

YORK LAW SCHOOL



York Law School

THE BARONESS HALE LEGAL CLINIC

**Annual Report
2016/17**

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

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WHAT IS THE LEGAL CLINIC?

The Clinic is a free legal service open to the public which has been in operation since January 2011. In September 2016, we welcomed Sara Boulton as Clinic Solicitor and Professor Charlotte O'Brien as the new Clinic Director . In 2016/17, 64 students participated in the Clinic as part of their studies. All work carried out is supervised by professionally qualified lawyers who ensure that the Clinic meets the standard of service expected of any solicitors' practice. The Clinic provides much needed help for members of the public, whilst also supporting students to put their learning into practice and preparing them for their next steps in their legal careers.

Who can ask for advice?

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

We work with individuals, companies and communities 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 into a range of areas including; family, employment, landlord and tenant disputes as well as creating charities and companies. Since the Clinic began, we have advised on over 200 cases and have worked in schools, courts, tribunals and prisons. The Clinic has also collaborated with other service providers such as the Citizens Advice Bureau and other local legal services, both receiving referrals from and making referrals to these services.

We act for a wide range of clients in the local area and its surrounding communities. However, we have also attracted clients from further afield. As cuts continue to be made to Legal Aid entitlements, this has led to a general increase of unmet legal need and members of the public become more reliant on advice provided by services like the Clinic

We try to help clients with their legal issues if we can. In cases where we are unable to help, we always explain why and refer on to specialist advisors where possible.

The Clinic Process

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

STAGE 1: PRE-INTERVIEW

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

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

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

STAGE 2: INTERVIEW

All client interviews are by pre-booked appointments.

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

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

STAGE 3: ADVICE

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

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

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

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

Comments from Clients

"Please give my sincere thanks to the law students for all their help and advice regarding my concerns over ground rent charges for my flat. I am very grateful and will do all I can to follow the advice they suggest. I wish the law students every success with their futures."

"I'd like to thank the students for taking the time to listen to the details of my case and provide advice, it is much appreciated."

"The team were exemplary in all they did."

"Sincere thank you to the students for their help and advice. I am very grateful and will do all I can to follow their advice."

EXAMPLE CASE STUDIES

Case Study 1

This client approached us following being medically retired from their employment due to diagnosis of a terminal illness. The client was placed in the lower tier of their pension scheme by their pension provider, however, the client wished to appeal this decision to be awarded a higher tier pension. The Clinic was able to advise the legal basis of the challenge to the pension provider's decision and possible procedural options for a claim in professional negligence. The client was able to appeal successfully and was awarded a higher tier pension.

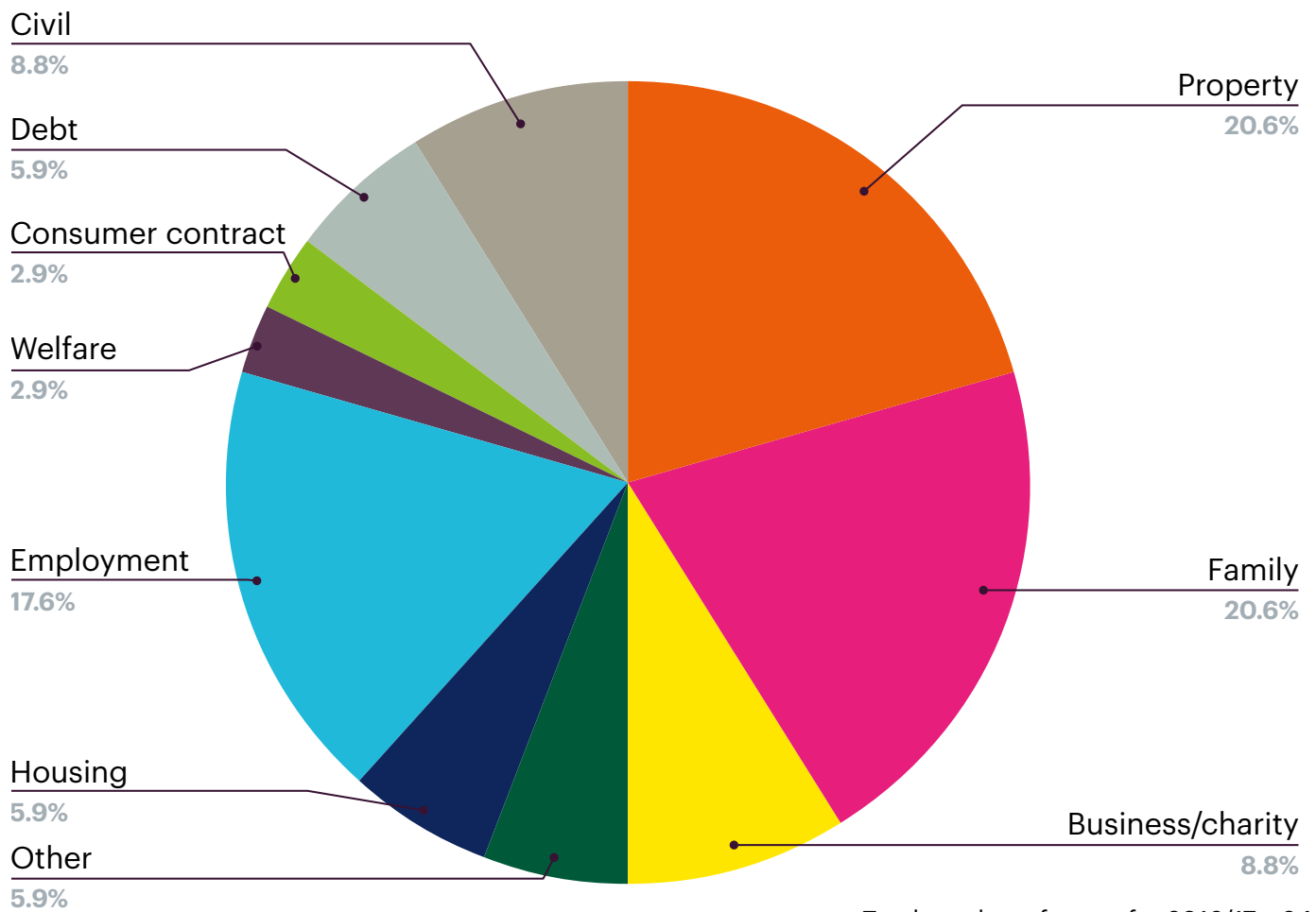
Case Study 2

The Clinic was able to help a client who approached us following a company entering onto his private property to install cables. This work was undertaken by the company despite the absence of a disclaimer form which allowed the company access to the property. The Clinic was able to advise on how he could establish a claim in trespass and the defences the large company may rely on.

Case Study 3

The client contacted us following the breakdown of their relationship. The client had made financial contributions to the extension and mortgage on their shared home. Following separation, the client's ex-partner wanted to sell the home. The Clinic was able to advise the client regarding what percentage of the proceeds from the same they were entitled to and if their ex-partner could prevent them from receiving any proceeds from the sale. The client subsequently contacted the Clinic for advice when their ex-partner wished to change their status from joint tenants to tenants in common, and it became apparent that they believed they were entitled to the majority of the proceeds. The Clinic was able to further advise on these specific matters.

Clinic cases 2016/17



Total number of cases for 2016/17 = 34

Student self-evaluation

“Interacting with an actual client, it allowed for a more human approach to the case. It motivated me to help others more.”

“It was rewarding helping someone and having the responsibility of handling a case”

“Being able to offer some help where the client thought she had no options, writing the advice letter gave such a sense of achievement, knowing that we did our best to help”



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