had personally developed was personal confidence. The ability to ask for help was a part of that. She had learned a lot of legal method as well, in particular research skills and sourcing materials. She had put in more work on this module than on any other module, and the amount of time exceeded the theoretical time inputs for a standard module. At the time she had thought it might be impacting adversely on her other modules, but now she thought there was a net benefit. The hard work had felt good, and she would definitely do the same again. Moreover, as a postgraduate student she now found the skills and confidence gained were useful acquisitions.

Some students, she thought, had not had such positive placements, and had had less contact with their host organisations. Also, some students had worked in areas of law which the module leader herself could not supervise, but they had obtained additional and adequate help from other members of the law staff.

Although for the Children’s Legal Centre what was required was to produce a leaflet, for the academic assignment this had had to be supplemented by detailed legal explanation and a critical account of her findings. When asked if taking a critical approach, in addition to just producing the required leaflet, had been useful, she answered that the critique enabled her to understand the subject matter in greater depth, and as a result it had been possible to make important improvements to the leaflet itself.

5.2 College of Law

information obtained	visit to College of Law, Birmingham, 2 December 2003, meetings face to face (with Birmingham based staff and partners) and by videoconference (with pro bono staff and students at the College's other branches)
College home page	www.college-of-law.co.uk
contacts	<p>Director of Pro Bono Services and Clinical Education: Richard Grimes (e-mail: richard.grimes@lawcol.co.uk)</p> <p>Pro Bono Co-ordinators:</p> <ul style="list-style-type: none"> • Birmingham: Rebecca Parker (e-mail: rebecca.parker@lawcol.co.uk) • Chester: Heather Smith (e-mail: heather.smith@lawcol.co.uk) • Guildford: Sarah King (e-mail: sarah.king@lawcol.co.uk) • London: Sara Chandler (e-mail: sara.chandler@lawcol.co.uk) • York: Stephen Levett (e-mail: Stephen.levett@lawcol.co.uk)

5.2.1 Introduction

The College established its pro bono programme in 1998 with a small in-house advice centre in London. In 2000 the College appointed a Director of Pro Bono Services. As this report details, by September 2003 the College's pro bono work extended to all five of its branches (Birmingham, Chester, Guildford, London and York), and by the close of the current academic year (2003-04) over 1,800 students will have taken part. From the 2004-05 session it is planned that all students at the College who want to will be able to participate in the programme.

The College has developed four distinct clinical models:

- in-house legal advice centres (currently in Birmingham, Chester, London and York, with a further centre planned for Guildford by January 2005)
- a tribunal representation service (London)
- a placement clinic (mainly in the not for profit sector, in all five branches)
- a legal literacy programme (Streetlaw - again, in all five branches)

Pro bono activity is offered to all students across all three of the College's principal courses – Graduate Diploma in Law (GDL, ex-CPE), Legal Practice Course (LPC) and Bar Vocational Course (BVC) - and in all modes (full and part time, block and distance learning).

Students on the GDL are required to take part in curricula related activity (pro bono work counts as such) and receive an endorsement on their results transcript to this effect. They can also use the pro bono experience as the basis for the 'eighth subject' in their programme of study.

LPC students do not currently get academic credit for their pro bono work, but do get a certificate if they successfully complete their allotted tasks. From 2005-6 it is planned to have a clinical elective on the LPC. BVC students can already take a clinical elective, and over half of the annual intake already do.

From January 2004 students have also been able to use their clinical work as part of the City and Guilds Senior Awards scheme in professional development.

There are presently (May 2004) 31 dedicated pro bono staff members, of whom 11 are full time and the rest part time (typically on a 0.5 or 0.33 f.t.e.). The College invests around £1 million annually in the programme, of which approximately £400,000 is raised externally.

The following section of the report outlines, branch by branch, relevant clinical activity.

5.2.2 London

(Based on interview with Pro Bono Co-ordinator)

The two biggest components of the College of Law Store Street (London) pro bono programme are the Legal Advice Centre and the Tribunal Representation Service. The Legal Advice Centre, which has been running since 1998, is largely for LPC students, and the Tribunal Representation Service, set up in 2001, for BVC students. Both services now run out of the same premises at Store Street (previously the BVC component was in Chancery Lane). In the Advice Centre students work in twos and threes. In the Representation Service students work in pairs.

The Co-ordinator supervises the Advice Centre, with assistance from one academic and three administrative staff. Two lecturers, each working on a part time basis, supervise the Representation Service.

At Store Street the College also offers a Streetlaw programme, mainly for GDL students, and placement clinics, mostly for LPC students. (At the College GDL students are required to take part in one of a range of curriculum-related activities, including Streetlaw.)

All students are volunteers. Some 800 students volunteered for the programmes this year, although after induction the numbers came down to about 600. The aim of the College is to provide pro bono experience for all the volunteers by September 2004. 200 places are offered for LPC students doing the advice clinic, and 150 places for students doing the tribunal representation clinic. Other students do placements and Streetlaw.

Legal Advice Centre (LAC)

Operating as a solicitors practice the LAC takes on around 100 cases a year. Most are housing matters, but other problems include debt and social security. The LAC holds the Legal Services Commission's Quality Mark at the General Help level. Assistance is limited to written advice only, with referrals where appropriate.

In addition to generalist advice work the LAC also has two developing specialisms:

- advice for deaf people – a free advice service for profoundly deaf people who need sign language interpreters. 14 students have been trained in communication in deaf awareness and now run an evening advice session. Sign language interpreters are provided from the Andreas School, a school for deaf children. The approach came from this school, as there is a significant need for this advice for deaf people. The clinic is for advice only.

Clients are referred on to any service that is suitable, so long as they can also accommodate an interpreter, including a deaf solicitor where appropriate. This deaf advice clinic is currently being piloted, and takes place in Store Street, even though the school itself is in Sidcup. All work is supervised by in-house staff following LAC rules.

- trading standards - as part of the advice and representation service the LAC takes referrals from Camden Trading Standards, where the client has exhausted all forms of negotiation. This link arose out of discussion with the Community Legal Service Partnership (CLSP). Students in this clinic provide advice and in suitable cases represent (as part of the Representation Service). Trading Standards do the training in relation to knowledge of the relevant law, and the College provides training in case management. There are 39 volunteers involved in the trading standards project, which links to the government's initiative to build up consumer support networks.

Tribunal Representation Service (TRS)

The tribunal representation scheme obtains the bulk of its clients from the Residential Property Tribunal Service. The Rent Assessment Committee and the Leasehold Valuation Tribunal send out details of the service with tribunal papers when applications are made. Applicants to the tribunal are likely to be unrepresented and are often impecunious. The service appears to fill a gap where legal help is otherwise unavailable. The clients come with their cases largely unprepared, and the casework starts from scratch. Sometimes LPC students take the instructions and brief BVC students to do the representation.

The College plans to expand the Tribunal Representation Service to other tribunals. From June 2004 a specialist team handling asylum appeals will begin work (linking to the College's UNHCR project – see below). Also, students are now able to take consumer case referrals under the fast track procedure at the County Court (the old 'small claims' procedure). An application has been made to the Legal Services Commission for a grant to employ a specialist caseworker. Linking with other pro bono projects may see the TRS expanding to do employment tribunal and social security tribunal work and education appeals (in particular through the Streetlaw Plus programme in Clapham Park).

Placements

On all the College's placement clinics students are trained, inducted and monitored, and take part in a post placement evaluation. A handbook guides the participants through the experience. The current schemes are:

- St Botolph's Homeless Centre for Rough Sleepers - a two day a week free legal advice service, where students work on a rota supervised by expert staff from St Botolph's
- Community Links Newham – multi-purpose advice service. Students are involved with the team giving advice on the Disability Living Allowance (DLA). There is a strong demand for the service. The students are trained by a firm of solicitors, Lovells, who are involved with Community Link. Lovells also put in their own trainees and recently admitted solicitors. The idea is that students prepare DLA applications but do not provide representation in the case of an appeal against the refusal of DLA. 15 students are involved in this

programme.

- UNHCR refugee advice placement - students go to a family centre in Bayswater, where they work with Iraqi and Afghan refugees. Supervision is by immigration law practitioners funded by the College by way of grant from the UNHCR. Students give a presentation, describing the procedure for asylum appeals and admissions, and then interview clients on an individual basis to take instructions on what further steps may be appropriate. They do not give advice, but, with the supervisor, make decisions about referral to other service providers including the Immigration Advisory Service. The pilot phase of the programme has recently been completed, with 24 students involved in London and another 75 or so across the College.
- Police station advice scheme - 15 students are involved in a police station advice scheme. The scheme is run by a south London firm of solicitors and the approach originally came from this firm. By the end of the year the students will have become accredited legal advisers in police stations. The benefit from the flow of solicitors is they get police station advisers who they can use. The solicitor who trains them is giving his time freely. There is interest in spreading the scheme to other firms, and the College is in discussion with the South London Law Society.
- Placement with Inquest - students on this placement provide research and administrative support to families whose relatives die in prison or police custody
- Placement with Crisis – this organisation deals with people with homelessness problems at Christmas time. Crisis provides supervision and students provide individual advice and support.
- citizens advice bureau at the Royal Courts of Justice – a small number of students have joined the citizens advice bureau (CAB) advising litigants in person in respect of their cases. CAB staff supervise all work.

Students on the above programmes receive generic training from the College, but specific training from the particular organisation. Where the students require separate assistance and support, this is provided by College staff.

Streetlaw Plus

Funded by the New Deal for Communities (an urban regeneration project) this programme has 56 students taking part. The students meet with the local community and then make a series of presentations on topics of interest or concern to residents. Presentations are delivered to any community group which makes a suitable request. Further needs can then be identified as a result of the presentations. Topics so far have included criminal justice issues, housing and school exclusions.

The students involved in this programme are mainly GDL students, in their first term of law. The areas of law are therefore all new to them. This is not particularly problematic, providing the work done by the students is carefully supervised. Even LPC students on this project would be likely to be working in unfamiliar rather than familiar areas of law. Judging by the experience of similar students working in the Doncaster programme (see below under York) it is relatively easy for the students to research the law; the harder task is to work out how to make effective presentations.

Getting involved in this type of programme students learn a lot about how other people live in terms of social and economic factors. The supervisor is present at presentations (as well as during preparations). Amongst other things, this enables the supervisor to ensure that the tone is correct; for example, nothing is said that would sound arrogant or offensive or even wrong.

The approach to run this programme came from the New Deal for Communities. The College has obtained a two year grant of £200,000, which pays for a solicitor supervisor, a co-ordinator, travel and premises. The co-ordinator is based in the community. There is a possibility of funding being extended for up to nine years. The intention is to try to build capacity within the community through a greater awareness of rights and responsibilities.

The Community Legal Service Partnership is not directly involved in this project, but is kept informed on progress being made. The local community is involved through a steering group, and when asked what might go wrong, the particular fear was that the community might not engage with the project or might lose interest in it. To date that does not seem to have happened, judging by the response of local groups.

Managing expectations is an issue, especially as it was not the purpose of the project to offer advice or representation in individual cases. The project is designed to inform a wider audience on a range of rights and responsibility issues, often termed active citizenship. The aim is not to make referrals, although referrals do take place.

One of the indicators that the project has succeeded will be the granting of more funding. However, in the application for the funding some quite specific indicators of success had to be identified, such as reducing school exclusions.

The idea of Streetlaw Plus is to identify issues of concern in the community, provide the community with a basic set of information on these issues, whether legal, procedural or other, and then to provide back-up support where requested. This means identifying the issues and then actually doing something about them, for example drafting representations to the local council on housing policy. Such an approach can lead to a demand on another service being generated, for example the creation of a mediation service or a tribunal representation service. In this way the College and pro bono programme see themselves as a community catalyst.

5.2.3 York

(Based on interview with Pro Bono Co-ordinator)

York has a major Streetlaw programme, a fledgling Legal Advice Centre and a set of placement clinics.

Streetlaw Plus

The main project is Streetlaw Plus, funded by the New Deal for Communities, in Doncaster. There the students work with resident groups, in the central area, with an identified target of 12,000 people. The project operates with just over 200 students, drawn from the LPC and the GDL. About one third of the student population at York is involved, in line with the number of students engaged in pro bono activities throughout the College.

As in London the project is essentially a legal literacy project. The aim is to bring law

to the community. The College works with hard to reach sectors of the community, people who would be less likely to go to traditional suppliers. For example, the College recently started to work with gypsy and traveller communities, a particularly large community in the area. Many of these communities know very little about their rights.

The project started last year. The funding was negotiated with Doncaster New Deal community residents, but generating clients required a certain amount of cold-calling and through public meetings. Through these devices the College identified a whole range of community groups who might be interested. The gypsies, for example, were referred from the Community Legal Service Partnership. To work with the New Deal for Communities (NDC) the target group or groups have to have a connection with the geographical area, but it does not have to be an exact connection. The gypsies, for example, are at the periphery of the NDC area.

The College also works with three comprehensive schools, and again not all pupils live in the NDC area. The College works with a prison just outside the NDC area, but as it is a remand prison, prisoners may well have family connections within the target area.

The NDC is managed overall by the Residents Panel, elected from across the NDC area. The panel approved the project, but the actual spending comes from the NDC Board – this is made up of key stakeholders such as members of local government and schools.

There is also a steering group for Streetlaw Plus, representing the local community and the NDC Board. The project has to report to the NDC manager (in this case the relevant manager is the crime reduction manager). The project reports according to the milestones set out in the business plan. The College's original business plan was ambitious, to deliver 100 presentations to 50 groups in the year. Although the target was reached this was extremely demanding, and slightly more modest objectives were set in the new bid for extended funding (the project initially was for just a year, but funding has now been granted for three years from September 2003). The new milestones are more realistic, with fewer presentations but more detailed work with hard to reach groups, such as black and minority ethnic groups, the young, women, asylum seekers and gypsies.

There are few if any concerns about the quality of the student presentations. Any doubts about the success of the programme are to do with the scale of the need, as it is not possible to meet all the demands of the residents, who often want legal advice rather than general information.

Following a presentation students often take away issues that require further research, but have to be careful that they are not doing research for an individual client's need. Residents may find this hard to understand. To bridge the gap between expectation and available service the College is currently developing an advice centre in partnership with the local Law Society. Funding for this will come out of the New Deal for the Community Fund. Supervision will be by solicitors on a rota, but the actual advice will be provided by students and signed off by the College supervisor. A small pilot advice centre has been set up, running from the York branch. One possible theme for the new centre in Doncaster will be a young person's advice centre. It would be run out of NDC offices, for a couple of hours per week. It will be overseen by the College Pro Bono Co-ordinator and be limited to a couple of clients per week on a 'first come first served' basis.

The new development this year (since the extension of NDC funding) has been to start working on a 'firm' basis. Six to eight students work together as a firm. Each firm has one client to work with over the year (the client being an external organisation). This system has worked "brilliantly"; the practice of working in a firm fosters good practice, mutual responsibility and a sense of courtesy to the client and to fellow students. It is also a revelation to the students to have to keep a good file and to use the file to retrieve information from each other. The result is that students retain a long term interest in what is happening to their client throughout the year. For example, eight students were assigned to a school, working with the school over the period of a term, but in fact the eight have shared responsibility across the school year. Student ownership of the work has "increased vastly". The use of the firms also makes evaluation an ongoing rather than an 'after the event' experience. The co-ordinator sits in with the students on a monthly evaluation of all the firms issues and gives the firm an overall mark, not because this will count towards assessment, but as a way of stating how well they are doing.

Placements

- citizens advice bureau (CAB) - the College was approached by the CAB to provide training for people to work with families where a member has gone to prison. The CAB both trains and supervises the students, so all the College has had to do is find the relevant students, induct them and then put them in contact with the CAB for selection. This has led to five students going through a 'collapsed' version of general CAB training. The students say they have found the training somewhat easy, but they find the client work more challenging.
- UNHCR project - the UNHCR clinic in Leeds is provided in conjunction with Leeds and York universities. 36 students are involved in the College, and 12 places have been offered to the university students (all snapped up quickly!). A rota has been set up and each student goes onto the rota twice for two sessions. The idea is to provide information to asylum seekers from Iraq and Afghanistan. The students make a ten minute presentation through an interpreter about asylum law. Following that they interview the refugee, using a proforma, to see if there is enough information for a further referral. There was an arrangement with the Immigration Advisory Service for referrals to take place, but since completion of the pilot phase of the project other providers have also been identified. If the supervisor considers the case suitable for referral (there appear to be grounds for further appeal or review or for a fresh application) the students' interview notes and a letter of referral are sent to the referral body. Sessions are held in a well known local centre. The presentations by the students are made to a group, and individual interviews follow immediately. Most of those who are referred have already had their applications for asylum determined, and most have exhausted their formal rights of appeal. The students also have information for clients on removal procedures, emergency help in terms of accommodation and income and repatriation schemes (for those that want to take advantage of such).

One of the interesting outcomes has been to discover that many refugees are unhappy with their solicitor but do not know how to complain. Many in fact have been allocated to a lawyer by their immigration agent. The students come across ethical issues, for example lawyers who allegedly have arrangements with traffickers. Students are also surprised to discover evidence of relatively poor quality legal advice and the fact that there is no

state support, even at the basic level, available for asylum seekers, or for those who are refused refugee status but have not been removed from the UK.

Students are very positive about the pro bono work. They say things like “this is the best thing I have ever done” or “this is an eye opening experience”.

Colleagues to some extent see the pro bono work as a bolt on experience. They are curious, but generally have not got the time to get involved. Some six or seven of the College staff would get involved if more time were available.

Awarding students academic credit for their pro bono work will further cement the educational value of the clinic into the students’ programme of study.

5.2.4 Birmingham

(Based on interview with Pro Bono Co-ordinator)

Activities in Birmingham consist of the Legal Advice Centre, run in partnership with Wragge & Co, Streetlaw run in partnership with Eversheds, placements and a set of placement opportunities, including the Birmingham Employment Rights Advice Line.

Legal Advice Centre (LAC)

The LAC at Birmingham is now in its second year. The Centre has applied for the the Legal Services Commission’s Quality Mark at the General Help level (this is already held by the centres in Chester and London). The caseload is varied, and includes family, welfare, housing, consumer and debt. The LAC runs on identical lines to the College’s other LACs, apart from the fact that the Birmingham LAC is supported by a solicitors firm (Wragge & Co), who provide supervising solicitors and a contribution towards funding.

Streetlaw

The international law firm Eversheds is involved in most of the Streetlaw programmes, with trainees providing assistance with preparation and delivery. The Streetlaw programme has 38 students. It has made a set of presentations to a sixth form college on human rights, to job ‘coaches’ working with the long term unemployed at an employment agency and to a local small business support group. From beginning to end takes around four weeks. This contrasts with the approach at Doncaster, where a ‘firm’ has several tasks or clients over a longer period. A presentation has been made to an employment agency on funding legal cases.

Feedback on the success of the Streetlaw programmes is via questionnaire, which goes to the students and to the hosts. All students have a feedback session at the end of the process.

A new development on the Streetlaw model is shortly to start with Birmingham City Council as part of their citizenship programme in selected local schools.

Placements

- University of Birmingham Guild of Students - the College is advising and supporting a project by the Guild to provide supervised advice by students for

students within the university. It is proposed to start this in October, and to use students from all parts of university, including law students, as advisers following training. Solicitor volunteers have been recruited through the local Law Society to supervise. Students will be trained to operate within the Guild's framework for running the help desk, confidentiality etc. The Student Law Society within the law school is very interested and keen to get involved, although law school staff have yet to express interest. The idea is that the Birmingham College of Law students will act as mentors for the university students, helping in particular with the research on which the advice is based.

- Birmingham Employment Rights Advice Line (BERAL) - this is run through a local law centre, but offered in the College premises. The client phones and leaves details of how to contact them. Students working on a rota in pairs attend the clinic on a Wednesday evening, contact the client and take details. The students do one week only, but contact several clients. They collect all the information that the legal adviser might need (but they do not carry out research themselves at this stage - this is because the objectives are limited to learning about client interviewing and from shadowing the lawyer). The telephone interview is done using a checklist, and the students do this without having had specific training on employment advice issues (all students are trained in the operation of the scheme). The checklist will trigger if there is an urgent issue, for example a time limit, which needs dealing with. Clients will then be told that they will be contacted on the following Wednesday evening by the supervising solicitor, who then gives advice or makes a referral. Students listen to the client interview and advice given. There is a referral protocol and the scheme operates with the knowledge of the Community Legal Service Partnership. BERAL is formally part of the service offered by the Saltney and Nechells Law Centre but is based at the College's Birmingham branch. Supervisors come from law firms in the area who have employment expertise. The possibility of students drafting advice letters (based on the oral advice given at the sessions) and for extending the scheme to cover representation is currently being discussed.
- placement with Shelter - students who are placed with Shelter are essentially members of Shelter's advice team. Shelter selects students who volunteered by interviewing them. Last year students involved in this project were very positive. The College's role is limited to evaluation, because the students are part of the Shelter team, supervised and trained by Shelter. A similar project operates with the East Midlands Low Pay Unit – again only small numbers of students are involved. The advice they do is mainly on the telephone.
- placement with Saltley and Nechells Law Centre – the College places students with the law centre on several projects, such as assisting the housing solicitor and holding form-filling clinics. The latter involves between four and eight students at a time. Students meet clients at the law centre and help them complete a variety of forms, mainly social security. The law centre gives some training on social security law and law centre procedures. The law centre finds this very beneficial and wants the students as much as possible. The students have given very positive feedback. All supervision is provided by the law centre.
- UNHCR clinic - this runs along the same lines as that described earlier at Leeds from the York branch. With a large Afghan community in the city the centre is very busy. The College pays an immigration practitioner out of the

funds raised for this project. It has been a problem to obtain reliable regular supervision in some of the branches and sometimes it has to be College staff to fill gaps.

Future plans for Birmingham

There is a possibility of a New Deal for Communities project, as Wolverhampton has invited the College to participate in an application. Other possibilities are in Aston or Kings Norton. There is also the possibility of setting up a tribunal representation unit.

5.2.5 Chester

(Based on interview with Pro Bono Co-ordinator)

Chester has a well developed Legal Advice Centre, Streetlaw and placement programme.

Legal Advice Centre (LAC)

This operates on similar lines to the rest of the College, producing advice within strict deadlines. Typical problems involve boundary disputes, family problems, and debt, tax, or consumer issues (Trading Standards refer clients to the centre). Students take whatever problem comes in, but they are expected to do some background reading in advance (some details are taken when the appointment is booked). In interviewing the clients the students follow the assessment criteria for interviewing on the LPC. Students say they are pleased at the development in their interviewing skills, and they generally feel they are managing to extract the relevant information. There is a steady flow of cases throughout the year, although some advertising is done to kick start the caseload just before the academic year begins.

Streetlaw

At Chester Streetlaw is run for students on the GDL and for those LPC students who fail to get a place at their first choice project (normally the LAC).

The College is involved in some 50 Streetlaw projects involving 200 students. An example is the Blacon Young Persons Project. This is a small project for excluded children. Once a week the students go in to talk about issues of direct interest, such as crime, drugs, housing or employment. Some of the children have educational problems, cannot read and have poor concentration. The presentation style therefore has to be very attractive. Students go to the project a week before their own presentation to see what it is like. The topics are selected by the project. Each group of students has an involvement of about four to five weeks with the project.

A typical presentation will involve students introducing themselves, using an icebreaker, and then talking about particular issues, followed by questions. The presentations have to be very interactive, using role play and visual aids. At the end of the session there will probably be questions. If the students cannot deal with them they (or another team) will return to answer the queries. The week after that the project workers go over the topic again with the children. The students say they like dealing with children, making a presentation and being creative. They have to learn to communicate, not to talk down and to explain things in clear language. Even the shy ones seem to manage the process. The College supervision aims to ensure that

no one presents with an arrogant or otherwise inappropriate attitude. The pro bono co-ordinator and the administrator help all students with the preparation and delivery of presentations, and other College staff offer assistance with the necessary research on a voluntary basis.

Placement clinics

- Say it Write and On-Form - this project involves students going to a local housing estate in Chester. Students draft letters of complaint and fill in forms at a local community centre. This scheme is shortly to be expanded to premises in central Chester.
- DIAL House – DIAL, a disability group, have students help with form-filling for Disability Living Allowance. They are trained by DIAL House. Students do not get involved in the actual appeals against refusal. This is a new project, and the College has had no feedback as yet. There is heavy demand for the service. 12 students, all LPC, are involved.
- UNHCR project - students have to travel to Liverpool to take part in this project and therefore need to be very dedicated. They are trained by the UN, not by the College. A lot of what they learn is background information about Iraq and Afghanistan, as well as the skills students need on the day. 36 students have been involved in this project, which is one of the most popular at Chester. It is an eye-opener for students. The UN is delighted and is putting £90,000 into the project next year across the College. This will pay for an immigration lawyer within the College, so long as matched funding can be obtained.
- Trading Standards – Cheshire County Council takes College students on placement, but also refers cases to the College on consumer protection issues. It is hoped to develop this work through a tribunal representation service within the next year.

The future?

There is some tension between the LPC and pro bono work in that the staff time needed on the pro bono initiative competes in part with LPC teaching commitments. The pro bono work at College generates a great deal of positive comment from students, staff and outside bodies. The Community Legal Service Partnership in Chester is not, as yet, particularly significant in terms of developing the pro bono work, as it is relatively inactive locally. Apart from the general support from Eversheds for the Streetlaw programme College-wide, there is no solicitor involvement yet at Chester. The possibility of developing this potential is being investigated.

5.2.6 Guildford

(Based on interview with students and staff; no Pro Bono Co-ordinator appointed at this time.)

Guildford has a recently developed pro bono programme that consists of visiting asylum detainees, Streetlaw, an evening advice clinic at Surrey Law Centre, the Surrey Appropriate Adult Volunteer Scheme, the UNHCR project (together with Store

Street) and mentoring.

Streetlaw

The Streetlaw programme works on a similar basis to elsewhere in the College, with presentations mainly taking place in schools and in a local, open, prison. The student perceptions are interesting. They say they have had to learn to present in clear terms and to thoroughly understand the law before they are in a position to explain it to others. They have had to use real life examples to make the presentations 'work' for the audience. One request at the prison was for a presentation on small businesses and insolvency. The students has not studied (nor seemed very interested in) this aspect of the law, but by the time of the presentation they understood the topic and had found it useful. The students stressed that they had to look at the problems from a pragmatic point of view and not just from a technical and legal perspective.

180 students have signed up to do Streetlaw at Guildford. A common theme across all projects is to learn to manage expectations. If need be the project teams refer those wanting individual advice to other sources of help.

Legal advice clinic

Guildford does not yet have an advice clinic, but discussions have started on setting one up. The local Law Society is now involved, and it is planned to have a LAC off the ground by the end of 2004.

Placement clinics

- Visiting detainees - this scheme involves students visiting those detained pending removal from the country. Although students under the scheme perform no specific legal tasks, they befriend the individuals concerned offering the chance for the person to talk about their problems. Where appropriate, cases are referred to other service providers. The scheme is organised and supervised through the London Detainee Support Group. As well as offering some support to the detainees the scheme is valuable educationally, as it develops communication skills. The Support Group is very positive about how this is going and they want more visits.
- UNHCR project - students at Guildford have become involved through the London-based asylum clinic
- Woking Advice Centre - this is a shadowing experience. 50 students are involved. Some students act as receptionists and others observe the rota lawyers giving advice. Students help with research and record keeping.
- Youth Offending Service - students train as Youth Offending Panel members and on qualification sit in a quasi-judicial role, working with offenders addressing ways in which patterns of (offending) behaviour can be changed
- Mentoring - this is a scheme for College open days, where students are assigned to potential students. There is no formal training. It helps potential students know how to prepare for the College.

All the pro bono work is popular. Those students who do not sign up immediately

often do so when they hear about it from other students.

5.2.7 Academic issues

- assessment – academic credit for clinical work at the College is given to students on the BVC if they opt to take the Clinic elective. In this module the students are required to keep a reflective journal, which is the sole basis for the assessment. The students are graded against set criteria, as for any other elective on the BVC. GDL students are required to take one extra-curricula activity and may choose clinical work for this purpose. They are not given academic credit as such, but if they meet the outcomes set by the clinical programme they receive an endorsement on their results transcript to say they have satisfactorily completed the clinical work. LPC students at the College do not, as yet, receive academic credit for clinical work as part of their overall studies, but do (in common with all participating students) receive a certificate of satisfactory completion of the programme if they meet the set criteria. The LPC is currently under review in this respect, and a clinical elective is likely to be implemented by 2005.
- induction and training - all students undertake a programme to prepare them for participation in the various clinics and each has an exit interview to evaluate their experience
- staff development – staff taking part in the College’s clinical work receive support in preparing them for and developing their expertise in teaching in a clinical setting. This involves regular meetings cross – College, participation in workshops at home and abroad and involvement in research and publication.
- quality assurance – the College has a robust internal QA process and its clinical work is subject to this, even though not all aspects are technically an assessed part of the academic curriculum. The College’s Academic Quality Council oversees the process. In addition the College holds the Legal Services Commission’s Quality Mark, which brings with it compliance requirements on quality assurance issues.

5.2.8 Professional practice issues

- supervision – all student work which is client-related is supervised by professionally qualified staff
- client care – the College is required to and aims to meet the same standards of client care
- insurance – the College holds professional indemnity insurance cover for all of its pro bono and clinical work
- premises – all of the College’s real client clinical work is carried out in rooms that ensure confidentiality and meet professionally expected standards
- compliance – the College is subject to and aims to meet quality assurance requirements imposed internally and by virtue of it being a solicitors practice (for professional practice purposes) and holding the Legal Services Commission’s Quality Mark

5.2.9 Strategic issues

- planning - the College has a senior management team responsible for planning and development. The Centre for Pro Bono Services produces a business plan for a three year period which is reviewed each year. The College also has a pro bono co-ordinator based at each of its five branches

who are responsible for implementing planning policy.

- funding – the total budget for pro bono and clinical work at the College stands (2004-05) at over £700,000, of which approximately half is raised externally
- complementing other service provision - pro bono activity should not replace government funding for legal services. It is important to work with the Community Legal Service Partnership and to recognise that the College is not and will not become a major legal service provider.

5.2.10 Logistical issues

- timing – the College is acutely aware that at the vocational level students are hard pressed for time, with a very intensive programme of study normally compressed into nine months. Their commitment to clinical work is therefore carefully monitored to ensure that the workload is manageable in the context of the rest of their studies.
- caseloads – to ease the potential burden of work and to give as many students as possible the chance to take part in pro bono opportunities individual caseloads are kept to a minimum. Most students have just one case (up to three if the clinical elective is taken). Staff supervisory caseloads are also monitored to ensure effective supervision and manageable workloads.

5.2.11 Future developments

At the time of the research the College had recently obtained validation from City and Guilds for pro bono experience, to be recognised with their Senior Award (a graduate level diploma). Students had indicated that such an award would be valued as recognition of the experience, which at present within the College, apart from the Bar Vocational Course elective element, is not incorporated within the curriculum. The College will require not only participation within the pro bono programme and a professional level of attendance and participation to be verified by the external supervisor, but will also require students to submit a structured reflective report. Guidance to students on how to produce such a report was, at the time of the research, in preparation, but has subsequently been completed.

5.3 Northumbria University Student Law Office

information obtained	visit 22 March 2004, meetings with academic staff, SLO administrator, a solicitor/tutor, a trainee and students participating in the programme
SLO home page	http://northumbria.ac.uk/sd/academic/law/slo/?view=Standard
contact	Associate Dean: Philip Plowden (e-mail: philip.plowden@northumbria.ac.uk)

5.3.1 Introduction

The Student Law Office in outline

The Student Law Office (SLO) has been operational since 1991, in its present form since 1996 and in its current location since 2003. The SLO offers a wide ranging legal service from initial advice through to full representation. It is for both professional and practical purposes a solicitors practice. Cases that come to the SLO (by direct client contact or referral) are handled by the SLO administrator, who records case details. These details are then passed to the supervisors (qualified members of law school staff who teach in the SLO) who will decide if the case is potentially of interest for their firm and if their firm has the capacity to take the case on. If so, an appointment is offered and the case is allocated to a student firm. If not, the administrator informs the client and offers alternative sources of help where appropriate.

Where an initial interview does take place, this will be conducted by the students who then report back to the supervisor (a qualified solicitor or barrister). The supervisor will, in consultation with the relevant student firm, decide whether the case can be taken further and if so what needs to be done. The client is advised by the students accordingly. Where a case cannot be taken on the students must advise the client of the fact and the reason. The students are supervised in every aspect of their work, and nothing can leave the SLO for a client or third party without the approval of a supervisor.

The SLO holds the Legal Services Commission's (LSC) Quality Mark in Employment, Housing and Social Security at the Specialist level and the LSC Quality Mark at the General Help level.

The caseload of the SLO falls into three broad areas:

- housing
- employment
- general civil (with emphasis on welfare benefits, family, consumer and criminal injuries compensation)

The SLO also takes on a sizeable number of miscarriage of justice cases as well as general human rights work and some commercial litigation.

The SLO is funded from internally generated money (from university and school budgets). Some cases attract public funding and/or costs generated in litigation, and any such funds received are used as a contribution towards the general cost of the operation.

Place of the SLO in the law school curriculum

Whilst running as a solicitors practice the SLO also fulfils an educational role. Indeed, client care notwithstanding, this is the primary objective of the SLO.

The university offers an integrated law degree and vocational programme. Students can, under a four year programme, combine studies that incorporate an LLB programme with the Legal Practice Course (LPC) and Bar Vocational Course (BVC).

Students in years 3 are required to undertake a preparatory year of legal skills and problem-based learning in a simulated clinical environment. This work is assessed at a number of points and contributes to their overall year 3 mark. Year 4 students must take part in SLO work as part of the final stage of their studies, and the clinical component is worth 40% of the final year mark.

Year 3 students attend a range of lectures and seminars dedicated to the work of the SLO and the professional issues associated with it. Year 4 students are allocated to firms and take direct responsibility (under professional supervision) for their clients. Each firm has between five and six students. The students undertake some work in pairs and, as their skills develop, take on cases or aspects of cases individually. Each student deals with between three and six cases in the academic year. Each firm handles therefore around 30-50 cases, supervised by a practitioner member (barrister or solicitor) of the law school staff. The law school pays for the practising certificate supervisor. Some supervisors teach solely within the SLO. Others may be responsible for one or more firms and teach to a lesser or greater extent on other programmes.

The SLO also has a full time administrator (who is the first point of contact for clients), part time administrative help (normally from students paid a bursary for this work) and a trainee solicitor. The administrative staff and trainees provide support for client-related services, students and other SLO staff.

For students on the four year exempting degree their SLO work counts towards the assessment of legal skills (in the context of the LPC or BVC). The SLO programme is however also open to students on the free-standing LPC and BVC courses, where students can opt to take an elective in the SLO.

All students are inducted into the work of the SLO. There is a handbook which sets out the operation rules, expectations and processes of the SLO, its staff and clients.

The main contact between the firms and supervisors is through weekly firm meetings, at which the progress being made in each case is discussed as are issues arising of more generic application, notably professional practice and ethical concerns. Students receive ongoing and frequent feedback in relation to the work they are engaged in between and independent of the firm meetings. A weekly slot is also set aside for general meetings of the entire SLO student body to discuss pertinent matters. This time is used as circumstances dictate. Recording of student time in the SLO is used on the SLO elective for the LPC and BVC in order to monitor the time spent and demands involved.

The SLO is run and overseen by a combination of people; practitioner-academics, (members of law school staff who are solicitors or barristers), a paralegal caseworker, administrative staff, a trainee solicitor, occasional bursary students and student advisers.

The research team interviewed representatives of each. From the discussions that took place a range of academic and professional practice, strategic, logistical (including resourcing) issues arose. These are examined in turn below. Evidence of the form and content of the SLO operation is contained in the online resource bank.

5.3.2 Academic issues

Assessment

On the exempting law degree the SLO work counts for 40% of the final year's mark (30% of the assessment being on a reflective essay and 70% on the student's performance across the year as evidenced by a portfolio of work and by student reflection on that work). Students taking the SLO as an elective on the free-standing vocational courses are assessed on the basis of their work during the elective as evidenced by a portfolio. For other students the activity is assessed as part of the skills component on the LPC/BVC. Equivalence was an issue mentioned by the academic staff as being potentially problematic in terms of student experience (similar cases and tasks). The staff relied on clear learning outcomes coupled with academic judgement to determine whether the assessment regime was fair to students and was pedagogically robust.

Student commitment

Related to the above, the effort undertaken by students was seen as an issue. Many students typically worked for at least 14 hours a week, with some doing considerably more at times when cases were approaching deadlines, for example hearing dates. Although the student perception of the experience is broadly positive, the time input might conceivably affect their ability to study on other parts of the programme. To a certain extent this was mitigated by the fact that the effort was rewarded through (largely impressive performances in) assessment.

Staff development

Several staff, both academic and administrative, mentioned that the day to day demands of the SLO coupled with (for most) other teaching and administrative responsibilities meant that there was little or no time for staff to devote for themselves to issues of reflective learning and developing subject expertise. Away days (of all SLO staff) and team meetings (in the clinic subject areas) are held regularly, but the chance to fully appraise the nature and extent of learning in the SLO is seen to be limited. There was an ongoing need for staff development.

Maximising educational benefit

Similarly, the pressures of caseload and numbers of students involved means that the educational benefits (although discernable through feedback and evaluation) may not be being maximised. Staff felt that the opportunity for learning was evident (as measured by student reaction and performance), but that operational (and possibly conceptual) limits gave no guarantee that the full educational benefit was being extracted. No examples were provided as to how the situation might be improved upon, other than the implicit suggestion that more time (and fewer cases) would aid the learning process.

Quality assurance

One concern of any professional and clinical programme must be quality control. Obligations are owed to clients, students and university alike to ensure compliance with relevant standards. Staff and students felt that whatever these standards might be (for example, delivering as good a quality a service as the client might expect from a solicitor or meeting educational expectations) they were broadly being met in the SLO. The LSC Quality Mark compliance requirements were one means by which such standards could be met, especially through the supervisory and auditing rules. The SLO no longer retains an Advisory Board to assist.

Student perceptions

The reactions of the students seem fairly consistent as judged by their comments to teaching staff and in evaluation sessions. The only discernable difference was between aspirant solicitors and barristers. The latter were more resistant to file keeping and associated paperwork!

Case quality and supply

Live client work inevitably means unpredictable flow and inconsistencies in caseload in terms of range and nature of cases. This is a cause of concern in the SLO as it is in other clinics, and impacts in an academic context as well as logistically. Careful vetting of cases at the point of initial contact or referral helps this situation, and the role of the SLO administrator and supervising solicitors is central to maintaining an appropriate spread of cases. Client demand is also potentially problematic, although in the case of the SLO the problem is more one of restricting demand than finding suitable cases.

Pressures of case progress and management

Casework is demanding in the SLO, as it would be in any solicitors office. It however reaches a particular 'pinch' point during vacations, when students are generally not around to do the basic case progression. The SLO employs a dedicated caseworker who specialises in welfare law and who is, in addition to her normal term time duties, able to provide out of term cover. The SLO also employs a trainee solicitor and students who receive a bursary for this vacation work.

Weaker students

Some concern was expressed about the position of less practically and academically able students in the clinic. One of the academic staff identified a difficulty in the sense that the 'weaker' student can become left behind as the pace of work increases and other students begin to work more independently.

5.3.3 Professional practice issues

To a certain extent the issues specified in this section are in part covered in section 2, particularly in relation to quality assurance. The following points however can be added.

Supervision

Staff and students appeared satisfied that there were sufficient levels of supervision to ensure compliance with professional and educational expectations and requirements. In particular, students felt that a balance was achieved between staff intervention and independent learning.

Client care

Levels of client satisfaction were high, as reported in exit questionnaires and anecdotally. The point was raised of whether there be such a positive response if clients were paying for the service?

Insurance

The university maintains professional indemnity insurance cover for the work of the SLO. To date there has neither been a claim on the policy or any additional premium charged on the cover. Long may that continue!

Premises

The SLO offices are spacious and impressively furnished and equipped, giving the impression of a busy solicitors practice. Comments were received from staff and students that more space would be useful – indeed the office had at least 12 students in from before 9 am and was significantly busier later in the day. There is dedicated space for interviewing clients, file storage, working space, administration and staff/student meetings.

5.3.4 Strategic

Some significant issues were raised on the strategic level – where is the SLO going and what does it want to achieve in the medium to long term?

Planning

The first of the strategic issues encountered in the research can be termed ‘little or large’. Should the clinic focus on relatively simple cases on basic principles of say contract or tort, or should there be some or more emphasis on the more complex cases reflecting client need and requiring students (and consequently staff) to engage on a more involved (although not necessarily deeper) basis? Although there were differing views on whether the caseload should be one or the other (or both), there was general agreement that the attraction of headline catching cases did not necessarily outweigh the amount of work involved, and that when broken down significant levels of learning could be extracted from less complex matters. Indeed, there was some sympathy expressed by both staff and students with the view that the ‘little’ cases could be just as educationally beneficial and far more manageable. The contrary view expressed was that a good mix of work is beneficial for learning across the SLO. From the current caseload it would seem that SLO practice appears to be both little **and** large.

Funding

The SLO is funded almost exclusively by the university, or by what US clinics would term 'hard' money. Some use is made of public funding, but more as a device to cover disbursements and offer protection against costs orders for clients. Although there were said to be strong arguments in favour of public funding contracts, the limitations imposed under such an arrangement were seen to outweigh the advantages. For example, the SLO is, under the present funding regime, able to take on non-public funding eligible cases. Senior staff at the SLO thought it unlikely that the university would cut back on SLO funding given the SLO's prominence in terms of learning and as a flagship venture for the university as a whole.

Complementing other service provision

Staff at the SLO were quick to point out that the service the SLO offers was designed to complement the work done by other service providers. However, it was becoming increasingly evident that the SLO was fast becoming recognised as a major provider in its own right, especially in the human rights, housing and welfare fields. The pressure to be service rather than educationally driven was potentially problematic. This was leading to particular pressure points, for example during vacations and student assessment periods. With a decrease in real levels of public funding and with more law firms withdrawing from publicly funded work it is probable that there will be more demand on SLO services.

Value of trainee/bursary students

Several staff and students commented on the value of employing students to work in the SLO (over and above any clinical study they were involved in). These bursary students offer practical help and cover. Similarly, the SLO trainee solicitor was seen as a significant source of assistance to staff and students alike. Both positions are likely to continue in the future.

5.3.5 Logistical

Timing

The timetabling of the SLO in the students' overall programme of study appears to work well, as evidenced by staff and student feedback. It is perhaps inevitable, given the nature of clinical work, that participating students put in a considerable amount of time and effort as cases reach particular points of development. This can at times cause tensions with other aspects of their academic work. This generally does seem to be an accepted part of SLO life, and some students welcome this as a factor in their time management development.

Training

All staff and students undertake an induction and training programme. Year 3 students are exposed to SLO work before undertaking the detail of casework in firms in year 4.

Quality assurance

The SLO has two systems of quality control, the first imposed as part of Legal Service Commission Quality Mark compliance requirements and the other of a self regulatory kind. The whole SLO operation is overseen by an Associate Dean, a Director and a Deputy Director, with other staff given specific roles in terms of supervision and review (either on a full time or a part time basis).

Caseloads

The SLO work is handled through firms, with each firm carrying between 30 and 50 cases (the number depends on the nature and complexity of the cases). Students work mainly in pairs and have specific responsibility for between three to six cases. Staff supervise between one and three firms each.

Time allowances

There is a notional timetable allocation of 50 hours for each SLO firm, which is supposed to equate to other areas of teaching responsibility (lectures and seminars but excluding preparation and assessment). SLO staff perceptions are that there is at least double that involvement in practice, and considerably more than that if informal contact with the students is taken into account.

IT

If there was any overt criticism of the SLO it was in relation to access to computers and associated technology. Students in particular were concerned that there were too few computer terminals to work on (although there are in fact 27 computer terminals for students to use in the SLO).

General administration

From the perspective of the SLO administrator there was a fairly constant need to chase students and help with basics, especially in the early part of the academic year. A substantial amount of administrative time is taken making referral for clients to other sources of help – practitioners, citizens advice bureaux, law centres and other advice agencies. Increasingly the SLO is the only practical source of help, especially given public funding eligibility constraints. The administrator also offered help to tutors in vacations. The bursary students and trainee clearly perform an important role in the SLO, supporting both staff and students.

Trainee

This important role appears to bridge the gap between staff and students. The current trainee very much enjoyed her work, although appreciated the need for secondments to ensure balance of experience and compliance with Law Society training regulations. The trainee was a little unsure of her role in firm meetings. She also wondered whether the very favourable response from clients would be the same if the clients were paying for the service.

5.3.6 The student perception

Based on interviews with two SLO students the following responses were elicited:

- time taken – student pairs take on 3–6 cases in the year and this requires an input of at least 15 hours a week each, but can be much more at key times in a case
- preparation by university – SLO staff provide thorough induction and training a good mixture of support and self reliance. The students felt trusted as time went on, working more and more on their own initiative.
- resources - generally good, but more computer access needed
- feedback – staff provide detailed and frequent feedback, and this is the key to personal development of both knowledge and skills
- supervision – students felt comfortable with the extent of supervision
- assessment – students were happy with the assessment regime and valued the continuing nature of the methods used. They felt that this reflected their own development.
- suggested improvements – other than improved computer access the students had no suggestions for improvements (other than more of their course should be clinical)
- perceived benefits – these included improving knowledge and skills in applied settings, promoting sense of professionalism, creation of learning materials from cases and use of simulation where case does not fully unfold. For the two students interviewed their time in the SLO was the best thing done on their degree programme.
- tensions – these did arise from time to time in the management of cases and in the wider context of the firms' work. People soon adapted to the necessary level of commitment. Some discontent did arise in case allocations, with students initially preferring the 'sexier' cases. Once cases were underway the subject matter became largely irrelevant, as the learning was much the same regardless.

It is not suggested that the above comments are based on a representative sample of students (given the number taking the SLO), but the comments are very much in line with other students' perceptions on similar programmes – as can be seen from the reports from the other four institutions visited as part of this research.

5.4 Kent Law Clinic

information obtained	visit 4 December 2003, discussions with the director of the clinic, the head of Kent Law School, solicitors in the clinic, and a class of students taking the clinic option
clinic home page	www.kent.ac.uk/law/clinic
contact	Director: John Fitzpatrick (e-mail: j.f.fitzpatrick@kent.ac.uk) Clinic solicitors: <ul style="list-style-type: none">• Catherine Carpenter (e-mail: c.m.carpenter@kent.ac.uk)• Lorna Collopy (e-mail: l.j.collopy@kent.ac.uk)

5.4.1 Introduction

Kent Law Clinic in outline

Although Kent had a clinical programme in the 1970s the immediate forerunner of the present clinic was established in the late 1980s as a student, staff and community organisation called Canterbury Community Aid. It was an unincorporated and entirely voluntary association. It was not part of the curriculum or a formal part of the university, but the university recognised its importance for students and put in some funding.

In 1991 the law school decided to expand and formalise the advice work and brought in the current director. A solicitor with a law centre/advice background, he was appointed as a university lecturer (now a senior lecturer). The new Kent Law Clinic was established as a voluntary and unincorporated association of its members, which comprises staff, students and volunteers (local solicitors and barristers in private practice). It has a constitution and a management committee.

Later it officially became a part of the university, as a centre. The university appoints the director of the clinic. All law staff and students, and volunteer lawyers from the local community, are eligible for membership. The student members and the volunteer lawyers each elect three members of the management committee. Any member of the Kent Law School staff can sit on the committee (currently three).

The clinic is a membership organisation. Anyone involved must join and subscribe to the objects of the organisation, which are to help people who cannot afford private lawyers with their legal problems and to advance the education of students in Kent Law School. They must subscribe to the rule of confidentiality. On the first year legal process module all first year students undertake interviewing and negotiating role play exercises, as well as an assessed role play exercise in which they make an oral legal submission as to a judge. All students who undertake casework first attend induction meetings on clinic systems and casework. There is no further training for the law students who become members of the clinic, but all work for clients is supervised and students are trained in various skills as the need arises.

As well as the director (0.4 of his time), there are two clinic solicitors, each on a 0.8 contract. The clinic attracts no external funding, and is paid for out of the law school's devolved budget. This includes solicitor salaries, space charges, phone bill, stationery and practising certificates. The actual management and control of costs is left to the director and the solicitors, and although students might abuse the facilities for making phone calls etc there is no evidence that this happens. The university is

very supportive of the clinic and is happy for the law school to spend its money in this way.

As well as existing for educational purposes, the Kent Law Clinic aims to help anyone who cannot afford, or cannot obtain, assistance with a legal problem. This therefore excludes someone who can get help from, for example, a trades union, whatever the educational value of the case. This contrasts with the approach at Northumbria, where educational value is the sole criterion for selecting who to help. Involvement and attitude to the clinic varies within the law school, but all staff are persuaded by the impact it has on recruitment. The three things which make Kent Law School different, according to the head of school, are its tradition of studying law in its social context, very good ICT facilities and the clinic potential. Students are really interested in the clinic, applications are good and the intake is buoyant, with high A level points.

The clinic is popular in the community; at the recent tenth anniversary celebration 160 people attended. Links with local practitioners can and do lead to training contracts, although many students go on to London to commercial practice.

Place of the clinic in the law school curriculum

In the view of the head of school, probably the primary rationale is educational, the object being to give students an opportunity to try out their skills and reflect on the practice and substance of law. The reflective element is a distinctive and important feature, and the aim is not to get into development of skills sooner than would happen through vocational training. The law school has 1,100 students. Of these at any one time up to 150 students may choose to be involved in the clinic.

The clinic operates in two ways. There are two weekly advice sessions at community centres in Canterbury, which run during term time and are staffed by volunteer legal advisers (and student observers). Secondly there is the student involvement in taking on referred cases, together with the educational discussion. The clinic provides several levels of participation and involvement, including attending advice sessions, reception in the office, the weekly clinic meeting and undertaking casework. In addition many projects are undertaken, including work for community groups, research and lobbying on specific issues and formal debates on current legal issues.

During term time there is a weekly meeting of the membership. Students report back on cases dealt with at the evening sessions. This is a meeting of all the members of the law clinic. This creates a sense of advice and casework being a common purpose, a talking point, and contributes to a culture of discussion. The meeting is chaired by a student member, but the director has the role of assisting in managing the meeting and drawing out the wider points. Students quickly get the message that reflection and discussion, as well as pure case management and decision making, are important. These meetings do not attract any credit within the curriculum.

Students in year 1 can, however, observe and assist at advice sessions, and, subject to available supervision, take on a case. They can use the experience in their legal process module, a compulsory year 1 subject. In that module they have three assessments, one of which can be replaced by writing up their work in the clinic.

Student can take a clinic option module in year 2 or 3. This means taking on casework, based on decisions at the weekly forum to accept particular cases deriving from the advice sessions (or via direct referral if appropriate). Numbers doing the

option are limited to 25, chosen by ballot. Students who have previously been involved in the clinic are not given priority, although this is under review.

5.4.2 Academic issues

Assessment

To get involved in depth, students can do a clinic option in years 2 or 3. This option represents 25% of that year's work and one eighth of the degree classification results. The course is assessed 50% on the quality of the casework and 50% on the dissertation, which includes case reports and a dissertation on a topic arising from the casework. Students have to decide on the topic of the dissertation by the end of the December term.

Those who work on the option typically run three or four cases, two of the substantial ones. Work done in the clinic can count towards the coursework elements of a cognate option such as Labour Law or Property Law.

Student commitment

The large numbers involved in the student forum (up to 150) indicates that the clinic is seen as an important learning opportunity. Attendance can drop slightly following initial enthusiasm, but numbers remain high and demand for the assessed option also remains high. According to the director some of the students "eat and sleep" in the clinic.

The clinic is an important aspect of the law school's public profile and is believed to assist in attracting quality students.

Staff development

All staff are experienced practising solicitors and need to satisfy the Law Society's continuing professional development requirements. There is no additional perception of need for staff development. The director is actively involved in the Critical Lawyers Movement and his research and publications inform the educational aspects of the clinic. The potential of using clinic experience as material for research leading to publication is recognised but not exploited. However, in reverse, the expertise from law staff research often enables academic staff to help provide advice to students for resolving cases.

Maximising educational benefit

The clinic is resource intensive and numbers obtaining the experience within the curriculum have to be rationed. At an annual intake of 250 the numbers doing the clinic is 25 (with around 40 applying), but in any year the number of students actually involved in clinic work is around 120. Any measures to enable all students to participate within the curriculum would necessarily lead to a less intense experience to more students, unless more resource were available.

The main learning for the bulk of students takes place in the discussions at the weekly meetings, through observing and assisting at the advice sessions, staffing reception in the office, working on projects and participating in organised debates. At the weekly meetings the discussions are minuted. The membership discusses new

cases which have come in and the discussion is divided between legal analysis and a wider discussion about the problems presented by the clients. The meeting decides whether the clinic will take a case on, and this can even go to a vote. (Cases can also be taken on when there is an emergency without a discussion in the meeting, and case decisions are sometimes taken by clinic staff outside the meeting.)

The large meetings are a key element of the clinic, a way of getting across what the clinic is about, a form of teaching and a demonstration of legal method in action. The meeting always talks about what the members think about a case, as well as what to do about a case, and the director insists on it being both a necessity and a right for students (and lawyers) to discuss issues behind a case.

The weekly meeting is chaired by a student who is elected for the term. The meeting can also be used to discuss topical legal issues, even if they have not derived from a case.

Quality assurance

The clinic has obtained the Legal Services Commission General Help Quality Mark. This enables the clinic to appear in the Community Legal Service directory of legal service providers.

Case quality and supply

New clients are attracted by reputation, and there is no need for advertisement. They phone, come to the advice sessions run by the volunteer lawyers in Canterbury or are referred. The sessions can be walk-in, but usually the four available slots are already full. Cases are typically in areas of law such as employment and consumer law. The clinic is in fact the only provider of representation for tribunals in employment cases in the locality. The clinic also undertakes occasional test cases via judicial review.

Option students have priority for taking cases on, but first year and other students can themselves take on cases when the option students have enough work. This can happen by Christmas time.

The clinic option runs through the term. In the holidays new cases are not taken on unless of particular interest. New cases are not taken on when the clinic is running at capacity.

5.4.3 Professional practice issues

Clients give a waiver of confidentiality so that case discussions can take place within the student forum and the clinic. However, all discussion about client matters is confidential within the clinic membership, and in the forum members discuss cases by number and not by name. Membership of the clinic involves an express commitment to this confidentiality.

The clinic is a member of, and is insured through, Advice UK (formerly the Federation of Independent Advice Centres).

Students are supervised at all stages of client service and do not generally conduct interviews without a supervisor present in the room. They are observers not interviewers in the weekly advice sessions which, as volunteers, they may attend.

5.4.4 Strategic issues

There are no significant developments currently under discussion.

5.4.5 How is the clinic organised

Reception at the clinic is managed by volunteer students on an hourly rota, for which they are trained. Students organise the Monday advice sessions in Canterbury, supported by an administrator. Local volunteer solicitors and barristers take turns on this rota, and two sessions are run simultaneously in local community centres. Alumni lawyers give a lot of support.

Two student observers are present in the interviews, and a student volunteer coordinator welcomes the client and handles any administration on the night. The students sitting in will take notes but not advise. Students doing the clinic option do not attend these sessions, which is typically organised by first year students.

Advice given orally is not automatically followed up with a letter.

Volunteer solicitors run the advice sessions. They do not supervise the students as such, but obviously there is learning from observation and discussion.

Students who do sit in to observe and assist at the advice sessions are then expected to present the case at the clinic meeting, with the possibility of the clinic taking the case on. Volunteer students can also run the phone and reception. All students can volunteer for additional work, which can even extend to tribunal appearances.

After the advice session the cases are discussed at the lunchtime meeting on Tuesday. Following that, the client is informed if the clinic cannot help. Additionally, a case can be referred on to another agency immediately, without being referred back to the clinic for further discussion.

5.4.6 Student perception

Meeting with second year and third year students taking the option

A group of students (25) taking the option, comprising a mix of second and third year students, were interviewed. The most important aspect of the clinic, as described by them, was the Tuesday 12 o'clock forums. These are preceded by the weekly advice sessions on Monday night run by the volunteer solicitor. The students who are present at the advice sessions report back to the Tuesday meetings. In the first year students can do an office hour, run the phone lines, take messages, get to know how the clinic works and get to know the staff. Later in the year first year students have the opportunity to attend an advice centre session, under the wing of a second year student acting as co-ordinator. The co-ordinator makes sure the solicitor turns up and may even conduct the interview.

The students see the work in the first year as the main routes into the clinic. At the end of either the first year or the second year of study, a student can apply to do the option.

Most of the cases taken on are employment, small claims or property disputes. One reason for this is the limited audience rights of students in court and tribunals. But

students can work on a case where representation will be by the supervisor. Some cases are carried over from the previous year.

The students were asked if they could describe an ideal case. The answer was a case where there is some kind of injustice and where they can make a difference, but whatever the case students felt generally involved. It can happen that a case feels pointless. Examples given were where the client was not felt to be telling the entire truth and council meetings. It can be frustrating to find the machinery of justice grinding slow.

One of the things that students learn is how many people fall through the net in legal services, and how difficult it is for people to claim their legal rights, for example in consumer and employment cases. Students feel they can achieve a measure of justice.

Many students turn up at the first few meetings of the clinic but do not stay regularly enough to get involved themselves, perhaps wanting to move too fast into getting their own casework. Those who are really interested will stick it out until they can begin to see clients themselves.

The students were asked if they felt there were any improvements they could recommend. Generally the answer was no. There may be problems waiting for something to happen on a case and there may be limits to the supervisors' capacity to take on more work, but this is an accepted fact. The students had a great deal of praise for the supervisors.

5.5 University of Sunderland

information obtained	visit 10-11 March 2003, discussions with Hugh Brayne, Professor of Law and module leader, other Business School staff and external partners
contact	the Law in the Community Programme no longer runs following the departure of the module leader

5.5.1 Introduction

The module leader had set up a schedule of visits to organisations that the university worked with on its clinical and pro bono module, Law in the Community. Richard also met with the module leader, with the Head of the Business School (the division of the university responsible for offering the module) and with students from the present and previous academic year who were taking or had taken the module.

A draft of the relevant section of this report was submitted to each interviewee or group of interviewees for their approval in respect of the comments made concerning them or their institutions. This report is based on that authenticated version.

Outline of the Law in the Community programme

The module Law in the Community is offered by the University of Sunderland as part of the LLB (single honours) programme. It is an elective and is open to year 2 students on a three year degree programme. It has run for two years. In 2001-02 15 students took part. In the current academic year this number had increased to 25.

The module involves students in three elements; involvement in a large high school in South Shields in delivering the citizenship curriculum, a placement in a host organisation either arranged by the module head or by the students themselves and approved by the module head, and the opportunity to shadow a solicitor in a community legal aid practice.

When the module leader left the university in September 2003 the module was withdrawn. The present report was drafted before that date, but the implications are discussed in the section on sustainability.

Place in the law school curriculum

The module runs over two semesters and carries 20 credits under the CATS system – equivalent to one standard module on the overall programme.

5.5.2 Academic issues

Assessment

Students must submit three pieces of work; a report describing the work of their host organisation, which is prepared in groups, a diary or journal outlining their activity, and a reflective essay drawing on their experience to produce a critical analysis of an issue which has attracted their interest. The students are assessed on the basis of these written contributions. The students are also required to do a presentation before the rest of the students taking the module. This is not assessed but is preparation for the reflective assignment.

5.5.3 Placements

Citizenship placement

The citizenship work at the school requires students in pairs (or exceptionally in threes or individually to accommodate odd numbers) to be linked to a teacher responsible for delivering the Key Stage 3 (age 11 to 13) citizenship curriculum, part of the National Curriculum. Each student pair is involved in four one hour classes, which at this stage of the year is focused on youth justice issues, but is only required to get involved as opposed to observe to the extent that they are ready. They are encouraged to take responsibility for running the fourth of the sessions, normally via a role play such as a sentencing exercise.

Students have reported that the schoolteachers involved are specialists in a range of disciplines, but are not necessarily well versed in issues of law within the citizenship curriculum. They report that teachers find the law students' expertise is a useful resource. The exact extent of involvement varies depending on what is agreed between the students and the individual teacher, with some students teaching the class for most of the four lessons and others observing in all but the final class.

Preparation for the citizenship activity is supported by a number of elements:

- generic role play practice sessions in university classes - a dedicated role play session in which volunteer school students practise with university students using a sentencing role play in a scripted sentencing exercise; students may use this exercise for their own teaching session, although they are encouraged to adapt it if they have the confidence to do so. This training session is carried out in a local court room and is led by staff at the College of Law.
- individual research into the citizenship curriculum - many students report that these classes have been the most valuable exercise in the module. Many find the challenge of teaching a school class is both difficult and rewarding. Some have expressed concern that the school teachers have so little personal knowledge of the legal issues the curriculum covers.

Community organisation placement

The material below is based on discussions with the relevant community partners.

- Wearside Citizens Advice Bureau Money Advice Service

The Wearside Citizens Advice Bureau Money Advice Service has been involved in a project to establish a community advice service within the Community Legal Service Partnership over more than two years. Funding has not yet been secured, and indeed a setback in the involvement of a third organisation has delayed this. While hoping to address the resource question, the citizens advice bureau (CAB) decided to become involved in taking students on placement in the second year (2002-03). Students are placed in two cycles (November to December and February to March) on two half days per week. They are attached to a CAB housing and debt advice specialist and work in pairs. The service is based at the local county court with follow-up work being carried out back at the CAB office. Under the guidance of the adviser the students sit in on interviews, conduct research, shadow the adviser at hearings and carry out a range of casework tasks as directed (for example, drafting letters and

file maintenance). The adviser spends time with the students discussing what has happened and why. The students were seen as a valuable resource.

The service holds the Legal Service Commission's Quality Mark at the Specialist level and has to comply (and ensure that volunteers, including placed students, comply) with LSC benchmark standards.

Both the adviser and the CAB manager appeared very pleased with the student input. They also demonstrated a clear understanding of the educational purpose of the programme. Whilst valuing these aims however the CAB staff interviewed were conscious of the heavy demands on the advisers' time and that the student presence, however welcome, was an additional burden for the adviser. This issue would need to be addressed if the placements were to continue. Additional funding would enable the CAB to employ more caseworkers who could assume supervisory roles for the students. The CAB hoped that the scheme would continue.

The adviser and service manager go to the university at the start of the academic year to explain what the service does and to recruit volunteers. At present they do not take part in any evaluation with the staff or students, but this might be included in future.

The development and growth of the placement scheme at the CAB has been organic, but has evolved rapidly and over a relatively short period. The placement scheme has, in the view of the CAB, considerable potential, in particular if the resourcing issue can be resolved. It exposes students to the realities of legal work, complements their legal education, improves their transferable skills and may eventually build capacity by increasing the number of advisers in the social welfare field.

The CAB would like a rolling programme throughout the year so that the students become an integral part of the service.

- Youth Offending Team

Students have been placed with the Youth Offending Team (YOT) in Sunderland for the first time this year. This placement scheme works somewhat differently from that used elsewhere within this programme, in that the placed students aim to become YOT panel members. The panel is a statutory creation and sits in a quasi-judicial capacity implementing referral orders made by the youth court. Membership of the panels is multi-disciplinary and representational, typically comprising parents, teachers, employers, victims and offenders. The main focus is reparation.

The placed students become trainee panel members undertaking training over a seven week period. In Sunderland this required students to be available for seven Saturdays. After a period observing panel 'hearings' and after receiving police clearance, the trainees become fully fledged members. They are then expected to 'sit' at least once every other month for at least a year. They are considered as YOT staff. In return for the training opportunity they are expected to commit to working as panel members for at least a year, which means beyond the requirements of the university module.

Although none of the students had yet sat as panel members their training was complete, with seven students now ready to begin panel work. One student had still to complete his training, having missed some training sessions for unconnected reasons.

The YOT manager and staff appeared very pleased with the progress that had been made and were very happy to continue this in future years. Resources were not an issue for the YOT, as central government funds were available for recruitment, training and supervision.

By comparison with the other placement schemes this approach seemed to make substantial demands on student time but offered a unique opportunity for active involvement in the law 'enforcement' field. Students noted that they received more training than magistrates.

- Legal Services Commission

Four students are currently placed with the Legal Services Commission (LSC) via their Newcastle regional office. The LSC has wide prior experience of taking student placements.

For present purposes the students have been given a specific brief to work on, in the nature of research exercises. For three of them the topic is domestic violence from the perspective of effective service delivery within the Sunderland Community Legal Service Partnership. This was a topic of mutual interest to the students and the LSC. The fourth student is working with the Hartlepool Community Legal Service Partnership, which is the area of his home, to investigate barriers to access to legal services for people with disability.

Although the LSC officer interviewed expressed full support for the placement programme he was concerned that he had not met regularly with the students. Workloads and physical locations were problematic. Also, he felt that the current project topic was rather wide and it might be better in future to break projects down into more manageable parts. A meeting was due to take place shortly to address progress being made. Future placements were welcome, but the workings of the placement need to be reviewed to ensure that everyone extracted maximum benefit.

- Head of Sunderland Business School

The head of the business school has overall responsibility for the module as part of the business school portfolio. He seemed satisfied with the growth of the module and pleased with the range of organisations with which the students were placed. He was well aware of the resource implications of running the module and of the need to make partnerships effective in operational and fundraising terms. The module addressed directly the mixed 'academic' and 'skills' agendas, while the student experience might count as prior accredited learning in other contexts representing a real value added component.

He was keen to follow the progress of the module and to convene a meeting with the university's higher management to discuss how future developments might be encouraged. This clinical model had implications for the rest of the law (and wider business school) curriculum and these needed to be explored.

- Shelter

Shelter, the housing NGO, had agreed to take a Law in the Community student on placement, but this had not yet materialised. Placements were seen to be a good thing in themselves and might increase the volunteer pool at a later stage. Shelter already takes other students on placement and, subject to staffing and space

considerations, were willing to continue to do so.

Students at Shelter might expect to undertake a detailed training programme and would be involved in a wide range of supervised activity. However, because of the training and supervisory implications, students had to understand the need for them to make a contribution to the service, particularly through a substantial time commitment over a prolonged period.

Shelter felt that it might accommodate 1-2 students in the year 2003-04.

- Gateshead Citizens Advice Bureau

Gateshead Citizens Advice Bureau (CAB) has a long history of student placements and was pleased to take part in the Law in the Community programme. A detailed induction and training scheme was in place for all CAB volunteers, including placement students. Initially the CAB 'put in' far more than it 'got back', however in a long term placement (which the CAB preferred) it wasn't long before the students showed a real value to the organisation. The CAB liked students to stay for at least a year, but was prepared to be flexible about this, recognising that volunteers often had other demands and commitments. Currently, students attend at the CAB for half a day a week over one semester. For the future the CAB thought it could take in two students per year. There would be opportunities for students to get considerable experience at the CAB over the summer. Student volunteers added another dimension to the service, changing perceptions of volunteers and attracting younger clients. A more thorough evaluation of the placement scheme from the educational and legal service angles would be useful.

- Unity Centre

Unity is an advice agency that specialises in help for members of the ethnic minority communities. It has taken two of Sunderland's students for each of the last two years, and according to the manager of the project this worked very well. The students this year attend at the centre once a week (although in the previous year had become quite extensively involved, putting in several days per week at some points). They are given a copy of the office manual and become involved in all aspects of the centre's work under the direct supervision of the manager. This includes interviewing, research, drafting letters, taking notes and attending a range of community meeting and social events. The centre is staffed on an entirely voluntary basis. Running costs are raised privately.

The students are seen as a positive resource, supplementing the staff efforts. Whilst the manager expressed no reservations about student involvement, he thought it might be a valuable addition to have students working in the centre who shared some of the ethnic minority backgrounds. Unity was prepared to increase the number of students on placement - up to two per day for five days a week. Summer placements were also possible.

- Law firm placement

When the module was developed it had been planned that all students would be trained to deliver actual legal advice. A possible avenue for this would be the advice session run by a local firm at the students union. Discussions with the firm led to the proposal that students would each shadow one of the firm's solicitors for an afternoon. This interim arrangement – interim because it was and still is planned that

funds should be obtained for an advice service run by students – has become semi-permanent. Students have the opportunity to spend an afternoon observing a solicitor at work on cases mainly focusing on issues of social welfare law; housing, asylum, education and community care in particular. (Some students fail to attend, often for good reason, but over the year all students are scheduled to attend.)

This is an arrangement from which the solicitor gains little; offering the experience is in that sense purely pro bono. To benefit the student, the solicitor needs to explain each case and the issues involved. Students are encouraged to send the solicitor their research into the issues raised, although this is not a course requirement, and not many students have actually done this. However, as part of the course each student is required to produce a critical research report into an issue they have encountered, and several chose to research an issue encountered through this shadowing exercise. All students report that the experience is beneficial, and the firm is willing to continue the relationship into the future.

The module leader stated that this is in a sense an optional extra; it is not integral to the course, but the learning reported by students about legal practice and legal problem solving seemed to be considerable, considering the small time each student spent with the solicitor.

5.5.4 Maximising educational benefit

The following is based on conversations with the module leader.

Some students took the opportunity to spend a great deal more time in their host organisation (which includes the school placement) than would be expected within the overall module commitment. This even extended to two students becoming paid workers for a period.

Many students, despite being second year law students, took particular advantage of the one to one supervision opportunities and the individualised projects on which their assessments were based to develop writing and referencing skills which had not been properly addressed elsewhere in the curriculum. As a result of realising the benefits of this approach to improving essential study techniques, the module leader provided feedback on all draft work, taking the same approach to helping the student to reach the standard he or she was capable of as he would if the student was producing work for a client.

Obtaining placements was a real challenge in the first year. Membership of the Community Legal Service Partnership in Sunderland had been essential to making the necessary contacts. Of the organisations involved in the first year, only one decided not to take another student. This was more than made up for by the significant increase in agencies coming forward. It was difficult, but essential, for the module leader as well as the students to keep in close contact with the organisation. The module leader did not believe he had achieved the level of contact he had aimed at, and also noted that the protocol which he intended each student, the module leader and partner organisation to agree in terms of rights and obligations, had not yet been developed.

5.5.5 Professional practice issues

The requirement for insurance was met by the host organisation rather than the university, since it was agreed with the host organisation that work was done under their supervision and to their standards. Although the module leader had a practising certificate, this was not necessary to run a placement programme of this sort. Students were instructed in writing and in class on the issues of reliability, punctuality etc). Nevertheless, the culture in the business school was to some extent not conducive to good attendance, and it required a lot of work for the module leader to ensure that students did not let down their colleagues and host organisations. One of the key results of the module, however, had been that the required culture change had taken place.

5.5.6 Strategic issues

The following is also based on discussions with the module leader.

In relation to all placements there were logistical considerations; getting people to the right place at the right time. There were also supervisory challenges. The placing of students inevitably resulted in extra demands on often hard pressed staff in the host organisations. The challenge for the future was to secure enough placement opportunities coupled with additional resources to help with the administrative and supervisory load.

The module leader is the sole member of academic staff involved with the module, and this, in itself, is a point of vulnerability. Additional staff involvement would spread workloads, aid continuity and provide cover. Should he leave or take on other responsibilities the module could not continue in its present state, and probably not at all.

Resources permitting, more could be done to involve the host organisations in some of the evaluative processes, such as holding a seminar or workshop at to which hosts were invited to share experiences.

Despite these challenges the module leader was very pleased with the general progress that had been made over the last two years.

In relation to the citizenship placement the module leader noted that a number of issues had arisen over the two years in which this activity had been taking place:

- teachers lacking knowledge of the legal issues involved
- students answering legal questions raised by students or teachers without necessarily researching accurately or at all what the correct answers were
- consideration of whether criminal records checks are required – at present the school does not call for these and is satisfied that university students will be supervised at all times by a member of school staff
- concern that students had not had enough practice at role play or other teaching activities before being called on to deliver a lesson

Despite these issues, given the positive feedback from the school and the students, the present arrangements would continue. To invest more time in this activity would require more classroom time and could be at the expense of other placement activities. Both the students and the school considered that the outcomes were

sufficiently positive.

The module leader believed that some students could benefit from making this placement the sole focus of the module and participating throughout the year. However, he thought few students would wish to miss out on a second placement in another, more conventional, legal service organisation.

During 2002-03 the university, through the module leader but supported at executive level, engaged in detailed negotiation with two community organisations with the intention of applying for funding to provide an advice service which would have significant training potential for advice workers as well as the capability of providing tailored placements for LLB students. Unfortunately this model did not progress to funding being obtained, as a result of a breakdown in the partnership over the funding application.

As a postscript to this section it should be noted that the module did not continue when the module leader left the university. This was a weakness in the programme.

5.5.7 Organisation

The Law in the Community programme requires students to have two placements.

- Placement 1: citizenship teaching - the early part of the course, in many cases before the students' other placement has been commenced, involves placing students in pairs into a Key Stage 3 (age 11-14) class in the Harton School in South Shields. There they are required to participate in four one hour lessons within the citizenship curriculum. (All schools at this stage must deliver citizenship within the curriculum, although it can be within other subjects or, as at Harton, in special classes.) The idea is that the pair of students will negotiate with the teacher the extent of their involvement, delivering if possible at least one hour of teaching through a role play or other exercise. The citizenship curriculum covers a range of areas, including criminal justice issues and human rights. At the time in which Sunderland students are involved the area of the curriculum covered is youth/criminal justice.
- Placement 2: a community organisation - students attend a number of 'open day' sessions at which the module outline is described and the placement options are set out. Host organisations attend these meetings to present an overview of their organisation. 'Community' in this context includes legal practice and industry as well as the not-for-profit sector. Once students have been selected (which is by a process of negotiation and discussion) and allocated to a host organisation they attend an induction meeting with the host organisation to confirm that a suitable choice has been made and to discuss expectations; this is paralleled by weekly workshops at the university, where, amongst other things, the details of the placements are discussed and possibly arrangements are altered. These workshops also enable the module outcomes and processes to be looked at in greater detail. In parallel with the early stages of the placement students receive talks on relevant aspects of the provision of legal services in the community, such as the work of the Community Legal Service, either from external speakers or from the module leader. Students are therefore prepared for the placement.

There is no minimum number of hours or weeks for the placement in a community

organisation. Students are required to demonstrate sufficient involvement to enable them to meet the assessed module outcomes; in other words to have an experience base to draw on. Typically, students will be involved for at least the remainder of the academic year and will attend on at least a weekly basis for two to three hours.

Additionally, students were scheduled to spend an afternoon (or more than one afternoon by arrangement) shadowing a solicitor (see above). Although drawing up a rota was a relatively simple task, missed appointments and the need to reschedule (for acceptable and occasionally unacceptable reasons) was itself a significant task. The solicitor involved was patient, and it is probable that another solicitor might have withdrawn as a result of the sometimes disappointing number of no-shows.

5.5.8 Student feedback

Students: year 1

A full complement of students attended and talked openly about the module. They felt they had been well prepared for the placements, with the 'open day' sessions at which the host organisations talked about their work and the induction leading in to the start of the placement. Most had relied on the module tutor to secure a placement for them. One had organised a placement of her own accord.

The placement experience was generally well received. With the exception of one group, who had not managed to meet with their supervisor as often as originally planned (due to logistical difficulties), everyone appeared satisfied with their placement. One student did mention privately at the end of the session that she wanted to raise some issues and would do so by e-mail, however to date no comments have been received.

All the students agreed that the work entailed in the elective was more than they had anticipated, and they felt it was more than they would have done under one of the other elective module options. All said that they would recommend the experience to other students, and all bar one said they were glad they had done it. The one who had reservations in this respect had reservations only because the time she spent on the module had impacted on her study elsewhere.

There was some general concern over what was required in terms of assessment, but the tutor said that this information would be provided shortly. In any event the course guide contains details of outcomes and assessment criteria. It was generally felt that the module was over-assessed.

Students: year 2

Two students came from the previous cohort. They were both very complimentary about the module. For both it seemed to have been a highly significant experience shaping their future intended career destinations.

All the students attending the meetings agreed that the placement and related feedback and evaluation had been a positive boost to their studies, had equipped them with more sophisticated skills and had added greatly to their levels of confidence. The timing of the module, as a year 2 option, was thought to be right.

Appendix 1: CLEO model standards

The Clinical Legal Education Organisation (CLEO) was active in the 1990s in promoting and developing clinical legal education. It held a number of conferences, and resulted in a number of clinical initiatives being either started or enhanced. A particular output was the adoption at the CLEO 1995 Plymouth Conference of a set of guidelines for best practice, available through the UKCLE website for all institutions to make use of – see www.ukcle.ac.uk/resources/cleo/standards.html.

CLEO is no longer active. Clinical legal education is now more in the mainstream, and work has continued in particular through the Learning in Law Initiative (LILI) and with the help of UKCLE, but also within other forums such as the Bar Vocational Course Providers conference, the International Journal of Clinical Legal Education conferences and the Global Alliance for Justice Education conferences and workshops.

Here we reproduce the CLEO model standards with a short commentary added where we think our research findings help either to illustrate them, or might indicate revision.

The standards set out the following reasons for having minimum standards, and probably do not need justification:

- to promote good (and sometimes professionally required) practice in clinical programmes
- to provide a base from which clinical programmes can be established
- to give assistance and protection to both staff and students, particularly on the operational context of clinical work

In all five institutions we found clear objectives, operational procedures and statements of intended outcomes, and evidence that these had been shared with and understood by students and partners.

The standards are divided into four sections:

- educational objectives
- learning outcomes
- professional requirements
- operational practice

Educational objectives

This section is based on the premise that the educational value of any unit (clinical or otherwise) needs to be clearly identified. This is necessary so that both staff and students understand what the unit is attempting to achieve and what is required of participants in the conduct of that unit.

The broad aims of live-client clinics are:

- to enhance the students' learning experience and understanding of the substantive law, legal process, ethics and the role of law in society
- to produce students that can take the learning experience offered by live-

client clinics and reflect upon how and why cases were progressed and how this fits into the overall context of their legal studies

- to empower the students to become pro-active in the process of learning
- to provide formative assessment methods which are in themselves a strategic and integral part of the learning experience
- to enable students to develop skills, both transferable and law specific, that enable students to better progress their legal education

Different institutions have emphasised these different aims differently, for example Kent places a strong emphasis on the first objective, adding a quite clear requirement that the understanding be a critical understanding. Northumbria places a strong emphasis on professional skill development. Sunderland was keen to address the issues of formative assessment and student empowerment.

From the student feedback received, it is clear that to some extent all objectives are important in all clinical experience, but the way in which that experience is used to develop student learning and skill varies enormously, depending on which objectives are considered important.

Perhaps what we would state as the most important finding is that clear identification of the particular objectives was a hallmark of all of these programmes, in contrast to our own knowledge of some earlier clinical programmes in which experience alone was the implicit goal and no overall and specific objectives and outcomes had been identified – we would ask the rhetorical question, why involve a law school if experience of law in real life is all that is needed?

Learning outcomes

Learning outcomes are those objectives that the students are expected to achieve by undertaking the unit and the process by which those objectives will be achieved. Those outcomes should take into account the academic level of study the student is engaged in and the individual requirements that the students may have in terms of progression towards those outcomes.

It is not the intention of CLEO to prescribe what learning outcomes should appear in each clinical programme. An example of a clinical unit's objectives and learning outcomes might read:

This unit is designed to introduce students to the concept of live-client, in-house clinical legal education.

Students will be exposed, under close supervision, to unstructured legal problems arising from a real-client base. It is expected that through such exposure, students will reflect on and demonstrate a better understanding of the role of law and lawyers in society and of the substantive rules of law and procedure that they will have to apply during the programme. Those participating in the unit should also acquire lawyering skills (drafting, research, advocacy, interviewing and negotiation) as well as those skills that can be described as transferable (including: communication, problem solving, team work, organisational and study skills, and the use of new technology).

Students will be assigned to 'firms' (small groups) and the knowledge, skills and expertise of the students are expected to be shared within the firm. This is of particular relevance where a firm consists of both second and third year students.

Although this option may be of specific interest to those students who wish to follow careers in the legal profession, it is expected that other students will also gain from the clinical experience.

Since 1995 learning outcomes have become better understood within higher education, and are capable of being more precisely identified than the CLEO suggestion above. We suggest looking at the outcomes for example in the Kent, Sunderland and QUB modules for a more focused articulation of what assessed outcomes students might be required to demonstrate through assessment.

Assessment is inextricably linked (if not driven by) learning outcomes. Those designing clinical programmes need to examine the pedagogic aim of assessment on the unit and identify the subject of the assessment (is it extent of knowledge of legal rules, concepts, skills and/or procedures that is being assessed?).

The form of the assessment should also be clearly set out so that both staff and students understand what is expected. Is the assessment to be by way of examination (seen or unseen), course work (assignments, reports, presentations, portfolios), staff, peer or self, oral or written, or on a continual basis, pass/fail or graded? It is suggested that whatever form(s) assessment take(s) it should be formative in nature so that it becomes an integral part of the learning experience.

An assessment model might read as follows:

Each student will produce a portfolio of work consisting of:

- *a journal listing the student's activity in clinic-related work, with details (subject to the rules of confidentiality) of the cases on which he or she has been involved*
- *a case study detailing one of the cases for which the student has been responsible*
- *a reflective critique of the student's experience in the law clinic, written from that student's perspective*

The portfolio of work will be submitted by week 8 of the second semester.

The supervising staff will also monitor the progress of the students' performances in the law clinic and will assess their performance on a continuing basis.

The supervisors will meet with the students at the end of each semester to discuss assessment. The content of the student's portfolio and the student's performances in the law clinic will be equally weighted for assessment purposes. The supervisors will take into account the student's own view as to the standard of his or her performance in the law clinic and will also ask for the views of that student's co-firm members. Subject to

the jurisdiction of the School's Examination Boards, the decision of the supervisors will, however, be final.

Since the standards were drafted we have seen a lot of imaginative work on assessing students within the law curriculum and within clinical programmes. The above suggestions are certainly valid still, and a good starting point, but there are more focused and more varied approaches available – see for example the assessment regime at QUB.

Integration of clinical work within degree/vocational programmes is seen by CLEO as essential to the service of the pedagogic aims of clinical programmes. If clinical education has intellectual worth, it is in the extent to which it enables students to better understand concepts and principles of law and the context within which these operate. It is important that clinical programmes complement and are complemented by the rest of the course of study taken. Thus, clinics should be integrated within that course so as the pedagogic aims can be both set and achieved.

The following are suggested as pointers to whether and how such integration can be achieved:

- that clinics be a validated part of the course of study, including criteria for assessment
- that clinics be available across the years of study. The choice between making such courses optional or compulsory is a matter for each institution and will depend on available resourcing.
- that the skills implicit in clinical work be linked with and used in other units on the course of study, in so far as they assist students in achieving the learning outcome for that unit
- that subject to principles of confidentiality, material originating in the clinic be used to develop, through case study and simulation, the substance of other course units
- that staff involved in clinical programmes have a direct input into one or more of the other course units. This encourages best use of resources and enables the issues ensuing in clinical work and other units to be cross-referenced and explored. In addition, it prevents clinics from being hived off as vocational activity and disconnected from the 'regular' faculty.

These remain ideals and are not necessarily demonstrated in all the institutions. The role of clinical experience is well integrated within Northumbria, where the vocational objectives of the four year degree culminate in a real life legal practice experience. At Sunderland and QUB, by contrast, the modules were not clearly integrated in the way outlined. At the College of Law the curriculum for the LPC and the BVC is so tightly specified by the professional bodies that there is limited scope for such integration without considerable negotiation and revalidation, although there is evidence that such changes are likely (see for example the Law Society's Training Framework Review, and note the interest in such integration indicated by the Senior Training Officer at the Bar Council in, for example, the BVC providers' conference in Bath 2004).

We were particularly impressed at Kent to see the way the clinic was integrated into the life of the law school and the community, rather than being isolated within a module. It informed and to some extent helped to define a particular approach to legal study, which is to put it into a setting where law serves or is seen in the context of real people, but where all aspects are critically evaluated, whether in the light of direct experience or through other parts of the curriculum.

The educational purpose and service provided by clinics throw up potential conflict and tension for clinical programmes. Should a clinic identify particular client groups, act only in certain cases, or represent everyone who comes through the door?, are questions that have historically troubled designers and providers of such schemes.

It is CLEO'S view that however much the clinic wishes to advise and assist those members of the community who have unmet legal need (for example in relation to housing, social security or immigration), the principal aim of clinical programmes is educational.

It is the needs of the student that must dictate which clients are assisted and in what areas. This can give rise to difficult decisions, especially where the potential client has real and often urgent needs. If the clinic is clear about why it is operating, other decisions follow more logically (if no easier to implement). It should be stressed that once a client is advised and/or represented then a professional standard of care and service are applicable.

It remains our view that the educational objective rather than the client service objective is foremost, but in light of the research, and with evidence of a blurring of boundaries more recently between the pro bono work of the professions and pro bono work in law schools, we would not perhaps emphasise the educational objectives in the same way. While they are paramount, there is reason to believe, in light of the findings, that developing a particular understanding of and commitment to public service is an educational objective in itself, and it cannot be expected of students in the absence of a parallel institutional commitment. The approach at Kent and QUB suggests to us that real value is added to the community through the expertise and work of staff and students. and

Professional requirements

Live-client clinics can take a variety of forms, ranging from advice only, through assistance and partial representation to fully fledged solicitors' practices. The clinics may also be in-house or run through an external agency (such as a free representation unit or law centre). In each case there are implications and in some instances, requirements in terms of standards and rules of professional practice.

CLEO suggests that the standards set out below will ensure compliance with such professional rules in clinics where this is a requirement. In other cases the standards represent good practice and can be followed accordingly. It should be stressed that the standards set down a minimum requirement and one that might be exceeded where resourcing and pedagogic aims permit.

The professional requirements are set out in summarised form. The relevant

professional practice rule can be found in: *The guide to the professional conduct of solicitors* (The Law Society, 1993 as amended) and *Code of Conduct of the Bar of England and Wales* (The General Council of the Bar, 1990 as amended). A further discussion can be found in *Clinical legal education*, chapter 4, (Brayne, Duncan and Grimes, Blackstone, 1998).

Although the issues listed below are set down in the context of professional requirements, they are also highly pertinent to operational practice and will also be raised in that context where relevant.

Since the above standards were developed we have seen increasing interest in clinical experiences which do not replicate direct client service provision – Streetlaw, placements and research projects are all a form of clinical experience which do not require students to be subject to the professional practice rules directly, and all of the institutions bar Northumbria are developing such programmes. However, with commonsense adaptation the guidelines remain extremely important.

Supervision

- all clinics should be supervised by a person who is competent and experienced in both the substantive law and practice of the subject matters serviced by the clinic

This guideline is essential where a student is providing a service to a client. The principle applies to other work - research, placement, or Streetlaw - where if the student is required to undertake any service on behalf of a real client (in the wider sense of the word) the integrity of that service must be underpinned by someone professionally competent in their own right and capable of providing educational and practical supervision to the student. So, for Streetlaw the supervisor must be someone able themselves to provide legal literacy services to the target client group and for research projects the supervisor should be able to identify the needs of the client and the research tools and methods

- a person or persons should be named as supervisor(s)/director(s) of the clinic
- in the case of clinics holding themselves out as solicitors' practices, that overall supervision be provided by a solicitor who holds a practising certificate and who has at least three years certificated post-qualification experience and that a solicitor who holds a practising certificate is in attendance at the clinic at all times that the clinic is open to the public
- supervision includes not only monitoring the activities of clinic students but also includes client records, the clinic diary, correspondence (in and out) and the general conduct of the office and its staff

Stationery and publicity

The following are targeted at direct client service clinical work. Some principles transfer to other types of activity – for example, transparency requires those receiving legal literacy services to be aware of the status of the student as a student and to be informed of the supervision arrangements.

All notepaper, compliment slips and other stationery and law clinic publicity should identify:

- the nature and extent of the clinic's services
- that students provide the service under supervision
- who the supervisor(s)/director(s) are
- name, address, telephone, fax number, e-mail address (if applicable)
- whether the clinic offers legal aid

A standard client-care letter should be given to every client, which states:

- the nature and extent of the clinic's services
- that students provide the service under supervision
- that the clinic's service is based on client confidentiality
- if public funding (formerly legal aid) is generally available
- who is handling the matter
- who is supervising the matter
- what complaints procedure is available to clients
- the position so far as indemnity insurance is concerned
- if assistance beyond advice is given, the extent of the assistance and how any costs or disbursements will be met.

Each client should be given (within 14 days of interview and as early as the case necessitates it) an initial advice letter stating:

- a summary of the facts of the case so far as the clinic understands them
- the advice to the client (including whether or not the clinic is in a position to assist further)
- if the case requires further action and if the client wishes the clinic to help and if the clinic is able to do so, the terms on which the clinic can represent or assist.

Each client for whom the clinic acts (beyond the initial advice letter) must be given and return signed a clinic retainer form indicating that the client understands the terms of the clinic's service and agrees to them.

Insurance

All clinics should be insured against the risk of liability arising in respect of advice, assistance and/or representation given to clients, and general third party liability. In the case of solicitors' practice clinics, this must satisfy the terms of the Solicitors' Practice Rules and related codes of practice. Cover should explicitly extend to students and supervisors.

<p>This requirement applies to any service, not just advice or representation work, since there must be an implied duty of care in any offer to provide even a pro bono service.</p>
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Confidentiality

Staff and students must be aware of the need for adviser/client confidentiality. To this end:

- the room(s) and facilities used by the clinic must ensure that the clients' case details remain confidential to the clinic
- that client interviewing is conducted in a room to which only supervisors and advising students have access during interview sessions
- that all case records, both current and completed, are securely stored and are accessible only by supervisors and advising students
- that all supervisors and students are trained on the issue of confidentiality and its practice and that this is done by an induction course at which attendance is compulsory, reinforced by a clinic manual that deals with the issue comprehensively
- that other facilities for contacting clients (telephone, fax, DX, computer discs, e-mail, etc) are operated to conform to the required level of confidentiality
- that all publicity, discussion, assessment and supervision of law clinic work ensures compliance with the overriding principle of confidentiality
- that facilities for the proper destruction and disposal of confidential waste be set up

Confidentiality is essential within the professional practice rules of anyone acting under solicitor or barrister supervision, but it is not restricted to such occasions. For example, a student providing a talk in a prison, or conducting research for an organisation, becomes privy to a lot of information. In the absence of express protocols guiding the student as to what can be divulged and what is confidential, there is a risk of upset, even if not a cause for a professional practice complaint. We did not discover express protocols in place on the issue of confidentiality covering all situations in all institutions we researched, and would recommend further thought on this is appropriate.

Ethics

Supervisors and students must be aware of the profession's expectations and requirements so far as the ethical issues are concerned. This should be addressed in the clinic manual and in the induction course.

All the institutions we looked at had well developed manuals containing guidance on ethical and professional practice issues. Clear guidance is essential for student confidence, and they should know when it is important to turn to a supervisor for additional help – ethical problems are not to be resolved by a student alone, and ideally not by a supervisor alone (if for no other reason than the loss of learning that would result).

A professional standard of service

Even though the service is provided by students (under supervision) there is only one standard ultimately which the clinic can be judged by - the standard applicable to any competent practising lawyer. This is explored in greater detail in the following section.

Conflict of interest

Supervisors and students must be aware of the professional rules relating to conflict

of interest and must be able to recognise both actual and potential conflicts and act accordingly. This issue should be addressed in the clinic manual and in the induction course.

This is we hope self evident. All the manuals we saw dealing with client advice and representation work contain explicit guidance. The principle is less critical in relation to other forms of legal service, but as with all public service, declarations of interest should always be made. We do not think guidance on this issue had been provided at any institution we looked at, but it would be simple to do so. Public bodies require members to file a list of their interests and perhaps clinical programmes should train students in the same approach by requiring a register

Operational practice

A number of standards are suggested in this section. These are divided into those CLEO regards as essential (or minimum) standards and those that are recommended (from the experience of clinicians in the UK and abroad).

They are produced in summary form and cover the following:

Supervision and staffing: minimum

- Staff must be allocated a realistic timetabled allowance for supervision and other clinic related duties. Experience has shown that for 12 students taking a clinical option over two semesters, supervision is required of at least eight hours per week. Supervision continues outside of term time.
- A ratio of no more than 12 students to each supervisor. US models advocate 8:1, presuming the staff is dedicated largely to the clinical programme. CLEO suggests that providing a minimum of eight hours supervisor/student contact is timetabled it should be possible to discharge the proper supervisory function and free that staff person for some other (limited) 'regular' faculty teaching, research or administration.
- At least two supervisors should be assigned to each clinic. This ensures cover and continuity.
- A supervisor must be available every time the clinic is open to the public, including when client interviews are taking place. (This must be a solicitor with a practising certificate for solicitor clinics).
- No advice should be given by students unless it has been discussed and approved by a supervisor (note requirement again for solicitor clinics). This includes advice given in interview or via the telephone/fax/e-mail.
- Correspondence addressed to the clinic must be opened, read and allocated to students by a supervisor (note requirement again for solicitor clinics).
- Correspondence sent by the clinic must be read, approved, countersigned and despatched by a supervisor (note requirement again for solicitor clinics).
- Each clinic should have access to administrative/clerical support or word processing/typing facilities and client confidentiality should be preserved.
- Faculty staff (academic and administrative/clerical) should be informed of who the clinic supervisors are, what their availability is and when the clinic is open to clients.
- Contingency plans must be in place to cover supervision of the clinic and its students in the event of absence of supervisors/students and during such period of the year when student attendance is not guaranteed (e.g. examination periods, vacations, etc).

- Non-solicitor qualified staff whose involvement in the clinic is to be invited and welcomed, must (in the case of solicitor clinics) and ought (in the case of other clinics) be generally supervised by a solicitor holding a practising certificate.

The above standards are not met in all of the programmes we surveyed. They are perhaps a little inflexible, particularly in relation to services other than advice and representation. It is for each clinic to satisfy itself that no work is done without adequate supervision and guidance, as well as educational benefit. Exact ratios are perhaps too prescriptive, but the above can be used as a negotiating tool to obtain resource, and a good place to start with a new programme.

Supervision and staffing: recommended

- Administrative/clerical support be provided in the form of a full or part time person who is dedicated to the clinic. CLEO'S experience is that this not only aides the processing of paper work but adds invaluable continuity to the clinic's operation. It also replicates the organisation of legal practice.

Three of the five institutions had administrative as well as academic resource. Obtaining external funding is one way of paying for this, as at the College of Law. It is not essential, but failure to provide it in the long term is probably not conducive to best standards being maintained, or will lead to excessive burdens being placed on academic staff.

- Appointments must be entered into an appointments diary by the supervisor or by the student with the knowledge and approval of the supervisor.

Maintenance of files and records: minimum

- Records of all stages of a case including record of interview(s), record of telephone/fax/e-mail communications, record of research, record of court/tribunal attendance, record of preparation, record of documents given to or by the clinic should be kept on each client's file (or a general file if a client's file has not yet been opened) in chronological order and tagged and on a pro-forma used to record that transaction in all clinic cases.
- All correspondence sent and received by the clinic should be kept in chronological order and tagged on the appropriate file.
- No client's file should be removed from the clinic without the express authority of the supervisor.
- All court pleadings, client's documents, experts' reports, legal aid papers and other relevant materials excluding correspondence, should be kept on the appropriate file in document wallets and labelled with details of contents.
- A limitation period diary should be maintained containing the expiry dates of relevant period and timetables relating to ongoing litigation. This may be part of the general diary providing the relevant entries are clearly marked.
- The date and time of court appointments should be entered in the clinic diary.
- A system of recording and referencing cases be set up and maintained, for example, a general file and day book can be kept which records the initial visit or call to the clinic by the client and the outcome of that visit. Each client can be given a reference number that appears on the client's file as and when it is opened. The reference number should include the reference to the student/firm handling the case and the supervisor responsible for it. In addition, a record card

can be kept on each client's file containing personal details of the client (name, address, date of birth, etc), special instructions as to contact and confidentiality, and, a summary of every stage through which the case has progressed. In this way it will be possible for a supervisor or student not familiar with that case, to discover relatively quickly what has happened and what the last development was.

Maintenance of files and records: recommended

- A file be maintained on card listing each client reference number and address. This can be used readily to trace client details.

The way in which these requirements are put into practice are probably best observed by looking at the College of Law and Northumbria operational manuals.

To the above overall list we would add, for educational reasons, a requirement to maintain in one form or another an ongoing record of learning and experience, which students can draw on later in describing, reflecting on and critically analysing their experience. This was practice in all institutions, however we felt there was varied evidence of the extent to which such journals were kept under review during the life of the course. A good example of regular (in fact weekly) review of the student experience and journal appeared to us to be evident from discussions with staff and students at QUB.

Premises: minimum

- The clinic should have premises that are accessible to persons including those with disability.
- The premises should afford facilities for the conduct of reception duties, interviews, telephone contact and the general conduct of a client's case, in secure conditions that preserve the principle of confidentiality.
- The premises must provide students with sufficient space to conduct necessary research and to manage cases whilst preserving the principle of confidentiality.

Premises: recommended

- The premises should consist of a reception, waiting room and an interview room, all of which should afford security and preserve confidentiality.
- The premises should contain a focal point where students can be debriefed, discuss cases and receive notices.
- Facilities for offering basic hospitality to clients (eg tea, coffee) should be made available, including access to toilet/washroom.

What premises achieve in addition to operational effectiveness is a sense of buzz, excitement and identify for students. We observed this particularly in Northumbria, but it was apparent in the smaller office at Kent. The College of Law has dedicated premises at each branch, but because each student's involvement is in a particular short term project the sense of student presence and buzz was not so apparent.

Equipment: minimum

The clinic should have:

- a dedicated telephone line or extension to ensure confidentiality. The telephone should have access to an external line
- facilities for the secure storage of files and records
- desks and chairs for interviewing and working on clients' cases
- word processing facilities
- a library of basic practitioner texts and reference materials, or access to such, whilst preserving confidentiality
- workable and efficient arrangements for the payment of expenses, e.g. court fees, travelling costs, experts' reports. This could either be through the maintenance of a law clinic office account or by payment from the institution's payments department. In the latter case it must be capable of responding to the law clinic's needs, e.g. payment of court fees (delay may prejudice the case)
- a clinic manual which clearly sets out the recommended pedagogic objectives, the operational rules and the professional standards and duties.

In light of technological developments to this would be added access to relevant databases. The ability to use legal databases for research on real problems is a privilege that practitioners in all but large firms do not enjoy, because of expense. Facility for using primary sources in tackling legal problems is a skill that is important to develop at this stage, with supervision and guidance, as in later life corners may be too easily cut. We were aware at all institutions that the programmes valued this learning and training opportunity very highly.

Equipment: recommended

The clinic should have:

- an answer-phone, fax and photocopying facilities
- a full set of forms (legal aid, court, etc) relevant to the clinic
- e-mail
- a dedicated budget covering predicted expenses and contingency fund
- Lexis/CD-ROM access
- document trays into which all correspondence (having been checked by the supervisor) and notes for students are placed. Students should check the trays daily. One tray per student group or firm has been found to be sufficient.

Funding: minimum

- Dedicated funding underwritten by the institution (hard money) sufficient for the completion of the period over which the clinic is to operate (ie teaching period).
- A contingency fund be earmarked to enable unforeseen expenditure to be met.
- Where appropriate use of the legal aid fund to be made.

Funding: recommended

- That wherever external monies are attracted (soft money), this be backed pound for pound by hard money.

- In the event of funding being cut or withdrawn that at least three months notice be given to enable the orderly winding down of work.

Student activity: minimum

- All students must attend an induction programme that covers the operational practice of the clinic.
- All students should agree in writing to the terms of the law clinic's practice - to this end a contract setting out the expectations of the law clinic and its students should be used.
- It is a fundamental objective of clinical practice to give students formative feedback on their clinical work. A profile of each student should be kept that records their expectations, their adjudged performance and the ways in which this performance can be improved.

We would certainly wish to emphasise this requirement in light of experience and student feedback, particularly in Sunderland, where many students starting the clinical programme needed this feedback not only to engage in the clinic learning processes and assessments, but to cover skills for learning which had still not been acquired in other parts of the course. Formative feedback is a particular privilege of the clinic student; it inevitably occurs when students are doing work for a client and receiving supervision. If it is so helpful to learning and reaching high standards in that aspect of the work, there is a case for arguing that it is relevant to all learning – the clinic provides a good environment where trusting relationships may facilitate this approach better than elsewhere in the curriculum.

- A minimum of two students should be responsible for each client/case. This offers protection to the student and provides continuity.

We did not encounter a requirement to work in pairs or larger teams in all clinical programmes, and would now question whether this requirement is valid. Institutions should consider the rationale for whatever arrangement they choose, and the scope for sharing learning and developing team-working skills may still encourage shared responsibilities for client work.

- A meeting of supervisor and students take place weekly to review case progress.

Note our comments as to reviewing the student learning and their ability to reflect critically on the experience – ideally reflecting in the light of legal scholarship and critical writings.

Student activity: recommended

- An induction programme be held as an intensive day's course.
- An induction manual and/or clinic manual be prepared and distributed to all participating students containing a summary of all salient clinic procedures, professional duties and obligation, and rules of practice.
- Students should be encouraged to become involved in group work to foster support and to share responsibility. To this end the allocation of students into teams or firms is, in the experience of CLEO, a useful device. Firms of, say, six students can share a caseload. Firm's meetings should be held weekly, in

- addition to the supervision of individual students in the conduct of their cases.
- Although students can and ought to rely on the supervisors' judgment and control over cases, the initial responsibility should be the students. This fosters a sense of professionalism and adds to the nature of the learning experience.
- Students should check their firm's tray daily.

Referrals to other agencies: minimum

- The clinic should have an understood and workable system of referral when it is unable to offer further services to a client or is unable to accept instructions initially.

Referral is now a primary objective of the Community Legal Service (CLS), but to take part within the CLS a referring organisation needs to be quality marked. Two of our institutions had obtained the quality mark, and we consider this to be a very important target for clinical programmes which advise and refer. Referral within the CLS requires adherence to the principles set out below, and other tracking requirements.

- A letter of introduction from the clinic to the referred agency should be provided.

Referrals to other agencies: recommended

- A list of local agencies, including solicitors, should be kept in the clinic and referrals be made from this list.
- A record should be kept on the client's file/general file of all referrals made.

Management: minimum

- The clinic, as a validated unit on the degree/vocational programme, will be technically managed by the board/persons responsible for that programme. Supervisors must ensure that client confidentiality is preserved even though academic management rests elsewhere.
- As and when necessary, the supervisors (or director if such a hierarchy is used) will report to the board/persons responsible. In any event, the supervisors will produce an annual report setting out the details of the clinic' activities during the past academic year. Such a report should include a description of the aims and objectives of the programme, statistics on number and type of cases, outcomes, students' results, referrals to other agencies (including solicitors) and comparisons with previous years and reflections on progress and/or difficulties experienced.

Management: recommended

- An advisory committee be set up including those representing students, supervisors, academic staff and managers, representative from the local Law Society, representative of advice and other similar agencies (for example citizens advice bureau (CAB), tenants associations, trade unions), the courts and the profession. In the experience of CLEO, not only will this be a source of useful advice and guidance, but it will provide an important link with academia, advice agencies and the profession. Some clinical programmes have received a rather sceptical response from local practitioners, some doubtful of the quality of service

that students can deliver and others with an eye towards the competition. The advisory panel serves to allay fears and foster support and understanding. A record of the number of referrals made by clinics to private practice is persuasive that clinics in fact generate work for local solicitors rather than take work away.

The connection with practice is also useful as it raises the profile of the students. Some have reported that their clinical experience has been noted by prospective employers when short-listing and interviewing.

- The advisory panel meet at least twice yearly.
- The daily management of the clinic be organised with a rota of supervisors/students who cover particular functions. If the clinic has open drop-in sessions a rota is essential to ensure that each session is adequately staffed and to spread the work equitably amongst the students.
- During vacation periods a skeleton rota be operated to ensure adequate staffing levels. Most clinics run down case loads during the latter part of the term to keep vacation work at a minimum (although for those cases running during the vacation, a professional standard of management and supervision is still required).

Training: minimum

- Clinics should build into their programmes mechanisms to support and build on the experiential learning of the live-client work. This can be termed 'training', although CLEO prefers the view that such mechanisms are not targeted at vocational objectives but support the general educational aims of the programme.
- The training programme should be planned in advance so as to complement the learning experience at the appropriate stage of development.

Training: recommended

- A weekly training workshop, compulsory for all clinic students, be held, dedicated to a particular topic, e.g. interviewing or advocacy. The workshop can be led by an expert in that field with or without case studies/simulations. A common clinical experience is to use the facts of existing clinic cases and to simulate the particular issue (e.g. drafting) within that context.
- The training programme be documented in a manual.

There are a range of mechanisms by which this regular review by students of their work, and education of students in the relevant areas of law, critical discussion and practice, are achieved. Most institutions have some kind of weekly class, but the Kent weekly forum which enables a much larger number of students to engage in the discussion is an additional idea which – with careful thought on protection of confidentiality – other institutions might be interested in.

Review of clinical programmes: minimum

- An annual report of the clinic's activities be prepared, produced and widely distributed.

Review of clinical programmes: recommended

- Regular bulletins on the clinic's activity be issued.
- A slot be dedicated, in faculty/departmental meetings, to the clinic for a report-

back on the progress of the clinic, in terms of its aims and objectives and the implications for the degree/vocational programme of the clinic's activities.

Membership of CLEO has been deleted here as CLEO is no longer active, its role having been overtaken by interest in clinical legal education particularly within UKCLE and LILI discussions. Active participation in discussion about clinic and involvement in educational development, discussion and scholarship is a professional necessity, in our view, and there was evidence of this approach by staff in all the five institutions.