

LJMU LEGAL ADVICE CENTRE ANNUAL REPORT 2020-21



LIVERPOOL
JOHN MOORES
UNIVERSITY

CONTENTS

INTRODUCTION AND FOREWORD	3
STATISTICS AND CLIENT FEEDBACK.....	4
SUPPORTING PEOPLE GOING TO COURT WITHOUT A LAWYER.....	7
RESEARCH IN THE LAC AND IN THE CENTRE FOR THE STUDY OF THE LAW IN THEORY & PRACTICE (LTAP)	8
FUTURE DEVELOPMENTS AND LEGAL TECHNOLOGY	10
OUR WORK IN THE CURRICULUM AND THE YEAR AHEAD	13
A WORD FROM OUR STUDENTS	12

INTRODUCTION AND FOREWORD

Rachel Stalker, Clinical Legal Education Programme Leader



Moving the Legal Advice Centre (**LAC**) entirely online during November 2020 was the single most difficult thing we have done since we opened our doors in 2014. Our staff and students have worked tirelessly to keep our doors open digitally at least and make sure people who cannot afford to pay a solicitor, but who need accessible legal advice, can get the help they need.

We could not offer our services without support from our pro bono volunteers. Every single one continued to volunteer despite the lockdowns and all the difficulty the past year has brought to everyone working in legal practice.

These volunteers include among many others:

Joanne Callister, Broudie Jackson Canter

Kim Okell, Morecrofts

Jo-anne Lomax, Morecrofts

Steve Peacock, Weightmans

Nicole Kerr, MSB

Bethany Kent, Levins

Matthew Smith, EHRC

Jon Scally, Hill Dickinson

Kate Steele, Hill Dickinson

Haley Farrell, Jackson Lees

Katie Camozzi, MSB

Pamela Lacey, Maxwell Hodge

Darren White, Maxwell Hodge

Di Roskin, LJMU

Fleur Lawrence, LJMU

STATISTICS AND CLIENT FEEDBACK

Julie Seddon, Administrator

Our clinic was established partly to help educate our law students, but also because there is an enormous amount of unmet legal need in England and Wales. Most people only need to understand what their rights are when things are in crisis and those rights are under threat.

At the same time, millions of people live in what the Law Centres Network has called “the Justice Gap” - meaning that, if they had a legal problem, they would have to choose between paying for legal help and falling into poverty. This includes **44% of working single people with no children and 76% of working single parents with one primary school child** (find the Law Centre Network’s Report here: [Details \(lawcentres.org.uk\)](https://www.lawcentres.org.uk)). Liverpool John Moores University is a modern civic university and aims to serve its people and communities, so offering a legal advice service in the LAC to the public (as well as our staff and students) is important to us.

We have two kinds of advice clinic. In an **appointment clinic** our students conduct an initial fact finding interview, with written advice following, supervised throughout by a solicitor. In a drop in clinic, a client will come for initial, verbal advice from a solicitor who is shadowed and supported by students. Despite working wholly online during this year, these clinics advised almost two hundred clients.

We represented another 50 in ongoing family and civil cases. This is a new strand of work (see page 7 of this report for more discussion).

In addition to the clients we helped, we signposted another 219 enquiries – 100 received by phone and 119 by email - to numerous other agencies working in the city. In the next academic year, our capacity will expand and social distancing measures will ease. This means we will be able to advise more clients and reach more people who need our help, especially those who might find it difficult to access advice by telephone or video call.

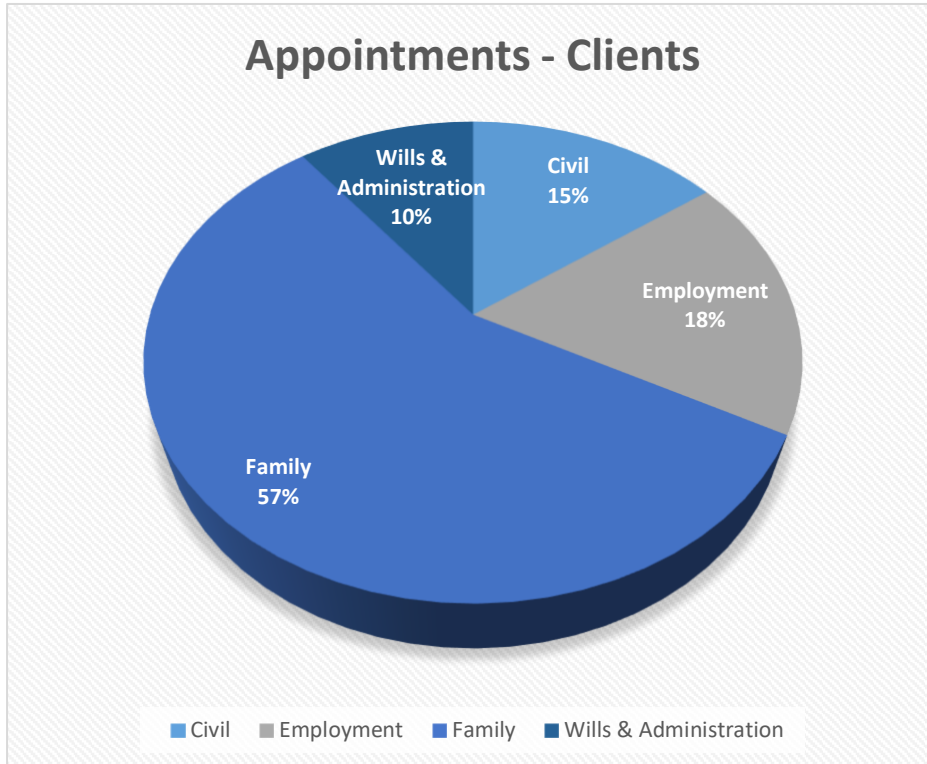
Pro bono work can never hope to meet all the unmet legal need there is locally, but every individual client we help matters. In the words of the Law Society’s pro bono charter, “*a commitment to access to justice is at the heart of the legal profession and... pro bono work, as one method of achieving this, is an integral part of the working lives of solicitors*”.

We would add that this also applies to law students! 40 students volunteered in the appointment and drop in clinics during this pandemic year, and are our last year of entirely extra-curricular volunteers (see page 13 for details of how we are embedding the LAC into our law degree). They were supported by more than 30 external volunteers from firms across the Liverpool region, and solicitor staff from the School of Law.

APPOINTMENTS

CLIENTS

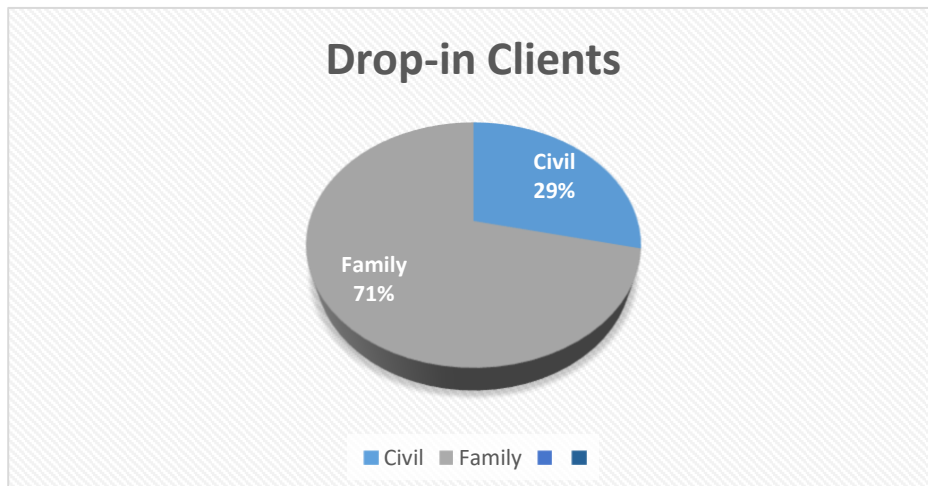
Civil	10
Employment	12
Family	38
Wills & Administration	7
<u>TOTAL</u>	67



DROP-IN

CLIENTS

Civil	20
Family	50
	70



ESTIMATED FINANCIAL VALUE OF WORK DONE

These figures are based on the charge-out rates of our solicitors, and the time they and our students spend on the cases.

Appointment clinic – £234,500-£335,000

Drop in clinic – £21,000-£35,000

Representation – £100,000

Total value – £355,500-470,000

WHAT OUR CLIENTS SAY

We welcome all feedback from our clients. Those who responded to the questionnaire we send to clients after they attend our clinics told us:

- 96% of them felt it was easy to book our online service, and 100% found it easy to attend by phone or video call.
- 96% found their experience of speaking with our advisors at their appointment or drop in clinic Excellent or Good.
- 100% said their meeting with the LAC helped them to understand their situation better and what they could do about it.

“Amazing service, thank you for the assistance”

“The advice is always clear and very helpful, I’m so grateful for this service to be available and that it is helping students with their studies”.

“I don’t think [the service] could be improved upon. It was very good. Everyone I had contact with was very helpful. [Volunteer names] were superb.”

SUPPORTING PEOPLE GOING TO COURT WITHOUT A LAWYER

Mary Mullin and Elizabeth Jones, Solicitors & Senior Lecturers

We joined the LAC during 2020. As well as undertaking supervision of advice in the appointment and drop in clinics, we have set up an innovative Urgent Representation Clinic (**URC**) as a partnership between the LAC and Support Through Court (**STC**) in Liverpool Civil and Family Court. It is also an extension of the LAC's ongoing involvement in the national CLOCK scheme, established by Keele University:



Scan the QR code to find out more about the CLOCK scheme.

STC provides vital assistance to people going to court without a lawyer to represent them: helping to fill in forms, providing information about the court process, helping people to organise their court papers and providing moral support by accompanying them to their court hearings. However, STC do not give advice or legal representation. Sometimes the people whom STC help have vulnerabilities which they need further legal assistance.

With this in mind, our colleagues at STC in Liverpool Civil and Family Court identify if people facing urgent/imminent hearings may be particularly vulnerable, and signpost them to the URC, often at short notice. The URC is therefore a valuable bridge between the vital work of STC and the service provided by the LAC in its clinics. It is an additional layer of pro bono support for litigants whose needs go beyond the support lay assistance can achieve. The URC's free representation work helps to redress significant imbalances of power in the conduct of proceedings. We have also represented clients who initially come to the LAC for written advice, but who need further help to progress their case.

Each of the 50 or so cases we have taken on represents a position whereby a litigant in person has been empowered and their rights supported. Every client's story matters, and their case has repercussions for their family and loved ones. The URC is a continuing and key part of the LAC's expansion and development as we shift from an extra-curricular activity into one offered to all LLB Law students at LJMU as part of the curriculum at all levels, with its own dedicated city centre premises. The URC utilises the LAC's own in-house solicitor staff and means that a regular, ongoing and sustainable service can be provided.

We are delighted that our students are also beneficiaries from the URC's work since they are closely involved in the team representing clients. They are getting in-depth experience of writing, drafting and analysis up against a tight deadline, as well as gaining access to and experience of court proceedings, so far remotely via technology, but in the near future in person. Students can see first-hand the impact that representation can have for a vulnerable client, and be part of a rapid response to urgent and developing situations. The URC will form part of the LAC curriculum from 2022 onwards, with students working on the team able to situate their academic learning in a practical setting and integrate their experience as part of an ongoing portfolio of skills development.

A SUCCESSFUL APPEAL

This case study is provided here with the permission of our client

The URC successfully appealed a decision from the Family Court for a litigant in person. The client has mild learning difficulties and dyslexia and was unable to prepare the statement for the hearing, in which they were the Respondent. STC supported them on the morning of the hearing in preparing a statement and then they appeared in person at the hearing.

The hearing was conducted via telephone and the client's learning difficulty was not considered. The client was given only 10 minutes to read the Applicant's statement so that the hearing could proceed. The client did not understand the process and felt disempowered when they tried to explain to the court their anxieties: their request for an adjournment was refused. The Applicant was represented by Counsel. Whilst the Respondent was invited to make submissions, and agreed to do so they did not in fact understand what this meant.

STC referred the Respondent to us to look at the possibility of appealing the Order. The URC team looked in to the Appeal procedure and drafted the necessary documents to lodge the Appeal. Permission was given to Appeal. We prepared a skeleton argument and an electronic bundle. The hearing was on Teams and the client was able to see all the participants and the Judge.

The URC represented the client and argued that they did not have a fair hearing in breach of their Article 6 rights; as such the decision of the court was wrong and unjust because of a serious procedural irregularity in the proceedings. The judge hearing the appeal accepted our submissions and gave a detailed judgment acknowledging the impact of a hidden disability; litigants may "accept" proceedings rather than alert the court to their difficulty. The URC went on to successfully represent the Respondent at a later hearing in ensuring an appropriate Child Arrangements Order was made.

Our client's feedback

"I am convinced without you that I could not have had my family and been whole again and allowed us to grow together and make memories of joy, laughter and being together, not apart.

"This process made me so depressed, frustrated and not feeling enough due to having my own learning difficulties and not knowing anything about court or the legal system I was lost and failing to get anywhere ... I was unable to pay for any legal help at all even just for advice let alone getting a solicitor.

"You have provided me with everything I needed and made me evaluate what I want to do in life and put me on the path of helping others... I cannot thank you enough and would never be able to put it in to words."

RESEARCH IN THE LAC AND IN THE CENTRE FOR THE STUDY OF THE LAW IN THEORY & PRACTICE (LTAP)

Rachel Stalker, Clinical Legal Education Programme Leader, Practice Area Lead in the Centre for the Study of the Law in Theory & Practice

The law is the essential tool that we use in the LAC to advise our clients and provide representation. However, we are also part of an academic institution, so the practical work we do in our practice can contribute to ways of seeing and understanding the law from an academic, theoretical or policy-based point of view.

LTAP was established in 2019. It promotes research-led teaching at LJMU and contributes to excellence in education through the development of our research staff and the creation of modules and curricula that reflect current legal practice. LTAP enhances the student experience of our postgraduate research students and our undergraduate and master's students.



Scan the QR code to find out more about LTAP.

LTAP has four Areas:

- **Public Law** - UK public law, comparative public law, EU law, public international law, human rights, animal law and legal history.
- **Business Law** - Banking regulation, financial law, corporate governance, company law, employment law, commercial law, law and technology.
- **Criminal Law** - Criminal law, criminal justice, criminology and policing.
- **Practice** - Legal education, as well as research and scholarly activity relevant to legal practice.

The LAC forms a focus for the Practice area. Through our everyday advice clinics and work in the courts, we encounter many different individuals, communities, and organisations of all kinds. We see directly the gaps or problems that arise from the way things currently are in the legal system, or for the people who may need the help of that system – whether they know it or not.

Research in law can be doctrinal – studying existing laws, cases and legislation – but it can also be practice-focused, analysing real-world data to answer important questions and help make the law better. During this year we have been involved in several projects aimed at exploring how the law and society interact and how students can benefit from studying in the context of a law clinic. We are also interested in examining how people can be helped to better understand processes and legal resources.

Our activity this year

We re-established our Student Law Journal, which now operates as a peer-reviewed, open-access journal.



Scan the QR code to view the journal.

LAC students contributed to an international research project considering the impact of the pandemic on human rights. Our students worked alongside university law clinics in the UK, USA, Qatar, Nigeria, Croatia and Turkey, and reported on topics including Equality and Dignity, the justice system, and Free Movement, Expression and Assembly – including legal issues surrounding the BLM protests and conspiracy theories relating to Covid-19. This is the first international collaboration of the LAC, and students enjoyed attending an online, international symposium convened by the College of Law at the University of Qatar to discuss their findings.

This project has led to a further **collaboration between our students, and the Centre for Clinical Legal Education at Palacky University, Olomouc (Czech Republic)**, who are producing a comparative report on the impact of the pandemic on vulnerable groups and communities.

Mary Mullin recently sat on the advisory board of a national project to evaluate practice guidance on the anonymization and treatment of descriptions of sexual abuse of children in family law judgments. The project was hosted by CoramBAAF, the leading professional membership organisation in the UK for local authorities and the voluntary and independent sector involved in family placement such as adoption, fostering or kinship care, and was funded by the Nuffield Foundation. The final report has now been published and the recommendations will be widely referred to by family law practitioners at all levels.



Scan the QR code to read the report.

The Environmental Law Foundation is conducting research into the climate emergency declarations that have been made in the UK and what progress has so far been made to implement these. Our students are sending Environmental Information Requests to 27 councils in the North West of England, alongside students from other clinics around the country, and will contribute to a national research report which will be published in October 2021 in time for the 26th UN Climate Change Conference of the Parties (**COP26**) in Glasgow on 31 October – 12 November 2021.

Rachel Stalker has begun a study that will run until 2025, examining whether teaching ethics in a clinical setting can have an impact on the complexity of students' moral reasoning. She has contributed to the UK Clinical Legal Education Handbook, the first national good practice guide and practical resource for those engaged in the design and delivery of clinical legal education programmes at University law schools. Her book chapter on place-based education, ethics and law clinics, co-authored with Sarah Buhler, Associate Professor at the University of Saskatchewan, Saskatoon (Canada), will be published in November 2021 in *Clinical Legal Education: Philosophical and Theoretical Perspectives* (Routledge, ed. Madhloom and McFaul). Rachel and Sarah ran a successful workshop

based on their research in June 2021 at the worldwide online conference of the Global Alliance for Justice Education, International Journal of Clinical Legal Education, and Association for Canadian Clinical Legal Education.

Coming up in 2021-2022

The LAC has been asked by **Liverpool City Council** to examine family experiences of the secondary schools admissions and appeals process in different parts of the city.

We are working on some exciting projects with our colleagues in the **School of Psychology** to support the work of our students, and the clients who use our service.

Paul Twigg, Solicitor & Senior Lecturer

This year I joined the LAC after almost ten years in private practice at national commercial firm, Hill Dickinson LLP. I am now working to develop clinics intended to benefit the local business community.

From September 2021 we will be able to offer appointments in the Legal Advice Centre to clients who are facing a wide range of commercial legal issues. We will be available to help clients across an extensive range of sectors such as the visitor economy, technology and digital, and the charity sector. Appointments will be available for individuals, start-ups, small businesses and not-for-profits.

In 2021-22, we will also look to produce public information documentation in various forms to assist local businesses and individuals with common commercial problems so that they have immediate guidance when required. This is particularly important in the wake of the pandemic, as many start-up and small businesses seek to recover and rebuild. We will work closely with our faculty colleagues in the Liverpool Business School to build the links needed between business and legal advice.

Finally, in the coming year we will introduce various aspects of legal technology into the curriculum to enhance the student experience, prepare them for practice in the modern world and increase our outreach capabilities for the local communities we serve. Technology can help make the law more accessible, when it is correctly and ethically designed. Lawtech is a relatively recent career opportunity for law students, and we hope to give the legal technologists of tomorrow a strong start on their journey.

On a final point, we are delighted to announce the Legal Advice Centre will be moving into new, bespoke premises in the city centre during 2022, close to our Mount Pleasant Campus. This will greatly enhance our accessibility for the local community as well as the experience of our students, who will have state-of-the art, confidential office spaces where they can work and study.

Working online has kept the LAC functioning during a challenging period and we will keep elements that are most helpful to clients (for example, those with caring duties find an online service convenient). However, we know that there is still digital exclusion in our local area. Not everyone has internet access, or just private space, at home to seek online or telephone advice. We hope that opening a clinic office that has its doors open to the community will provide a safe and welcoming environment for those who find face-to-face help best meets their needs.

OUR WORK IN THE CURRICULUM AND THE YEAR AHEAD

As a modern, civic university we are one of the only law schools in the UK where **every LLB Law student has the opportunity to get pro bono work experience** from their first year onward, developing their practical skills while at the same time helping improve access to justice in the local community. Our University believes that even the most junior lawyer can give back to society.

2020 saw the start of a three-year transition period for the LAC. Instead of being a stand-alone, extra-curricular activity, we have invested heavily in our staff and infrastructure and designed a unique pathway integrating the LAC into the LLB Law at every level. We have also **joined the 16% of law clinics in the UK who offer clients** representation as well as initial advice.

- **Level 4 (Semester 2 2020-21)** – a compulsory module combining the study of classical ethics, professional ethics and professional conduct with observation of simulated and live client clinics alongside practising lawyers.
- **Level 5 (Semester 1 2021-22)** – optional module training in practical legal research, case management, drafting, interviewing and communication, again progressing from simulated to live client work under supervision.
- **Level 6 (Semesters 1&2 2022-23)** – year long optional module during which students focus on a key area of clinic work and develop and consolidate their skills – alleged miscarriages of justice, environmental law, court-facing work alongside STC, as well as policy research and public legal education initiatives.

As well as being an important public service, law clinic work is high-quality work experience conducted under close professional supervision and support. By making it a credit-bearing part of students' time at university, we hope to make work experience more accessible and manageable for students who are working to support themselves while they study.

1st September 2021 also sees the introduction of the Solicitors Qualifying Exam (**SQE**) (<https://www.sra.org.uk/students/sqe/>). Students who take this route into qualification in the future will need two years of Qualifying Work Experience (**QWE**) in addition to passing SQE1 (which examines academic knowledge) and SQE2 (which assesses skills including interviewing, advising, and writing). Students' period of study and work in the LAC can count towards this QWE.

We will shortly be developing postgraduate curricula based in the LAC, which mean that Masters-level students can work in our clinics to complement their academic work. This will also allow the LAC to run outside normal academic terms, so that we can help more people during the year.

A WORD FROM OUR STUDENTS

We asked this year's student volunteers about their key takeaways from their LAC experience.

- **Motivation?** - Students want to do clinic work first and foremost to work with real clients, secondly to improve their skills, third jointly to improve access to justice and also their CV.
- **Most rewarding element?** – helping someone in need, followed by a tie between improving skills and interviewing a real client.
- **How is it different to other legal work experience?** - more in depth work, feeling trusted, making a difference to someone's life.
- **What was the most important thing you learned?**
 - *Client empathy*
 - *Legal ethics and professional conduct*
 - *Putting my legal knowledge to the test*
 - *The legal knowledge I've obtained working on different cases*
 - *Managing expectations – sometimes the law is not in the client's favour... I've learned how to do this while still showing empathy and understanding*
- **Key reflection on what clinic work has taught them about how the law works in society?**
 - *How many people need access to help, as the law is confusing to most people.*
 - *The difference in each legal field and how that affects my approach to cases and research*
 - *Access to justice is a very real problem...naively, I thought legal aid was easy to get. As a result pro bono work is something I want to carry on doing in my future studies and when I qualify. The problems clients come to you with are probably the biggest problem they have ever had in their life.*

We have an exciting year ahead but any future success we have as a law clinic will be built on the work of the 500 or so students who have volunteered or studied with us during the past seven years. Some of these graduates are now qualified solicitors who return in their own free time to supervise our current LAC students.

We look forward to welcoming our next cohort of LLB Law students in September 2021 – our students make the LAC what it is.,



Scan the QR code to can view our LAC microsite.

You are also welcome to contact the Clinical Legal Education Programme Leader, Rachel Stalker (r.stalker@ljamu.ac.uk) or follow us on social media: [@StalkerLawJMU](https://twitter.com/StalkerLawJMU) (Twitter) [@LJMUlaw](https://www.instagram.com/LJMUlaw) and [@ljmullegaladvicecentre](https://www.instagram.com/ljmullegaladvicecentre) (Instagram)

Contact the LJMU LEGAL ADVICE CENTRE

 R.Stalker@ljmu.ac.uk

 07968 422574