



Developing and Sustaining Student Pro Bono at the School of Law

A Report by Glasgow Open Justice

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I. EXECUTIVE SUMMARY

The purpose of this report is to analyse law student attitudes to pro bono at the University of Glasgow. The report sets out the findings from an extended student consultation process, organised by the Glasgow Open Justice Centre ('GO Justice'), taking the form of a student pro bono survey and a student/staff roundtable discussion. Quantitative and qualitative data was gathered on students' motivations for participating in pro bono activity; their views on existing opportunities available at the School of Law; how well the School of Law engages with students on pro bono; and how pro bono work can be developed and sustained in the longer term.

Key findings from the consultation are that:

- A majority of students have not yet had an opportunity to engage in pro bono work: of the 90 students who responded to the survey, only 23% reported having undertaken any pro bono work, either in partnership with the School of Law, or through their own initiative.
- Students who engage in pro bono work find it brings wide ranging benefits: students enjoyed several aspects of pro bono work, including the opportunity to see the practical impact of law as a vehicle for driving social change in the community; exposure to experiential learning outside the classroom environment, allowing them to apply legal skills to address 'real-world' problems; and the opportunity to work collaboratively with peers and community-based organisations to address social justice issues.
- ➤ Students find CAB placements rewarding and identified operational matters to be addressed: students who are involved in School of Law-facilitated placements with CAB (Citizens Advice Bureau) reported several practical barriers which impacted their enjoyment of the placement, including the length of the training programme and delays before beginning their placement.
 - There are a number of new areas of law of interest: Students are most interested in contributing their time to pro bono activities focused on immigration and asylum law, and equality law. It is notable that none of the existing pro bono projects offered by GO Justice explicitly focus on these areas of law.
- Students expressed a preference for client facing casework opportunities: they reported a strong desire for more 'client facing' pro bono projects. In addition, students would like to see the development of more pro bono opportunities focused on public legal education initiatives and policy
- A clear majority of students favour integrating pro bono into the curriculum: students highlighted accessibility as the principal reason for wanting further curricular opportunities. An integrated clinic-based course would allow more students to participate in pro bono work who otherwise for reasons

influencing/research projects, which align with areas of law they are most passionate about (notably immigration and asylum law).

- relating to time or other commitments would not ordinarily engage in pro bono work.
- Developing legal skills is important to law students: the opportunity to develop legal skills, while helping those facing economic, cultural, or social disadvantage, are the primary motivators to participation in pro bono work.
- Students would like to see the profile of pro bono work raised in the School of **Law**: Students feel that the School of Law could do more to engage them in pro bono work and raise its profile. They believe that pro bono projects and activities are not communicated effectively. Current communication methods (updates on the Employability Moodle Forum and Bulletin) are not seen as the most appropriate.

Further communications from GO Justice would be helpful: while students feel that GO Justice is an appropriate vehicle to raise the profile of pro bono in the School of Law, most were not aware of what the GO Justice Centre does, or its wider vision, and would appreciate greater opportunities for awareness raising.

Based on our findings, we would recommend the following next steps:

- Establish a **Student Pro Bono Committee** to assist with raising the profile of pro bono within the School of Law.
- Introduce students to the social justice and ethical underpinnings of pro bono at an early stage in the curriculum (for example, on the Introduction to Legal Studies course and by further developing the Law in Action LLB orientation programme).
- Consider ways in which the GO Justice Centre can provide further client facing casework opportunities for students and dedicate strategic development opportunities towards this end.
- Formalise and expand pro bono externships.
- Investigate **potential funding sources** to reduce barriers to student participation in external pro bono placements, for example, by covering travel expenses or offering a social justice mobility scholarship or annual fellowship opportunities.
- Expand opportunities to undertake **pro bono work remotely**. Consider integrating hybrid working arrangements into existing GO Justice projects, where possible.

- To address issues surrounding the consistency of experience, supervision, and training in pro bono externships, it is recommended that a **structured classroom programme** is established to complement placement experiences.
- Work with College to explore changes to the Graduate Skills Programme Accreditation.
 Renaming the 'CAB Placement' course to 'Pro Bono Placement' would better
 encapsulate the breadth of experiences students undertake. Moreover, the portfolio
 should incorporate reflective questions on professional identity and ethical awareness
 to enhance students' learning and development.

II. BACKGROUND

a. Pro bono and law schools

At UK-based law schools, pro bono work has become a mainstream part of legal education, as well as law schools' wider community engagement. This is reflected in a survey undertaken by LawWorks and CLEO (the Clinical Legal Education Organisation), which reported that 93 per cent of student respondents said that the law school they attended carried out pro bono work, with 75 per cent of law schools reporting that their institutions plan to extend existing pro bono work opportunities. This can be contrasted with LawWorks' first pro bono report in 2000, where only 41 per cent of respondent law schools reported that they were offering or undertaking pro bono activity.

The reasons underpinning this growth are multifaceted, but primarily relate to reductions in the scope and availability of civil legal aid in UK jurisdictions, primarily in England and Wales. As a consequence, pro bono has become largely institutionalised, both within the legal profession and law schools.

Law students at the University of Glasgow benefit from a range of opportunities to undertake pro bono work through participation in initiatives led by GO Justice.

b. Glasgow Open Justice Centre

GO Justice is dedicated to driving social change through legal education and research, aiming to empower communities and individuals to use the law to access justice and achieve social and economic inclusion. GO Justice seeks to achieve this aim by raising awareness of social justice issues, identifying and addressing unmet legal needs while at the same time instilling core ethical values in students. In academic year 2023/24, more than 90 students are actively involved in various clinic-based projects within the Centre, contributing to the provision of advice and representation, research and policy advocacy, and public legal education.

¹ LawWorks and CLEO, *Law School Pro Bono and Clinic Report 2020*, written by James Sandbach and Richard Grimes. Available here:

https://www.lawworks.org.uk/sites/default/files/files/LawWorks%20Law%20Schools%20Report%202020 0.pd f

² LawWorks, 'Survey Shows UK Law Students Increasingly Delivering Pro Bono Advice to Vulnerable People', LawWorks Website, Press Release. Accessed 13 February 2024. https://www.lawworks.org.uk/about-us/news/press-release-survey-shows-uk-law-students-increasingly-delivering-pro-bono-advice

GO Justice's flagship law clinic, the Emma Ritch Clinic, brings together students, solicitors, academics, and civil society organisations to provide independent legal representation to survivors of sexual violence (known as 'complainers' in the criminal justice system). The clinic envisions an accessible and fair Scottish criminal justice system that treats complainers with dignity and respect; and recognises their legal rights.

GO Justice has taken over responsibility for facilitating placements in Citizen Advice Bureaus across Glasgow. Students receive 10 academic credits for placements based on at least 100 hours of placement and completion of the work-related learning strand of the College of Social Science's Graduate Skills Programme.

GO Justice currently runs two research and policy advocacy projects:

- Environmental Law Clinic As part of a collaboration with the Environmental Law Foundation, a group of students are working on a project examining the effectiveness of environmental impact assessment laws in Scotland.
- Children's Rights Policy Project A group of students are examining child-friendly complaints mechanisms in Scotland, within the context of incorporation of the UN Convention on the Rights of the Child into Scots Law. Students' research will support the development of the next General Comment of the United Nations Committee on the Rights of the Child on Access to Justice and Effective Remedy.

Finally, students are involved in the provision of public legal education as part of a Community Legal Education Programme. In academic year 2023/24, GO Justice established a partnership with the Marie Trust, a homelessness charity in Glasgow. A group of students are working to design and facilitate a series of workshops for the Trust's service users covering housing rights, social security law, and employment law.

c. Clinical legal education and pro bono

There has been much scholarly attention focused on the relationship between clinical legal education and pro bono. It has been said that the principal goal of clinical legal education is 'to teach students lawyering skills and sensitivity to ethical issues through structured practice experiences and opportunities to think about and analyse those experiences'. By contrast, the single greatest function of pro bono projects is to 'open students' eyes to the ethical responsibility of lawyers to contribute their services'. For some, the focus on skills development tends to differentiate clinic from pro bono.

Striking a balance between being pedagogically driven and having a social justice impact is a challenge that clinic practitioners face; indeed, the issue has itself been the subject of rigorous

³ Association of American Law Schools Commission on Pro Bono and Public Service Opportunities, 'Learning to Serve: The Commission's Findings and Proposed Actions' (Washington, 1999)

⁴ Ibid

⁵ McKeown, P., 'Law student attitudes towards pro bono and voluntary work: The experience at Northumbria University' (2015) International Journal of Clinical Legal Education Vol.22 No.1.

academic debate.⁶ The mission of GO Justice is expressly pro-social. Notwithstanding, the project opportunities offered in academic year 2023/24 have several pedagogical benefits. In this regard, students gain knowledge and understanding of the role of law and legal practice in society, through exposure to social justice issues, in addition to core ethical values relating to professional identity. By working collaboratively with peers and external partners, students develop a range of interpersonal skills, practical workplace skills, communication skills and increased self-confidence. Finally, through structured facilitation of reflective practice, the projects aim to develop self-awareness, critical thinking, and continuous learning.

It is within this broad context that the student pro bono consultation that is the subject of this report seeks to understand law students' motivations towards pro bono work. The consultation will reveal the extent to which these motivations align with the vision of GO Justice, and the pro bono clinic-based projects offered by the Centre. This report will conclude by offering insights and next steps on how student pro bono can be nurtured and sustained in the longer term within the School of Law.

III. METHODOLOGY

The findings set out in this report are drawn from two forms of data gathering facilitated by GO Justice staff: a three-week student pro bono survey, and a student and staff roundtable discussion.

a. Student Pro Bono Survey

An online survey was designed to gather both quantitative and qualitative evidence regarding law student participation in pro bono activities. A full copy of the survey is contained in Annex 1 to this report.

Students were informed that the purpose of the survey was to gather student perspectives on pro bono activities; map existing relationships that staff may not be aware of; and expand the range of law clinic-based opportunities available to students. For the purposes of the consultation, 'student pro bono' was defined as legal advice and representation provided free of charge by students in the public interest.

The survey was launched in October 2023, and was open for three weeks. GO Justice staff employed a mixture of methods to promote the survey to students.

- Information about the survey was published on the School of Law's Employability Moodle Forum and on the Diploma in Professional Legal Practice's Moodle forum.
- Information about the survey was also circulated on Glasgow University Law Society (GULS) and Glasgow University Lawyers without Borders (GULWOB) social media channels.
- Undergraduate student representatives were encouraged to participate and share details about the survey with their year group.

⁶ Stephen Wizner and Jane Aitken, 'Teaching and Doing: The Role of Law School Clinics in Enhancing Access to Justice' (2014) Fordham Law Review 73, no 3, pp.997-1012.

• Announcements by academic staff on undergraduate degree courses, notably the Introduction to Legal Studies course.

In total, **90 students** responded to the survey. A majority of students who responded are studying the LLB (Scots Law) degree (66%). A full breakdown of the student response rate is set out below at Table 1.

Table 1: Breakdown of student response rate, by degree programme

	N	%
LLB (Scots Law)	59	66
LLB (Common law)	16	18
LLM	6	7
Diploma in Professional Legal Practice	4	4
LLB (Accelerated Scots Law)	3	3
LLB (Accelerated Common Law)	2	2

b. Student and Staff Roundtable Discussion

With a view to exploring the findings of the survey in more depth and gathering further data, students were invited to attend a roundtable event with academic staff in November 2023. The roundtable was featured as part of the National Pro Bono Week calendar of events. Around 25 students and staff attended the event, including student representatives from GULWOB, GULS, and the National Pro Bono Week Student Council. Participants were divided into workshops to consider discussion prompts based on themes identified from the survey:

- Student motivation for participation in pro bono activities.
- How can staff/students engage the wider student population in pro bono work?
- Are pro bono opportunities communicated effectively by the School of Law?
- Identifying barriers to pro bono engagement.
- Future clinic-based project development.

Photographs of outputs from the workshops are contained in Annex 2 to this report.

IV. FINDINGS

a. What type of pro bono work are students engaged in?

In the survey, students were asked whether they have participated in or are participating in any pro bono activities in partnership with the School of Law. Students were offered drop down options from a list of GO Justice-coordinated pro bono activities (for example, GO Justice

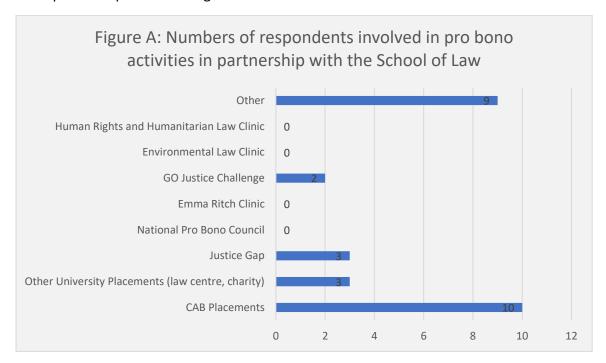
⁷ A report on all events taking place as part of National Pro Bono Week is available here: https://probonoweek.org.uk/2023report

Challenge, Emma Ritch Clinic, CAB placements). An 'other' option was included to capture activities which students have undertaken on their own initiative.

Of the 90 respondents to the survey, only 21 selected at least one option (23% of responses). On the surface, this figure would indicate that less than a quarter of law students have or are currently involved in pro bono work. This would be surprising and inconsistent with the anecdotal reflections of GO Justice staff regarding the levels of student engagement in pro bono activities, either in partnership with the School of Law or through independent initiatives.

One potential explanation for this disparity lies in the survey's promotion among Year 1 students during an Introduction to Legal Studies lecture. While the survey data distinguishes respondents by degree programme rather than year group, it is conceivable that a significant portion of respondents belonged to the Year 1 cohort. It is reasonable to expect that a lower proportion of Year 1 students have been exposed to pro bono work, thereby contributing to the discrepancy in participation rates.

Given the considerable interest in this year's recruitment efforts, it comes as little surprise that most survey respondents who have undertaken pro bono work selected placements with CAB or law centres/charities. Notably, there were no responses from participants in the recently established Emma Ritch Clinic or the Environmental Law Clinic. A detailed breakdown of responses is provided in Figure A below.



The survey revealed a diverse array of "other" pro bono activities. These encompass various initiatives, such as:

• <u>Homefolk</u> - a radically affordable housing project to build England's first tinyhouse⁸ village on wheels in East London.

⁸ Defined by Homefolk as a 'small living approach where people live in homes much more compact than our traditional brick-and-mortar spaces'.

- <u>European Student Think Tank</u> international organisation that involves young people in the European policy-making process and promotes the values of the European Union and human rights.
- <u>Advocate</u> (formerly Bar Pro Bono Unit) charity dedicated to facilitating pro bono legal assistance by volunteer barristers.

b. What students enjoy about working on pro bono projects (and what they dislike)

Students were asked in the survey what they most enjoyed about their pro bono experiences. The answers ranged widely, but can be grouped under the following themes.

First, students enjoyed seeing the practical impact that law can have in **driving social change** and community impact. Students highlighted their alignment with values-led organisations, and indeed, with the principles of community and movement lawyering.⁹

"It allows you to make a clear impact on the community and people's lives. It gives you a sense of purpose and you are given meaningful work experience." [CAB placement]

"I enjoyed the practical impacts of this pro-bono work. The research I was conducting into ownership models could have real-world implications when homefolk gets to its pilot project stage. It felt good to do research for something that wasn't for my degree." [Homefolk]

"I identified with the values of the organisations I did work for, which made the experience very rewarding." [CAB placement and Homefolk]

Working collaboratively with community-based organisations exposed students to career paths beyond traditional commercial practice. This exposure **broadened their understanding of the legal profession**, providing insights into alternative career paths within the profession that prioritise social impact and community empowerment.

"It was very different to my work experience at Pinsent Masons, and it allowed me to engage very directly to the community. I could see first hand the impact the law and free legal advice particularly can have on people." [CAB placement]

Students expressed an appreciation for **experiential learning opportunities** outwith the traditional classroom setting. They gained knowledge and insights not typically covered in the existing curriculum. This hands-on approach enabled students to apply their legal skills, particularly legal analysis and research, to address real-world challenges.

"I discovered new areas of law/sub specialisations I hadn't studied yet." [GO Justice Challenge]

⁹ While there are multiple different definitions of community and movement lawyering, both models are characterised by the decentralisation of power away from lawyers in favour of communities, with a focus on partnership working. See: Cummings, S. 'Movement Lawyering' (2017) University of Illinois Law Review 1645

"I enjoyed being able to use my skills for something that actually felt worthwhile, learning about areas I wouldn't gain exposure to otherwise and gaining practical advising skills." [CAB placement and Homefolk]

Students emphasised the significance of the **lawyer-client relationship** as an important aspect of their involvement in pro bono projects. This sentiment was particularly pronounced in the context of client-facing advice on social security law during CAB placements. Many students found the opportunity to engage directly with clients to be deeply rewarding, as it allowed them to offer direct assistance and support to individuals in need. Interestingly, while other projects, such as the GO Justice Challenge, involved providing pro bono advice to NGO clients (in this case, Shelter Scotland), student responses did not identify this type of work as 'client-facing'.

"The interactive aspect with clients - being able to have a productive meeting and having the ability to give helpful advice." [CAB placement]

Finally, working collaboratively with peers to deliver on a project with clear social justice aims, developing teamwork skills outside the traditional classroom environment, was an appealing aspect of pro bono project work.

"The opportunity to learn something new each day under the guidance of various members of staff and collaborating with fellow students." [Justice Gap]

"Working with others to create an interesting session for young people to help them understand their rights" [IntoUniversity]

When reflecting on their experiences working on pro bono projects, the predominant concerns voiced by students revolved around the **structure and content of training** provided to become a CAB adviser. Some respondents expressed dissatisfaction with the training process. In addition, respondents cited practical issues such as delays before being assigned clients.

"The length of the training period." [CAB]

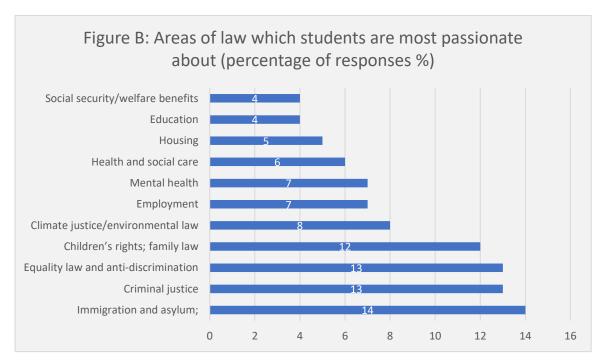
"It can be overwhelming and takes a lot of training/time." [CAB]

"The online training modules, whilst necessary, where very time-consuming and sometimes disengaging." [CAB]

"Regarding CAB: this issue might be specific to my bureau, but despite completing all training and starting to see clients on my own, I have been waiting for months to be given an observation so that I can officially qualify as an advisor."

c. Areas of law students are most passionate about

In the online survey, students were asked to identify the areas of law which they are most interested in contributing their pro bono efforts to. The full results are displayed in Figure B below. It is interesting to note that while a number of survey respondents have experience of working in advice provision on social security law and housing law (notably in CAB placements and law centres), these areas of law ranked bottom in terms of responses to this question. At the same time, while immigration and asylum law and equality law ranked among the highest responses, none of the pro bono projects delivered through GO Justice explicitly focus on these areas of law.¹⁰



d. The types of clinic-based activities or projects students would you like to see offered or expanded at the Glasgow Open Justice Centre

The survey results and roundtable discussions revealed a strong preference for more client-facing opportunities. In general, with the exception of CAB, students are not aware of organisations that are prepared to accept law student volunteers to undertake advice and representation work. Where such opportunities do exist, students feel that these are often not well publicised, or are secured through informal means (for example, a speculative application). The consensus therefore is that there is a strong interest among the student population to engage in client-facing social justice work, but there is at present no clear structure, to fully meet this demand (in terms of student numbers) through supervised casework.

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¹⁰ Disability discrimination in the context of housing law was a thematic issue explored during public legal education workshops delivered by students to the Marie Trust's service users as part of the Community Legal Education Programme.

Citing the format and structure of the Emma Ritch Clinic, students expressed a strong desire for advice and representation work within GO Justice to be expanded into other areas of law. Several key reasons for this preference have been identified, including the opportunity to work with vulnerable clients, to develop skills in trauma-informed lawyering, and to gain experience in legal professional conduct (for example, interview skills and legal drafting).

"I think that the Emma Ritchie [sic] Law Clinic was a great idea and could potentially be expanded. Additionally, I would like to see more projects that include more traditional legal advice to people who may not be able to afford a lawyer, with real life cases[...]"

Situating a client-facing clinic 'in-house' was also linked to reducing barriers to participation in pro bono work, particularly in relation to travel costs and time. In this respect, some students highlighted that certain external law centre/CAB placements are in parts of the city that are not well served by public transport, thereby requiring the use of a car.

The survey results and roundtable discussions also identified **public legal education** as an area of practice that students would like to see expanded. It is interesting to observe in the responses students' awareness of the connection between knowledge of rights and entitlements, and access to justice.

"Running human rights and social welfare workshops in the community and community legal education projects. I think this could be incredibly useful, as often when individuals apply to pro-bono centres it is apparent that there is a lack of knowledge regarding human rights/social welfare and the legal processes applicable. This means there are potential claims that are not being brought and the claims that are made require more work by pro-bono agencies creating a backlog in the amount of people they are able to support as a consequence."

Students linked these types of opportunities with the development of communication and presentation skills, in particular the need to articulate complex legal concepts in a manner which is accessible to the public. Students also identified public legal education initiatives as an opportunity to gain further knowledge in areas of law not typically the subject of in depth teaching on the undergraduate curriculum. This came out most strongly in relation to housing law.

Both students and staff observed that undertaking public legal education is particularly relevant in areas of law where, for a variety of reasons, it would be more challenging for students to be involved in client-facing work, for example, in relation to immigration and asylum law.

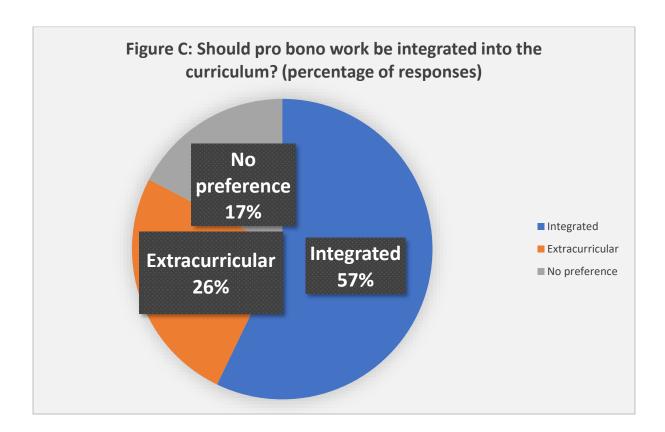
Finally, students also expressed a desire for more clinic-based opportunities focused on research and policy influencing.

"I would be particularly interested in research/policy projects- there seems to be less of these available to students compared to more traditional projects." "Climate change related research on the impact of local, regional and national governmental policy and the legal implications of such policy (net zero targets etc)."

In this respect, it is worth noting that GO Justice is working to develop a Lawyering for Social Change Clinic. Adopting a project-based approach, such a clinic would work collaboratively with community partners to advocate for the rights of marginalised and minoritised groups. Drawing on movement and community lawyering, the clinic would focus on using a wide range of legal and policy tools achieve change (including developing and coordinating legal research; policy advocacy; and campaigning and awareness raising). Such a clinic would harness the opportunities presented by incorporation of economic, social, and cultural rights treaties in Scotland, allowing students to develop an understanding of strategic levers to effect social change beyond black letter law.

e. Should pro bono work be integrated into the course curriculum or run as an extracurricular activity

Students were asked whether they would prefer pro bono projects to be offered as an extracurricular option or integrated into the course curriculum. As observed in Figure C below, a majority of respondents favour integration.



A clear majority of students favouring integration identified accessibility as the principal reason underlying their preference. In this regard, an integrated clinic-based course would allow more students to participate in pro bono work, who otherwise, for reasons relating to time or other commitments, would not ordinarily be able to engage in pro bono work.

In the view of some students, integration would allow for pro bono work to be set against clinical legal education pedagogy, connecting development of substantive knowledge with practical skills development. Integration would allow for closer academic supervision, thereby scaffolding students' learning and development.

"Integrating pro bono work into the course curriculum will make it much more accessible to students who, because of other commitments, would not otherwise have the time to take on pro bono work. [...]"

"Including pro bono work into the course curriculum ensures that students receive structured guidance and supervision from faculty members, aligning the practical experience with the theoretical knowledge gained in class. Students may also become more accountable when pro bono work is integrated into the curriculum, ensuring their active participation and commitment. [...]"

"Often, it can be easy to forget that the questions we are discussing are not theoretical. I think integrated pro bono would very grounding, and force you to reflect on the consequences of the laws we study."

On the other hand, students favouring extracurricular opportunities noted that this model ensures that only students who are genuinely committed to engaging in pro bono work, and more broadly, engaged with the values of social justice, apply for opportunities. Flexibility was also identified as an important feature of extracurricular clinic-based projects, particularly for those students who do not intend to pursue a career in the social justice or human rights sector.

"While both have value, an extracurricular activity likely allows more people to get involved if they have chosen subjects which are slightly different to the pro-bono work. For example, those choosing 'commercial' subjects may still wish to get involved in human rights/social welfare related projects."

At the time of writing, the School of Law does not offer a clinic-based pro bono honours course. ¹¹ However, students who participate in pro bono work can receive 10 credits if they demonstrate that they have undertaken 100 'notional learning hours' in their voluntary placement. Students were asked for their views on the accreditation.

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¹¹ A proposal has been made to the Board of Studies to create an honours course option for the Emma Ritch Clinic.

Students noted that their participation would appear on their Higher Education Achievement Report (HEAR) transcript as 'CAB placement', even if the voluntary work undertaken has been for another organisation, for example, a law centre.

In any case, students do not consider that the 10-credit accreditation fully reflects the nature and extent of the pro bono work undertaken. It was felt that the evidence-based portfolio which students are required to complete to gain the 10-credit is too focussed on skills development. In the view of students, it ought to be assessed based on outcomes, or in other words, what you actually learn from the experience.

f. Student motivations for participating in pro bono work

Respondents to the survey were invited to share their motivations for undertaking pro bono work. The survey revealed a diverse range of factors which encouraged or are encouraging students to undertake pro bono work. The results of the survey are set out below at Table 2. It is interesting to observe that respondents identified two factors relating to skills development as their primary motivators for undertaking pro bono work ('opportunity to gain legal experience' and 'gaining legal skills'). Notwithstanding, students also identified several altruistic or pro-social behaviours, including the 'opportunity to help those facing economic, cultural or social disadvantage', which was the second most common factor motivating students.

The options set out in the survey have been adapted from a question in the 2021 Legal Aid Census, which sought to examine the factors motivating practitioners to pursue a career in legal aid work. ¹² That survey also captured responses from students working towards a qualifying degree in law at the academic or vocational stage, and who have expressed an interest in a career in legal aid. In that survey, students selected 'the opportunity to help those facing cultural, economic or social disadvantage' (86.6%, n=149 of 172) and 'the opportunity to make justice more equitable' (83.1%, n=143) as the primary motivators for pursuing a career in legal aid. While the questions differed slightly, it is interesting to draw a comparison between the two types of motivations for undertaking social justice-related work.

Table 2: What motivates students to participate in pro bono work

	N	%
Opportunity to gain legal experience	75	84
Opportunity to help those facing economic, cultural or social disadvantage	67	75
Opportunity to have a positive impact on society	65	73
Gaining legal skills	65	73

¹² Report by Denvir, C and others, *We are legal aid: Findings from the 2021 legal aid census* (published March 2022), Chapter 2.1. Available here: https://lapg.co.uk/wp-content/uploads/We-Are-Legal-Aid Findings-from-the-2021-Legal-Aid-Census Final.pdf

Opportunity to improve access to justice	58	65
Opportunity to enable social change	46	51
Being more attractive to potential employers	41	46
Meeting lawyers in the field	40	45
Opportunity to meet like-minded students	30	34
Sense of professional obligation	29	33
Opportunity to hold government accountable	27	30

g. Barriers to participation in pro bono work

Unsurprisingly, many survey respondents identified the availability of **time** and **financial resources** as the principal barriers to engaging in pro bono work. During roundtable discussions, students identified additional barriers, including caring responsibilities and travel to and from placements.

"Time and financial resources are mutually dependent factors as I would love to do some pro bono work but I already have two jobs and managing a degree on top of that is hard enough for my mental and physical health."

Students emphasised the importance of flexible working as a way to overcome these barriers. In this respect, it was highlighted that post-pandemic, many corporate opportunities (for example, vacation schemes) are now online, whereas pro bono and public interest opportunities remain, for the most part, in person.

Students suggested that the School of Law could develop a social justice mobility scholarship in order to fund student participation in pro bono work, travel to competitions, or conferences.

"[...] I commuted from home (I live about 1hr 30 mins away from Glasgow) during my second year and this significantly lowered the amount of time I could dedicate to extra-curricular opportunities in general. Somewhat thankfully due to the pandemic, a lot of work and volunteering opportunities were moved online, however as this shifts to back to in-person, if you don't live in Glasgow I think it would be hard to engage in pro bono activities"

Furthermore, it was acknowledged that most opportunities provided by GO Justice, such as the Emma Ritch Clinic, are available only to Honours-level students. It was felt by some students that this risked alienating those in Years 1 and 2, many of whom have already developed an understanding of social justice upon entering the degree programme. Students discussed methods to engage students earlier in their academic journey. One proposed solution could be to develop a 'buddy scheme', allowing Year 1 or 2 students to shadow their more senior peers in clinic-based projects.

h. Encouraging participation in student pro bono

During the roundtable, students were invited to explore methods for engaging students in pro bono activities and identify best practices for creating a culture of pro bono within the student body.

Broadly, students feel that the School of Law could do more to engage students in pro bono work. In this regard, it was felt that corporate opportunities have a larger profile within the School of Law, noting in particular the dominance of commercial law firms at Law Fairs. While students generally felt that GO Justice was an appropriate vehicle to raise the profile of pro bono work, students expressed that they were generally not aware of what GO Justice is, its vision, or even more practically, what it does.

Students were invited to share their thoughts on the establishment of a Student Pro Bono Committee, sitting within the GO Justice Centre, and coordinated by an academic member of staff. It was generally felt that a student-led Committee could assist with raising the profile of pro bono within the School of Law by, amongst other things, coordinating and promoting pro bono events and opportunities through social media and other communication channels, and working in partnership with local networks and organisations to develop new pro bono opportunities. Students explored the possibility of formalising the collaboration between a new Committee and other student societies, notably LWOB and GULS. This could be achieved by inviting representatives from both student societies to sit on the Committee.

Generally, students do not feel that pro bono projects or activities are communicated effectively by the School of Law or by GO Justice, with students either not aware of opportunities, or finding out about them after the fact. It is appreciated that this is a common issue both at School level, and within the wider College and University, where communication channels being regularly used by students do not necessarily align with those being used by the institution.

Indeed, students feel that the current primary mode of communication, namely through updates on the School of Law Employability Moodle Forum and Employability Bulletin, is not the most appropriate mode of communication. Some students noted the inherent tension between the ethical underpinnings of pro bono work, and the skills development focus of employability. In other words, by advertising through the forum, students feel that the School of Law is creating an expectation that students ought to get involved in pro bono work to 'boost their CV', rather than a genuine motivation to contribute to social justice.

In any case, students do not feel that Moodle is the best platform to discover pro bono opportunities or to stay updated on ongoing projects. Students identified a newly established Student Pro Bono Committee as the most appropriate vehicle for communicating opportunities and events, including through a new pro bono social media account. In addition, students suggested that a regular GO Justice newsletter should be sent to students, by email, setting out clearly all available pro bono opportunities and deadlines for application.

V. REFLECTIONS

The benefits of involving law students in practical learning experiences has been well documented in academic literature.¹³ Amongst other things, it has been found that engaging students in pro bono work through law clinics can promote characteristics of altruism, community service and enhanced work ethic, in addition to developing practical workplace skills, communication skills, and increased self-confidence.¹⁴ Indeed, research conducted by academics at Northumbria University into the pedagogic value of student volunteering placements at Citizens Advice concluded that it 'not only develops students' professional skills, but also empowers students to better understand access to justice challenges and enables them to play a pivotal part in supporting their local community'.¹⁵

In this context, this consultation has revealed that there is broad engagement among law students with the social justice values and ethics of pro bono. Students clearly identify with the aims and outcomes of clinic-based projects, notably experiential learning by doing and reflecting. The desire to apply theoretical knowledge and skills (legal analysis, research) developed on existing courses to 'real-world' problems was strongly expressed both in the survey and during roundtable discussions.

While student motivation is strong, the consultation has identified awareness and availability of opportunities within the School of Law as the greatest challenge. Students strongly associate pro bono work with client-facing legal advice delivered in a professional setting. Beyond external placements with CAB and law centres, students find it challenging to source opportunities to get involved with pro bono work. It is notable in this regard that student efforts directed at supporting organisations such as Homefolk have been largely developed without the knowledge of academic staff. Relatedly, members of GO Justice staff acknowledge that it is important to strike a balance between both organised and student-led initiatives.

The findings above have mapped student motivation for engaging with pro bono work, their areas of interest, and the type of opportunities they would like to see GO Justice develop in the future. The following section in this report will examine certain findings in more detail and set out options for how GO Justice and other staff in the School of Law might approach developing pro bono projects aligned to student interests.

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¹³ Evans, A., Cody, A., Copeland, A., Giddings, J., Noone, M.A., Rice, S. (2012), *Best practices Australian clinical legal education* (Report, Australian Government Office for Learning and Teaching). Retrieved from Council of Australian Law Deans website https://www.monash.edu/data/assets/pdf file/0003/591042/Australian-CLE-Best-Practices-2012.pdf

¹⁴ Cantatore, F 'The impact of Pro Bono law clinics on employability and work readiness in law students' (2018) International Journal of Clinical Legal Education, Vol. 25 No. 1 https://doi.org/10.19164/ijcle.v25i1.696

¹⁵ Lyndsey Bengtsson, Bethany A Court and Callum Thomson, 'The Law in the Community module at Northumbria University: Working in Partnership with Citizens Advice as an Effective Educational Tool' (2021) International Journal of Clinical Legal Education Vol.28 No.1 pp. 111-148.

a. The interplay between altruistic, pro social and personal motivations for pro bono work

The motivations driving law students to engage in pro bono work reflect a complex interplay of altruistic, pro-social, and personal factors. On the one hand, students expressed a strong desire to make a positive impact in society and to help those facing economic, social, and cultural disadvantage. On the other hand, students also identified personal factors (opportunity to gain legal experience, to gain new skills) underlying their motivation to undertake pro bono work. This sentiment is echoed in qualitative feedback from students, who often express enjoyment in the skills-development aspect of pro bono projects, citing experiences like engaging in lawyer-client relationships and applying legal skills to real-world issues.

This trend aligns with findings from previous studies conducted in other UK-based law schools. By way of example, a survey of law student attitudes at Northumbria University reported that students ranked enhanced employment and legal skills as the most important reasons to undertake pro bono work at law school.¹⁶

This can be contrasted with studies into motivations and attitudes to pro bono work in the legal profession, where evidence shows that the primary motivators for undertaking pro bono work are altruistic and pro social behaviours. A members survey undertaken by the Law Society of Scotland's Access to Justice Committee identified that the principal drivers for undertaking pro bono work are to 'give something back to society' and to address unmet legal need.¹⁷ A smaller-scale empirical study of 22 solicitors in England and Wales revealed similar motivations, with one study participant stating that undertaking pro bono legal work allowed her to "[...] give something back, which might help an individual or an organisation [....] I think we have a moral obligation to do that".¹⁸

In the current climate, where there is increased emphasis on employability and securing graduate employment, it is unsurprising that personal skills development ranks high among student motivations for engaging in pro bono activities. Nonetheless, our consultation findings indicate that participation in pro bono work also yields pro-social benefits, exposing students to the law's potential as a tool for social change and shining a light on access to justice issues.

Recommendation: With a view to raising awareness of the role and impact of pro bono and addressing some of the concerns highlighted by students above, we recommend introducing students to the social justice and ethical underpinnings of pro bono at an early stage in the curriculum (for example, on the Introduction to Legal Studies course).

¹⁶ McKeown, P., 'Law student attitudes towards pro bono and voluntary work: The experience at Northumbria University' (2015) International Journal of Clinical Legal Education Vol.22 No.1.

¹⁷ Law Society of Scotland, Access to Justice Committee, 'Pro Bono Survey 2015' (August 2015). Available here: https://www.lawscot.org.uk/media/6354/pro-bono-survey-2015.pdf

¹⁸ Ryan, F. 'Voices from the front line: exploring what pro bono means to lawyers in England and Wales?' (2016) International Journal of the Legal Profession, 28(3) pp. 265-278

b. Developing more opportunities for client-facing pro bono work

The consultation process has identified a strong desire among students for more direct client-facing pro bono opportunities.

The benefits of student exposure to client-facing work delivered in a university law clinic setting or in an external placement ('externship') has been well documented in the literature on clinical legal education. It has been said that this can cause students to experience "disorienting moments" whereby their pre-existing assumptions about the world clash with their observation of social deprivation, unequal access to justice, and substantive legal injustice.¹⁹

Currently, the recently established Emma Ritch Clinic is the only 'in-house' client-facing legal advice and representation opportunity available to students in the School of Law. The clinic draws on the research and professional expertise of academic staff and is co-directed by Mr Eamon Keane,²⁰ Professor Nicole Busby and Professor Jacqueline Kinghan. The clinic builds upon the recommendations made in the Lord Justice Clerk's report on Improving the Management of Sexual Offences Cases through the provision of independent legal representation for complainers in sexual violence cases.²¹ In 2023, Honours-level and Diploma students were invited to apply to participate in the clinic. GO Justice received 40 applications, and recruited 12 students.

The Emma Ritch Clinic differs from other UK-based university law clinics in several respects. First, it does not provide a drop-in service; rather the clinic relies on referrals from a partner organisation (Rape Crisis Scotland). Second, the clinic can provide regulated legal services within the meaning of Section 3 of the Legal Services (Scotland) Act 2010. Third, whereas almost all law school clinics work in civil justice, the clinic provides specialist legal advice and representation in relation to criminal justice. This is because Glasgow Open Justice has been established as a Legal Practice Unit that is regulated by the Law Society of Scotland, within which Mr Keane acts as Principal Solicitor. Finally, the scope of the clinic's work is limited to addressing a specific area of legal need (in contrast with general advice clinics such as the University of Edinburgh's Free Legal Advice Centre²²).

Responding to demand from students, GO Justice is actively engaged in ongoing scoping efforts to identify additional client-facing pro bono opportunities aligned with students' interests.

https://www.northumbriajournals.co.uk/index.php/ijcle/article/download/532/922

¹⁹ Nicolson, D. 'Our roots began in (South) Africa: modelling law clinics to maximise social justice ends' (2016) International Journal of Clinical Legal Education, Vol. 23 No. 3 (2016).

²⁰ Keane. E.H.P, and Convery. T, *Proposal for Independent Legal Representation for Complainers Where an Application is Made to Lead Evidence of Their Sexual History or Character* (2020) accessible at https://www.law.ed.ac.uk/sites/default/files/202009/ILR%20Report%20Final%20Version%20June%20 0%20-% 20Acc.pdf

 $[\]frac{21}{\text{https://www.scotcourts.gov.uk/docs/default-source/default-document-library/reports-and-data/Improving-the-management-of-Sexual-Offence-Cases.pdf?sfvrsn=6}$

²² https://www.law.ed.ac.uk/community/legal-advice-clinics/free-legal-advice-centre

The establishment of more in-house opportunities not only resonates with student motivations for skills development and socio-economic impact but also addresses practical barriers to engagement in pro bono work, such as time and travel constraints. Moreover, it offers academic staff greater control over the educational experience, allowing for more comprehensive training and supervision. However, it is crucial to recognise that in-house client-facing work demands substantial resources; for instance, any envisioned tribunal work would necessitate the recruitment of staff members with specialised tribunal experience.

c. Expanding pro bono externships

The recent integration of CAB placements under the oversight of GO Justice offers a strategic opportunity to formalise and expand pro bono externships. Expanding externship opportunities would allow students to develop client-facing lawyering skills, access a broader range of placement options, and engage with members of the profession. The School of Law has had informal externship arrangements with a range of law centres across Glasgow, including Govan Law Centre, Castlemilk Law and Money Advice Centre, JustRight Scotland, and Legal Services Agency, among others. While these arrangements appear to have been disrupted during the Covid-19 pandemic, GO Justice colleagues are making efforts to reinstate these partnerships.

Although an expanded role for externships would align with many of the student motivations driving students to engage in pro bono work, it also raises notable issues concerning consistency of experience, supervision, and training.²³ Analysis of qualitative data pertaining to CAB placements underscores the variability in student experiences across different placements. This is to be expected where academic colleagues have less control over the educational experience (as opposed to an 'in house' clinic). There may however be other factors at play. For example, external supervisors might lack adequate training and guidance in fulfilling their supervision role, or they might be juggling a broader set of priorities.

In order to achieve a consistent and quality educational experience for every student undertaking a pro bono externship, it is vital that the relationship between each student, their external supervisor and the School of Law is based on shared understandings and realistic expectations around what each party will contribute.²⁴

This could be achieved by ensuring that each externship is supported by two distinct but complementary learning environments – the placement site and the classroom. While students currently engaged in CAB placements only benefit from the former, scaffolding the externship experience would require the development of a structured classroom programme. This framework provides students with a space to contextualise their placement experiences, reflect on their learning, and receive guidance from academic staff. Moreover, it would provide

²³ Ford, E 'Toward a Clinical Pedagogy of Externship' (2015) Clinical Law Review, Vol 22/No. 1 https://www.law.nyu.edu/sites/default/files/upload documents/Elizabeth%20Ford%20-%20Clinical%20Pedagogy%20of%20Externship.pdf

²⁴ Giddings, J (2015). Reciprocal Professional Development: Enhancing Law Student Supervision in Practice-based Contexts, Office for Learning and Teaching. Available here: https://ltr.edu.au/resources/Giddings%2C%20J NTF Report 2015.pdf

academic staff with a structure to supervise students' learning and development, in addition to providing an opportunity to monitor any issues and raise them with externship providers.

This could be complemented by an enhanced version of the current Graduate Skills Portfolio. Currently, completion of the Graduate Skills Portfolio is a mandatory step to obtaining 10-credits 'CAB Placement' course. However, insights gained from the consultation process has underscored that the allocation of credits is not necessarily the main driver for completing the Graduate Skills Portfolio (this is particularly the case for honours-levels students). Rather, what holds significance for many students is the ability to showcase their participation in pro bono work on their academic transcripts, enabling them to articulate their experiences during job interviews. However, the current system fails to capture the diversity of externship experiences, as all placements are categorised under 'CAB Placement' on transcripts. A straightforward solution to this problem could be to rename the CAB Placement' course to 'Pro Bono Placement'.

Moreover, the current iteration of the Graduate Skills Portfolio primarily emphasises employability skills development, overlooking the specific context of students undertaking law pro bono externships. There is an opportunity to rectify this by incorporating tailored changes that specifically focus on skills development within the context of client-facing experiences. Furthermore, reflective questions pertaining to professional identity and ethical awareness of social justice issues might also be incorporated.

Finally, in response to student feedback regarding the importance of flexible working arrangements and its potential to reduce barriers to participation, future pro bono project scoping and development should consider integrating remote working, so far is possible. Currently, the only GO Justice project which is fully remote is the Justice Gap project, which involves students writing for the <u>Justice Gap</u>, an online magazine about the law and justice and the difference between the two. We also recognise that most external providers of pro bono legal advice and representation will require students to work in-person. Notwithstanding, in the short term, we will consider integrating hybrid working patterns into existing and future clinic-based projects (for example, those focused on research and advocacy work). In the longer term we will work to identify external placement opportunities for students to undertake pro bono work remotely.

Recommendations

- Formalise and expand pro bono externships. GO Justice to work towards reconnecting with previous law centre partners and scoping new partnerships to develop more opportunities for students to undertake client-facing pro bono work.
- Investigate potential funding sources to reduce barriers to student participation in external pro bono placements, for example, by covering travel expenses or offering a social justice mobility scholarship.
- Expand opportunities to undertake pro bono work remotely. Consider integrating hybrid working arrangements into existing GO Justice projects, where possible.

- To address issues surrounding the consistency of experience, supervision, and training in pro bono externships, GO Justice will consider establishing a structured classroom programme to complement placement experiences. This framework provides students with a space to contextualise their placement experiences, reflect on their learning, and receive guidance from academic staff.
- Work with College to explore changes to the Graduate Skills Programme
 Accreditation. Renaming the 'CAB Placement' course to 'Pro Bono Placement'
 would better encapsulate the breadth of experiences students undertake.
 Moreover, the portfolio should incorporate reflective questions on professional
 identity and ethical awareness to enhance students' learning and development.

Appendix A: Student Pro Bono Survey Questions

1.	What degree programme are you registered on?		
	□ LLB (Scots Law)		
	□ LLB (Common Law)		
	□ LLB (Accelerated Scots Law)		
	□ LLB (Accelerated Common Law)		
	☐ Diploma in Professional Legal Practice		
2.	Have you participated in / are you participating in any pro bono activities in partnership with		
	the law school? (tick all that apply) If you have never participated in any pro bono activities,		
	skip to Question 5		
	☐ Justice Gap		
	□ CAB Placements		
	 Other University placement (law centre, charity) 		
	□ National Pro Bono Council		
	☐ Emma Ritch Law Clinic		
	☐ Go Justice Challenge		
	☐ Environmental Law Clinic		
	☐ Human Rights and Humanitarian Law Clinic		
	□ Other		
3.	What did you enjoy most about this project?		
4.	What did you enjoy least about this project?		
5.	What areas of law are you most passionate about and interested in contributing your pro		
٥.	bono efforts to? Please select one or more options:		
	☐ Climate justice/environmental law		
	☐ Children's rights; family law		
	☐ Criminal justice		
	☐ Education		
	□ Employment		
	Equality law and anti-discrimination		
	☐ Health and social care		
	☐ Housing		
	☐ Immigration and asylum		
	☐ Mental health		
	□ Social security/welfare benefits		
	□ Other		
	□ Otilei		
6.	What types of clinic-based activities or projects would you like to see offered or expanded at		
	the Glasgow Open Justice Centre? This could be, for example, community legal education		
	projects (e.g. running human rights and social welfare workshops in the community),		
	research and policy influencing projects, and more traditional legal advice and		
	representation.		

7.	Would you prefer clinic-based pro bono work to be integrated into the course curriculum or		
	run as	an extracurricular activity? Please select one option:	
		Integrated into the course curriculum	
		Run as an extracurricular activity	
		No preference	
8.	Please	explain your answer to Question 7 if you are able to	
9.	What r	notivates you most to participate in pro bono work (tick all that apply)	
		Opportunity to help those facing economic, cultural or social disadvantage	
		Opportunity to enable social change	
		Opportunity to have a positive impact on society	
		Opportunity to improve access to justice	
		Opportunity to hold government accountable	
		Opportunity to gain legal experience	
		Opportunity to meet like-minded students	
		Gaining legal skills	
		Sense of professional obligation	
		Being more attractive to potential employers	
		Meeting lawyers in the field	
		Other	
10.		ere any factors that limit your ability to engage in pro bono activity? (e.g. time,	
	financi	al resource). If yes, please provide details.	
11	Is there	e anything else you wish to add about the development of pro bono and clinical legal	
11.		ion in the School of Law?	
	cuucat	ion in the school of Law:	
12.		provide your name and email contact details if you consent to being contacted in	
	relation	n to an in person workshop discussion about the survey findings.	

Appendix B: Output from Staff and Student Roundtable

