

The Establishment and Running of a 'Free to the Public' Legal Advice Clinic in the School of Law, University of Leeds

By:

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Background

It has been an aspiration in two Schools of Law where I have previously worked to establish a Legal Advice Clinic to provide free legal advice to the public and to be run mainly by law students. The proposal in each case arose from a desire to promote social justice by addressing the unmet need for access to free legal advice. In England and Wales such help has in recent years been provided from two main sources: advice from professional lawyers who are reimbursed via the state funded Legal Aid Scheme and the national network of charitably supported Citizens Advice Bureaux. Unfortunately the current economic climate has put even greater pressures upon these two sources of invaluable advice. The last round of cuts in 2010 proposed a 23% reduction in the budget of the Ministry of Justice which funds free legal services by professional solicitors through the Legal Aid Scheme. This cast a very heavy burden upon the charitably sustained national network of 394 Citizens Advice Bureaux across England and Wales. Each one is an independent registered charity helping people to resolve their legal, money and other problems by providing free advice and information, and by influencing policymakers. The network relies on 21,500 trained volunteers to keep the service running, and provides advice from 3,500 locations (including community outreach venues) as well as by phone, in people's homes via the internet. However this admirable provision has reduced over time from over 1000 bureaux at its peak leaving a considerable unmet need.

In each case the proposal for a University based Law Advice Clinic had enthusiastic backing from suitable and willing staff members and excited great interest among students. Unfortunately each proposal foundered as a result of a combination of factors including: the difficulty of obtaining insurance cover, the provision of suitable premises and the 'justification' of applying the time of teaching and research staff to supervising the project. In 2007 I became Head of the School of Law at the University of Leeds which already had a broad portfolio of pro bono activities including:

- University of Leeds 'Innocence Project'. This is an educational project whereby undergraduate students investigate cases of suspected wrongful conviction, and endeavour to bring such cases to the attention of the Criminal Cases Review Commission.
- Streetlaw presentations to schools/ communities. Students are trained to research the following areas, and presented to children in schools as part of their citizenship curriculum: ASBOs (Anti-Social Behaviour Orders), Homelessness, ' Help I am at the Police Station', Employment Rights, 'The Shop Won't Take it Back' and 'At What Age Can I...?'
- Students going into Armley Prison (hopefully coming back out again!), to work with their Education Centre.
- Leeds Asylum Seekers Support Network
- Fundraising for various 'pro bono organisations' including: North East Legal Trust (raises money for the local voluntary legal sector) and the Bar Pro Bono Unit.
- Involvement in corporate social responsibility projects.
- Student involvement with the local Manual Bravo project, a charitable project providing assistance to asylum seekers who do not have access to legal advice.

Building on this profile a highly motivated member of staff associated with several of these projects Ms Lydia Bleasdale-Hill proposed the establishment of a Law Advice Clinic at Leeds. This paper draws upon and uses documentation prepared by Ms Lydia Bleasdale-Hill.

The Proposal

What is a student Legal Advice Centre?

The exact model used by Universities which currently have an in-house student Legal Advice Centre varies, but one model is for students to provide legal advice and direction to members of the public, with oversight by supervising solicitors. The help offered to clients is usually initially limited to advice only, with the possibility of representation only being considered once the Clinic has been fully operational for a few years. It would be operated out of the School of Law Pro Bono room, which has space for meetings to be held and for clients to wait. Client meetings could be held on a Wednesday afternoon during lunch hours.

How would it run?

- 1.** Students are trained in interview technique, research skills, and potentially relevant areas of law
- 2.** Students are assigned to 'teams' by a member of School of Law staff. These teams are responsible for checking the Clinic's answer phone every day, and returning the calls of potential clients. Students would have a pro forma to complete during this call (to contain contact details, and the nature of the problem). If the problem is one the Clinic is able to offer advice on, the students would arrange an appointment time for the client.
- 3.** At the pre-arranged student-client meeting a supervising solicitor could be present to offer advice as to relevant questions to ask. However, it might be possible for such advice to be offered to the students via email prior to their client meeting taking place (informed by the details collected on the pro forma)
- 4.** Following the meeting the students would conduct research relevant to the area, with guidance from supervising solicitors

Benefits to students:

Legal Advice Centres provide students with a unique to:

- enhance their learning experience;
- apply their knowledge of law and the legal process to 'real life' legal problems;
- enhance their vocational and educational skills, including interviewing, legal research, communication, case and file management, time-management and collaborative working;
- instill a commitment to pro bono work from an early stage;
- enhance their sense of professional responsibility; and
- work with potential future employers
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Benefits to participating firms:

Legal Advice Centres afford participating law firms the opportunity to:

- further develop their links with the University, the students, and with other businesses;
- play a role in the wider community;

- assess the potential of students (who might wish to apply to the firm) over a longer period of time;
- met potential private clients;
- use this element of their pro bono activities as a potential recruitment tool (particularly for University of Leeds alumni who might wish to fulfill their pro bono commitments whilst retaining a connection to the University); and
- develop the soft skills of potential future employees/colleagues

The Reality

The School of Law Legal Advice Clinic opened for its first client interviews on 28th October 2009. The Clinic provides free legal advice to members of the public in the following areas of law: employment, housing, debt, consumer rights, personal injury, and human rights. The Clinic is partnered with three local law firms (*Ford and Warren*, *Henry Hyams* and *McKay Law Solicitors and Advocates*), and is staffed by seventeen volunteering second, third and fourth year Undergraduate Law students.

The students work in teams, performing both an office manager role (an administrative role for one week at a time), and an interviewing role. The latter role requires the students to prepare interview questions (which receive approval from a supervising firm prior to the client interview); conduct the client interview themselves; and conduct research into the client's problem(s). Within a week of the client interview the students have to draft an advice letter for the solicitor to approve, and within two weeks the letter must be sent to the client.

Two interview slots are available per week on a Wednesday afternoon. In the first term of its operation, only one interview slot of the twelve available over the semester was left unfilled (due to an extremely late cancellation). The main areas of law in which advice was given were employment, criminal law and consumer rights.

Past difficulties with regard to insurance and accommodation were resolved as follows. First the burden of insurance is in the main borne by the participating professional solicitors' firms. The scheme is structured to ensure that the advising professional signs off on all advice proffered and the relevant provider of professional indemnity insurance stands behind the advice. Nonetheless the School of Law has independent insurance cover in the event of a claim brought directly against it. This was secured at modest cost through a co-ordinating organisation for the provision of pro bono advice. The cost is modest in light of the structure and professional indemnity insurance consequences of the scheme. Second at its launch the School was able to make available separate accommodation for this purpose with an independent street access. Since the launch of the Legal Advice Clinic the School has moved in to a purpose built £12M new building. The design of the 'Liberty Building' incorporates a dedicated 'Law and Community Suite' with dedicated facilities for the Legal Advice Clinic and associated activities.

Feedback on the scheme from all internal participants has been excellent in its initial period of operation:

Student feedback: Working on a case

At the completion of each case the students are required to complete a questionnaire about their experiences of working on the Clinic. The average scores for each question posed are as follows:

Question	Average score (1= lowest; 5=highest)
Did your participation in this case increase your understanding of the law?	4
Did your participation in this case increase your capacity to apply the law to practical problems?	4
Did your participation in this case increase your awareness of the ethical and professional issues affecting a lawyer in practice?	4
To what extent did the legal research that you carried out for the case improve your legal research skills?	4
How valuable was the experience of your involvement in this case?	5

Client feedback

All clients were sent a questionnaire asking them about their experience of the Clinic, complete with a stamped addressed envelope. Those clients who have returned the questionnaire so far scored the Clinic as follows:

Question	Average score (1= lowest; 5=highest)
How clearly was the way in which the Legal Advice Clinic works explained to you?	5
How well were you kept informed by the Legal Advice Clinic about the progress of your case?	5
How clearly were law and legal procedures explained to you?	5
How happy were you with the speed with which the Legal Advice Clinic dealt with your case?	5
How good was the service we gave you overall?	5
Would you use the Legal Advice Clinic again and would you recommend the Legal Advice Clinic to someone else?	All clients said yes to both questions

Solicitor feedback

Solicitors who provided feedback on the students and the Clinic process were very pleased with the standard of the interview and draft advice letter. The students were complimented for their professionalism, both in dealing with clients and with solicitors.

Awards

In addition to internal accolades the Legal Advice Clinic at Leeds has now received a prestigious national prize: the Higher Education Academy Outstanding Project Award which is given to the best University projects which demonstrate clear benefits to all participants. There were over 70 nominations nationally.

The Future

Challenges for the future remain. These include expanding the capacity of the project. The burden of work upon the establishing and overseeing member of academic staff has been considerable. Any expansion of the scheme would require greater staff resources which are not easily identifiable at present. The School of Law has proposed a project as part of a major University of Leeds fundraising campaign which would retain two suitably qualified full time staff to oversee this expansion as well as the greater co-ordination of all pro bono activities. This would expand the Law Clinic beyond that of the 16 other Higher Education based Law clinics in the UK. Another possible source of funding would be to integrate this activity in to credit bearing course modules. Current personnel have reservations about the effect of this upon the academic profile of the student participants.