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The LawWorks Law School Pro Bono and Clinic Report 2014

by

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1. Foreword

LawWorks is proud to bring together this important research and we are hugely grateful to our university colleagues across the country for their valuable contributions which inform this report.

The Law School Pro Bono and Clinic Report is an established part of LawWorks' engagement with law schools and students and this year's report tracks the development of student pro bono programmes in the UK over the last decade. Our 2006 report revealed a need for further guidance and support in developing pro bono programmes at universities and resulted in a three year project supported by the Law Society to put this in place. In our 2011 report we were able to highlight the success of that project with student pro bono increasing by 33% in that time. The 2014 report demonstrates that while the rate of growth is beginning to slow down, at least 70% of all law schools in the UK are now involved in pro bono projects, a fantastic achievement indeed.

The 2014 report digs deeper to present a more extensive analysis on student pro bono than previous reports and covers the provision, nature and range of pro bono and clinic activity at law schools. The number of law schools taking part in legal advice clinics has increased and now over 45% of clinics in the LawWorks Clinics Network involve a law school. It is clear that the pro bono work being done by law students across the country is playing a significant role in the delivery of free advice to those in need. In an unpredictable and challenging time for the legal sector in a post-LASPO world, it is heartening to see that student pro bono has now become the norm rather than the exception at UK universities.

Through our work with law schools, LawWorks hopes to instil the ethos of pro bono in all lawyers from law school onwards. We hope today's students will carry their enthusiasm for pro bono with them through to qualification and onwards to become senior role models for pro bono in the legal profession.

Particular thanks and congratulations go to the writers of this year's report for their valued research and analysis. We would also like to thank LexisNexis for publishing this report and for their continued support of LawWorks and our student pro bono work. Recognition and congratulations are also due to the students, academics, lawyers, and voluntary sector agencies involved in the delivery of student pro bono programmes across the country.



Paul Newdick CBE QC (Hons) LawWorks Chairman

2. Executive summary

This report contains the findings of a survey carried out on behalf of LawWorks – the operating name of the Solicitors Pro Bono Group (SPBG). The survey was sent out in late 2013 and the results were received and analysed in early 2014. The research surveyed, for the fifth time, all existing law schools in England and Wales (the previous surveys being in 2000, 2003, 2006 and 2010) and for the second time in Scotland and Northern Ireland. Each was asked a range of questions about the extent to which each has been, and currently is, involved in pro bono and clinical activity. The expressions ‘pro bono activity’ and ‘clinical legal education’ were pre-defined for the purposes of the survey and these definitions, along with other guidance, are set out below.

The research identifies those law schools that are currently active in such work and examines the nature of this work and a range of operational issues. As can be seen questions were asked about partnership and training, insurance, supervisory arrangements, whether the work forms an assessed part of the students’ education and the presence and extent of funding, both within the institution and external to it. The range of questions was significantly more extensive in this survey than on previous occasions.

Where possible, comparisons with previous survey results are made so that trends and tendencies can be identified.

The findings are detailed below along with a set of conclusions to facilitate discussion on what future action and support may be needed.

The 2014 survey’s principal facts and findings are as follows:

- The survey was sent to 99 institutions with 109 identifiable ‘law schools’ (some providers having multiple Centres).
- Survey responses were received from 80 separately-sited law schools representing 73% of all law schools surveyed (81% of institutions) This compares with 80 responses from separately-sited law schools surveyed in 2010 representing 67% of law schools.
- Of those that responded to the survey, 96% do pro bono work. Assuming none of the law schools who failed to respond carry out pro bono work, then at least 70% of all law schools are now involved in pro bono and/or clinical activity. In the 2010 survey of those that responded to the survey, 91% did pro bono work. This therefore sees a marginal increase in the number of law schools doing pro bono and clinical work
- These figures continue to represent a historically increasing amount of pro bono and clinical activity. Between 2006 and 2010 the increase was 33%. The increase in the 2014 survey shows a 5% increase. The 2006 survey showed that 46% of all law schools were doing pro bono work and suggested that at

least 60% of law schools would be involved with pro bono work in the foreseeable future. This figure was borne out. Predictably, given the number of law schools now engaged in pro bono and clinical work the increase is slowing down.

- The current survey reveals a much greater range and number of pro bono clinics in UK law schools compared with previous years. According to responses public legal education (Street Law and other awareness-raising programmes) can be found at 67 of the 80 responding law schools. Generalist advice clinics can be found at 45 law schools, placements at 41, subject-specialist advice clinics at 32, miscarriage of justice (Innocence Project) clinics at 21 and court and tribunal representation at 18. There was also a range of quasi-legal pro bono work reported including from-filling clinics and mentoring schemes.
- Six thousand two hundred and fifty eight (6,258) students were reported as being actively involved in pro bono and clinical work in the year 2009/10 which, if averaged across each respondent, gives a total of 85 students doing pro bono in each law school. The 2014 survey shows that 6,119 students are currently involved but only 48 of the 80 respondents gave figures. Based on these 48 and averaged out across providers doing pro bono work this equates to 127 at each institution. Of course this is only an average. Some law schools reportedly involve many more than this. If however this average was attributed to those saying they do pro bono and clinical work but who did not provide details of student numbers then a further 4,000 students could be added to the overall total. We are confident that the number actually doing pro bono work is significantly more than 6,119 in the light of the number of law schools reporting they do such work and the number and range of clinics reported.
- Clinics are increasingly becoming assessed as a credit bearing part of the curriculum. Previously only a small percentage assessed students work (only 10% of law schools in 2010 assessed student performance). Today this total is 25%.
- The amount of money provided by external donors has decreased in relative terms, year on year. Half of all law schools doing pro bono work in 2010 did not receive any external funding and in nearly one third of cases there was no funding from the law school either. The 2014 survey shows that 80% of clinics receive no external funding (although they may receive help in kind – for example the provision by law firms of solicitor supervisors) but law schools are meeting core costs through the provision of premises, equipment and other facilities and (academic and administrative) staff.

3. Background

As stated in the last survey report (2010) LawWorks has long had an interest in pro bono activity in law schools. As suggested then, the rationale behind this involvement is twofold:

- law schools contribute (and have continuing potential to contribute) to the provision of free legal services; and
- encouraging law students to become involved in pro bono work is likely to develop their knowledge, skills and values including their commitment to, and understanding of, professionalism, which may in turn lead to their active involvement in pro bono work later in their professional lives.

Historically the development of pro bono in law schools is interesting. In 2000 SPBG, as it then was, commissioned a report on pro bono activity in law schools (Browne, SPBG, 2000). Of 81 institutions contacted, 73 responded. Of the 73 responding institutions, 41% reported pro bono activity, while a further 19% of institutions, said that such work was planned. This was followed up in 2003 with a further survey (Whitman and Akoto, 2003, SPBG). 76 institutions were contacted: 56 responded. 41% of respondents reported pro bono activity and a further 42% indicated that they were considering running pro bono schemes sometime in the future.

Both surveys looked at pro bono work in a wide context, but did not examine any educational aspect of the activity, for example the extent to which it was integrated within the curriculum. In 2005 the then SPBG decided to commission a further survey, in part to discover the present position in terms of pro bono provision in law schools, and in part to identify those institutions expressing the need for support in establishing a pro bono programme.

The LawWorks Students Project (Grimes and Musgrove, LawWorks, 2006) was therefore to be descriptive of what was happening on the ground and supportive of those universities and colleges that requested help.

In that survey 95 institutions were approached with 46% of all law schools (53% of respondents) declaring themselves to be active in pro bono work. A further 12% of law schools said that they intended to get involved in the following academic year (2006/07) and 8% were considering doing so. This of course represented a significant increase in number and would, if true, take the percentage of law schools active in pro bono work to over 60%.

According to responses in the 2006 survey an increasing number of law school staff were given formal recognition of their role in pro bono provision through discrete timetable allowances. This too broke new ground and further established the notion that pro bono in law schools was now being seen as educational, and not just extra-curricular, activity.

In the same report the majority of law schools reported that they would value assistance in setting up or developing pro bono initiatives and it will be suggested later in this report that LawWorks has responded positively to this expressed need.

As a post-script to the 2006 report, the amount of money allocated both by institutions and by external donors remained, as it had done in previous survey findings, very modest.

The last survey report (Grimes and Curtis, LawWorks, 2010) identified a clear increase in pro bono and clinical activity in law schools with more law schools doing this work, more students involved in it and greater staff resources being dedicated to it. Interestingly those institutions who in previous reports had indicated their intention to start pro bono work had held firm to their commitment. For the first time since the surveys began it was now the rule rather than the exception to deliver pro bono services through UK law schools.

Much of the work LawWorks has carried out over the past five years has involved creating a well-informed network of students and law school staff, in terms of pro bono activity, events and opportunities. The charity has maintained a public database of student pro bono activities (www.studentprobono.net a joint project of LawWorks and Queen Mary University), capable of being updated by the law schools themselves. This supports the spirit of sharing information and resources; an approach that is often seen in the world of pro bono activity. There are now over 200 different activities available to see online.

LawWorks also continues to organise various events around student clinics including the now well-established annual awards ceremony, endorsed by the Attorney General, as well as a Student Conference. With limited resources, staff at LawWorks have assisted over 70 law schools in the UK, in terms of helping with project ideas and supporting their legal advice clinics. This assistance includes the creation of a clinic membership where those who 'sign up' get the benefit of LawWorks endorsement, access to regular updates, clinic events and training sessions and the freedom to access professional practice materials and other resources. Whilst the increase in pro bono activity over this period is by no means solely due to these efforts, it would be surprising if it was not at least partly responsible.

4. Methodology and results

A similar methodology to that used in previous surveys was adopted in the 2014 survey. Response rates had to this point been good. All institutions in the UK with law degree programmes (single or joint honours) as listed by UCAS (Universities and Colleges Admissions Service) or those institutions offering vocational programmes for would-be legal practice professionals were approached.

A total of 99 institutions in 109 venues were identified. Each was sent an electronic copy of the survey questionnaire with instructions to submit responses on-line. Of these, 96 were in England and Wales and the remainder in Scotland and Northern Ireland. For the purposes of the analysis, unless otherwise stated, the 109 are treated as separate law schools even though some are run by the same institution (in the case of The University of Law and BPP law schools self-contained programmes are offered in different locations). It should be pointed out that some of the questions in the 2014 survey questionnaire differ from those asked in previous surveys. Where significant this is noted in the narrative that follows.

Responses were received from 80 law schools – 73% of the total number of sites and 81% of the institutions surveyed.

As in previous reports anonymity of response was guaranteed. Subject to this commitment to confidentiality, LawWorks has retained the raw data in case further analysis is needed. As a result of the advent of the database appearing on www.studentprobono.net site, however, much of the information about specific law schools' pro bono activities is available to all online and has been authenticated by the law schools themselves.

It is perhaps worth noting at this point that throughout the years of the various surveys response rates have been extremely high and, as a result, we believe paint an accurate picture of activity on the ground.

The questions, as asked in the survey, are set out in chronological order below along with basic statistics and commentary on the recorded responses. In view of this the questionnaire is not repeated elsewhere in this report. Owing perhaps to a lack of clarity in a small number of the survey questions those responding did not always interpret the question in the same way. Where this has occurred it is noted in the narrative. In a smaller number of instances the responses were clearly unreliable and these questions have been removed from the survey findings. There is clearly room for improvement in questionnaire drafting next time! A small number of the questions have been slightly reworded to correct the gremlins that seem to have been at work in between the original drafting of the questionnaire and its appearance on Survey Monkey. Neither this nor the results (which are reported as submitted) have been altered in any other way and the context remains the same.

Where possible, comparisons are drawn with the findings from previous surveys. However the opportunity was taken in this survey to ask a wider range of questions and in parts to go into more depth on the questions raised. The consequence of this of course is that it is not necessarily possible to make comparisons with previous survey results. Where there are no comparisons made this is because the question involved was not asked in a previous survey.

Finally, those surveyed were given a set of working definitions which were used throughout the survey in an attempt to obtain consistency in responses. The definitions used were as follows:

Assessed – student performance in pro bono work is evaluated and academic credit or other recognition awarded

Clinic – a structure that delivers pro bono work that is organised (but not necessarily delivered) by a law school

Legal service – assistance provided to an individual, group or organisation (the client) in relation to a problem or issue of concern to the client that may consist of one or more of the following: provision of information, giving of advice, completion of forms and other documents, representation in courts and tribunals, settlement of cases through negotiation and other forms of dispute resolution and other related activity

Module – a defined component of the law curriculum which may be compulsory or an elective and which students undertake as part of their course of study for which they are given credit on completion of it

Partner – any individual, group or organisation external to the law school that the law school works with, in the organisation or delivery of pro bono work

Pro bono work – an activity organised and/or delivered by a law school that provides a legal service to an individual, group or organisation without charge

Public legal education – an activity which raises awareness of legal rights and responsibilities amongst members of the general public

Service user (client) – the individual, group or organisation for whom the legal service is provided

Street Law – a type of public legal education in which law students provide an awareness raising service through interactive presentations to a defined audience, for example, school pupils, prisoners or other specific groups

Supervise – the process of ensuring that the quality of work done in the clinic(s) meets appropriate academic and/or professional standards

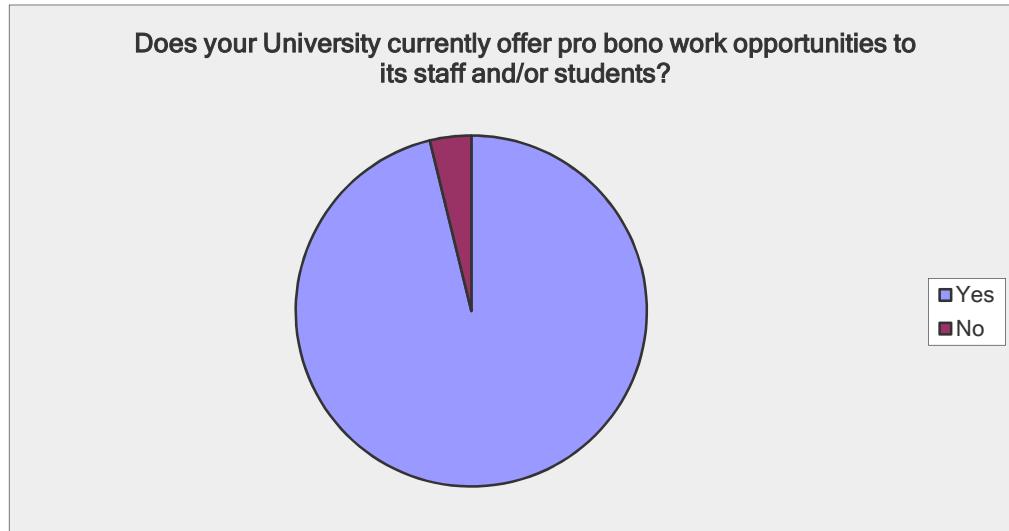
So what did the 2014 survey discover? The findings are set out in narrative form with illustrative charts and graphs where appropriate. The pie charts show results by reference to the cohort of respondents to the survey, not institutions or all law schools. It was felt that this was a better measure of actual pro bono activity on the ground.

Where quoted percentage figures have been rounded up or down to the nearest whole number.

5. The findings

Q. 1 Does your university currently offer pro bono work opportunities to its staff and/or students?

Of the 80 respondents 96% (76) indicated that they did carry out pro bono work. Just 4% said that they did not. On the presumption that those law schools who did not respond to the survey do not do pro bono work this shows that 70% of all law schools offer pro bono opportunities (81% of all institutions). This represents a slight increase on the 2010 survey findings where from a like number of respondents 91% stated that they were engaged in pro bono work whilst 9% were not. By contrast in 2006 only 46% of law schools were engaged in this type of activity. In 2010 this figure has increased to 61%. It is clear therefore that more law schools now do pro bono work than ever before and that a substantial majority do so – a very different picture to a decade ago.



Q. 2 If 'No' has your university ever offered pro bono work opportunities to its staff and/or students?

Two law schools responded to this question – one had previously carried out pro bono work and the other had not.

Q. 3 and Q. 4 If 'No' why has pro bono work not been offered at you university? and: If 'No' does your law school intend to offer pro bono work opportunities?

One law school answered these questions. The initial response was that currently resources did not permit pro bono involvement. The answer to the following questions stated that the responding institution did intend to carry out pro bono work in future, presumably when it has the means to do so.

Q. 5 If 'Yes' what type of pro bono work?

This question was unfortunately ambiguous. The question was designed to discover what pro bono work was intended to be offered for those law schools not currently involved in such activity. Many of the responses however listed the current activity which was the substance of Question 17 – What type of clinic does your law school run?). The responses to Question 5 are therefore not set out here as (judging by the number and content of the responses) the answers to Question 17 appear more comprehensive and reliable.

Q. 6 What year did pro bono work start at your law school?

The answers to this are interesting as they present a historical snapshot of clinic development in the UK. Date-specific responses came from 54 law schools. A handful of clinics started in the 1970s and 80s (1 in 1970, 1 in 1975 and 1 in 1986). A similar picture emerges in the 1990s with a small number being formed (1 each in 1992 and 1993 with 2 starting in 1995 and 1 more in each of 1996 and 1999). The situation starts to change in the 2000s with 2 in 2000, 1 each in 2001 and 2002, 3 in 2003, 4 in 2004, 2 in 2005, 7 in 2006, 3 in 2007, 3 in 2008 and 2 more in 2009. The current decade has seen a continuation of this growth with 6 law schools starting pro bono work in 2011, 8 in 2012, 2 in 2013 and 1 so far this year (2014).

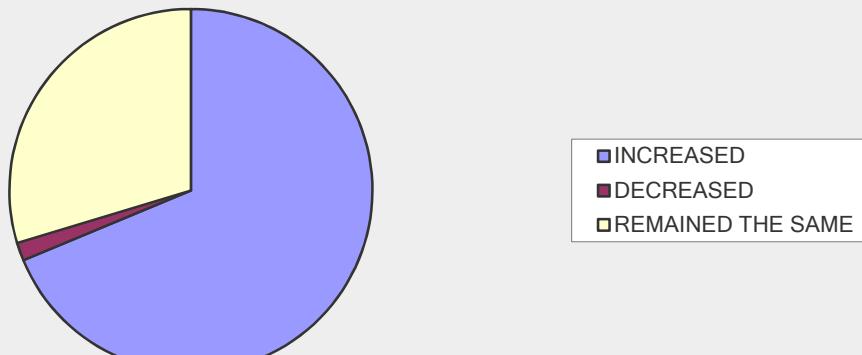
Q. 7 What was the first type of clinic at your law school?

This question sought to identify the clinical ‘model’ used when pro bono work was first initiated by the law school. Unsurprisingly perhaps the most common type of clinic used initially was the in-house legal advice centre. This accounted for 40 of the responses. A legal literacy or ‘Street Law’ clinic was the next most numerous start up clinic (in 9 instances). This may be explained on the basis of the relatively resource-light nature of this model. Placements were also equally common (again in 9 responses). This model too shares a cost-effective denominator. Innocence projects (potential miscarriage of justice cases) were found in 3 responses.

Q. 8 Has the range of clinic(s) made available increased or decreased since pro bono work was first introduced?

In the vast majority of cases the range of pro bono work available in law schools has increased since that activity was first started. 69% (44) of law schools reported an increase. Just 2% (1) said that pro bono work had decreased with around 30 % indicating it had remained the same. This increase would appear to reflect the nature of client demand as is revealed in the responses to the following question.

Has the range of clinic(s) made available increased or decreased since pro bono work was first introduced?



Q. 9 If the range of clinics made available has increased, please specify what has been added since pro bono work opportunities were first offered

Responses were received from 44 law schools. The range of activity was reportedly wide. The work addressed an increasing range of specialism including: family law (6 responses), Street Law (6), employment (3), housing (2), immigration and asylum (2), welfare benefit appeals (2), law reform projects (2), debt (1), wills (1) and mediation (1). Responses also indicated that placements had increased (4), telephone advice was now offered (3) as was provision of 'McKenzie friends' (3), some clinics had moved to town centre premises (2) and research reports were being prepared for various client groups (2).

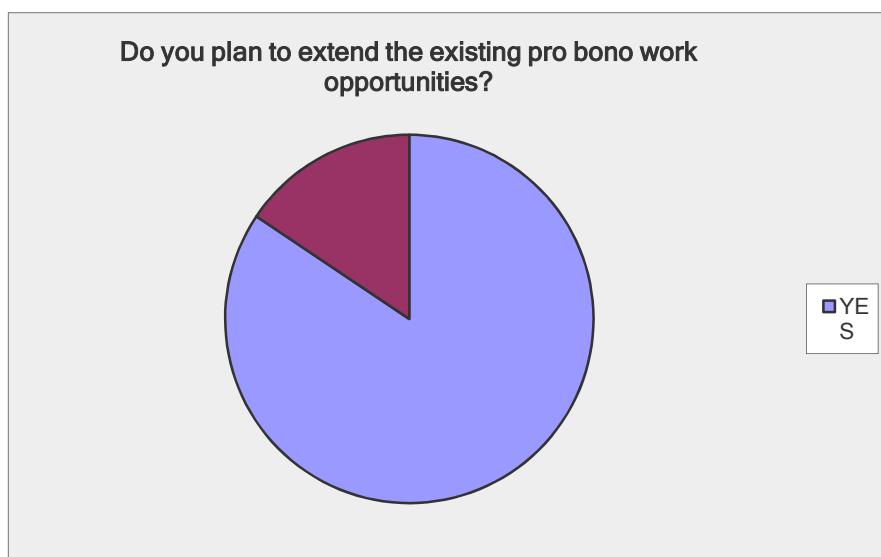
Q. 10 If the range of clinics made available has decreased, please specify what has been removed since pro bono work opportunities were first offered

There was just one response to this question with the law school concerned stating that clients' problems were now more closely vetted by supervisors to stop students taking 'inappropriate' cases.

Q. 11 and Q. 12 Do you plan to extend existing pro bono work opportunities? and if 'Yes', please specify the type of clinic or nature of expansion of the existing clinic planned

Responses were received from 64 law schools, 85% of whom stated that expansion was planned. 15% did not intend to increase provision. The follow-up question asked law schools to specify the nature of that expansion. This was said to be done either

by increasing service levels through more client contact and/or by extending a service to specific legal subject areas. The specific responses included: helping self-represented litigants (7); more client appointments (4); establishing partnerships with the local Citizens' Advice Bureaux (CABx) (4); offering tribunal representation (4); starting Street Law sessions (3); involving more students (3); obtaining bigger premises (2); securing more placements (2); setting up mediation services (2); and, working with prisoners. Focusing on specialisms was also frequently mentioned including: immigration, family, 'Small Claims', commercial law, housing, discrimination and human rights (2 in each case) and environmental law and disability issues (1 each).



Q. 13 If 'Yes', please specify the number of students expected to be involved.

Responses were received from 49 law schools who collectively indicated that around 1,200 additional students would become involved in this expansion of pro bono work. When linked with the response to Q. 30 at least 7,300 students across the UK appear to be either involved in law school-based pro bono provision or scheduled to be in the near future, with a likely figure nearer 10,000.

Q. 14 If 'Yes', when will the extension to pro bono work commence?

Responses were received from 48 law schools. Their intentions appeared relatively immediate with responses ranging from the start of 2014 (this data was, in the main, received between October and December 2013) to the start of the academic year 20014/15.

Q.15 Please describe any other planned developments that are not covered above:

This open-ended question resulted in 23 responses, 19 which indicated additional planned activities. Some stated that their law schools would be developing pro bono internally (i.e. to staff/students). Two respondents indicated plans to move their clinic/pro bono into bigger premises offering more opportunities for their students; another was appointing a director of civic engagement to co-ordinate the various activities; 2 were looking to assess student's involvement in pro bono work; 2 were looking to develop Street Law; one other PLE activities; one was seeking to provide online training material; and another is to include a drop-in session to their existing clinic provision.

A further set of responses indicated law schools' plans to expand their partnerships with outside bodies: CABx (2) Law Centres(2), disability groups (2), PSU (2), local authorities (2), law firms (1) and community group (1), whilst another described expanding community work. One respondent explained that the reason why they were helping a local law centre was because of the law centre's funding cuts (and it was uncertain what form the law school's support would take). Another indicated plans to get their students paid internships with local authorities and other partners.

One law school showed a willingness to ensure their pro bono expertise was shared with other law schools through the organisation of a conference on assisting litigants in person, and preparing training materials available to all. Taken together with answers to Q12 and Q13 we can see that there is a significant number of law schools intent on substantial expansion of their existing pro bono activities.

Q.16 If you do not intend to extend pro bono opportunities please say why?

There were 10 responses to this question which gave reasons as to why pro bono was not being extended. These included lack of resources (5) [one which said lack of staff resources]; a belief that the services provided were adequate (3); a limited student base (1); and assessing the commitment of students before expanding further (1).

The issue of resources limiting pro bono activities has been a constant theme of previous studies, but the response to this question also shows that there are some law schools which may be content that they have maximized what they can provide in ways of pro bono activity for their students / community. Whilst we have seen clinical legal education / pro bono increase nationally since surveys began in 2000, there must come a point where law schools cannot (and/or perhaps should not) offer any more.

Q. 17 What type of Clinic(s) do(es) your law school run?

This question generated a significant amount of data. It sought to identify the type of legal services offered by individual law schools. In the 2010 survey only five activities were listed (quasi-legal, Street Law/PLE, placements, clinics and Innocence Projects/miscarriages of justice). This question asked about a wider range of activities to reflect anecdotal evidence that there had been an increase in the type of activities law schools offered. The responses confirm this view and provide a wealth of information which is summarised below.

Type of legal services offered

Sixty one law schools responded but not every respondent addressed each part of the question. The numbers presented in the table below are based on those who indicated they offered a particular service.

Type of legal services offered

Generalist advice	45
Specialist advice	32
Generalist post-advice	9
Specialist post-advice	10
Representation court/tribunal	18
Placement with external organisation	41
Innocence Project	21
Street Law	39
Other public legal education	28
Quasi- legal (e.g. form-filling)	15
Other pro bono	23

Law clinics

From the above figures over half (56%) of respondents offered generalist, advice-only help. Forty percent provide a more specialist service. Twenty percent of clinics go beyond advice in generalist cases and this rises to just over 30% for subject-specialist clinics. These figures are encouraging in the sense that a significant

proportion of law schools carry out advice and post advice work although, as might be expected, the numbers fall as the extent of the service offered increases. This may be explained by the resource, capacity, insurance and possible capability limitations on law schools when operating in the legal service delivery sector. Interestingly all those law schools that provide post-advice help also offer an advice-only service.

In total 56 respondents (70% of all respondents to the survey) indicated that they had either a generalist advice clinic or specialist advice clinic. This is a significant increase on the figures in the 2010 survey where 40 law schools indicated they had a clinic (50% of all respondents), and 2006 survey which collectively was 29 (35%). This shows increasing momentum for law schools to have clinics, which may, in part, be as a consequence of clinical legal education being used as a marketing tool to attract students as well as serving the university or college's wider mission of 'corporate responsibility'. For the first time the survey was able to get information about the number of clinics offered by institution, and there are some remarkable findings.

By comparison with previous years, in 2006 there were just 12 advice-only clinics. In 2010, 40 law schools offered advice. Again the incremental rise in number and type of clinic is very clear.

Number of different clinics offered by individual law schools

The table below sets out interesting findings on how many clinics law schools may offer.

Number of clinics at a law school	Number of law schools
6 or more	6
5	2
4	6
3	5
2	9
1	22

The returns here show that that 35% of law schools responding to the survey offer more than one clinic, with 24% offering 3 or more distinct clinic types.

Specialist advice clinics

The survey results reveal that an increasing number of law schools now offer a specialist service focusing on a particular area of law. The following are offered:

Subject specialism of clinic	Number of clinics
Employment	16
Family	10
Welfare Benefit	8
Housing	7
Immigration	4
Special Educational Needs (SEN)	4
Residential property	3
Debt	3
Civil	3
Commercial	2
Consumer	2
Crime	2
Personal injury	2
Commercial	2
Intellectual property	2
Environment	1
Discrimination	1
Mental health	1
Domestic violence	1
Health care	1
Disability rights	1
Sports	1

Fraud	1
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The fact that Employment Law is the most common specialist clinic offered should come as no surprise given the lack of Legal Aid and 'rights of audience' in tribunals. This work has also been part of law schools' pro bono activity in this country for many years. The work of various law schools with the Free Representation Unit in London is a good example of this. The next most numerous of the specialist clinic deals with Family Law cases and is in itself interesting. This is a relatively new phenomenon which may partially be explained by the effective withdrawal of Legal Aid in this area in April 2013. Welfare benefits and housing cases have also featured heavily in law school clinic work, traditionally forming a response to broader social welfare needs. Immigration and special educational need advice and representation are also now well established.

The remaining specialist clinics are widely diverse. There are some niche specialisms like Environment Law but also some areas where one might expect more provision (such as consumer, mental health and domestic violence). The first may be adequately dealt with in the generalist advice clinics, whilst in relation to mental health some law schools provide pro bono support in other ways (e.g. PLE). Commercial and Intellectual Property Law are areas which currently have relatively few specialist clinics, although as answers to question 19 below shows that 17 law schools now offer services to small business start-ups and 20 for other commercial law work (including intellectual property), so that suggests that this is being offered as part of a general advice clinic or through another clinical activity.

Placements with external organisations

This was the second most numerous clinical option amongst respondents with 51% of all those surveyed indicating that they used placements. In the 2006 survey, placements were the most popular form of pro bono activity and it was commented at the time that:

'Such activity involves students being sent to organisations external to the educational provider. The attractions for the institutions of this type of PBA include the fact that the cost of supervision and of any case management falls to the host organisation'

(Grimes and Musgrove, 2006, 8)

Interestingly however, the current survey shows a slight decline in the number of respondents who used placements as part of their clinical position. In 2010, 45 respondents indicated they did so, but in this survey it is only 41. This decline may be significant as it might be becoming increasingly difficult to find organisations willing to take students on board. Given the cuts to advice services and public

sector, and downsizing in the legal profession it may well be that the economic recession has contributed to this.

Where placements are reported the most common was with law/advice centres (13) (including 1 respondent placing students in overseas' clinics); CABx (10), law firms (6), courts (4) and National Council for Domestic Violence (4). The police and PSU were used for placements by two law schools. Sixteen different charities and NGOs were mentioned, including MIND, Shelter, The Red Cross, Amicus and Interrights (2). Only one respondent mentioned placing students in non-law companies and only two mentioned placement at local authorities. These latter figures seem low given the potential, although there may be placements with such bodies amongst the eight respondents who did not specify the organisations in which their students were placed.

Street Law and PLE

Street Law (legal literacy classes offered to the community on a range of rights and responsibility-awareness) was the third common legal service provided by respondents to this survey (49% of all respondents to survey). Other forms of PLE are also becoming increasingly popular, with 35% of the law schools saying they offer such a service. In the 2010 survey Street Law and PLE was grouped together and 40 respondents engaged in that activity (50% of the respondents). Overall this represents a significant increase in the use of Street Law /PLE in law schools with 67 respondents (84%) suggesting they engage in one or the other (or both) activity. Indeed many law schools who offered Street Law also offered alternative PLE.

This survey also gathered information about the type of non-Street Law PLE activities and this revealed a diversity of work. Students were involved in designing leaflets for groups/charities (3), writing articles for The Big Issue and other unspecified publications (2), summarising cases for Interrights (1) and providing a court help information desk (1). Two universities have combined their efforts to provide PLE for prisoners (Bars in their Eyes), whilst there are 4 universities engaged in PLE activities with NGOS working internationally. Three universities are engaged in PLE for mental health organisations, whilst 2 others deliver mock trials. Other activities cover debt advice to schools, family, consumer and housing (all 1 each) whilst 8 responses fail to identify either the activity or target group of the PLE activity. This diversity shows the potential for PLE and, in the new age of self-represented litigants and lack of Legal Aid, is possibly an area in which provision will expand.

Innocence Projects

Innocence Projects are also well represented, but there appears to be a slight decline in the number of these clinics when compared with the 2010 survey. This survey found 21 projects (including one which was run by an institution overseas) in comparison to 24 in 2010 survey. This probably slightly plays down the significance

of Innocence Projects within universities. The Innocence Network UK website lists 23 institutions and there are least four law schools who run Innocence Projects independently of the network, with another offering a criminal justice clinic. However, Innocence Projects can be problematic for law schools especially if the work is part of the curriculum as cases often take a very long time to work through and success rates (in terms of overturning convictions) are very low. Cuts backs in Criminal Legal Aid are likely to mean that law school-based projects may find it more difficult to get the professional support needed to make these pro bono schemes effective.

Representation

This is the first time in recent surveys that information regarding representation before courts and tribunals has been separately sought (although in 2006 it was combined with non-advice clinics), and the low number of respondents indicating that they involve their students in representation is, perhaps not surprisingly, relatively low. Only 14 or 18% of respondents offering this service. Representation may require law schools to have additional insurance in place (although the FRU will cover this if one operates through them). Specialist advocacy training and substantive training in specific areas of law may be needed especially if the curriculum does not cover that aspect of law (e.g. Social Security Law). More significantly however is the resource cost of providing supervision for the on-going casework.

The majority of responses failed to indicate the area in which representation took place (11) but those that did indicated the areas covered included social security cases (4), employment (2) and housing (1). One respondent indicated that their students engaged in representation on placement.

Other pro bono activities

Law schools were asked about other pro bono activities that they engaged in and 23 indicated other activities although 6 could have been included in other options specified above (2 specialist clinics, 1 law centre placement, 1 overseas placement 1 PLE activity and one simply repeats previous inputted information). Of the remaining 17 responses, four law schools indicated that they conducted research (although the clientele differed), one law school offered two variants of a 'McKenzie friend', one offered judicial shadowing, one peer mediation in schools and one Witness Service support. Other responses referred to work on international human rights, and for a commercial law project (Own it Enterprise). The remaining responses included some whose 'clinical/pro bono' element may not fall within the definitions used in this survey.

Q. 18 Who is intended service user (client) of your law school's clinic(s)?

The purpose of this question was to discover who the clinic was designed to help. The question could perhaps have been defined a little more clearly as it was hoped that we would be able to distinguish between those providing pro bono services just to university students/ staff or to the general public and other targeted groups. A significant number of respondents did not answer one or more parts of this question ranging from 60% on one question (quasi-legal and targeted groups) to 35% (legal advice and general public). The following findings therefore have to be treated with some caution as not being entirely representative of what is happening on the ground. The question related to the Innocence Project has been excluded as all these projects would be dealing with a particular external group (i.e. the convicted).

Legal advice clinics

	Yes	No	No. of responses
Students	37 (74%)	13 (26%)	50
Staff	30 (60%)	29 (40%)	50
General Public	49 (94%)	3 (6%)	52
Targeted groups e.g. the unemployed, the elderly, small businesses	28 (64%)	16 (36%)	44

Virtually all of those who responded to this question offered help to the general public. Students were potential clients in 74% of those who responded to this question. Providing services for that university and college's staff was slightly less common (60%) possibly because of conflict of interest issues. Sixty four percent of those who replied to this question offered legal advice to targeted groups reflecting the specialist clinics which exist.

Representation

	Yes	No	No. of responses
Students	12 (30%)	28(70%)	40
Staff	7 (18%)	32 (82%)	39
General Public	13 (33%)	26 (67%)	39

Targeted groups	10 (29%)	25 (71%)	35
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Substantially less respondents answered this question reflective perhaps of the fact that only 14 law schools offered representation in any form according to Q17. The positive responses to this question indicate that all these institutions answered this question and so we can make accurate conclusions about the extent of these services being offered across the sample. Fifteen percent of all survey respondents therefore offered services to their students, only 9% of all survey respondents offered such services to staff, 16% to the general public and 13% to targeted groups.

Placements with external bodies

	Yes	No	No. of responses
Students	30 (64%)	17 (36%)	47
Staff	1 (3%)	35 (97%)	36
General Public	19 (45%)	23 (55%)	42
Targeted groups	11 (33%)	22 (67%)	33

The respondents to this part of the question suggest that a large number of their clinic students will work for organisations providing advice to other students. This may be because the outside organisation provides its services on campus (e.g. an advice session given by local solicitors or advice centre). The general public are also well served.

Street Law

	Yes	No	No. of responses
Students	22 (55%)	18 (45%)	40
Staff	8 (23%)	27 (77%)	35
General Public	29 (74%)	10 (26%)	39
Targeted groups	19 (58%)	14 (42%)	33

Given the nature of the service, it is perhaps of no surprise to see that the general public and targeted groups are the main recipients of Street Law and other PLE activity.

Q. 19 What type of case(s) do(es) your law school clinic(s) handle? Please tick as many as appropriate from the following list:

This is the first time this type of question has been asked in a law schools survey. Fifty six of the 80 respondents answered this question. Their responses were as follows:

Type of cases clinic offers

Asylum & immigration	13 (23%)
Consumer	40 (71%)
Crime	23 (41%)
Debt	31 (55%)
Discrimination	33 (59%)
Domestic Violence	21(38%)
Education	16 (29%)
Employment	44 (79%)
Family	31(55%)
Housing	41 (73%)
Human Rights	15 (27%)
Small Business	17 (30%)
Commercial & Intellectual Property	20 (36%)
Welfare Benefits	32 (57%)
Other	12 (21%)

The most common type of case dealt with by law school clinics was employment (44), with 79% of those responding to this question selecting this option. It is followed by housing, and consumer law. Therefore, over half of the law schools in this study deal with these types of cases in their clinical activity. This is as expected as these are the typical ‘social welfare’ issues which UK law schools have traditionally concentrated on. Debt (31), Discrimination (33), Welfare Benefits (32) and Family (31) are the next most common type of cases and also fall within the general concept of Welfare Law. Family is a relatively new subject area for clinics and as we suggest elsewhere is a likely growth area for law school pro bono work.

Only a small number of law schools appear to do ‘Public Law’ cases. Asylum & Immigration (13), Education (16) and Human Rights (15) are only dealt with by a small number of respondents (20% or less). This may be due to issues around urgency, lack of relevant expertise and experience and professional regulatory constraints.

Commercial Law cases were dealt with by relatively few law schools (small business start-ups (17) (21% of all respondents) and other commercial (21) (26% of all respondents). This may be reflective of most law schools looking to provide services to those who might otherwise not be able to afford to pay for help (i.e. addressing unmet legal needs), but there are now several law schools looking to expand into this area.

Q. 20 Which of the following activities do the students in your Clinic take part in?

Fifty six respondents answered this set of questions. Again not all respondents answered every part of the question but return rates were high and are indicated in the table below.

Activities students undertake in clinic

	Number. of respondents indicating that students performed this task	Number of responses to this question	Percentage of respondents whose students do this task
Interviewing	52	54	65
Legal research	53	55	66

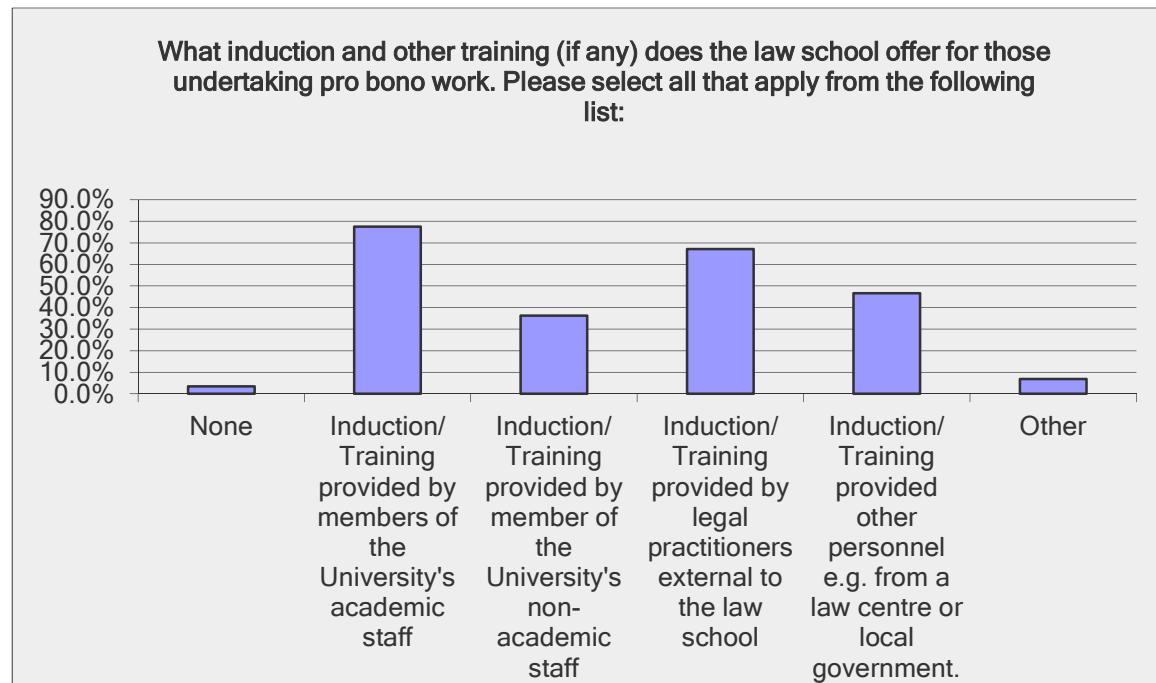
Drafting advice	53	55	66
Face to face advice	45	50	56
Telephone/Skype advice	41	48	51
Correspondence with non-client	52	54	65
Form filling	48	52	60
Drafting court documents	45	50	56
Providing legal information	48	52	60
Signposting to other agencies	52	54	65
Advocacy	41	48	51
'McKenzie friend'	45	50	56
Staffing court desks etc.	43	49	54
Other	4	15	5

Legal research, signposting and letter writing are carried out in around two thirds of responding law schools. The findings for signposting are more difficult to decipher with only 17 respondents giving an indication of who the students dealt with. The most popular listed are: public authorities (11) (with UKBA, CCRC and CPS being amongst those listed); the 'other side' (presumably meaning the opponent (7); lawyers (7); tribunals and courts (3); and, other pro bono organisations (3). The reasons given for contacting public authorities vary, but there is an indication there is often a request for information. Contact with the other side and lawyers, is indicative of some law schools adopting a more casework style clinic. More activities are clearly undertaken by those law schools which go beyond the basic letter writing clinics.

Student involvement in other activities is also significant and includes: drafting court documents (56%); advocacy (51%); and, acting as 'McKenzie friends (56%). Telephone and *Skype* contact with clients also features prominently.

Q. 21 What induction and other training (if any) does the law school offer for those undertaking pro bono work?

This question was answered by 58 of the survey respondents. The figure below shows that induction and other training is now commonplace in law schools with well over 70% of respondents providing this through members of the academy. Legal practitioners also have significant input. The table reads as follows:



In the 2006 survey 26 of the 44 institutions that had pro bono activities (56% of the sample) provided their own training for students involved in pro bono activities. In the 2010 survey, 77% of those surveyed (62) institutions provided their own training. In this survey a slightly different question was looking at whether the training was provided by provider's academic or non-academic staff (anecdotal evidence suggested the employment of specific clinical staff was becoming more common in law school). The responses to this question show that 78% (45) of institutions provided training through academic staff, but also 36% (21) institutions also had training provided by non-academic staff.

In the 2006 survey only three institutions indicated that training was provided by law firms/private practitioners. In 2010, 13 indicated that training was provided by the legal professions, or 18% of those surveyed. In 2014, 39 institutions (49% of the total) indicated that some of their pro bono activity involved legal practitioners external to the university. This is a very significant increase, and the authors suspect it can be partly explained by the increased engagement in pro bono within the profession, the work of LawWorks in raising the profile of pro bono and perhaps also that the profession is slowly but increasingly being populated by individuals who had experience of working in law school clinics whilst students. This position has been

the case for some time in other jurisdictions notably the USA where clinic is a compulsory feature for all American Bar Association accredited law schools.

In 2006, 16 institutions (62%) had training conducted by 23 external organisations. In 2010 it was found that 16 institutions (20%) had training conducted by 50 external organisations (and 3 individuals). The 2014 survey found 27 institutions (34% of the overall sample) had used external organisations for training. We did not ask for information as to who was providing the training.

Q. 22 Is the work carried out in the Clinic(s) supervised?

This was answered by 56 respondents. All indicated that the clinics were supervised.

Q. 23 If YES, who by? Please identify those who supervise.

This was also answered by 56 law schools.

Thirty nine listed external legal practitioners as supervisors, followed by supervision by academics (38), other external sources (19) and non-academics within law schools (17).

Q. 24 Is the pro bono/clinic work supervised by a qualified solicitor or barrister with a practising certificate?

Fifty six respondents also answered this question showing that 44 (79%) had their pro bono work supervised by qualified solicitor or barristers. That, by implication, 21% of pro bono/clinical projects appear not to be supervised by qualified legal professionals may be explained by the fact that a large number of initiatives are not casework based, for example Street Law presentations, and therefore may not require the same degree of practitioner supervision (although we suggest still need to be quality assured).

Q. 25 Does the law school work in partnership with any other organisation?

This question too was answered by 56 respondents, and 44 (79%) indicated that they worked with other organisations.

In 2006, 30 institutions said that they had a partnership with other organisation. The same question was not asked in 2010. It is difficult therefore to make any comment other than partnerships with others would appear to have increased in terms of the number of law schools having such a working relationship since 2006.

Q. 26 If YES, please identify the partner from the following list:

Solicitors in private practice	73%	35
Barristers in private practice	29%	14
In-house lawyers (local government)	21%	10
In-house lawyers (commercial organisation)	13%	6
Citizens' Advice Bureaux	56%	27
Law centres	44%	21
Other	46%	22

This table reveals an interesting finding. The last time a similar question was asked was in 2006. Then only 4 law schools identified a partnership relationship with private practitioners (13% of those who had a partnership of any kind). Today practitioners are the most significant amongst all identified partners, this reflects the same trend noticed in Q. 21 - that the relationships between law schools and profession is growing, perhaps because of the higher profile given to pro bono amongst the profession. The second most popular partnership is with CABx which is interesting given the national umbrella body – Citizens' Advice's – recent attempt to promote and map this relationship. Others, largely law centres and other not for profit groups, are also popular partners.

However, as noted previously, few law schools have relationships with local government and industry outside of the legal profession.

Q. 27. If NO, please indicate why not?

Clearly the vast majority of Clinics have some sort of partnership arrangement with outside organisations. From the very small number of institutions which answered the question as to why they did not have such an arrangement, it is not possible to draw any reliable conclusions.

Q. 28. Is your pro bono/clinic work covered by professional indemnity insurance (PII)?

Over 80% of those who answered the question are covered by indemnity insurance. However this is based on 55 of the 80 respondent institutions answering the question. Given that 15 did not answer the question and a further 10 institutions confirmed that they did not have insurance there is perhaps, cause for concern. There has clearly been an increase in the number of institutions that have PII, up from only 46% at the time of the 2010 report. It would be generally seen as sensible and perhaps (from a regulatory point of view) necessary to have PII cover. It may well be that for some activity, such as public legal education initiatives, insurance is not seen as necessary. Others may have other risk management provisions in place.

It should be noted that any LawWorks affiliated clinic must, as a condition of membership, be appropriately insured.

Q. 29. Please indicate from the relevant options below the nature of that insurance cover

Over 70% of the 44 institutions which responded are covered by the insurance policy governing a range of risks at the particular institution (e.g. PII as well as public liability, employer, building and contents insurance). A separate policy to cover pro bono work was taken out in 20% of those institutions, and around a quarter of these relied on cover provided through membership of another organisation. A number of institutions had more than one type of insurance in place to take account of different clinical activities.

Q. 30 How many students take part in your clinic(s)?

Only 48 out of the 80 institutions responding to the survey actually answered this question. Advice-only clinics run in-house by the Law school are still the most popular form of pro bono activity. Over 53% of those responding said that was what they provided, with just over 2,400 students taking part in this activity. Twenty eight respondents provided legal representation and other post-advice work involving 630 students. Thirty four law schools placed students with host organisations with just over 1,000 involved. Thirty eight institutions gave figures for students involved in Street Law with 1174 students involved and 22 engaged in other activities involving 866 students. Even allowing for the overlap which will undoubtedly exist with the students concerned (e.g. the same students undertaking different clinical activities), there are at least 6119 clinical participants at the institutions surveyed. This compares with the 44 responding institutions in 2010 reporting a total 6258 students. This may seem to be a decrease in the numbers of students engaged but there was a significant number of respondents who failed to provide information. If the student numbers given in the 2014 returns are divided by the number of law schools identif

ied and the average produced is multiplied by the number of law schools not providing this detail (but who say they do pro bono work) then the total number of students involved would be at least 9,500. If the number of students reported to be imminently involved in (planned) pro bono activity are added to this total then this number reaches over 10,500.

Q. 31. How many supervisors work in your clinic(s)?

According to the responses of 41 law schools there are 425 supervisors involved in advice-only work – an average of 10.37 per law school. This may seem surprisingly high but may be explained by two factors that emerge from answers to previous questions. It may be recalled that 50% of law schools have two or more clinics (one of which is likely to be a specialist and/or post-advice clinic) and there are high numbers of legal practitioners now involved in the supervision of students. The number of in-house supervisors may be considerably lower than the figures at first glance might suggest.

Twenty five respondents indicated that there are 52 supervisors for representation and other post-advice clinics, an average of 2.08. That might reflect the lower number of students undertaking representation and possibly also lack of expertise in-house.

Q. 32 What proportion does the above return (for Q. 30) represent in terms of the overall student intake?

Again it is difficult to draw a completely accurate picture as only 42 out of a possible 80 respondent institutions answered this question. However 20% of the overall student intake at those institutions responding, take part in advice-only Clinics, whereas 14% of all students are involved in representation and post-advice work. A similar number (16%) are involved in Street Law. There has been a significant increase in the number and overall proportion of students involved in representation, post-advice work and Street Law since 2010.

Q. 33. What percentage of students who want to take part in the Clinics are able to do so?

Again only around half of the institutions responding to the survey answered this particular question. Sixty three percent of students from the responding institutions appear able to take part in advice-only Clinics. Thirty two percent are able to take part in clinics which offer representation and post-advice work. Just under 50% of students who want to can participate in clinic placements and 60% of willing students are able to engage with Street Law activities.

Q. 34 Is participation in your pro bono work/clinic assessed?

In 2006, 12 institutions indicated that all of their clinical work was assessed, and 6 that some of it was (he 2000 the response was almost identical). In 2010, only 8 institutions indicated that their clinical work was assessed (although this figure may be low because 67% of those who responded to the survey failed to answer that

question). In 2014, 20 institutions (i.e. 25% of respondents) indicated that the clinical work was now assessed. This does not mean every clinical offering at these institutions is assessed, but does suggest that the academic value of clinic educationally is becoming more widely recognised.

Q. 35 If YES, how is performance in your clinic(s) assessed?

The questions on what form assessment takes has not been consistently asked in all of the previous surveys, so we can only comment here on what was found in 2014 returns.

Of those responding a reflective portfolio was the preferred form of assessment (90%). Oral presentations were used by 30% with dissertations or other written assignments being rarely used for assessment. This indicates that in those that responded to this question where Clinics are assessed, the vast majority use a reflective exercise as at least some part of that process. This is perhaps hardly surprising given that reflection is seen as an essential component of experiential learning. In 2010 reflection was the most common form of assessment (6 out of 13 responses), and in 2006 (9 from 38).

Q. 36 If performance is assessed is the student awarded credit for participation in the Clinic?

Of the 19 institutions which answered this question, clinic participation was credit-bearing in 84% of responses. This contrasts with the 2010 survey where respondents indicated that activities formed part of students assessed courses in only 10% of cases. This appears to be a significant increase.

Q. 37 If YES, how are students awarded credit?

Academic credit for a credit bearing module was the means of awarding credit in 90% of cases of those responding. The remaining 10% included the award of certificates of participation and personal references. This particular question was not asked in 2010.

Q. 38 Do(es) your clinic(s) offer legal services outside of academic term time?

This is a particularly relevant issue as cases can often run over beyond the academic term and clients, both existing and new, can require assistance outside the

strict limits of the academic year. Just over half (57%) offered such a service outside of term time with 49 law schools answering this question.

Q. 39 Do you anticipate any increase in client demand for your law school's pro bono work?

A high proportion (86%) of the 49 law schools responding anticipated increased demand (53% of the total number of respondents to survey).

Q. 40 If YES, please indicate why, by selecting the appropriate responses from those listed; select all that apply

Not surprisingly the cutbacks in Legal Aid provision in April 2013 were cited by 93% of law schools responding to this question (42). The consequential increase in the number of litigants in person and the general economic climate also figured largely in replies. Greater awareness about law school pro bono work is a significant other factor noted by respondents with 74% of institutions mentioning it as a reason for likely increased demand.

Q. 41 If YES, what is the nature of the demand i.e. what areas of law do you anticipate this increase in demand will be in?

Due to the changes introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 it could be reasonably expected that there would be a demand in areas of law for which Legal Aid is now restricted or no longer available. There could also be the expectation, excluding perhaps Crime, that areas of law most commonly dealt with by Clinics already, will see an increase in those areas too, on the basis of need for 'more of the same'.

Areas of anticipated new demand

Family	19
Housing	12
Welfare	11
Debt	10
Employment	8

Civil (general)	4
Immigration	3
Education	2
Commercial	1
Insolvency	1
Personal injury	1
Other	5

Q. 42 Do you access www.studentprobono.net ?

The authors wanted to discover whether the LawWorks dedicated student pro bono website was a useful resource for law schools. There were 50 responses to this question and of those responding, 48% say that they did access the resource. This question was not asked in 2010 or in previous surveys.

Q. 43 If YES, do you find this site useful?

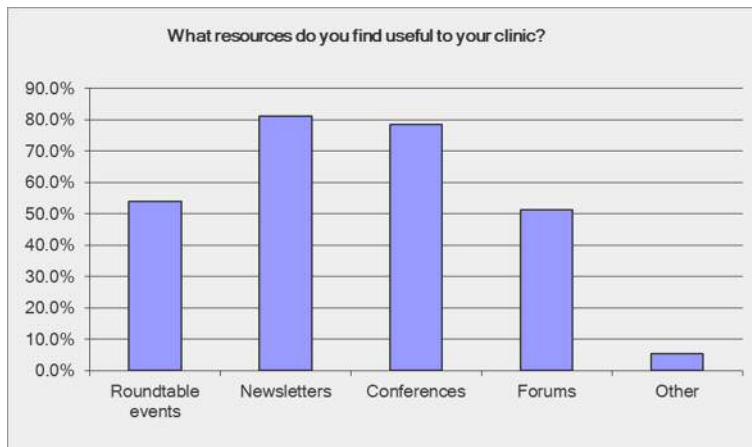
There were 22 responses to this question with 77% indicating that it was.

Q. 44 How do you feel the site www.studentprobono.net could be improved?

There were just 5 responses to this question. From these responses suggestions included: being more relevant and having more information available to be shared; by asking all universities to update information on the site; by using case studies; by the site looking better and making clear the differing roles of the site, LawWorks and other similar organisations.

Q. 45 What resources do you find useful for your clinic(s)?

There were 37 responses to this question. Of the responses received, 81% found newsletters useful, closely followed by specialist pro bono/clinic conferences at 78%. Roundtable events were found useful by around half of respondents although some events were perceived as being rather London-centric. LawWorks organised forums and training sessions (especially those carrying CPD ‘points’) were also recognised as valuable.



Q. 46 Does your clinic receive funding from a source external to the University?

There were 47 responses to this question. Of these 19% said that they do get money from non-law school sources. The vast majority clearly do not.

In 2010, 23% responded 'yes' and 53% 'no'. In 2006, similar returns were made with 27% responding 'yes' and 64% 'no'; in 2000 44% of law schools did so. Although external funding would still appear to be important, especially for recipients, the trend continues to be downward and significantly fewer law schools have received external funding year on year.

Q. 47 If YES, can you please provide more details?

There were 8 responses to this question which, as in 2010, make interesting reading. Alumni funding featured again (first mentioned in 2010) and foundations and charities continue to be a major provider notably with funds also mentioned for clinic-related research as well as operations. Again, law firms are still providing some sponsorship, donations and grants but barristers' chambers did not feature. Higher education-specific financial backing (from the HEFCE and the HEA) also features along with social enterprise funding from the organisation UnLtd. These sources had not been mentioned in previous surveys.

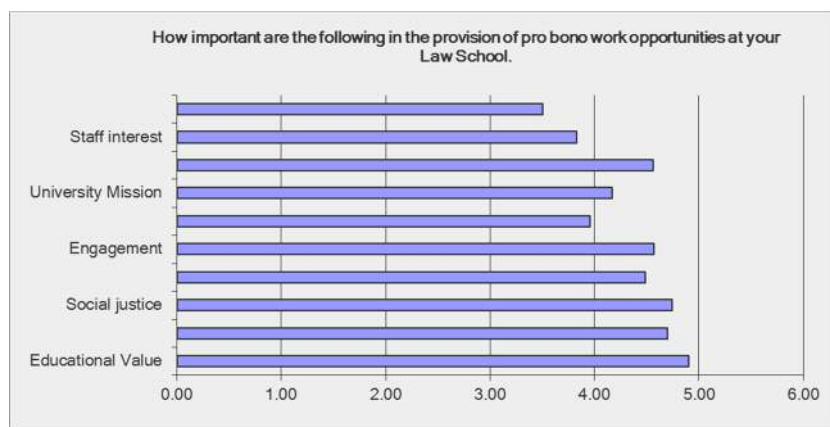
Q. 48 How important are the following in the provision of pro bono work opportunities at your law school?

Participants were asked to consider a range of categories – educational value, employability, social justice, recruitment, engagement, retention, university mission, student demand, staff interest and other - and rate the importance as 'very important', 'fairly important', 'neutral', 'not very important' or 'irrelevant'.

There were 48 responses (60%) The majority of responses rated categories as ‘very important’ or ‘fairly important’ A large majority (45 - 94%) rated educational value as ‘very important’, there were 2 responses rating this as ‘fairly important’. There were 36 responses (75%) that rated employability and social justice as ‘very important’ 21% (10 responses) rating these as ‘fairly important’. Engagement and student demand both attracted 30 (63%), ‘very important’ responses and 14 (29%) and 15 (31%) respectively, ‘fairly important’ responses. Recruitment attracted 28 (58%), ‘very important’ responses and 14 (29%), ‘fairly important’.

There were 12 (15%) responses that gave a ‘neutral’ rating to ‘retention’ and 16 (19%) giving the same to ‘staff interest’. The only categories rated as ‘not very important’ were educational value (1 response), retention (3 responses) and staff interest (1 response). One response rated employability and university mission as ‘irrelevant’. The only ‘other’ category specified (1 response) was community – unmet legal need.

As the bar chart below indicates, rating averages (educational value 4.90; social justice 4.74; employability 4.70; engagement 4.57; student demand 4.56; retention 4.49; university mission 4.17; retention 3.96; staff interest 3.83 and other 3.50) support the increasing importance seemingly attached to the educational value of clinics as well as the ever-present employability agenda and improving the student experience within the higher education sector.



Q. 49 Do you or your colleagues who are involved in pro bono work have any needs in terms of training or support? If so, please specify:

There were 26 responses to this question (33%).

There were 7 ‘no’ responses which reduces responses identifying ‘actual’ needs to 19 (24%). Additional comments were that training was already in place or would be provided by a participating law firm. There was one ‘no’ response that did however

highlight the importance of networking however to share ideas and experiences (see Q. 52) below.

Responses identifying specific training needs included: training in specific subject areas such as welfare benefits, employment and private family law; soft skills, advocacy training and training on how to set up and run clinics.

Responses identifying specific support needs included: support in developing law school collaboration on national projects and data collection to inform research and policy; funding ideas; additional resources; support with CPD requirements; discussion around managing personnel, assessment of clinic, student recruitment and organising projects and more LawWorks sessions run in the North of England.

It is difficult to make any comparisons with the 2010 survey in relation to training however because the related questions then focused on actual rather than future training provided by the law schools and other providers.

Q. 50 Is there anything else you would like to tell us about your law school and its pro bono work? If so, please do so below:

There were 16 responses to this question (20%).

Amongst these 5 said 'no'. Detailed responses highlighted: that clinics/pilots had just started/were about to start so details were provisional; developments in clinics, for example, from voluntary work to CLE modules, expanding subject areas covered by clinics and 'Apps' available for the general public; a mix of assessed and voluntary placements; choices to mainly engage with partners rather than have law school based clinics; that the clinic was well-regarded in the local community and that an external support network would be appreciated.

Q. 51 The title of the programme(s) of study in which pro bono work opportunities are offered:

Half of the survey respondents answered this question. Of those that responded 13 (32.5%) indicated programmes solely at undergraduate level, 5 (13%) at graduate (GDL, LPC, BPTC) level, undergraduate and graduate level and undergraduate and post-graduate (LLM) level and just 1 (3%) solely at post-graduate level.

Q. 52 Can your (the individual respondent's) email address be used and shared as part of the LawWorks and Clinical Legal Education Organisation databases?

Forty four law schools responded to this question. Only four indicated that they were unwilling to share their details. This will, of course, be respected.

It is encouraging to note that even if clinics/clinicians do not have specific support needs (Q. 49), a majority are prepared to participate in and with organisations through which they can perhaps provide as well as receive support and additionally share ideas and experiences. This willingness to participate also greatly assists in compiling an accurate picture of who is doing what in pro bono and clinical work in UK law schools. The hallmark of so many clinics in this country and further afield seems to be the extent to which colleagues are generous with their time and their information. This is evidenced at the outset by the number responding to this survey.

6. Conclusions

The 2014 law school pro bono and clinic picture is the most comprehensive account of such activity since surveys began in 2000. More law schools now commit to this work than ever before. Not doing clinic is very much the exception rather than the rule – a complete contrast to the situation when surveys started 14 years ago.

Judging by the survey participants' responses the balance between educational and legal service delivery objectives is being achieved with a discernible (and planned) increase in the number and scope of clinics and the presence of clinic as a discrete aspect of the taught (and assessed) curriculum.

As noted in previous survey reports pro bono work in law schools continues to increase with these activities now taking place in the majority of law schools in both the 'old' and 'new' sectors. It is worth pointing out that just ten years ago pro bono clinics were predominantly found in the 'new' universities and at colleges offering overtly vocational courses.

Partnerships with other legal service providers are now commonplace and given Legal Aid cuts are likely to continue to grow in terms of working relationships.

The funding of law school clinics remains a challenge. Although we cannot prove such categorically, the findings of this survey suggest, given the growth of clinics and the decline in external funding, that law schools themselves are picking up the tab for pro bono and clinical work be it in terms of directly paying for staff and facilities and/or finding resources in kind coupled with encouraging staff to become involved. Pro bono can extend to in-house lawyers and administrators too!

As indicated above, conclusions are in some instances somewhat hard to draw owing to inconsistencies between the questions asked in the various surveys and a degree of ambiguity in the 2014 questioning. This is compounded by a significant number of 'no responses' received to key questions.

That said more law schools than ever are engaged in pro bono and clinical work in terms of numbers, scope and variety.

As reported previously this begs a number of questions that have educational, professional and political implications. This is even more pertinent given cuts in public expenditure in general, restrictions in Legal Aid funding in particular and the impact of several years of recession and imposed austerity. We repeat the mantra that the need to continue the debate (and further surveys) goes on.

We would like to thank everyone who helped us make this report possible. It would be unfair to single out anyone but we do wish to acknowledge all you out there who always come up with the goods – for clients, for students, for our respective institutions and, most importantly, for each other.

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Post script

Readers may be interested to know (if they are not aware already) that the Clinical Legal Education Organisation (CLEO) which has existed in a non-formal sense since 1995 has now decided to apply to be a charitable incorporated organisation. This is relevant in terms of this report in the sense that CLEO aims to promote and support the growth and sustainability of pro bono and clinical work. The reason for this development is threefold. First, there is now, clearly, a critical mass of law schools and individuals involved in clinic to make wider representation appropriate and feasible. Secondly, there are now an increasing number of instances where the interests and work of clinics can inform public debate and CLEO hopes to be able to make submissions and comments that may affect social policy decisions. Thirdly, as a charitable body CLEO should be in a position to attract funding to secure the resources that will achieve its constituted aims. Already a set of potential trustees have volunteered to be the founders and a further group are willing to assume administrative responsibility. An announcement on the progress to incorporate CLEO and its planned activity will be made shortly.