

THE BARONESS HALE LEGAL CLINIC

**Annual Report
2022/23**

york.ac.uk/law/the-baroness-hale-legal-clinic

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WHAT IS THE LEGAL CLINIC?

The Legal Clinic is a free legal service for the public that opened its doors in 2011. In 2022/23, 76 UG and 10 PG students were involved with the Clinic as part of their studies. All work done is supervised by professionally qualified lawyers who ensure that the work carried out meets the high standards of service expected of a solicitors' practice. The Clinic provides much needed help for clients, whilst also supporting students to put their learning into practice and preparing them for their next steps in their legal careers.

Who can ask for advice?

Anyone can ask the Clinic for help and we do not charge for our services.

We work with individuals, companies and community organisations to provide a free, professional and confidential legal service. We have supported clients who may struggle to find or afford legal advice. The Clinic has been able to provide its expertise in a range of areas including; family, employment, consumer and landlord and tenant disputes, as well as offering advice on creating charities and setting up companies. Since the Clinic began, we have advised more than 530 clients and have worked in schools, courts, tribunals and prisons. The Clinic has also collaborated with other service providers such as Citizens Advice and other local legal services, both making and receiving referrals.

Before 2020, our client interviews were all held face-to-face so most of our clients came from York and the surrounding community. Since 2020 we adapted our processes and were able to help clients from further afield by interacting with clients online. During 2022/23, we moved back to more face-to-face client interviews to give our students the experience of meeting clients in person.

We try to help clients with their legal issues if we can. Following cuts to Legal Aid entitlements, there has been a general increase of unmet legal need and members of the public are becoming more reliant on advice provided by services like the Clinic. In cases where we are unable to help, we always explain why and refer on to specialist advisors where possible.

The Clinic Process

Everyone in the Clinic follows a clear set of tried and tested procedures. As a result, clients can expect to receive a high quality, confidential and professional service. So far as is possible, these procedures reflect the workings and demands of any legal practice. We also aim to meet the University and Law School's educational standards for the students involved. All work undertaken by students is supervised by qualified solicitors with practising certificates. The University's Professional Indemnity Insurance covers the Clinic, thus providing further protection for clients, students and staff.

EXAMPLE CASE STUDIES:

Case Study 1

HOUSING

Our client rented a room and signed a tenancy agreement. After giving notice to leave, the landlord threatened deductions from their deposit, despite rent having been paid in advance. We advised on differences between licences and leases, and how our client could claim their full deposit back.

Case Study 2

FAMILY

Our client had a child contact order to see their daughter. The ex-partner was planning to relocate and our client wanted to understand any potential consequences. We advised them about their legal rights and procedural next steps.

Case Study 3

PROPERTY AND TAX

Our client owned a small boat. The local authority considered the boat as their main residence and charged the client council tax. We explained how council tax is calculated and advised on whether or not council tax is due to be paid and how to respond to the local authority.

Case Study 4

COMMERCIAL

Our client contacted us after years of co-developing a new product. The product went through different designs and was eventually produced and marketed by a publisher. Our client was not paid for their idea and contribution to the product. We advised on their options about how to issue court proceedings to recover sums owed and how to ensure future payment of royalties.

Comments from Clients

"Please thank the team ever so much for the detailed response. I really appreciate all the advice and I am feeling much more confident as I am properly informed about all my legal rights."

"The students were very polite, professional, respectful and empathetic. Thank you so much."

"I found the students to be extremely professional and the advice provided was fantastic. It was a positive, supportive and professional experience from the beginning and throughout the whole process, I would and already have recommended the Law Clinic to others."

STAGE 1: PRE-INTERVIEW

Everyone involved in the Clinic undertakes induction and training and are made aware of the relevant professional rules.

Students are allocated cases and work in groups – Student Law Firms.

Students meet with their supervisors before any interview to check they are fully prepared.

STAGE 2: INTERVIEW

All client interviews are by pre-booked appointments.

Students meet with the client to find out key facts and explain the nature of the Clinic's service. No advice is given at this stage.

The Clinic solicitors, in discussion with the students, determine whether the case can be taken on and the client is informed.

STAGE 3: ADVICE

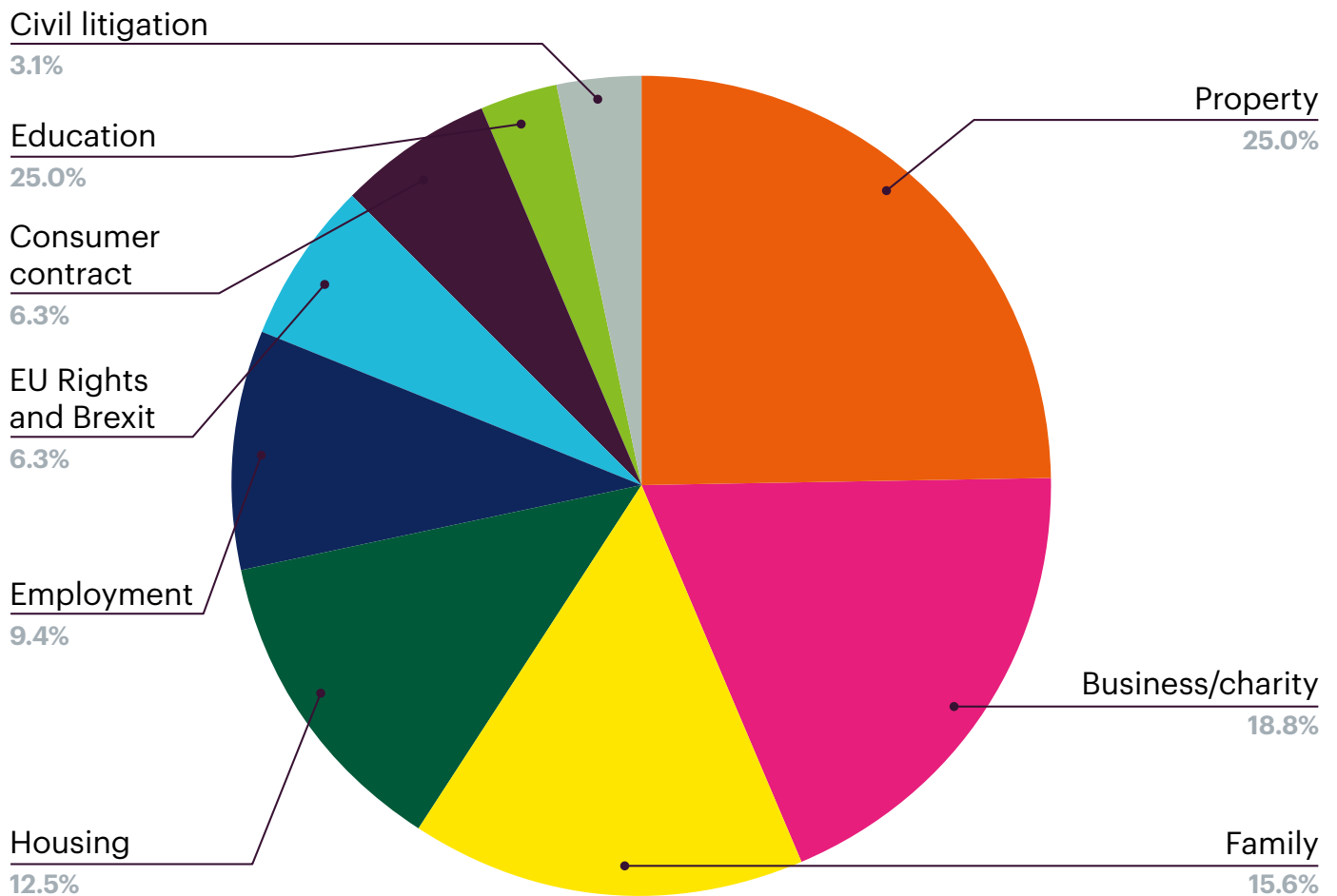
If advice can be given, students research the legal issues involved and draft an initial advice letter.

Once the letter reaches the necessary professional standard with a Clinic solicitor's approval it is sent to the client.

The client is asked to provide feedback so that the Clinic can improve the service in the future.

Further work for the client is only carried out if the Clinic has the capacity. In many cases the client is referred on for specialist help.

Clinic cases 2022/23



Total number of cases for 2022/23 = 32, including 4 Business/Charity cases handled by our Small Business Clinic.

Student self-evaluation

"I really enjoyed working with real clients, it demonstrated how much of an impact on the client's life legal issues can have. I also enjoyed working on areas of law that I had not previously worked on."

"Working on and researching an area of law I did not get the opportunity to really focus on before, and conducting an interview with a real client. The clinic module built my confidence and advanced my research skills. "

OTHER CLINIC ACTIVITIES IN 2022/23

Global Day of Action for Climate Justice

17th November 2022 was the 4th annual Global Day of Action (GDA) which again saw our students taking a leading role in this worldwide initiative. The GDA connects legal clinics all around the globe to raise awareness of the role of the law in the climate emergency, by focusing for one day on one issue related to climate change. Since the first GDA in 2019, dozens of university student legal clinics and thousands of law students around the world have taken part – from Delhi to California to Melbourne. In its first year, students tackled the theme of air pollution; 2020 saw students explore the concept of rights of nature; in 2021, the theme was single-use plastics, and in 2022 the theme was Fast Fashion.

York Law Students organised a “Swap Don’t Shop” event and an international seminar at York Law School and online. The seminar focused on the journey of a fast fashion item around the world from conception to destruction. Amongst the universities involved were University of York Law School which looked at design theft; Bilkent University in Ankara which looked at the impact of fast fashion on local tailors; OP Jindal Global University in Delhi which investigated the impact on wages and labour conditions in producing fast fashion items; SZABIST University and Mazelt of Innovation and Justice in Pakistan which explored a wide range of impacts including water usage in garment production; King's College London which covered retailing and practices such as "Greenwashing"; and the University of California Irvine and Seattle University who tackled disposal of fast fashion.

We also had presentations from Think Ocean India which explored the impact of emerging fast fashion trends on India's rivers; and a powerful investigation by the Amazon Human Rights Clinics Networks, supported by a group of Brazilian Universities, into the use of poisonous metals and chemicals such as mercury in fast fashion and their disastrous impact on health.

Over 50 students and law clinic teachers took part in the seminar and more details of the presentations can be found on our website at www.globaldayofaction.com



Supporting Litigants in Person in the Family Court (CLOCK)

During 2022/23, 12 students were involved with the Family Court Community Legal Companion Scheme, which is delivered in partnership with York St John University as part of the CLOCK network (Community Legal Outreach Collaboration Keele). Our law students were trained as Community Legal Companions to assist people who have no legal representation and need help with a family matter, such as going through a divorce or separation, or preparing for child arrangement proceedings. Working in pairs, students attended a help desk in York Family Court and helped with form filling, explaining court processes and signposting to local charities and law firms.

Small Business Clinic

With the support of Ward Hadaway LLP, the Small Business Clinic continues to offer initial advice to new and small businesses, as well as to current students thinking about setting up a business of their own. Small businesses are very often operating on tiny budgets and small margins, and as such they are often unable to pay commercial rates for legal advice. They are also sometimes overlooked by free legal advice providers, whose focus on social justice issues means they do not offer business support. Small businesses, however, are often key to the economic health of our towns and cities and can play an important role in revitalising neglected or run down parts of a community. Issues that we have advised on have included the impact of General Data Protection Regulations on the collection of data about a client's health; the most appropriate corporate vehicle for a new business; and the meaning of a non-disclosure agreement. In 2022/23, the Small Business Clinic gave advice about inheritance of a family business; how to distribute company shares; dissolving a partnership; and we advised a Community Interest Company about their lease.

The Housing Hub

In January 2023 we launched the Housing Hub, offering housing advice to University of York students. Run by Student Hub Housing Advisor, Stephen Cameron, the Housing Hub trained YLS student volunteers to act as tenancy contract checkers offering a weekly drop in service to any students yet to sign their contracts. The Housing Hub also offers a separate weekly drop in service with Stephen providing guidance and information on general queries about private accommodation.

The EU Rights and Brexit Hub

The EU Rights and Brexit Hub (EURBH) is located in the Legal Clinic on campus. EURBH started as a three-year ESRC funded project (2020-2023) investigating how Brexit affects EU/EEA nationals' access to public services in the UK. Over the course of the three year project, the Hub received over 180 queries. The Hub also aims to build knowledge and train advisers across the UK on issues related to EEA nationals and their families rights in the UK through blogs on topics such as strategic litigation updates and the policy work of the EURBH (over 23,000 views) and the creation of adviser resources (over 1,500 downloads). Since the end of the project, the Hub will continue to operate as a second-tier advice clinic. This year, Clinic students were given the opportunity to collaborate with EURBH researchers. Our students considered enquiries from second-tier advisors, i.e. those who advise clients, about interpreting and understanding the rights of EU/EEA nationals to access welfare benefits in the UK.

International Student Internship from Uganda

In October 2022, the Legal Clinic hosted Dagan Omwesiga - a barrister in training at the Law Development Centre (LDC) in Uganda - for a two week internship. During his time at YLS Dagan experienced the clinic-in-action by working with a number of student firms and their client cases. He also observed Problem Based Learning workshops at YLS and a Moot court session. The Director of LDC, Frank Othembi, also visited YLS from Uganda to find out more about how we teach Clinical Legal Education at York and to explore opportunities for a student exchange programme between York and LDC in Uganda.



Guest Speaker from Afghanistan

Also in October 2022, we welcomed Eraj Haidari who, until 2021 was Assistant Professor of Law and Political Science at Balkh University in Afghanistan. Eraj talked about his experiences of trying to establish law clinics in Afghanistan and shared what it was like to be an academic in Afghanistan over the last decade.



York Festival of Ideas - Access to Justice: Rights and Needs Panel Discussion

In June 2023, Clinic colleagues contributed to a panel discussion hosted by Citizens Advice York (CAY) to engage with and better understand the workings of our justice system, and to talk about it with people who are directly involved with the law. Professor Charlotte O'Brien presented on the impact of Brexit on our legal rights sharing findings from the EU Rights and Brexit Hub Project. Sara Boulton presented on the work of the Baroness Hale Legal Clinic and its link to the local community and wider role in access to justice. HHJ Troy praised the benefits of the CLOCK project to help support litigants in person in York Family Court. Participants on the panel also included Vicky Ling, Trustee at CAY and a Chartered Quality Professional, Jo Tyrthall retired family law solicitor providing pro bono advice to CAY YorLaw, and Chris Smith Director of Legal Practice at York St John University. The panel discussion was chaired by Joanna de Groot Chair of the CAY Trustee Board.





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