

YORK **LAW** SCHOOL | clinic

## What is the Clinic?

The Clinic provides a free legal service and has been doing so since it opened its doors in January 2011. This year, 48 students were involved in the clinic as part of their studies. All work done within the Clinic is supervised by professionally qualified lawyers who ensure that the Clinic meets the standard of service expected of any solicitors' practice. The Clinic also oversees other 'pro bono' activities including Streetlaw (working with groups within the community so that they are better able to understand their rights and responsibilities) and a restorative justice programme (training students to be able to facilitate meetings between victims and offenders). In essence, the Clinic provides much needed help for clients whilst at the same time helping students to put theory into practice.

## Who can ask for advice?

The Clinic is free and open to anyone!

We work with individuals, companies and community organisations to provide a professional and confidential legal service. Over the past three years we have managed to help clients who may struggle to find or otherwise afford legal advice. The Clinic has been able to provide its expertise in a range of areas, from landlord and tenant disputes to creating charities and companies. Since the Clinic began we have helped over 250 clients and have worked in, and with, prisons, tribunals, charities, schools and the Citizen's Advice Bureau.

As our work over the years has shown, most of our clients approach us from outside the University, and this number has grown every year. This year 85% of our clients have come to the Clinic from York and the surrounding community, as well as further afield.

We are willing to help clients as far as possible with their legal issues. Although there may be some instances where we cannot help, we will always explain why and refer on to specialist advisors.

If we can, and you would like us to, we normally give written advice inside 10 working days.

## What our Clients have said...

*"I am really appreciative of the prompt and thorough reply I received from the Clinic. I am pleased with my decision to go to the Clinic for advice."*

*"I have been told lots of information from others but you have provided the most useful advice. Thank you."*

*"I was very pleased with the quality of the advice I received, and it has gone a long way to setting my mind at rest."*

*"The students were a great advert for the University. They were attentive, polite and very helpful."*

## Case study 1: getting the compensation

We have been assisting our clients for over a year. Initially they needed advice on compensation for poor quality (and possibly fraudulent) financial advice.

Following this the clients eventually secured an award from the Financial Services Ombudsman. Despite 'winning' their case the person who was ordered to pay compensation did not do so and to make matters worse the business in whose name the services complained of had become insolvent. The Clinic students researched the law on enforcing such awards and were able to secure a significant payment for the clients with the balance owing secured through a charge on the debtor's property.

## Case study 2: leaving the debts behind

After losing her husband to a terminal illness, our client came to us when a former family friend claimed that our client's late-spouse owed her a four figure sum. Our client knew that her husband had borrowed money some years before but nowhere near as much as now was being alleged. The Clinic was able to advise the client on liability for debts in such circumstances and on a possible negotiated settlement.

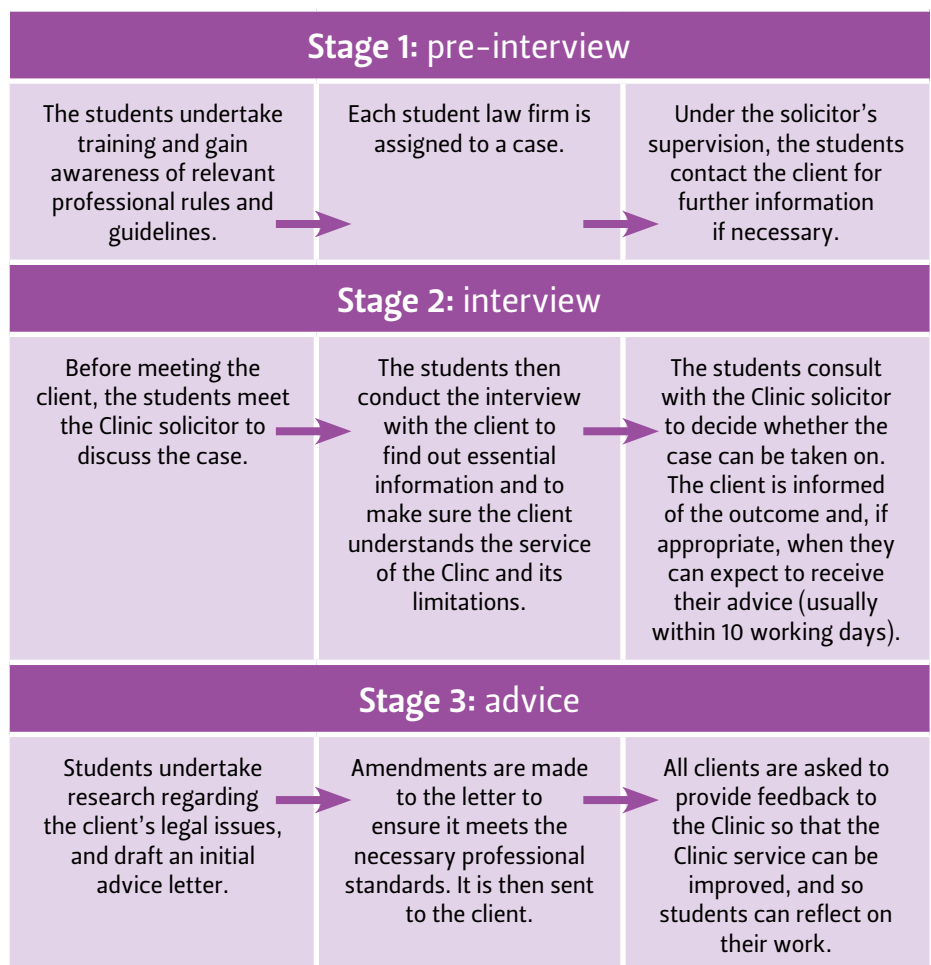
## Know your rights (and responsibilities)

The Clinic offers a legal awareness service to community groups. We call it Streetlaw. If you want to know how existing (or planned) laws affect you we may be able to help. We use interactive presentations to explain law and the legal process. All of our sessions are customised to meet your needs and as always, the students' work is fully supervised by qualified lawyers.

## The Clinic process

The Clinic students follow a set of strict procedures that have been tried and tested over a number of years. These 'rules' ensure that clients are provided with a high quality professional and confidential service. Not only does this reflect the workings and demands of legal practice but it ensures that the educational standards of the Law School are met. All work undertaken in the Clinic is closely monitored and supervised by a qualified solicitor, who has a practising certificate, and who meets the supervisory standards of the Solicitors' Regulation Authority. Additionally, the University's Professional Indemnity Insurance covers the activities of the Clinic, providing further protection for the clients, students and staff.

Provided below is a summary of the Clinic process:



### A final year student's reflection on the Clinic experience

"Without any doubt working in the Clinic this year has been an extremely rewarding experience and the highlight of my academic course. I have been able to apply the theories I have learnt over the past three years into practice, seeing how my studies are relevant in real-life experiences. The Clinic was a great opportunity to put my knowledge and skills to the test, whilst being reassured that all of my work would be carefully monitored by a qualified solicitor to ensure a high quality professional service was given to the clients.

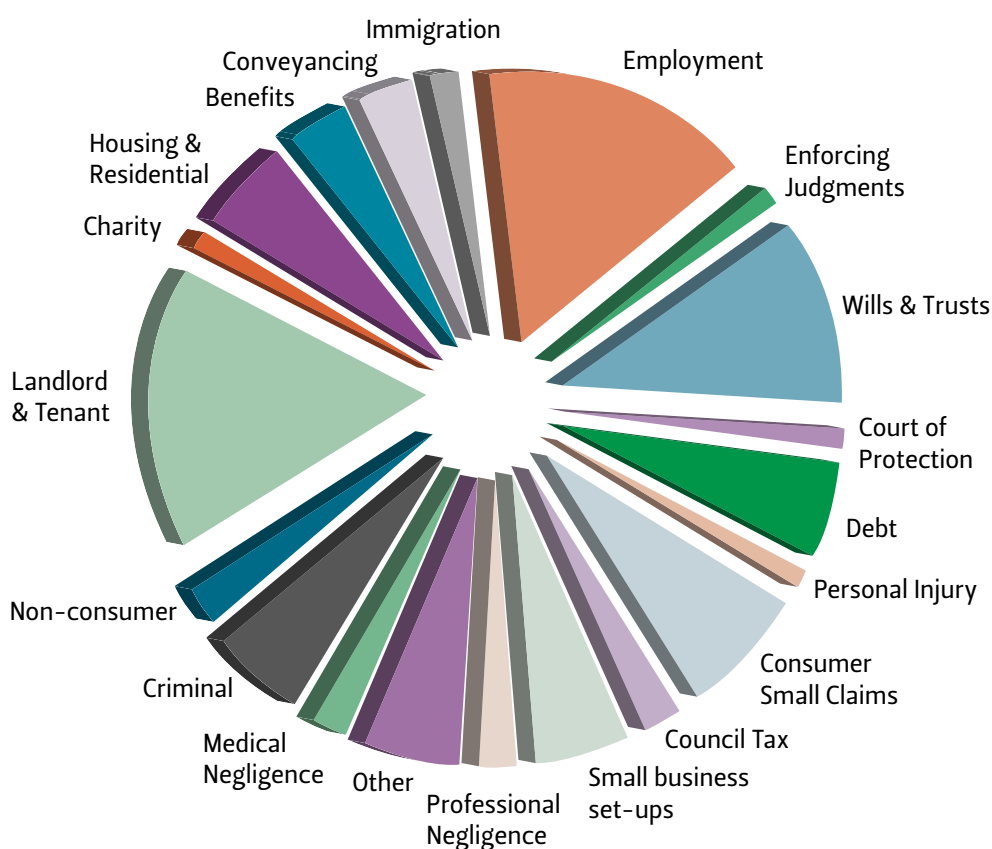
Furthermore, working in the Clinic has given me a great sense of personal reward and pride in being able to aid clients with their issues in a professional working manner. The experience was very fulfilling and gave me an insight into how a professional practices law everyday and experience the satisfaction in being told by a client they were thankful for and impressed by my work."

## About our cases

This academic year, the Clinic took on 61 cases. 79% of these we were able to deal with internally, providing advice letters and further assistance where applicable. The remaining 21% were either referred to specialist advisors, or not taken further by the client. These cases covered a wide range of topics, many involving complex scenarios and provided the students with valuable learning opportunities.

The full range of work we did is represented in the chart below.

### Cases 2012–2013



In previous years, the majority of cases taken on have been landlord and tenant disputes, perhaps due to the student-focused Clinic environment. This was true to a much lesser extent this year, as the number of clients from outside the student community grew. As demonstrated in the chart above, there were as many employment cases as there were landlord disputes, not to mention the diverse range of queries that made up the other 70%, including immigration and medical negligence.

The Clinic aims to provide written advice within 10 days of initial interview. This year some of our cases have required so much attention that correspondence after the initial advice letter has continued for the entire year.

*“I hear and I forget. I see and I remember. I do and I understand.”*

Confucius 551-479 BC

The essence of learning in the Clinic.

## Case study 3: an eye-opener

We were contacted by this client from inside prison walls. Although he initially asked for advice in respect of his criminal history (which we were unable to assist with as the client was already represented) it eventually transpired that the client had a set of problems in relation to his home – which had been rented out whilst he served his sentence. The students in the Clinic were presented with an unforgettable and significant experience. In order to take the client’s instructions they had to visit him in prison.

Though unsure about what to expect, the students soon realised that despite the unusual and difficult context they owed the client the same obligations as any other person using our service.

Following the interview the Clinic was able to advise the client and, due to the physical constraints he faced, act further for him, eventually settling the dispute with the then tenant and regularising the future position so far as the tenancy was concerned. On release from prison the client will now be able to return to his home.

## Case study 4: coming ‘home’

Not only have we helped clients within York and the surrounding area but we have also represented clients overseas. We were able to help a 16 year old who wished to obtain British citizenship in order to emigrate to the UK to join her father. The Clinic advised her on completing the relevant documents and the process for applying to move permanently to the UK. Her application was successful. The father then went on to use our services for advice on buying a new family home and we were able to refer him to a local conveyancing firm.

## Further afield

Our staff and students have turned out to be keen travellers. We have visited many clinics in other countries on a pro bono basis over the past two years. This year 20 students worked on various projects including the world famous Street Law programme at Georgetown University, Washington DC. Others have been helping in clinics in Australia, Canada, El Salvador, India, South Africa and Thailand. We are grateful to all who made those visits possible and hope to maintain a strong relationship with our colleagues across the globe. Clinic staff have also been busy too, developing strong links in Afghanistan, Belgium, the Republic of Georgia, Nigeria, Pakistan, Spain, Turkey and Viet Nam.

## The future

The Clinic has now completed its third year. The legal services it provides, and the range of *pro bono* activities it supports, have gone from strength to strength. We are however constantly aiming to improve what we do. All clients are asked to provide feedback, and all the students actively reflect on their experiences. Many clients tell us that they found both students and the Clinic to be highly professional, helpful and friendly.

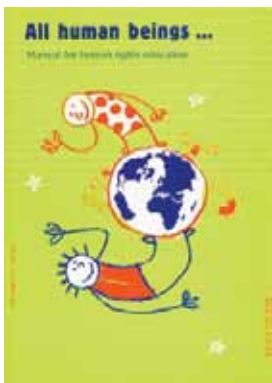
From October 2014 we intend to offer a taught postgraduate programme – an LLM in ‘Clinic’ which we expect to attract domestic and international students.

Since it opened for business in January 2011, the Clinic has recovered or saved well in excess of £200,000 for clients. The value of the service provided this year (if charged for at Legal Aid rates) is estimated at over £50,000.

With the government reducing public funding, it is important that we play a part in providing a service that meets local need and compliments the work done by others. We look forward to continuing to help and reporting these future successes.

## Farewells:

This year we said goodbye to our trainee solicitor, Jenny Edwards, who qualified as a solicitor in June. She has been a great help over the past two years, assisting students and staff and handling a hefty case-load herself. We thank her for all her hard work and wish her well in her future career.



A booklet used in some of our *Streetlaw* work

## What our students say about the Clinic:

*“The Clinic is a fantastic free legal service which is provided not only to staff and students but also to members of the wider community...I feel privileged to have been a part of this amazing scheme and to have been able to give something back to the community. It has also been a welcome addition to my law degree”*

*“The Clinic has provided us with a great opportunity to put our knowledge and skills to the test, whilst providing a helpful and professional service...”*

If you would like legal advice or wish to discuss other matters please contact us:

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*All client information remains confidential*

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