



PLYMOUTH LAW CLINIC: GROWTH, CHANGE AND THE EFFECT OF COVID

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What follows is a brief review of the Law Clinic over the past few years and some thoughts about how profoundly our work has been affected by Covid-19. In truth, it was hard to find the space to write it, but it has been useful in re-invigorating the process of exploration and reflection, something that is sorely needed right now. Writing it was a reminder, in these disconnected times, of the value, pleasure and privilege of shared enquiry and endeavour and the need, more than ever, to find ways to use our commitment to examine issues of social justice and inequality.

A Brief History of the Law Clinic

When I reflect on the early development of the Clinic, I can pick out a few key factors that led to its subsequent stages of growth. They include opportunity: the space to explore the idea of the clinic, to visit and learn from other clinics and develop a concept of what a Law Clinic at Plymouth might look like. All clinics require a coming together of practitioner experience with an academic model of delivery and so law clinics around the country have varying styles and content, based on the particular experience of the individuals involved and their local and regional context. Another factor was connection: links made between colleagues within the Law School, as well as with others both inside and outside the University, who had enthusiasm for the ideas. These connections involved those who were directly part of the work, but also those who supported and advocated for the work, without necessarily being part of its delivery. All these people were crucial to the Clinic developing.

As the Law Clinic expanded, co-operation and discussion grew into deeper collaboration, one of the key principles of the Clinic today. Collaboration moves beyond co-operation into the concept of working together to provide solutions and it

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allows for critical examination and ideas generation.² Collaboration has become part of the ethos of the Law Clinic, pervading all activity and allowing for successful teamwork and reciprocity of learning. Importantly for the Law Clinic it has allowed energy to keep circulating, so that the Clinic can evolve year on year, responding to feedback from all involved, without feeling stuck in one particular model. Finally, determination was a key early factor and one that has been required since, to stay with the idea, despite challenges and setbacks, and this has become a more recent discussion of resilience and sustainability.

I joined the Law team at Plymouth in 2006 and seeing myself still primarily as a practitioner, I became involved in work in the city, particularly in my own practice field. Encouragement from others, both within and outside the University, led me to start work on a concept of the Law Clinic, but its evolution has been organic, responding and changing according to the valuable input of those involved and the needs in the city. Some areas of Plymouth remain among the most deprived in the country³ and the impact of legal aid cuts and austerity are plainly apparent.

The Legal Aid Sentencing and Punishment of Offenders Act (LASPO) implemented in 2013 removed areas of work from the scope of legal aid, placing additional and intense pressures on legal aid practitioners already working beyond capacity, and increasing the workload of a stretched voluntary sector in respect of those unable to access support. Plymouth is now considered a 'legal advice desert' in certain areas of the law, caused by a combination of policy impacts and legal aid cuts.⁴

The Law Clinic sits within this context. The Clinic's primary role is to provide opportunities for students to build their experiential learning, to develop the next generation of professionals with skills that will benefit them in their future career paths. However, the local context of the Clinic is inescapable. A Law Clinic cannot and should not begin to address the multiple and complex needs which exist or plug gaps which the legal aid cuts have caused, but the work of the Clinic is undoubtedly affected and the demands to try to help people access justice are acute.

At a point around 10 years ago, law students were already working under supervision,

² See for example models of Collaboration in Advance HE resources

³ Index of Multiple Deprivation 2019

⁴ For example in immigration law. The Legal Advice sub-committee of the Refugee Asylum Seeker network chaired by a Law Clinic Director has been working on this issue with a range of partners

in an employment rights project for employees – the legacy of a small Free Representation Unit – and in the Innocence project (part of a national network working on potential miscarriages of justice), which ran for several years. Our Employment Law project has evolved and changed, but remains one of our core client-facing clinics. Connections made with Plymouth City Council led to the involvement of students in a Domestic Abuse Advocacy project over several years, and students began volunteering with the Refugee Services team at the British Red Cross and training with Citizens Advice. At around the same time the Tenancy Advice Clinic began, our first Street Law project with older carers took place, and the Clinic started to take shape.

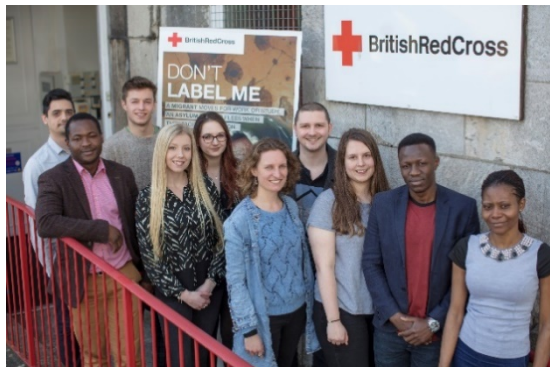
A little later in 2013, with vital encouragement from the then Plymouth Law Society president, a fledgling Family Law project was set up, initially working alongside a firm and CAFCASS,⁵ before the committed support of a local practitioner (and now Law Clinic Director) began the development of the Family Law clinic that we have today. In 2014, the Refugee Family Reunion Clinic was created in partnership with the British Red Cross and a little later, the interdisciplinary and partnership MedLaw project was developed. Next came the International Humanitarian Law Teaching project in schools, and greater collaboration with our research colleagues enabled students to undertake applied research through established research initiatives. More recently, our students have been able to work at Shelter and benefit from our partnerships with a wide range of organisations in the city and beyond.

Many of our students work in the Clinic as part of an assessed Work Based Learning module. This provides an overarching educational structure to student work and an opportunity to share experiences and skills development across all the projects in an educational setting, as part of the cycle of reflective learning.

What this potted history reminds me as I write, is just how many people have been involved in the Law Clinic over the past 10 years. We are fortunate to be in touch with many of the students who have passed through and this growing community is part of what the clinic is now. This short description cannot begin to encompass all the work that has been done; the projects that have stopped and re-started, those that were with us for a while but no longer and those that are new or evolving now. Our network of partnerships has grown and we rely hugely on the generosity of our

⁵ Children and Family Court Advisory and Support Service

partners in enabling learning for both students and staff. These relationships overlap with other work that Law Clinic staff are involved in, allowing for the connection of policy work into our group and the deepening of the partnerships for joint working on events and practice-based conferences.⁶ Greater interdisciplinary working has developed and we have seen the enormous benefit of sharing experience across disciplines and working with colleagues who bring a variety of perspectives and enormous intellectual generosity.⁷



Students presenting their work at a presentation event and students working with the British Red Cross

Values, Ethics and the Sustainability of the Clinic

One of the most interesting and rewarding aspects of the Law Clinic's development has been considering how values and principles can be embedded into the heart of a project, while allowing for evolution, change and response to feedback. This question and its wider application require a fuller consideration than I can give here, but it is both a conscious process, as well as one that, at times, happens without us realising. At its most positive, it fosters a supportive, inclusive and enquiring culture as well as a reflective one, that can consider feedback without defensiveness and listen fully.

Space for mutual and reciprocal learning is key – allowing us all to learn from each other – staff, students, partners, clients, colleagues – in a continuous cycle. Inclusivity and working in an anti-discriminatory way, with an awareness of issues such as

⁶ Examples include: Access to Justice South West 1 & 2 with Public Law project and Citizens Advice; Mental Health Awareness with LawCare; Plymouth Law Society, Plymouth Junior Lawyers Division and UoP Student Law Society; and an Immigration Law Clinics event with LawWorks

⁷ Examples include: Urban Dialogues initiative, Displacement Studies network

power, unconscious bias and the danger of assumptions are at the forefront of our practice. This work links with wider University and citywide initiatives on anti-discrimination and equality.⁸

Partnership and collaboration are also key to the Clinic and the support of key partners in the legal profession and through Plymouth Law Society, as well as from a wide range of charitable and voluntary sector organisations, has been vital. We spend time discussing professionalism and mutual respect, as well as ethical practice, whilst attempting to find space for lightness and laughter, the latter being more difficult to achieve at times of stress. The past months have been particularly stressful for all of us in various ways and the dangers of over-working are always present. My hope for the coming year is to examine this more closely and whether the values of the Clinic can provide some protection from the stresses we are all facing.

Where We Are Now

Just prior to the onset of Covid, the University allocated the Clinic our own premises (located in what was formerly a Boots Chemist on Endsleigh Place at the north end of campus), something that will transform our work. Refurbishment is happening as I write and we are hopeful that this will be complete by the end of February 2021. Having premises will mean that all our client appointments, roundtable meetings, street law, teaching activities and events can take place in a specific location. As this has long been something the Clinic has advocated for, it is a very exciting development.

2020 marked the third consecutive year of us winning national awards at the Law Works and Attorney generals student pro bono awards⁹. We won the Access to Justice Foundation award for a second year, for our partnership work with organisations working on social justice issues and Best Team of Students for our Refugee Family Reunion work with the British Red Cross.

⁸ Higher Education Race Equality Charter, Race Equality working group, FREDA

⁹ Annual LawWorks and Attorney General Student Pro Bono Awards: 2018 Winner Best Contribution by a Law School; 2019 Winner Access to Justice Foundation Award and Highly Commended Best Team of Students; 2020 Winner Access to Justice Foundation Award and Winner Best Team of Students



Our students receiving Best Contribution by a Law School 2018 and the Access to Justice Foundation Award 2019 at the House of Commons, at the Law Works and Attorney General's Student pro bono awards.



Our students were awarded the Access to Justice Foundation Award and Best Team of Students for partnership with the British Red Cross in 2020 but sadly, Covid prevented there being a ceremony.

Finally, we are fortunate to be supported by funding from the Office of Students to expand our Street Law work.¹⁰ This enabled us to recruit a part-time administrator for two days a week to assist students undertaking outreach work in the community.



Students running a Street Law pop-up in Plymouth city centre and a public information event at Union Corner community venue in Stonehouse, Plymouth.

These developments mark a very significant moment for the Clinic and a tremendous boost. They indicate a new phase for the Clinic to develop real sustainability as well as new projects, policy work and impact research.

¹⁰ Engaging Students in Knowledge Exchange funded by the Office for Students and Research England

And then....the impact of Covid-19

Our previous emphasis on face-to-face working in Work Based Learning and the Law Clinic meant that we all had a great deal of adapting to do to keep the clinic open during this academic year. The challenges have been huge. Many of our partners were unable to offer students the physical placements that would usually have been a part of the experience. Both staff and students have been forced to work online and therefore their home space has needed to accommodate clinical content. In all our client-facing clinics this has raised issues of confidentiality; how to ensure that interactions previously taking place in a confidential physical space maintain the same high standards of confidentiality through a virtual interaction. We had to review all our policies and our document handling processes. We looked at workspaces, use of headsets, use of shared document drives and fast-forwarded our development of a digital case management system. In our Refugee Family Reunion clinic, we have tussled with how to manage discussions that involve interpreters so that clients (often abroad with poor connections), supervisors and students can communicate. In all the client-facing clinics, we have faced difficulties where clients are unable to engage virtually, where their vulnerability or lack of resources makes this near impossible and where distress and anxiety levels are enormously high.

Honest reflection requires an acknowledgement of just how difficult this has been. As a staff team we have spoken about it frequently and worried about how it is affecting student experience. It has undoubtedly led to a slower development of our work, as relationship building on Zoom, when not all cameras or connections work, slows things down. Resources are always stretched and in the Clinic this is no exception, as all Clinic staff have only part of their work allocation available to clinical work and in Covid times, the demands of other parts of delivery have been intense while email traffic has increased.

Our response to these challenges has been informed by our over-arching value base and ethos: firstly, an attempt to create dialogue and a level of transparency about the difficulties, to aid agency of decision-making for all; and secondly, to consider ways to change and adapt, trying new ideas and identifying opportunities.

The initiative to develop a more interactive and intuitive website has accelerated. Happily this has coincided with the Office for Students funding, which has meant both the recruitment of some additional support and the opportunity to pilot different

methods of street law delivery (look out for our Street Law mini-conference later in the year). For some clients and partners, the ability to work online (if the appropriate resources are available) has been useful and our learning, on what works and what does not, has been fast-tracked.

Planning the premises, in which we initially focused on environmental considerations (sustainability of materials) and a trauma-informed setting (for vulnerable clients), has now encompassed a providing Covid-safe location, so that for example, we will have video-linked interview pods enabling remote access by students with clients, and distanced interaction within the physical setting.

The highlighting of inequality issues nationally through the Covid crisis has, of course, affected the work of the Clinic. It informed our discussions about response and our conversations with others (e.g. those agencies supporting victims of domestic abuse or asylum seekers without access to wifi). It reinforced further the need not only to sustain our own work, but to support the work of others in our city. We have been engaged in the debate with, and lobbying in support of, legal aid practitioners, and continue to engage in the discussion on building pathways for a new generation of lawyers to work in these fields in our region. At the same time, the impact of the crisis on small businesses has reinvigorated discussion on cross-disciplinary and joint working on business support; and the underlying issues that will affect us domestically for many years regarding Brexit, economic recession and the wider environmental challenges that we face, require exploration with our students.

The impact of the Covid crisis has been huge; it has illuminated issues that we need to explore, and some new ways that we need to work. We often talk within our team and wider Law group of the need to embrace the complexity that situations create and this complexity is intensified by the challenges of online working and our lack of physical contact. People coming together, exchanging thoughts and collaborating on workable solutions is at the heart of all Law Clinic work. We must look creatively for the space and inspiration to continue.