

YORK LAW SCHOOL



York Law School

THE BARONESS HALE LEGAL CLINIC

**Annual Report
2017/18**

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 for the public which has been in operation for 7 years. In 2017/18, 35 students were involved with the Clinic as part of their studies. All work undertaken by the students 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 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 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

"The information your students were able to draw together for us was most helpful, and we are extremely grateful for all the hard work of your whole team."

"I am confident that the outcome was accurate and I greatly appreciate the clear and concise presentation of the facts."

"The students had clearly done their homework and so their preparedness was excellent, they had clearly thought about the structure of the interview beforehand making it easy to follow. They were also extremely polite and very professional and gave me an overall excellent impression of the Clinic."

EXAMPLE CASE STUDIES

Case Study 1

This client contacted us when she did not receive holiday pay from her employer, despite a verbal agreement to the contrary. Her employer argued that this was due to her employment status of self-employed, hence our client wanted advice as to whether she classified as a legal employee or worker and whether she should commence proceedings against her employer. The Clinic was able to provide advice as to her status and additionally provided information as to how to make a claim in the Employment Tribunal and the Civil Courts against her employer for the wrongful deduction of wages.

Case Study 2

In a very significant case, the clinic was contacted by a client who had been medically retired from their job due to a terminal illness. The client gave us detailed accounts of the benefits she was receiving and wondered if she was eligible to receive larger sums of PIP and ESA in light of her financial situation which encompassed things such as care support, child benefit and funeral payments. The Clinic had to deal with this case sensitively and advised on her entitlements and possible methods of enforcing these payments.

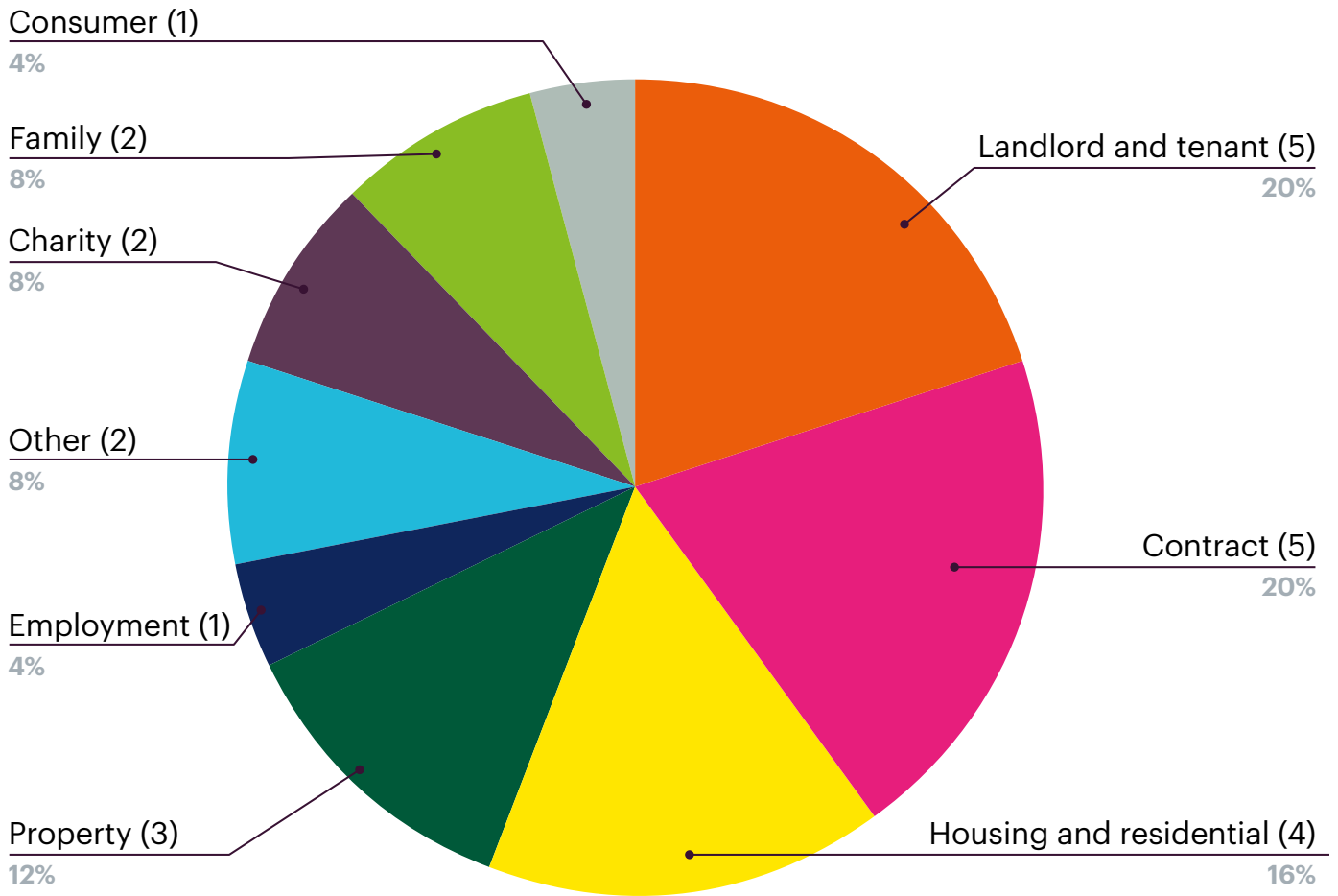
Case study 3

In a very complex case, the clinic advised one client on what measures could be taken to receive a remedy, after they had been incorrectly diagnosed with a serious health condition and their GP had also failed to identify the correct cause of the client's illness. The students advised this client as far as possible within the terms of use of the clinic service, and the law school then referred this client to the Bar Pro Bono Unit to further act on the advice given by the students.

Case Study 4

The students were asked to advise this client on who was responsible to perform a certain type of repair in a rented property, and assuming that their landlord or agent were responsible, how they could ensure the repair was done. The law on this area was not particularly clear, however the clinic recommended which stance to take on the issue in relation to the facts. The students made reference to the tenancy agreement and the relevant law on rented property in order to give their educated advice.

Clinic cases 2017/18



Total number of cases for 2016/17 = 25

Student self-evaluation

“Interviewing clients is extremely helpful and provides a sense of what legal practice is like.”

“The fact we were dealing with important, real life cases pleased me.”

“Learning more about contract law and confidentiality and applying it to a real contract used in business dealings – a very hands on and detailed activity that we’d never get to participate in had we not chosen the Clinic module.”



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Photo credits: Alex Holland