

HOLISTIC LEGAL SUPPORT FOR LITIGANTS IN PERSON: THE NORTH AND MID WALES VIRTUAL LAW CLINIC PARTNERSHIP

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Abstract

In 2020 the Access to Justice Foundation and Ministry of Justice launched the Legal Support for Litigants in Person (LSLIP) Grant, a two-year programme funding a range of earlier intervention services for litigants in person. Eleven projects were funded to deliver advice on a national, regional, and local scale, to litigants in person at different stages of their problem in various areas of civil and family law. Partnership working and earlier intervention were central to these activities, to achieve improved outcomes for clients. One such project became known as the North and Mid Wales Law Clinic (NMWLC), including seven Local Citizens Advice (CA) branches (six in North Wales plus Powys in Mid Wales) and Bangor University.

The NMWLC delivers a service to support Litigants in Person (LiP) at every stage of their journey, providing generalist holistic advice designed to identify LiPs early on, preventing escalation of their legal problems, reducing financial hardship, and resolving issues with information to support self-help. The partnership provides generalist advice, and specialist advice and casework in the areas of Family Law, Employment Law, and Powers of Attorney and Deputyship (the latter being areas where local demand was identified by CA and partners). Through the project law

students are supported to train as General Advisers and to assist specialist advisers and caseworkers.

The project provided a unique way to develop clinical legal education (CLE), not least as it commenced fully online during the Covid-19 pandemic, focused on preventing escalation of legal problems, including through triage and partnership, and occurred in a small law department where existing provision (aside from in criminal law) was largely based on simulated activity. This article evaluates the first two years of the NMWLC from a CLE perspective, focusing on the experiences of student volunteers, exploring the challenges and opportunities of online working, and how the initiative fits with CLE models.

Introduction

In April 2020 the Access to Justice Foundation and UK Ministry of Justice launched the Legal Support for Litigants in Person (LSLIP) Scheme, a two-year programme funding a range of earlier intervention services for Litigants in Person (LiP) (ATJF, 2020). Eleven projects were funded to deliver advice on a national, regional, and local scale, to LiPs at different stages of their problem in various areas of civil and family law. National grantees were Law for Life, LawWorks, RCJ Advice, Support Through Court and Advocate. The regional and local partnerships generally expanded the scope and/or capacity existing services. However, one project, the North and Mid

Wales Law Clinic (NMWLC), was a new regional virtual law clinic, first established during the Covid-19 pandemic.

The NMWLC delivers a service supporting LiPs at every stage of their journey, providing generalist holistic advice designed to identify LiPs early on, preventing escalation of their legal problems, reducing financial hardship, and resolving issues with information to support self-help. As with other LSLIP projects, partnership working and earlier intervention are central to its activities, which aim to achieve improved outcomes for clients and offer a wide range of experiences to students. In this article, I explain how the project provided a unique means to develop Clinical Legal Education (CLE) focused on social justice and preventing escalation of legal problems. I evaluate the first two years of the NMWLC from a CLE perspective, contributing to international debates about the development and practice of online CLE and the nature of community access to justice in the context of austerity cuts to services. I examine how the NMWLC's holistic and empowering approaches fostered a growing sense of social conscience in student volunteers, enabling them to develop a more nuanced understanding of justice problems and solutions, alongside addressing local legal needs, and enhancing their employability. I argue that this breadth of experience is especially important given the changing nature of legal and justice services and careers in many jurisdictions.

Establishing a Virtual Law Clinic, Partnerships, and Social Justice in the Community

The imprimatur to the LSLIP scheme was the UK Ministry of Justice (MoJ) Legal Support Action Plan (the “Plan”), developed after reforms under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) made substantial cuts to legal aid. The Plan acknowledged that “more needs to be done to understand what types of support work best, at what time, and for whom”, particularly noting the importance of people being able to access the appropriate level of advice at an early stage (MoJ, 2019, 5). The Plan included initiatives to work collaboratively with providers to develop web-based legal support tools, use funding to encourage the delivery of support through technology, improve signposting for advice, evaluate the impact of legal support hubs, pilot early legal advice in areas of social welfare law, and enhance support offered to LiPs. The LSLIP grants primarily aim to achieve this latter goal of providing legal support to LiPs.

The support need is especially high in North and Mid Wales, indeed LASPO reforms have had a disproportionately negative impact across Wales (Public Law Project, 2018). Between 2011/12 and 2017/18 legal aid expenditure fell by 37% in Wales as compared to 28% in England (Ifan, 2019). In the areas covered by the NMWLC - North Wales (Anglesey, Conwy, Denbighshire, Flintshire, Gwynedd, and Wrexham) and Powys - matter starts in legal help in the Ministry of Justice category of “welfare” fell from 1,865 matters in 2009/10 to zero in 2020/21 (MoJ, 2022a). In September 2021, as part of its legal aid deserts campaign, the Law Society published “heat maps” showing

the number of legal aid providers in particular subjects of law operating in local authority areas across England and Wales. For North Wales and Powys, each of the seven local authority areas has one housing legal aid provider (Shelter Cymru) apart from Wrexham which has two. There is one community care provider in Gwynedd and one immigration and asylum provider in Wrexham; there are no other providers in North Wales and Powys (zero in education, and zero in welfare). The Law Society updated its maps in May 2022, and the situation for North and Mid Wales remains unchanged (Law Society, 2022).

With so few private firms now engaging in legal aid work, the third sector plays an increasingly important role, and CLE partnership projects between university law departments and local Citizens Advice (CA) have been on the rise, broadening and deepening to improve access to justice (Bengtsson et al, 2021). For example, at Northumbria University students studying a Law in the Community module volunteer weekly at their local CA, as do students completing Birmingham City University's Legal Advice and Representation Unit (LARU) module. These partnership modules help students develop their social justice awareness, legal knowledge, professional skills and understanding of professional conduct rules (Bengtsson *et al.*, 2021; King & Jones, 2018). The NMWLC is a project within this family of initiatives, but also with unique roots as a LSLIP funded virtual partnership.

Literature suggests that considerations involved in establishing a new law clinic can roughly be divided between the "organisational dimension" of how the clinic will be run as an educational initiative, and the "activities dimension" including matters such

as the location of the clinic and legal services it will provide (Nicolson, 2016). One can also distinguish between a structured “cathedral” approach to CLE, defining narrowly the architecture of a university law clinic, its resources, materials, who may enter, and what activities may be conducted, as compared to a “bazaar” of different CLE initiatives, widening access to a diverse student body, all with the underlying ethos of improving access to justice for the public (Thomas & Johnson, 2020, 8). Further considerations, especially in the context of re-imagining CLE beyond its traditional law school roots, are to decide both *when* CLE takes place, including extending out of term time as well as *where* it takes place (Thomas *et al* (eds), 2018). The *where* has increasingly become a combination of in-person, over the telephone, and online.

Traditionally most law clinics have been established first and foremost as in-person services with a physical base at a university, law centre, or other local premises, providing advice by appointment and/or through drop-in sessions. The use of technology by clinics has expanded over the years especially during the Covid-19 pandemic (McFaul *et al.*, 2020; Jones *et al.*, 2018) with new cloud-based practice management software, as well as using platforms like Zoom, Teams, and Google Meet. Some clinics provide telephone advice, which is still the most common form of remote advice delivery in social welfare law (Creutzfeldt & Sechi, 2021). Others provide advice online, through email and in online meetings.

For many law clinics the Covid-19 pandemic necessitated a swift move to remote and online working. This was understandably challenging, and concerns have been raised about client confidentiality and data protection, especially when students and clinic

staff are all working remotely and usually from home (Law Works, 2020). Many clinics did not take on new student volunteers during the pandemic, at least not until training could again take place within clinic or university premises, and most clinics scaled back their services to a degree (LawWorks, 2020).

Some clinics, on the other hand, have been truly virtual from their establishment, with prospective clients completing online contact forms then reviewed by a supervisor before work is assigned to students who then conduct discussions through secure online portals and online meeting platforms (Thanaraj & Sales, 2020 referring to the University of Cumbria online law clinic). The Open University has a fully online clinic using the Clio case management system, where web-based enquiry forms are triaged before allocation to supervisors and students, and all communication between supervisor and student also takes place online.

A proposed advantage of online CLE is the expansion in scale and scope of opportunities; that technology can connect students to placement sites anywhere in the world with CLE seen as “a global movement” where “the inherent benefits of online clinical legal education are not defined by national borders” (McCrimmon *et al.*, 2016, 78). Challenges, however, include that whilst law students may be ‘digital natives’, they cannot be assumed necessarily to have the required skills and confidence to use technology within their university learning experience (Ryan, 2020). On-location volunteering has been stressed as a particularly important benefit of partnerships between law schools and local CA (Bengtsson *et al.*, 2021; King & Jones, 2018); and where projects are fully online there is a clear need to enable students to

have as much exposure to real clients as possible (McFaul *et al.*, 2020). For virtual projects, a key challenge is to minimise students' feelings of isolation due to the remote nature of online CLE (Thanaraj & Sales, 2020).

That *what*, *where* and *when* of clinic establishment is also underscored by resource considerations, including the availability of funding, and the benefits (and drawbacks) of working in partnership (Preložnjak & Brozović, 2016; Thomas & Johnson (eds), 2020). There is also the question of whose needs are paramount. For example, Nicolson argues that putting student education first reduces the clinic's potential to service the community and to model an altruistic ethic to students. He argues that to achieve a social justice orientation, clinics should operate largely outside the curriculum to allow educational and social justice aims to be simultaneously pursued without sacrificing community service to pedagogy (Nicolson, 2006). Whilst social justice is a broad term, in the CLE context it can be taken to include core elements of equality, human dignity, freedom, basic education, healthcare, and justice systems (Weinberg, 2021). In legal education social justice can be over-shadowed by the appeal of the private sector, which stands out both academically and, apparently at least, for career prospects. Consequently, social justice risks being undervalued as students' attention is focused on fields where clients do not face the same challenges. It has been argued that clinics and law schools should collaborate to make students "justice ready", enabling them to acknowledge and evaluate injustice and its consequences with a different perspective from those who are merely "practice ready" (Weinberg, 2021).

The need to broaden student perspectives chimes with recognition that a wide range of individuals and organisations participate in social welfare legal advice ecosystems, especially at a local level, and that this includes public, private and third sector bodies (Edmiston *et al.*, 2022). The nature of legal services has also changed significantly, with unbundling increasingly evident in the access to justice sector. This is where discrete acts of legal assistance are performed under a particular contract or initiative, rather than a single full service where a solicitor, or other caseworker, would usually deal with all matters from initial instruction to conclusion of the matter. Various paraprofessionals, including those based within communities, are seen as important to expanding access to justice. As Rebecca Sandefur's work emphasizes, it should not be presumed that help from fully regulated lawyers, or participation in formal legal processes, is necessarily required, or even desirable, to secure legal entitlements and resolve legal problems. She concludes that there is a crucial distinction between "justice problems" and "legal needs": "If the problem is people's unmet legal needs, the solution is more legal services. If the problem is unresolved justice problems, a wider range of options opens up" (Sandefur, 2019, 50). Given that most law graduates will not go on to become solicitors or barristers (see e.g, Law Society, 2020), and with a larger and more diverse number of people needing access to justice help (see e.g., Mant & Newman, 2021) it is valuable, perhaps even crucial, that students be exposed to a range of modern paraprofessional justice careers.

Establishing and operating the NMWLC required answering the various questions - where, when, what, whom, with what priorities and with what ends in mind - in

unique ways, enabling us to advance our understanding of contemporary virtual CLE, especially against a backdrop of austerity cuts to services and the evolving nature of justice work as a profession.

The North and Mid Wales Law Clinic and Work Placement Module

The NMWLC includes seven local CA branches (six in North Wales plus Powys in Mid Wales) and Bangor University. It aims to provide support and advice to LiPs. For the purposes of the project, LiPs include people already engaged in a hearing or legal proceedings; people who have a legal issue and approach a service about potential legal action; potential or actual defendants in legal proceedings; and people who may have a legal remedy available but are unaware of that option. Advice and support are provided across four categories:

1. Early intervention via community navigation: Engage people who may have a legal remedy to their problem/s but are unaware of this. Resolve the causes of their financial hardship or civil legal problem at the earliest opportunity through skilled triage or generalist advice to diagnose the problems, followed by assistance to prevent the need for court action.
2. Later intervention via specialist casework: Provide specialist casework to the most vulnerable LiPs who approach advice agencies about possible action, uncovering all their legal needs to resolve problem clusters before court.

3. Before court: provide advice, guidance, and support to LiPs to enable them to represent themselves in court: advising on how to prepare any necessary paperwork/court documents, comply with court directions and comport themselves in the court room. Review the LiP's own draft documents and advise on the best method for presenting their case.
4. At court: provide legal advice and representation 'on the day' via in-court schemes operated or supervised by qualified lawyers.

This range of advice provision is more extensive than that formally encapsulated in most university law school modules delivered in partnership with local CA. More specifically, the NMWLC provides generalist advice, and specialist advice and casework in the areas of Family Law, Employment Law, and Powers of Attorney and Deputyship (the latter being areas where local demand was identified by CA and partners). Student activities include generalist adviser training and volunteering, specialist adviser training and volunteering in the areas of law noted above, research and campaigns activity, the opportunity to become an ICAN buddy providing emotional support to those going through the court process, public legal education through outreach, and various opportunities to work with project partners (including law firms, and others, providing advice on the day in a court or tribunal).

The NMWLC began operating in autumn 2020 when there were Covid-19 restrictions across the UK. From autumn 2020 to spring 2021 Bangor University teaching was mostly online, large group teaching commenced online in the 2021/22 academic year,

with small group teaching returning to campus from autumn 2021 and all teaching moving back to campus (with online options where necessary) from early 2022.

Students were initially introduced to the NMWLC through a bilingual online presentation during Welcome Week, delivered again at the start of the second of two academic semesters. This includes contributions from CA training managers and specialist LSLIP caseworkers, University staff, and, as the project progressed, students who had volunteered with the NMWLC. Students then have a supportive interview, considering their motivations and suitability for volunteering, the NMWLC roles they are interested in, as well as any needs they might have. This process takes place (from enquiry to commencement of training) within two weeks.

The initial training aim is for students to achieve CA general adviser competency, before moving on to support specialist advisers in Employment Law, Family Law, Powers of Attorney and Deputyship in the NMWLC. Law students follow an Adviser Learning Programme based around a set of online learning modules, supported throughout via telephone, Zoom, Google Meet and Group Hangouts. Students are provided with one-to-one mentoring by an allocated supervisor and given opportunities to attend training provided by, or in association with, external partners. The Learning Programme is explained to students in advance, noting that training consists of self-study packs, e-learning, podcasts, videos, and courses and webinars. CA have developed various training pathways for law students. All student volunteers are required to commit a minimum of six hours per-week to their training

(and later to their volunteering) with other pathways of 10 hours and 30 hours of weekly training and volunteering (with the latter option available during vacations). After a period of validation, volunteering with the NMWLC became part of a credit-bearing Work Placement Module. Learning outcomes are comparatively broad and include reflecting on experiential learning, as well as demonstrating transferable skills such as time management and adaptability. The full module information can be found online (Bangor University, 2022). Assessment for the module includes students writing a circa 3,500-word reflective report of their experience, in which they are required to address matters such as activities undertaken, skills developed, challenges faced and how they sought to overcome them, and the role and functions of the placement provider in the context of the legal system.

By design, students can volunteer with any of the seven local CA partners, however, in the first two years of the project the students' training was overseen by project Co-Leads Ynys Môn CA and Denbighshire CA. Students were divided between these two branches for initial generalist adviser training, they could then volunteer with any of the seven branches, and/or complete further training to volunteer as specialist advisers in the virtual NMWLC. Referrals into the NMWLC can be made by any of the participating CA branches, and individuals can self-refer through a dedicated email address, though to manage demand and capacity most self-referrals were on the advice of project partners including charities supporting local communities or people with particular characteristics. As Covid-19 restrictions lifted, Bangor students began volunteering in person at local CA branches across North Wales. From that point the

NMWLC became more a 'hybrid' than a fully 'virtual' operation, with community navigation and generalist advice starting to take place in-person, but with specialist legal support, and supervision of students engaging in such, mostly provided virtually.

Methodology of this Study

In spring 2020, Bangor University began an evaluation of its CLE provision, including a review of relevant literature and data in relation to CLE, and scoping legal needs and legal services across North Wales. The literature and data review informs this study. Following development of the LSLIP scheme, the review was extended to examine partnership models for providing legal support and advice to communities. This study is additionally based on evaluating student experiences of volunteering with the NMWLC, in particular by coding and analysing some of their reflective reports written as part of the assessment for the Work Placement Module. With student consent, and under the auspices of Bangor University, College of Arts and Humanities Ethics Committee, 13 student reports were coded using a reflexive approach. This involved identifying themes based on the module's learning outcomes and assessment criteria, alongside considering additional emerging themes, and seeking to make these more concrete through analysing how themes were used within the students' reports, and the limits and context of their occurrence (Clark *et al.*, 2021; Webley, 2010). The coding was conducted by the module leader, with the module's internal moderator examining a sample of six reflective reports against the coding

scheme. The exercise led to some concretised codes where the frequency of occurrence could be meaningfully quantified, such as employability skills referred to, and other themes to be expressed more qualitatively, such as the impact of the experience on the students' sense of social justice.

In addition to coding students' reflective reports, the module leader met regularly with CA staff, including the Chief Executive Officers of Ynys Môn and Denbighshire CAs, training staff, and LSLIP project caseworkers. There was also a weekly online drop-in session where law students could discuss their progress, and any concerns or challenges, with the module leader. The views of students not participating in the curricular module were ascertained by way of a focus group, and online free text survey.

In an aligned project, from May to July 2021, Bangor researcher Dr Sara Closs-Davies conducted interviews aimed at evaluating the effects of the Covid-19 pandemic at Ynys Môn CA. As at least half the students volunteering with the NMWLC during the 2020/21 and 2021/22 academic years did so under training and supervision provided by Ynys Môn CA, the findings of Dr Closs-Davies' report can be valuably read alongside the current findings on student experiences (Closs-Davies, 2021). Both evaluations have been discussed with CA staff, and further clarification and additional information sought through online meetings and email exchanges where appropriate.

The MoJ also undertook an Interim Evaluation of the LSLIP projects, and its findings are referred to in this article where relevant to illustrating the wider impacts, opportunities, and challenges of the LSLIP scheme (MoJ, 2022b).

The following sections are organised around the main - if overlapping - themes raised across the literature review, student reports, Closs-Davies' Ynys Môn CA report, and the Ministry of Justice report. These themes are working in partnership and funding; training, supervision, and assessment; employability and personal attributes; remote and online working; and community justice, sustainability, and empowerment.

Working in Partnership and Funding

The NMWLC is at base a partnership for improving access to justice for LiPs across North and Mid Wales. Partnership working also characterises developments in social welfare advice provision across Wales. Following recommendations of the Low Commission (established by the Legal Action Group to develop a strategy for access to advice and legal support on social welfare law in England and Wales) (Low Commission, 2014), Welsh Government established a National Advice Network (NAN) in 2017. The NAN is responsible for providing expert advice, guidance, and support to the Welsh Government on how to strategically develop the provision of accessible and good quality information and advice services to people in Wales. Six Regional Advice Networks (RANs) were launched in 2020 each with an independent Chair, a steering group (normally including local university representatives), and a membership of regional stakeholders. The initial aims of the RANs have been to map

advice needs and provision and identify gaps; build referral networks between services; combine experiences to identify root causes of common problems; and share best practice and support each other to deliver quality-assured advice (Welsh Government, 2020). The NMWLC has benefitted from linking into the North Wales RAN, with NMWLC Co-Leads being Steering Group members.

All the regional and local LSLIP projects have operated both within and across existing partnerships, as well as enabling the establishment of new partnerships. As the MoJ Interim Evaluation of the LSLIP scheme notes: “Strong communication, trust, rapport and shared information processes have been key to facilitate successful partnership working, particularly for partnerships with a range of advice networks with different cultures and ways of working” (MoJ, 2022b, 94). The LSLIP projects appear to have overcome some of the challenges evidenced by earlier partnership and network projects, such as Local Advice Networks (funded across England by the Big Lottery from 2007 to 2012). Earlier initiatives saw organisations sometimes struggling to work together and finding referrals (including electronic referrals) challenging (Advice UK & Law Centres Federation, 2012). Conversely, the MoJ evaluation of LSLIP reports organisations as having been adaptable and able to make effective use of online management and referral systems as well as other technology (MoJ, 2022b). The LSLIP projects are also freely formed partnerships, as opposed to, for example, the ill-fated Community Legal Advice Centres and Community Legal Advice Networks, whose funding criteria was divisive, effectively forcing established providers to expand

and/or to form consortia to compete for contracts or risk abandoning mainstream social welfare law practice (Fox *et al.*, 2011).

From the CLE perspective, there are different dimensions to partnership working, one is the base partnership between Bangor University and CA, and the other is the relationships with broader NMWLC LSLIP partner organisations, both local, regional, and national. Others operating law in the community partnerships have noted the need to maintain good relationships with partners, and the challenges on all sides where students occasionally disengage (King & Jones, 2018). As a small law department, an issue for Bangor has been encouraging a meaningful number of students to volunteer, whilst also ensuring those who do are sufficiently committed as to be more benefit than burden to external partners. The flexibility shown by CA in developing training routes and volunteering options (discussed further below) has been beneficial in keeping students engaged, but this causes extra work for those partners. In effect, Bangor has 'outsourced' some CLE provision, but does not, at this point in time, financially compensate CA for their work, and whilst the LSLIP grant aims to enhance CA's capacity by funding some administrative support and additional case-workers, who can then train and supervise students, this is unlikely to cover the full costs of developing and operating the training pathways and volunteering roles for law students. Nevertheless, other non-financial benefits for CA have emerged. Association with a university law department, particularly through the MoJ funded LSLIP project, has improved perceptions of CA as a professional player in the delivery of advice and support services in a regional legal context. This can be

evidenced, for example, by the then Lord Chancellor, Robert Buckland QC, referencing the project in a session with the Senedd Cymru/Welsh Parliament, Legislation, Justice and Constitution Committee in February 2021 (Senedd, 2021), and through news media including a Legal News Wales insight piece (Legal News Wales, 2022). CA Co-Leads of the NMWLC and LSLIP caseworkers have attended meetings of the Legal Wales Foundation (a forum convening all the elements of the Welsh legal community in Wales) and attended a roundtable with legal professionals across Wales aimed at establishing a committee to improve collaboration and coordination of pro bono support.

From the perspective of students, there is, however, potential for ownership of clinic work to feel compromised when delivery of training and facilitation of workloads are reliant on external partners. Nevertheless, as evidenced in their reports, students felt the NMWLC enabled them to engage with a wider range of experiences, including making connections with partner organisations, that led to their obtaining paid work experience with law firms, and conducting research and campaigns activity with partner charities including in relation to discrimination, domestic violence, LGBTQ+ communities, and advice seeking behaviours across the generations. Online communication, discussed further below, has made engagement with these wider experiences more obtainable, but much of this connectivity was due to the nature of the project itself as a broad partnership to support LiPs through all stages of their journey, as opposed to digital delivery methods.

An issue for the NMWLC, has been that the partnership initially developed in response to a specific funding call. This means there are funder requirements to comply with, and the future of the project, at least in its initial form, is uncertain. The extent of data collection and reporting required by the MoJ has been particularly burdensome. Whilst this is valuable for research purposes, the administrative work required to collect data has impacted staff time dedicated to training students and supporting client-facing work. The MoJ Interim Evaluation of LSLIP saw grantees sharing concerns that stable, longer-term funding was needed to offer their skilled advisers the job stability and security needed to retain them (MoJ, 2022b, 106). With insecure funding, managing expectations is important, and this could be problematic where volunteering with the NMWLC has been embedded into the curriculum (though as an optional Work Placement module where various other training and work experiences also meet the learning outcomes).

The initial funding period ended in June 2022. As with other LSLIP grantees, the NMWLC was only notified of a funding extension – to September 2022 – towards the end of the initial period. At the time of writing the MoJ has announced a new Help Accessing Legal Support funding scheme, with largely the same aims as the LSLIP projects, including improving and sustaining access to early legal advice and support. For many existing LSLIP grantees, this stream of funding requires an additional full bid, with funds having to be spent by 31 March 2023. This provides a further six months of funding, for which organisations already having established and delivered partnership services will have to submit an additional bid, and potentially do so

against new competitors. This context makes the NMWLC vulnerable to the same challenges faced by the social welfare law advice sector generally, of short-term funding streams, often requiring grantees to propose some innovative or novel approach, or new partnership, as a condition of funding (these issues around funding have been recognised for some time, including by the Law Commission, 2014).

Training, Supervision, and Assessment

In reflecting on NMWLC training, some students found the training to be longer and more in-depth than anticipated. In their own words: “the process of becoming a volunteer for Citizens Advice and the North and Mid Wales Law Clinic is more demanding than I expected and a much longer process of training than first anticipated”; and “the length of the training process was challenging”.

For students who could only commit the minimum six hours a week required for training, and especially for those who could only commit to the minimum 70 hours required for the Work Placement Module, they inevitably had fewer experiences of specialist advice and casework, and less client-interaction, and student frustrations on this point were evident.

In contrast to other CA partnership modules, Bangor’s Work Placement Module does not require students to complete generalist adviser training, whether out of term time or otherwise, before commencing the curricular module. On the Northumbria Law in the Community module students complete an online training course six weeks before starting at CA to “hit the ground running” (Bengtsson *et al.*, 2021). The Work

Placement module at Bangor operates on a more flexible basis. Students can begin volunteering with the NMWLC (outside the curriculum) at any time during their studies (though attempts are made to group students together to start training either at the beginning of semester one, beginning of semester two, or during the summer vacation). The Work Placement module requires 70 hours placement experience to be completed (and evidenced) and assessment involves reflecting on activities and critically evaluating the role and functions of the organisation within the legal system. This is different to other CA partnership modules where assessment is based on completing adviser training and/or being assessed for competence in particular skills such as client interviewing and taking attendance notes (Bengtsson *et al.*, 2021; King & Jones, 2018). The student body at Bangor is diverse, including international students, mature students, and students who live at home along the North Wales coast. There would be challenges for many were they expected to complete training as a condition of joining the module, and Bangor University generally operates on the principle that even optional modules should be open to all. Reasonable adjustments are made where appropriate, both in relation to module delivery and assessment, and in association with CA with respect to training, this is especially important to ensure respect for protected characteristics under the Equality Act 2010. Training itself can be adjusted, but students can also choose specific roles, for example a very small number of students engaged in only research and campaigns activity. Students did not register any dissatisfaction, either in their reflective reports, in module evaluation or otherwise, about not being directly assessed by the University on skills or

competencies gained. They noted that they were “assessed” regularly as part of their general adviser training, where relevant, and at the end of other optional training opportunities provided by partners, and that they found this beneficial, including the option to retake components.

To address students’ desire to gain more client-facing experience even within limited training hours, the NMWLC staff developed a specific project, Lasting Power of Attorney Adviser, for students wishing to gain legal client-facing experiences as soon as possible, but who were unable to commit to longer training hours. Students were able to complete legal documentation under supervision and gained a more immediate sense of having helped clients with a specific task. Thought could be given in future to developing different versions of the curricular module, such as an option with double the credits of an ordinary elective so that students can spend more time training and volunteering within the framework of their degree programme. This could be valuable as working with the NMWLC can constitute Qualifying Work Experience (QWE) for the purposes of qualifying as a solicitor under the Solicitors Qualifying Examinations (SQE) route.

A key aim of the NMWLC was to expose students to a range of social problems, with corresponding opportunities to consider what might be seen as less attractive areas of legal specialism. Students found welfare benefits law particularly challenging both in scope, complexity, and frequent change. As one put it: “I particularly struggled with the module related to benefits”. Another stated:

...social welfare systems or regulations of it, such as universal credit, constantly change, so that I occasionally had to spend time keeping up with it to give up-to-date advice. Some of them were surprisingly complicated to understand, but still, clients were continually coming to ask for help to understand those systems or rights that they are entitled to.

It is notable that this important and challenging area of law is not included within the SQE. Although social welfare law was not a specific requirement of the previous Legal Practice Course, concerns have been expressed that the SQE represents a missed opportunity. Victoria Speed, Director of Pro Bono and Corporate Social Responsibility at BPP University Law School, argued that “there are some glaring omissions in the list of practice areas covered” by the SQE, with potential to “alter the landscape of legal services in social welfare law for years to come” (Speed, *nd*). Academics from UCL’s Centre for Access to Justice have reached similar conclusions (Knowles & Kinghan, 2020).

A learning outcome of the Bangor Work Placement Module was for students to reflect on what worked well in their experience, with a commonly cited factor being supportive engagement with their supervisor. Students said: “consistent help from my supervisor and sufficient training materials have maintained my motivation for my work throughout” and “I was always able to contact my supervisor for support...this allowed me to regularly reflect upon my learning experience”. NMWLC staff, advisers, and supervisors, were described as the “real heroes” bringing

to life the principles of the service. Students noted that weekly one to one Google Meet with their supervisor provided a consistent opportunity to reflect on work and plan tasks. They gave examples of supervisors assisting them during periods of high workload with their studies, or at times when they were facing other difficulties such as illness. Supervisors worked with students to adjust training plans and client-facing workloads, to agree priorities, and to support student well-being.

Students valued training in client-facing work the most, on topics such as interviewing and taking attendance notes. Students also valued the opportunity to observe experienced advisors giving advice over the telephone and online, and the phased and supported introduction to giving advice themselves. As one put it: “the real development and practical appliance of the skills which we learned about were done by participating in communities of practice, where our role and responsibilities as trainees gradually increased as we learned more from those above us”.

Employability and Personal Attributes

An aim of the NMWLC project was to provide access to law work experience, increasing student employability after graduation. Most definitions of employability reference skills, abilities, and qualifications, as well as personal qualities and work behaviours (e.g., Yorke, 2006). Notably, some students reflected that their main motivation for volunteering with the NMWLC was their inability to secure placements with private law firms, having sent CVs and expressions of interest to firms in North Wales, Cheshire and further afield, often with no response, or having

been informed that firms were not offering work experience. This lack of opportunities seemed to stem both from initial office closures due to Covid-19, but later also from the challenges, particularly for smaller local firms, of supervising students after introducing more flexible and remote working for their staff. Larger local and regional firms have expanded their reach to offer online work experience to students from as far afield as Southeast England, increasing competition and reducing the offering to local students. Weakening links between local/regional law firms and their closest universities may be a wider potential impact of virtual work experience.

The skills and attributes referenced by the NMWLC students can be loosely divided into transferable skills, legal skills, and personal qualities. All students noted they had been exposed to a range of online learning platforms and approaches, and other tools and apps such as benefits calculators, with most considering their technological capability had developed as a result. As one student reflected: "The opportunity to learn how to use an online work system such as, diary, case recording and reporting, has been a particular gain for me as I had no experience of this beforehand". Students also mentioned improving their telephone skills, e.g., through being given "guidance on techniques to use when speaking to clients on the telephone", and that "training conducted on client communication through various sources including telephone, email, letters, webchat and face-to-face was also relevant to greater future employment skills". Students also reflected on improving their problem-solving and critical thinking.

In terms of legal skills, students reflected on having learnt about maintaining client confidentiality, acting ethically and in accordance with relevant data protection and privacy laws. The majority felt the experience was directly relevant to applying their legal knowledge including in areas of law they were currently studying, such as family law, employment law, consumer law and even criminal law. As one student said, "I have gained experience in Community Care, Family and Employment Law...I now understand how to prepare a case for court and have acquired administrative skills by completing documents including N1 claim forms". Students reported that the experience gave them an insight into areas of law that are not part of compulsory teaching on most undergraduate degrees, in particular the law relating to debt, benefits, and tax. Most students reflected on developing their client interviewing skills, and how this also required them to adapt to client needs. Some students, particularly those managing their own caseloads, developed their abilities to draft professional letters and emails. Students reflected on learning how to use casebook software to record information about clients and their problems and using Advisernet.

Reflecting on the personal attributes, all students mentioned confidence, linking growth in confidence to training in client-facing skills. There are many examples of research highlighting the impact of CLE on student confidence (e.g., Cantatore, 2018; Wortham *et al.*, 2012) including in the context of CA partnerships (King & Jones, 2018). Student comments are indicative: "After I completed my training, I felt a sense of confidence and achievement at learning a new skill"; "training has developed a

number of my skills and provided me with the confidence to deal with clients by myself”; “as my experience grew, so did my confidence and my skills which led to me handling my own client caseload”.

Across the LSLIP partnerships, the MoJ Interim Evaluation found that grantees attributed an increase in clients helped “to the successful training and upskilling of their staff and volunteers, which has enabled their organisation to triage clients more effectively and provide more in-depth advice at an earlier opportunity” (MoJ, 2022b, 32). The evaluation also concluded that grantees have been able to increase the delivery of early advice as “LSLIP funded specialist caseworkers have provided training for volunteers and staff, increasing the volumes, quality and effectiveness of initial advice and triage activity” (MoJ, 2022b, 39).

Remote and Online Working

The NMWLC, as a partnership with CA, allowed Bangor to bypass many of the logistical issues associated with establishing a virtual clinic as the IT systems used were those already developed and adapted by CA, including online meeting platforms. CA were able to loan students laptops and mobile phones to ensure their clinic work was kept separate from their personal devices. CA staff and volunteers, including NMWLC students, are only permitted to use organisationally owned IT equipment. Platforms are password protected (numerous times), and hardware is required to be stored and locked away when not in use. In their reflective reports, some students expressed frustration with the extent of password protection, including

the need to have different passwords for different systems, but these were necessary working practices. CA operates a cloud-based platform for adviser training, and for accessing CA's Client Relationship Management System (CRM). All staff undertake mandatory annual GDPR training, with such training, and other modules on confidentiality and ethics, being compulsory for law student volunteers. Staff and volunteers are only permitted to work remotely where they have a private room in which to do so. All information imparted via WhatsApp or over the phone is required to be recorded within the CRM and then deleted from devices. Generic emails are used for communication with clients, rather than staff organisational email addresses.

Closs-Davies' report on the effects of the Covid-19 pandemic at Ynys Môn CA paints a largely positive picture of remote working. She finds that all staff had access to necessary equipment, and that use of WhatsApp messaging for staff groups to keep in touch, to share resources when policy, rules and practice were changing frequently, and to engage with clients, has been "immensely beneficial" (Closs-Davies, 2021, 5-8). She also found that for many clients the accessibility of the service increased by the offer of different modes of communication, though she also notes staff concerns around losing touch with existing clients who lack digital literacy or who are physically impaired and unable to communicate effectively over the telephone or by text message (Closs-Davies, 2021, 8).

In their reports, NMWLC student volunteers critically reflected on the impact of the Covid-19 pandemic on the delivery of social welfare law advice, the challenges of online advice delivery particularly for certain client groups, and the challenges for

volunteers. Their comments echoed those reported in a Pandemic Welfare Advice Survey, where 90% of adviser respondents thought the delivery of advice remotely was either very or fairly effective, but nearly half thought this mode of delivery affected their relationship with their clients, and most also believed that clients had been affected (Creutzfeldt and Sechi, 2021). However, Closs-Davies records Ynys Môn CA staff citing *improved* relationships with clients, particularly where staff have provided services in gradual and piecemeal approaches over time, with some clients correspondingly playing a more active role in their case, whereas in-person advice appointments might have been brief and heavily dependent on adviser input (Closs-Davies, 2021, 7).

Students, on the other hand, appeared to experience difficulties with remote and online working, including that navigating a range of online sources proved more challenging than anticipated. Dependence on technology increased the length of training for some participating students as they needed to become confident in using online applications as well as in other key skills. This led to feelings of disappointment about lack of inter-action with real clients; a lack of interaction sometimes exacerbated by clients not attending arranged online meetings, in part due to the clustered problems they were facing, and in part due to their own challenges with using technology.

For some students finding a suitably private place to take part in meetings and/or engage with clients around their university studies was difficult, especially once academic classes moved largely back on campus, and particularly for students living

some distance from the University and factoring in travel time. In future, the University should be able to provide quiet, private spaces for students to conduct client work. Whereas CA staff found a piecemeal, 'little and often' approach to client support - such as through WhatsApp - beneficial, this tactic was more difficult for university students, many of whom generally preferred volunteering within clearly timetabled hours, ideally set by themselves, to manage their various commitments. CA staff also noted the increased use of WhatsApp, text messaging, and phone calls led to some clients becoming (too) familiar with caseworkers. It is important that students are properly supported and safeguarded when providing services through these methods of communication, and that work-life balance is well managed.

Closs-Davies' report found that CA put the well-being of their staff at the forefront of their work, with weekly Well-being Wednesday sessions, twice-daily staff Zoom meetings and by adapting staff weekly reports to become more discursive and less quantitatively focused (Closs-Davies, 2021, 12). Some students reflected that the cohort of NMWLC volunteers were able to bond and support each other, including through Well-being Wednesday, regular Google Hangouts and WhatsApp Groups. However, the most significant challenge for students was the remote nature of the experience. Although the majority saw value in the flexibility of online working, many considered this had limited their opportunities to feel fully part of the workplace. As one student put it, the remoteness "badly impacted the placement as it reduced my motivation" and that as a result "no sense of belonging to a workforce community within a charitable organisation" was developed. Another explained: "remote

working caused difficulties for me...I did not feel quite as connected to my colleagues as I would have done had we been working together in person. Though the remote working was good in some ways, for example saving on travel time". Another said, "doing this placement during a pandemic is harder [and] contributes to the feeling of not being ready and capable to advise the public".

Perhaps a key difference here is that CA staff have already formed relationships and are experienced in their roles, but are adjusting to new modes of working, whereas student volunteers are developing relationships with each other, with University staff, and with CA staff, as well as training in sometimes unfamiliar areas of law and practice, all online and/or over the phone. The experience of the NMWLC students suggests the absence of any physical in-person interaction is a significant barrier for some volunteers in feeling fully part of an initiative. Further research could examine whether the lack of connection and lack of belonging some NMWLC students felt was in part due to their perceptions of the role of CA, and whether such feelings are as evident with other forms of online CLE; especially as students linked the remoteness of training with not feeling ready to engage with clients in real time, even after observing online and telephone advice delivered by their supervisors. Research with Ynys Môn CA found that some CA staff would welcome a hybrid approach of working between home and the office, and early indications from students volunteering in-person with local CA branches is that they would prefer something similar, enabling them to connect physically in-person with staff and clients, but also allowing them to expand their experiences, and their volunteering hours, online.

Community Justice, Sustainability, and Empowerment

A key aim of the NMWLC LSLIP partnership is for students to develop an understanding of broader social issues relating to well-being, and for participants to be more willing to contribute to the wider community and encouraged to contribute to pro bono services beyond the lifetime of the project. Social justice and sustainability (in its various forms) are central to Bangor University, which was founded in 1884 as a direct result of a campaign in the late Nineteenth Century for higher education provision in Wales. Funds were raised by public subscription to establish a college of university rank in Bangor. An important feature of its foundation was the voluntary contributions made by local people, including farmers and quarrymen, from their weekly wages. The quarrymen's dream of social justice through education remains central (Roberts, 2009).

When asked to reflect on why they volunteered with the NMWLC, some students noted their desire to "make a positive difference in the lives of others" and to "contribute something positive back into my community". However, these students were in the minority, and were more likely to cite experience of family members, friends or others who had received advice from CA, and/or to note their own socio-economic background and life challenges as motivating them. Similarly, the Legal Aid Practitioners Group 2021 Legal Aid Census found that students who personally experienced injustice or poverty, or witnessed or heard about injustice, were influenced by their experiences to become legal aid practitioners (Denvir *et al.*, 2022).

In writing about the NMWLC connection to the legal system, all students referred to cuts in legal aid and LASPO, and their impacts on people seeking advice. Students cited “equal access to justice as a fundamental element of the rule of law”, and how services such as the NMWLC have been developed to “fill gaps” where LASPO has had a “devastating impact upon societies’ access to justice”. Students referred to social welfare advice services as providing a “safety net” for those on low incomes and as a vital institution for “safeguarding the rule of law” in a society where it has become “practically impossible” for ordinary people to access legal advice and to access the courts. As one student put it: “Citizen’s Advice has always aimed to help people and make a fairer justice system”, but that the LASPO cuts undermined the “universal right to justice”.

A minority of students perceived a disconnect between the LSLIP project aims of providing early legal help through community navigation, generalist and specialist advice, and their career goals to become lawyers. Some also saw encouraging client proactivity as at odds with their perception of how advice should be given. Other students reflected much more positively on “empowerment”, especially as a guiding principle of CA aimed at helping people understand their legal rights. This approach empowers clients to have more voice, influence, and agency in resolving their own problems, with access to information, support, and casework where appropriate.

Students reflected on the clustering of social welfare legal issues (identified e.g., by Pleasence *et al.*, 2004) and the importance of holistic advice that could be offered through the NMWLC, where advice can be given on a range of issues affecting a client,

from benefits to debt, housing, and family problems, in addition to legal support. As one student noted: “It was evident that there can be several legal issues which may revolve around a particular client”.

Students also reflected on the social justice aims of CA and the NMWLC. As one put it, CA “has developed and touched many key issues in the society by not just providing free advice and information to the citizens but also by influencing policymakers”. Examples given included in relation to debt issues, housing law and employment law initiatives, as well as campaigns relating to equality and non-discrimination. CA was seen as particularly effective at demonstrating to government the issues people in communities are facing and how fixing these issues can save significant sums of public money. Other research has found that law students volunteering with CA show a particular aptitude for identifying social policy issues that has been beneficial for CA partners (King & Jones, 2018), and this was also evident with NMWLC student volunteers. The project also has some shades of so-called “rebellious lawyering” as student advisers and staff see client issues as evidence of potentially community-wide problems (Owen, 2022), and the empowerment approach of CA encourages clients to advocate for themselves.

From the evidence in this study, it can be argued that the NMWLC project arrived at an organic balance between social justice and educational CLE paradigms. The first year was catalysed by the availability of funding to address identified regional access to justice needs, and student engagement was voluntary, by the second year a curricular (albeit elective) module had been developed which rewarded students who

demonstrated a commitment to volunteering, that in turn led to higher levels of commitment and longer volunteering hours, which snowballed into students benefitting from a broader range of experiences and developing more extensive skills and capacities. Developing the NMWLC as a LSLIP project has been a means to achieve the simultaneous pursuit of both educational and social justice aims without sacrificing community service to pedagogy. Here the students' reflections are valuable:

“This experience has “enhanced my professional values, administrative and legal skills whilst instilling a sensitivity to the concept of justice within me and have allowed me to put legal education into practice, deepening my understanding of the legal environment which awaits me upon graduation”.

“As someone who has always been passionate about volunteer work, the Clinic allowed me to apply my passion in a way which benefits my future career path. The skills I have learned and developed are invaluable, and I believe have played a key role in securing a Vacation Scheme...”

“One of the things I enjoyed about my work experience as a trainee advisor at the North and Mid Wales Law Clinic was that I was able to recognise that in our society we have many complex issues”.

“Being able to provide help and support gives a feeling of closeness to the weakest of our society, but also the perception of contributing to social justice”.

“...not only is researching into policy campaigns useful to my future employment but has also made me eager to improve a better standard for not just my local community but nationally”.

“I feel as though without volunteering I would not be as socially aware or as tolerant”.

In addition to social justice and empowerment, sustainability is also important to Bangor University, whose 2030 Strategy is entitled, *A Sustainable World for Future Generations*, and is founded on the seven well-being goals in the *Well-being of Future Generations (Wales) Act 2015*. The strategy states: “The University will continue to support student volunteering activities to promote engagement between students and the community contributing towards a Wales of cohesive communities”; such communities being “attractive, viable, safe and well-connected” (*Well-being of Future Generations (Wales) Act 2015*). Law clinics have been recognised as having an important role to play in relation to communities of practice around well-being under the future generations framework (Owen, 2020). In particular, the community engagement work of clinics can contribute to well-being plans which set out local

priorities and actions for a five-year period to improve economic, social, cultural, and environmental well-being.

In addition to improving sustainability as understood through various compartments of well-being, law clinics can also contribute to the sustainability of the legal profession, and the wider social welfare advice profession. The 2019 Commission on Justice in Wales found that: “The age profile of solicitors combined with the very small number of training contracts available in Wales each year are indicators that the Welsh solicitors’ profession risks significant demographic pressures over the next few years” (Commission on Justice in Wales, 2019, para 9.11). It also concluded that few firms in Wales practise social welfare law, and that whilst the third sector is endeavouring to fill the void created by the disappearance of legal aid, this challenge cannot always be met by voluntary services (Commission on Justice in Wales, 2019, para 3.9). Through discussions with the Solicitors Regulation Authority, the activities completed by students in the NMWLC constitute competencies set out in the statement of solicitor competence and could therefore be confirmed as QWE for the purposes of qualifying as a solicitor on a case-by-case basis; though there can be practical challenges in confirming QWE outside the traditional law firm environment (Roper *et al.*, 2020). Initiatives like the NMWLC contribute to efforts to retain legal talent in Wales. Providing more partnership training opportunities in Wales could also counteract QWE’s potential to entice graduates to leave as the diversity of routes to qualification in England also expands.

Concluding Reflections

As a model for advice services and CLE, a key element of the NMWLC has been the development of a partnership beyond the lead organisations. Rather than being enforced through funding conditions this has grown up organically based on local conditions and connections. The use of technology has also developed organically from the bottom-up, drawing on existing and developing expertise and experiences of the advice sector, shared both through NMWLC partnership events, the North Wales RAN, and the wider ATJF Network for Justice.

Hundreds of people have been helped by the NMWLC and over 50 students have volunteered in various ways in the first two years. Most of the advice provided has been at early intervention stage, followed by later intervention via specialist advice. The holistic nature of the project to support and advise LiPs has changed many of the students' perceptions, to the extent that they are much less likely to equate access to justice solely with the work of solicitors and barristers and participation in formal legal processes; subsequently expanding their understanding of their career options in the contemporary legal training and legal services context. Students have a much greater appreciation of "empowerment" and enabling people and communities to help themselves with some elements of their justice problems, as well as being aware that this is increasingly achieved or supported using new technology. These developments are part of a global trend, whose elements also include a greater appreciation of sustainability in all its forms, both economic and well-being based,

with the NMWLC evaluation then demonstrating important learning across legal jurisdictions.

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