

## Exploring Law School Thought Leadership and Impact on Access to Justice: Lessons from the United States

The Law Society, 113 Chancery Lane, London, WC2A 1PL

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### Introduction

The workshop brought together representatives from the UK's leading law schools, NGOs working on access to justice and funders to discuss the potential for UK law schools to develop their existing role in providing thought-leadership and impact in relation to access to justice. Attendees heard from three speakers who have extensive experience in developing and directing innovative law clinics in university law schools. Attendees were encouraged to consider the opportunities and obstacles to developing impact clinics in the UK, reflecting on the lessons from both the US and UK experience and exploring the policy context for work of this kind.

The speakers were:

- **Professor Peter Markowitz**, Cardozo School of Law – 'Overview of the emergence of innovative impact law clinics in the United States'
- **Professor Dame Hazel Genn**, University College London – 'Clinical education, empirical research and thought leadership in access to justice, The Guttman Law Clinic, a project of the Access to Justice Centre at University College London'
- **Sheona York**, University of Kent – 'Developing impact clinics in the UK, The Immigration and Asylum Team at the University of Kent Law Clinic'

This report summarises the proceedings from the workshop. The first section provides a brief overview of the speakers' presentations on the clinical projects at the Cardozo School of Law, University College London and the University of Kent. The second section summarises the discussions which took place during the workshop in the light of these presentations, focusing on the points where there were widely held views, clear findings, strong insights and/or lessons for future practice.

### Attendees

**Hannah Bussicott**, Children's Legal Centre, University of Swansea – **Natalie Byrom**, The Legal Education Foundation – **Professor Dame Hazel Genn**, University College London – **Jane Gordon**, Sisters for Change – **Dr James Harrison**, University of Warwick – **Sara Harrity**, AB Charitable Trust – **Baroness Helena Kennedy**, University of Oxford – **Shauneen Lambe**, Just for Kids Law – **Jake Lee**, Unbound Philanthropy – **Ravi Low-Beer**, Public Law Project – **Adrian Lukes**, Public Law Project – **Professor Peter Markowitz**, Cardozo School of Law – **Dr Grainne McKeever**, Ulster University –

Ousman Noor, Habeas Corpus – Professor Kate O’Regan, University of Oxford – John Peake, University of Bristol – Joss Saunders, Oxfam – Matthew Smerdon, The Legal Education Foundation – Kirsty Thomson, Legal Services Agency – Teresa Williams, Nuffield Foundation – Sheona York, Kent Law Clinic

## Terminology

In this report, the term “service-orientated law clinic” is used to refer to law clinics which provide direct legal services to individuals unable to afford lawyers with the goal of generating a caseload from which students may learn (Drew & Morriss, 2016: 214). The term “impact law clinic” is used to refer to law clinics which focus on complex litigation, treaty negotiation, policy analysis and other activities designed to bring about social change (Askin, 1999).

## Part One: An overview – clinical projects at the Cardozo School of Law, University College London and the University of Kent

### Professor Peter Markowitz, Overview of the emergence of innovative impact law clinics in the US

The Kathryn O. Greenberg Immigration Justice Clinic at Cardozo School of Law, led by Professor Markowitz, was established in 2008. It was funded by the private philanthropist Kathryn and Alan Greenberg and continues to receive support from charitable funders. It has become one of the leading examples of impact law clinics in the US and has contributed to establishing a role for law clinics as drivers of legal policy. The clinic aims to address the critical gaps in both the legal system and legal education. Its mission is fourfold:

- **Transforming law and policy:** The clinic develops and implements new laws and policies to defend rights and promote opportunities for immigrants through litigation and advocacy.
- **Enhancing the capacity of national and community-based advocacy organisations:** The clinic represents local and national organisations working on immigration justice issues.
- **Training the next generation of immigration advocates:** The clinic trains exceptional immigration lawyers by giving students invaluable hands-on lawyering experience.
- **Protecting immigrants from deportation:** The Clinic provides deportation defense representation to those individual indigent immigrants who are least served by other non-profit organisations.

The expansion of clinical legal education in the US followed the investment from the Ford Foundation in the late 1960s into law school clinical programmes. This investment marked a shift away from reliance on the Langdell case method as the sole route to the education of students. Over the years there has been an explosion in the importance afforded to, and quantity of, experiential learning within US universities, with experiential learning now forming a formal component of the juris doctor degree. The 2007 financial crisis further galvanised support for experiential learning in universities as a way of responding to law firms’ increasing demand for ‘practice-ready’ candidates. The US has seen the rise of ‘clinical scholarship’; there is now a clinical route to tenure and clinical scholarship is increasingly viewed as being of equal value to doctrinal scholarship.

Students working at the law clinic at the Cardozo School of Law are able to represent clients in all court tiers apart from the Supreme Court, provided they are supervised by a full-time member of staff. The availability of legal services nationally in the US (with the exception of New York) has fallen dramatically, as in the UK, but the law clinic is not designed to fill that gap in service provision. Some law clinics in the US do meet ‘big need’ but they work on a very different model. The Cardozo clinic takes on very few cases but the cases taken on can have a major impact in transforming law and policy. Examples of the clinic’s many achievements include:

- developing a public defender system for detained immigrants;
- developing the concept and legal foundations of what has become known as “detainer discretion”; and
- filing a federal lawsuit to uncover secret information about the “Secure Communities” deportation program.

### **Professor Dame Hazel Genn, Clinical education, empirical research and thought leadership in access to justice, The Guttman Law Clinic, a project of the Access to Justice Centre at University College London**

The Access to Justice Centre was set up in response to the tradition of access to justice research conducted at University College London. This research, conducted in the late 1990s and early 2000s, found that disadvantaged groups were disproportionately affected by multiple civil legal problems but did not take action to resolve them. These groups rarely knew where to seek help and when they did so, would experience “referral-fatigue”, with their case being passed from one organisation to the next without any solution. This inability to deal with legal problems at an early stage led to the spiralling of the problems, which ultimately contributed to ill-health and poor well-being. The Centre was designed to respond to this unmet need for information and advice, as well as providing a rich learning environment for students. This access to justice research has since been conducted in many other jurisdictions throughout the world.

The law clinics at the Access to Justice Centre are staffed by students, who participate in the work of the clinic either as an assessed part of their undergraduate studies or on a voluntary basis. The advice and advocacy work of the clinics are conducted through partnerships with organisations such as Just for Kids Law and the Free Representation Unit. Students both give advice and represent clients, closely supervised by members of staff at the law clinic, sessional members of staff (welfare advisers and qualified solicitors) and other legally qualified members of staff at the university. Students are also invited to take part in outreach work, with staff and students going into schools in local communities as part of public legal education projects. The clinic also runs an annual summer school for students from schools with low participation rates in higher education to raise awareness of the work of the clinic and provide information on legal careers. Although some impact work is undertaken, this is not the principal purpose of these initiatives.

The Guttman Law Clinic was established in 2013 and is a project of the Access to Justice Centre. It is funded by the Law faculty, alumni and philanthropic investment. The clinic was established in response to the substantial body of high quality research into the intersections between unresolved legal problems and ill-health. The student-staffed clinic is situated within the Guttman Health and Wellbeing Centre in Stratford and provides users of the Liberty Bridge Road General Practice with

free face-to-face general legal advice on all aspects of social welfare law, including housing and welfare benefits. The clinic is situated in a GP surgery as research found that GP surgeries are one of the first places people go when they experience a legal problem but GPs are often unable to identify the legal problem or are unaware of where to refer patients. This is significant as patients can present with a medical problem when the root cause, and solution, to this problem is, in fact, a legal one.

By locating the law clinic in the GP surgery, medical and legal advice are co-located, with users of the surgery able to access legal advice in the same building as medical advice and GPs playing a crucial role in referring patients to the law clinic. This helps overcome the problem of “referral-fatigue”. Under supervision, students provide both advice and tribunal representation at the clinic. Crucially, the clinic provides a unique opportunity to undertake academic research based on its work in order to better understand, and evidence, legal need and to explore the relationship between health, legal advice and service use.

The clinic’s aims are as follows:

- to enhance the health and well-being of the local community through the provision of legal advice and representation;
- to relieve the pressure on GPs by providing them with a referral route for patients who are experiencing legal problems which are contributing to ill-health;
- to enrich students’ education by giving them first-hand experience of the law in action and instilling in them a commitment to social justice;
- to provide ‘citizens education’ by providing outreach services to the local community;
- to educate GPs on the law;
- to gather rigorous qualitative and quantitative evidence to help understand legal need and the relationship between legal advice, health and use of services; and
- it is also hoped that the clinic can, in the future, produce a toolkit of best practice to support other universities in building similar law clinics.

The clinic’s work has faced a number of challenges including the lack of NHS resources, the difficulty in obtaining ethics clearance in the health service, finding ways to share information with health care professionals which protects the interests of patients but provides valuable data, and medical practitioners’ unfamiliarity with, and mistrust of, the law and lawyers. By working to overcome these challenges the clinic has established itself as a powerful force in both meeting legal need and feeding clinical experience into transformative academic research.

### **Sheona York, Developing impact clinics in the UK, The Immigration and Asylum Team at the University of Kent Law Clinic**

The Immigration and Asylum Team at the University of Kent Law Clinic was established in 2012 with funding from three charitable foundations (Unbound Philanthropy, the Samuel Sebba Trust and the Metropolitan Migrant Foundation). The funding was used to appoint a specialist solicitor, Sheona York, and a part-time research assistant. Kent Law Clinic asked that research be one of the outcomes of the new team’s work. The clinic takes on cases of strategic importance and combines legal advice provision with academic research and commentary, feeding first-hand experience of legal practice into academic work. The clinic’s work has attracted national and international media coverage.

To date, the Immigration and Asylum Team has worked on 177 cases. The team also offers one-off advice to organisations, which serves as an informal way of educating and informing these organisations. In addition to providing advice and representation at the clinic, the team carries out training, presents at academic conferences, has articles published in academic journals and conducts academic research. As part of one of its research projects, the clinic set up three-monthly roundtable meetings with local NGOs and solicitors. The meetings were established to allow issues of mutual concern to be discussed and cases to be analysed in order to identify where further research should be carried out.

The students who work at the centre are either enrolled as part of their degree programmes on one of four assessed modules which have a clinical element or volunteer their time outside their studies. Approximately 60 students work in the clinic each year as part of assessed modules, with a supervisor to student ratio of 1:11. The students who work on a voluntary basis outside their studies do this during the periods when the students enrolled on the clinical modules are engaged with their dissertations and exams. In addition to advice provision at the clinic, advice sessions are run in the community and students are also recruited to work on the clinic's reception. In total, around 250 students work in the law clinic per year. With some exceptions, students tend not to be involved in the research work undertaken by the clinic; this is predominantly a resource issue, with much of the research work completed during the vacation periods.

In 2014 the Immigration and Asylum Team succeeded in securing UK asylum for an Afghan citizen for reasons of religion, despite him being an atheist. The media coverage of this case received an audited readership worldwide of 32 million (University of Kent Press Office). This case was prepared by a second year Law student, under the supervision of Sheona York; prior to working in the clinic, this student had no legal experience in immigration and asylum law. Lawyers from other jurisdictions have since contacted the law clinic to ask for advice on running similar cases.

## **Part Two: The desirability and applicability of impact law clinics in the UK – opportunities and obstacles**

### **The desirability of impact law clinics in the UK**

*Multiple roles for law clinics and clarity of function:* There are a number of different roles university law clinics can play; it is not necessary, nor desirable, for all law clinics to perform the same function. For example, law clinics without the resources, or desire, to offer legal services could play an important role in policy development. Not all clinics need to produce outcomes which make the headlines. What is crucial is that each law clinic is clear on its purpose and can justify this purpose.

*Justifying university law clinic funding:* The key question funders will need answered is why a law clinic should be funded over a law centre or NGO. One of the particular challenges for service-orientated law clinics is justifying the resources invested in training and supervising students to work on cases when these cases could be dealt with more quickly and efficiently by clinicians working alone.

The response here should be about universities adding value to, rather than duplicating, existing provision, and the impact law clinic model offers a route to achieve this objective. University-led impact law clinics can bring a number of clear benefits to the current legal environment.

- *‘Thought-leadership’*: University law clinics which combine clinical education, legal service provision and academic research have the potential to not only service existing need but contribute to solving the root cause of that legal need. Law clinics can collect data on legal need, which can be used to evidence the justice gap and build the case for evidence-based policy reform and funding investment. University law clinics have the institutional capacity to explore legal problems in detail and think strategically about solutions. This provision of ‘thought-leadership’ sets university law clinics apart from legal service providers and NGOs, avoiding the duplication of resources and offering a unique selling point to funders.
- *Leverage*: Universities also offer the further important benefit of carrying greater weight with policy makers than law centres; university-led empirical research based on clinical practice has the potential to be listened to by policy makers and produce meaningful change.
- *Independence*: Opposition to the legal aid reforms voiced by the legal profession was often discounted as self-interest, the accusation being that solicitors and barristers were interested only in preserving their careers rather than access to justice. The neutrality of universities in this regard is beneficial in avoiding these self-interest arguments.
- *Networks*: Universities are well-connected and these networks can be tapped into as part of the work of law clinics.

*Learning from the process of developing law clinics in the US*: The development of law clinics in the US has been a more formal process compared to the UK, with the expansion of law clinics in US universities forming part of a more widespread, top-down movement following major investment from the Ford Foundation. In contrast, law clinics in the UK have developed on an individual basis, rather than being part of a broader movement. The US model involves universities conducting research to establish legal need, drafting a mission in the light of that legal need, obtaining university support for that mission and then seeking philanthropic involvement. There are lessons the UK can learn from the US experience of developing law clinics.

*Ideological objections to law clinics operating to fill the gaps created by the withdrawal of public funding from legal services*: There are ideological objections to university law clinics being used to address the gaps that have been created by the withdrawal of public funding for legal services. These law clinics ameliorate the impact of the withdrawal of public funding but cannot, and should not be expected to, fill the gaps. The vocabulary used to describe the role of law clinics is crucial.

The US experience of developing impact law clinics offers two answers to the question of why universities should direct resources to solving problems arising from government policy. First, academic research arising from the work of the law clinics can have an impact on policy and bring about legal reform. The strong tradition of academic freedom in the US provides academics with the opportunity to publish papers with the goal of achieving legal reform. Second, the clinic chooses its clients rather than the issues it works on. The clinic chooses its clients on the basis of objective criteria, such as whether the project is pedagogically sound. Once a client has been selected, the goals of the client drive the case, rather than the goals of the lawyers, as in any other area of law, which in turn teaches students that the law is client-driven. The clinic does not fill the gap in existing

legal advice provision, particularly as it takes on very few cases; the cases, however, have the potential to have a major impact in transforming law and policy.

*A tension between the best interests of students and the best interests of clients:* One of the potential objections to university law clinics is the risk of conflict between the best interests of students and the best interests of clients. Investment in the educational development of students, and the enhancement of their future employment prospects, cannot be at clients' expense; at the same time, the cases taken on by the law clinic need to be of pedagogical value to students.

In the US, the impact law clinic model has resolved this tension as follows: the case selection process is primarily student-focused, taking on only the cases which will be of pedagogical value; once selected, the running of the cases is client-focused, with students leading on the aspects of the case they can excel at and clinicians taking on the more complex aspects where necessary.

*Determining the role students can, and should, play in university law clinics:* Careful consideration needs to be given to how students' skills can be most effectively integrated into the work of law clinics. While there is support for students being involved in litigation, others argue against this form of student engagement. The concern is that the costs of staff time to supervise students are disproportionate, and students would be better placed in research and policy roles. There is room for further debate on the role students can, and should, play in law clinics.

*Pedagogical value of law clinics:* Law clinics, both service-orientated and impact, provide students with a unique opportunity to contextualise their academic studies, gain first-hand experience of the law in action and enhance their research skills. Although students require close supervision, their learning is student-led; it is an iterative process of the student working out the legal problems for themselves by seeking guidance from their supervisors, working independently and then returning to their supervisors to discuss their findings and seek further advice. Law clinics also perform the wider vital function of teaching students how to think critically about the law, a function which should not be underestimated. Impact law clinics provide the additional benefit of engaging students in academic thought about policy and law reform.

*The benefits of involving students in law clinic-led empirical research:* In addition to the pedagogical value in involving students in empirical research, there is the broader benefit of inspiring students to appreciate the value of, and take an interest in, empirical research.

*Instilling in students an interest in public interest work:* A further benefit of involving students in the work of law clinics is the potential for it to instil a sensitivity to, and interest in, social welfare issues, as well as encouraging them to recognise the potential for change. This is particularly significant in the current financial climate, with many students choosing careers in the City, attracted by the financial incentive of doing so, in the light of the increase in tuition fees and the withdrawal of public funding for legal services. There is an argument that students should be exposed to 'real-world' problems before embarking on these careers, particularly if there is the opportunity for students to return to public interest work in the future.

*Use of law clinics as a platform for political activism:* Although by no means a universal concern, there is some nervousness about the potential for law clinics to be used by academics as a platform for engagement in political activism, and the negative consequences this can have for universities.

*A role for law clinics post-‘Brexit’:* There is considerable uncertainty following the EU referendum on the extent to which our existing laws in areas such as immigration, employment, consumer and human rights will be retained post-‘Brexit’. Academic research is urgently needed to monitor the legal changes which will follow ‘Brexit’. There is an opportunity here for law clinics to conduct this research, and this could be a particular role for law clinics which do not want, or are not equipped, to provide legal services to the public.

*Meeting the increasing student demand for experiential learning:* Student appetite in the UK for practical legal experience either as part of, or alongside, their undergraduate degree programmes is increasing. One argument is that this is, at least in part, a consequence of students becoming more outcome-driven, increasingly concerned with their future employability. NGOs often find themselves unable to meet student demand for work experience. The development of university law clinics in the UK could play an important role in satisfying this growing demand for exposure to the law in practice.

*The Research Excellence Framework (REF):* UK universities increasingly need to demonstrate the wider social impact of academic research as part of the REF. This impact agenda is creating the space to think differently about academic output and impact law clinics could offer a meaningful route to achieving the social impact objective. The impact agenda also represents an opportunity for greater collaboration between universities and NGOs, such as NGOs being involved in the supervision of students or the creation of sabbatical posts for those working in NGOs.

*The Teaching Excellence Framework (TEF):* The TEF is very much in its infancy but the potential for university law clinics to play an important role in meeting the demands of the TEF should be explored.

*Building alumni support:* One of the benefits of university law clinics is that they can attract considerable alumni support. Alumni support can be financial but can also take the form of opening doors into new networks. There is significant public concern about the withdrawal of public funding for legal services, which has led both Law and non-Law alumni to want to assist with the funding of existing law clinics in the UK.

*The lack of good quality legal aid providers:* There is a lack of legal aid providers to whom those working in law clinics would feel confident making referrals, particularly outside London. This is a major problem and one which needs to be taken into account when considering the role of university law clinics.

*Responding to losses of specialism:* The reduction in the number of legal aid lawyers following the withdrawal of public funding for legal services has created a problem in the UK of a loss of specialism. The UK has also seen a significant loss of specialist services funding in marginalised sectors. This loss of specialist services funding has led to many small NGOs, who play a crucial role in supporting vulnerable groups and making legal advice referrals, lacking the funding for training on identifying legal issues. This in turn undermines the extent to which vulnerable groups can access legal advice as their legal problems risk not being identified in the first place. Thought should be given to how universities can respond to these losses of specialism. Impact law clinics offer one way of doing this, by researching and evidencing these problems, and thinking strategically about solutions.



## The applicability of impact law clinics in the UK

*Funding the supervision of students:* An inherent challenge facing all law clinics is that their capacity to take on cases is dictated by the resources available to fund experienced clinicians to supervise students. This also limits the number of students who can participate in law clinic initiatives. The recruitment and retention of experienced clinicians is expensive, and an important question remains regarding where the cost of supervision should fall. One response is that stronger partnerships should be forged between universities, NGOs and philanthropic institutions in order to enhance the provision law clinics can offer. The funding of student supervision merits further investigation.

*Hierarchy of scholarship:* One of the obstacles to developing law clinics in the UK is the hierarchy of scholarship which exists within UK universities, and particularly within top tier law schools. With some notable exceptions, top tier law schools focus on jurisprudence rather than legal practice, with clinical work and empirical research often valued below doctrinal scholarship. Scholarship about legal education also tends not to feature in the high-impact journals. There is a concern that this jurisprudential focus, while being of value and having its merits, results in students being denied any exposure to real-life legal problems.

The picture in the US is more positive, with clinicians being fully integrated into law schools, the establishment of a clinical route to tenure and opportunities for clinicians to share their work with both academic and clinical audiences. The US is now seeing the emergence of the 'clinic scholar', with top candidates seeking clinical positions rather than doctrinal ones. Clinical work is popular with universities in the US as it attracts excellent media coverage and substantial investment from philanthropic institutions and individuals. Impact law clinics provide a unique opportunity to combine clinical work with academic scholarship, which could be more appealing to top ranked UK universities than the service-orientated law clinic model.

*Integrating experiential learning at law clinics into undergraduate degree programmes:* Existing law clinic initiatives demonstrate how experiential learning at law clinics can be integrated into undergraduate degree programmes as assessed modules.

*Investing in academic output at law clinics:* The problem currently facing many law clinics in the UK is that clinicians working in these clinics want to produce academic work but are not afforded the time in their role to do so, with many clinicians working on a pro bono basis. This represents a missed opportunity for law clinics to make a valuable contribution to academic research by feeding into research first-hand experience of legal practice. Impact law clinics in the US have bridged the scholar-practitioner divide by directly combining legal practice with academic output. A case can be made for closer collaboration between universities, NGOs, clinicians and philanthropic institutions to create greater space for academic research within the work of law clinics in the UK.

*The need to embed data collection into the work of law clinics and associated challenges:* Data collection at every stage of the work of law clinics is crucial, both in evidencing the impact of the work of law clinics and for making the case to funders for investment to respond to unmet legal need. In addition, one of the problems with current empirical research in the UK is that it tends to involve reviewing case files, which is highly time-consuming. If law clinics were more data-driven, collecting data at every stage and ensuring that the data is accessible, research efficiency should improve.

The challenge with embedding data collection into the work of law clinics, however, is that it can be met with resistance from those working in the clinics, it being seen as adding to workloads. In the light of its value, time must be invested in data collection at law clinics and consideration given to how to make this a workable objective.

*Differences between UK and US students:* Analysis of the applicability of the US impact law clinic model to the UK higher education context needs to take into account that Law in the US is studied at graduate level whereas in the UK Law can be studied at undergraduate level, with many students obtaining their Law degrees aged 21/22. The extent to which this difference translates into a different calibre of student working in UK and US law clinics should be considered but the capacity of both UK and US students to produce work of the highest quality in law clinics should not be underestimated. The impact law model can be tailored to fit the expertise of the particular student cohort, allocating to students the tasks which will allow them to excel and make a meaningful contribution.

*The barriers to involving students in law clinic-led empirical research:* One of the barriers to involving students in empirical research within university law clinics is that they often lack any training in data analysis. If the costs of training students in data analysis are disproportionate, students could be trained in data collection, such as how to administer questionnaires, and make this valuable contribution to the research project. As the US experience demonstrates, there is also the option to conduct the straightforward data analysis 'in-house' at the clinic and collaborate with a partner organisation to complete the more specialist analysis.

*Working with partners:* There are options for universities without buildings which could be used as law clinics, or without staff to supervise students, to work in partnerships with NGOs who can provide that supervision, at least initially. This provides a base from which a clinic could be built.

*The need for a more joined-up approach to funding provision:* Funders in the UK could do more to facilitate the work of university law clinics by working collectively to create partnerships and networks. This would enable universities to make an application to a partnership or network of funders rather than making several applications to discrete pots of funding. This should have the dual benefit of maximising resources and sending a message to universities about the credibility and value of clinical work and empirical research.

*Connecting with NGOs:* One of challenges experienced by some academics is that they want to collaborate with NGOs but find it difficult to make connections with them, particularly as their academic role is not structured in such a way which encourages this form of collaboration. A solution to this challenge could be to appoint someone to the law clinic who already has access to relevant networks.

*Changing the culture of UK universities:* There is a concern that law schools in the UK are sending the message to their students that careers in social justice work are not financially viable and should not be pursued. Further work is needed in investing in social justice work as a career path and inspiring talented students to go into this area of law. This work should consider the role university law clinics could play.

*Costs orders:* One of the particular challenges for both law clinics and NGOs in the UK in taking on public interest cases is the risk of being ordered to pay costs. For NGOs, if the case is lost and costs are ordered, the funders risk losing their investments. This has led to NGO boards becoming risk-averse. A further problem for NGOs is that by taking on a case, it publicly exposes its finances by having to provide its opponent, most often the state, with a full financial record. This exposes the NGO to risk and has further contributed to NGOs becoming risk-averse. On the flip side, if costs are awarded to a law clinic or NGO, this fund can serve as a valuable resource to use as a grant or seedfund. Disbursements funds are essential in making litigation possible. Both these issues require careful consideration as part of the process of considering the development of university law clinics, particularly in the light of rising court fees.

*Metric used to assess the efficiency of impact law clinics:* There are different ways of measuring efficiency. The resources invested in impact law clinics are easily justified by the scale of the public return in achieving legal and policy reform. It is harder to justify impact law clinics from a resource-efficiency perspective in terms of students' education, as only relatively few students can participate in the work of the clinic and each student requires close supervision.

### Conclusions

- Investment in university law clinics needs to be backed up by a powerful argument to justify their existence; this mandates careful consideration both of what the problem is that needs to be solved and possible solutions.
- University law clinics do not have to conform to the same model. Law clinics can perform a number of functions and different models will be appropriate in different contexts.
- The development of university law clinics needs to take place in consultation with experts on the ground, such as NGOs.
- There is a role for universities in creating space for strategic thinking; the particular form this could take merits further discussion.
- Universities bring clear benefits such as independence, the ability to leverage high impact networks and the potential to open channels of communication with policy makers.
- Career pathways into, and within, social justice work have changed dramatically, and universities cannot continue to divorce themselves from real-life legal problems. Universities have a responsibility to ensure that the next generation of lawyers have a sensitivity to social welfare issues and a commitment to change.
- Funders could do more to work together to support law clinic projects, as well as playing a greater role in making NGOs aware of the different clinic models and universities aware of the opportunities to become involved in projects.
- University law clinics can act as a forum for the collection of data and a catalyst for new research.

[End]