

# YORK LAW SCHOOL

## The Baroness Hale Legal Clinic

### Annual Report 2021/22

#### WHAT IS THE LEGAL CLINIC?

The Legal Clinic is a free legal service for the public that opened its doors in 2011. In 2021/22, 71 UG and 3 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.

In spite of the ongoing challenge of Covid we continued to operate clinic teaching and activities. Some of these were provided online, using a secure case management system, but we also held a few face to face client interviews.

In October 2021, the first female President of the Supreme Court Baroness Hale of Richmond visited the Clinic, now re-named in her honour - The Baroness Hale Legal Clinic. Lady Hale met with Clinic staff and students, answered questions and shared the benefit of her wisdom. Whilst on campus, Lady Hale also delivered the inaugural address for the Society of Legal Scholars and launched the York Law Review (York Law School's student-run journal).



Baroness Hale with YLS staff, students and VC, Charlie Jeffreys, outside the Clinic room

#### 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 nearly 400 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.

In previous years, our client interviews were held face-to-face so most of our clients came from York and the surrounding community. Since Covid-19 we have adapted our processes and we are now able to help clients from further afield by interacting with clients online.

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.

#### STUDENT SELF-EVALUATION

“ I enjoyed getting to see the variety of clients and cases that a lawyer can be approached with. I enjoyed drafting the letter too, as I enjoy looking at how language and the different drafting styles can impact the information so much. ”

## THE YEAR IN REVIEW

During 2021/22, some of our 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 (Community Legal Outreach Collaboration Keele) network. 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.

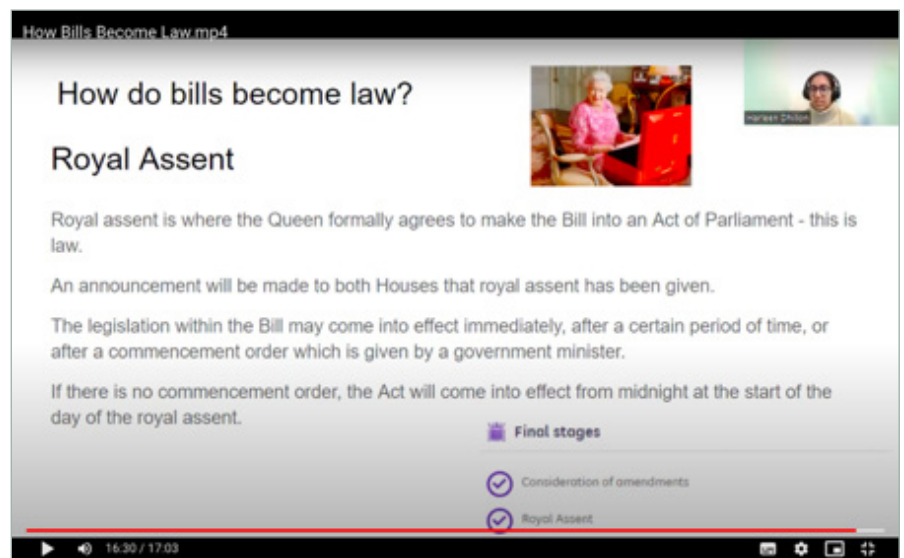
This year also saw our students taking a leading role in the third annual Student Law Clinics **Global Day of Action for Climate Justice** on November 17. This worldwide initiative led by the University of York Law School works to connect legal clinics in order to raise awareness of the role of the law 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; and in 2021, the theme was single-use plastics. Plans are already underway for GDA 4 which will look at Fast Fashion.

With the support of Ward Hadaway LLP, the **Small Business Clinic** offers 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 April 2022, YLS students volunteered for a **Streetlaw** project. York Anti-Racist Collective (ARC) contacted us asking for guidance on upcoming legislation: the Police, Crime, Sentencing and Courts Bill and the Nationality and Borders Bill. Our students researched and presented an online event for ARC members and followers, explaining some of the key details of the Bills and the process by which they became law.



## STUDENT SELF-EVALUATION

👉 I enjoyed practically using the skills developed over the last 2 years to an actual situation to help someone. 📌

👉 The meetings we had with our supervisor were extremely useful as they were able to explain which areas of our research were not correct. We were signposted well by the supervisor as they provided us with links to relevant sources. 📌

## 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 practicing certificates. The University's Professional Indemnity Insurance covers the Clinic, thus providing further protection for clients, students and staff.

### Example cases studies

#### Case Study 1

##### **Private tenancy**

Our clients were a group of students who had ended a private rental tenancy. They wanted to challenge unreasonable deductions from their deposit and were concerned it had not been secured in a Deposit Protection Scheme (DPS). We advised the clients how to check DPS and, if it was protected, how to access adjudication services. If the deposit had not been protected, we advised them about options to go to court.

#### Case Study 2

##### **Civil Law**

The client sought advice as to how they could access interview transcripts for a deceased third party (a relative) as they believed that police procedure was not followed. The ICO was monitoring the case and the client wanted to understand the process. We advised the client about Subject Access Requests and Freedom of Information requests and explained potential exemptions.

#### Case Study 3

##### **Property**

Our client wanted advice about a shared driveway into a row of terraced houses that was frequently blocked and poorly maintained. We advised the client about easements and rights of way and how to agree a way forward with the landowner and other tenants. We also explained how to petition the Council to adopt the shared access as a public highway.

#### Case Study 4

##### **Commercial**

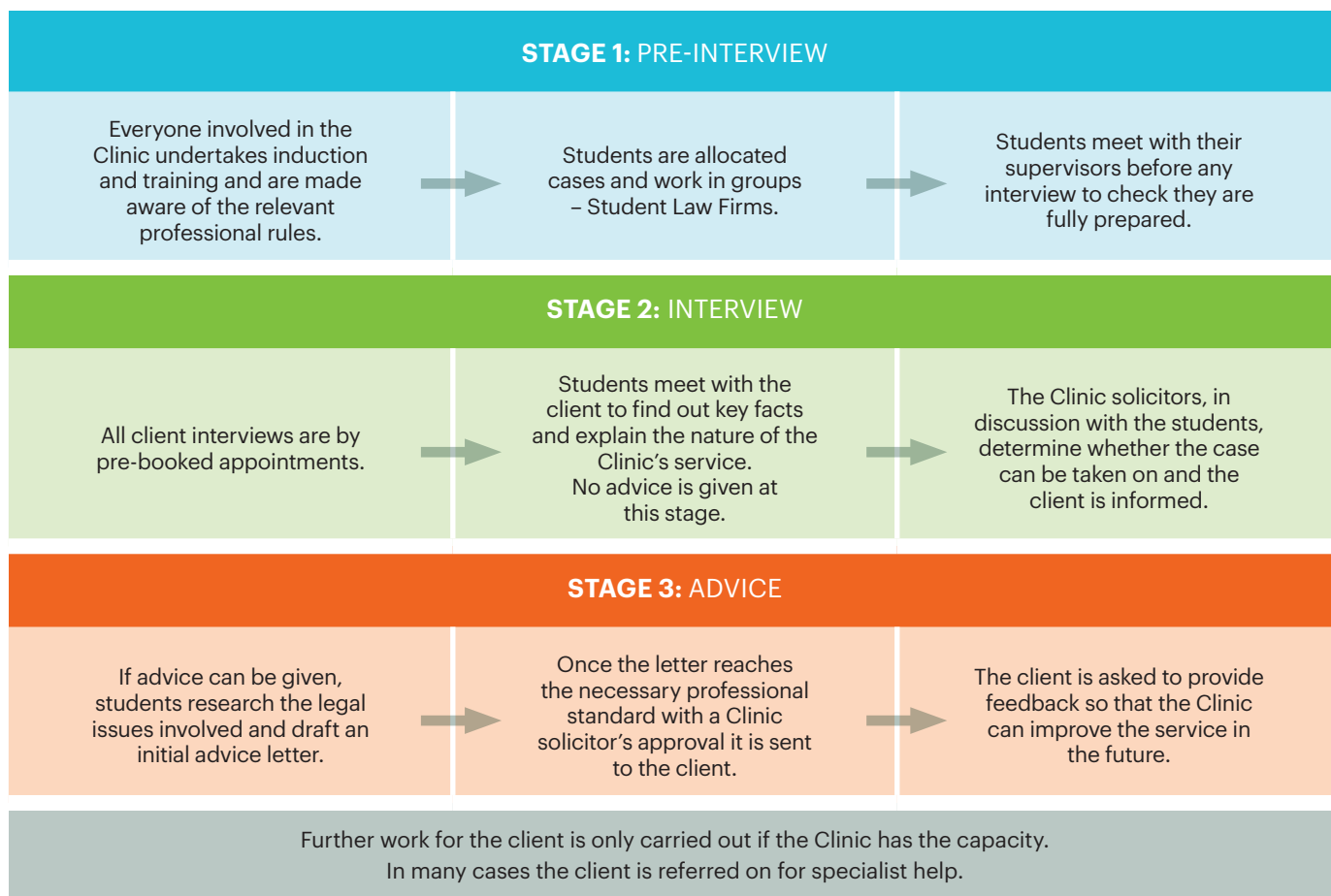
A client was developing a product using a component from outside the UK. They had been asked to sign a non-disclosure agreement (NDA) from the provider and wanted advice about whether it was a standard NDA. We advised that the dispute resolution procedure would be governed by the supplier's country's law and about how to achieve a bespoke NDA.

## COMMENTS FROM CLIENTS

👍 Your help is incredibly appreciated – you were the most efficient law clinic I reached out to (out of all the ones I could find in the UK), and therefore the only one I needed! What you do will make a real difference for us, and I am sure has made a real difference to the lives of so many people. I hope you take the time to acknowledge and celebrate the good you all do. Thank you so much to the whole team. 🙏

👍 The students were very professional and very thorough and explained the process well. 🙏

👍 You offered a great service despite our lack of funds! Hugely appreciated. 🙏



## Clinic Cases 2021-22

