

[Insert law school logo]

[Insert Law School Name]

***Streetlaw* programme**

Handbook

XXXX Edition

The name Street Law™ is registered in the USA by Street Law Inc of Washington DC. Street Law Inc is a not-for-profit organisation that promotes legal literacy and human rights. The term *Streetlaw* has been adapted for use in the UK and is used in this context with Street Law Inc's knowledge.

This Handbook is based on one originally devised by Richard Grimes at The (then) College of Law, supported by LawWorks (formerly the Solicitors' Pro Bono Group).

Please note: this Handbook can be reproduced or amended by your institution providing the above acknowledgement is made.

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1. Welcome to the [law school name] *Streetlaw* programme

At [law school name] you may hear about 'pro bono' from members of the faculty or other students. It helps to first understand what this term means.

Why pro bono?

We believe that, as lawyers and law students, we have a responsibility to meet the needs of members of the community who require access to legal services. Some may pay privately for such help; many may qualify for publicly funded assistance. Some, however, rely on the personal commitment of lawyers to ensure that their needs are met regardless of the client's ability to pay or their personal circumstances.

Many lawyers meet this professional expectation by giving some of their time to clients and community groups on a voluntary basis. In the last ten years or so, attempts have been made to co-ordinate this activity through the work of charitable organisations such as LawWorks and the Bar Pro Bono Unit.

There are a number of ways that law students can contribute to this pro bono movement and especially through this *Streetlaw* initiative.

Public service versus educational benefit

Whilst we are keen to promote services for the public benefit, involving students in pro bono work also provides a powerful boost to legal education. Through such hands-on approaches to study you have the opportunity to develop your knowledge, skills and professionalism. However, we must make sure that what we do is professionally acceptable and to that end all students' work is closely monitored by qualified lawyers or members of the faculty, as appropriate.

Why *Streetlaw*?

Access to legal knowledge, however, does not just mean people obtaining legal representation when they are involved in a dispute or complex legal process. In order for people to understand their rights and responsibilities they must be 'legally literate'. To address this aspect of pro bono work, [law school name] has set up a ***Streetlaw* programme**. Under this scheme students on [insert the courses which are eligible], supported by their tutors, work with schools and community groups to identify legal concerns. The students then research the relevant material and ultimately present their findings to the partner groups in a user-friendly form. Through discussion, role-play and other interactive methods, students and the community group members both learn about the law in context.

This programme has been successfully implemented by many law schools in prisons, schools and community centres, and with a variety of other interested groups including tenants, claimants, patients, single parents and volunteers with not-for-profit organisations.

We aim to conform to appropriate legal practice and educational standards and follow, as far as possible, common procedures in all our *Streetlaw* work. This not only helps to maintain quality for the target audience, but also ensures that the student experience is always of equivalent value.

[*law school name*] is delighted to announce that it is working closely with [*insert names of any partner organisations e.g. LawWorks, supporting law firms/chambers, schools, other community groups*] in developing its *Streetlaw* programme.

This Handbook will guide you through the experience of working and learning on the *Streetlaw* programme. It describes the ground rules of *Streetlaw* and the professional standards applicable, as part of your studies or in your role as tutor.

We hope that you will find this Handbook useful. You are advised to have it to hand at all times you are involved in our pro bono work. Any comments you wish to make on the content of this Handbook, or the pro bono programme in general, are welcome.

But please note:-

Because the services we offer are for real clients we owe a professional obligation to them. Your supervisors and you are responsible for the quality of those services. [We carry professional indemnity insurance in case any of us makes a mistake¹.] We must ensure that we do all we can to deliver a professional service. We will do all we can to make sure this happens. You too must play your part:

- by following, to the letter, the procedures set out in this Handbook;
- by turning up, on time, for every meeting – whether that is with your client, your fellow students or your tutor; and
- by taking part in the end-of-case evaluation.

We take this so seriously that if you do not behave in the appropriate professional manner we reserve the right to remove you from the project. [You would then not qualify for the certificate of participation².] If there are major failures of professional responsibility, for example failing, without reasonable excuse, to attend a meeting, we may have to inform your personal tutor which might affect any reference he or she may be asked to give. If you stick to the rules we lay down you will be fine.

Such a stern warning is necessary to make clear the nature and importance of our work. Having said that, in our experience, failings on the part of students are very rare. In most instances the student performance is exemplary and both you and we are proud of the service we are able to give.

¹ Seek confirmation from your Law School and its underwriters that this activity is supported and covered. In our experience, only disclosure to insurers is required and when the programme is explained to them they should not be concerned or increase the premium, etc, provided proper supervision is in place and audience expectation is properly managed.

² Only include if you are planning on awarding such a certificate.

If you feel that you cannot commit to this standard please do not take part in this project.

If you do feel able to take part, thank you for joining our team! Best wishes and enjoy your involvement.

For further information on *Streetlaw* in particular or pro bono work in general please contact:

[include names, positions and e-mail addresses]

[you may wish to add mobile phone numbers or landlines as well for day to day logistical enquiries once things are up and running]

2. About clinical legal education

Clinical legal education is a teaching and learning method where students undertake real (or simulated) legal work under supervision of practising lawyers and then have the opportunity to review critically that experience and reflect on what happened (or didn't), and why. This work offers the chance to gain further experience of applying legal principles, 'lawyering' skills and professional values, in a practical setting. Each experience should be followed by in-depth discussion between all those taking part in the project so everyone can learn from what has taken place. This produces a cycle of learning – application, reflection and re-application. Each clinical programme or clinic provides a vehicle for applied study.

Doctors, nurses, engineers and linguists use this hands-on approach to study, so why not lawyers? We believe that clinical legal education makes sense for everyone concerned. It provides a highly effective teaching methodology. It produces skilled and confident lawyers and can provide an important public service.

At the heart of *Streetlaw* is the same opportunity to learn through experience, while helping others.

[At present *Streetlaw* will not be integrated into the curriculum but we are certain that all participating students will benefit from taking part, in terms of personal development and employability.]

2.1 *How will I learn from the experience?*

There are three principal ways in which you should learn and benefit from a 'clinical' experience:

- **working on real legal problems with real people;**

This involves identifying issues, conducting research, solving problems, applying knowledge and skills and communicating the outcome of your work to others.

- **discussing with student colleagues and tutors;**

In-built into all clinical programmes should be opportunities to assess what has happened and why. Preparatory meetings will be held before you deliver your *Streetlaw* session and you should organise an opportunity to practise it first before a critical audience. There must be regular group meetings during the course of the project in order to reflect on progress and ensure a fair division of labour amongst the team members.

- **and, evaluating your experiences.**

Whilst discussion forms an important part of your learning, we also ask you to undertake an evaluation of your experience at the end of your case or time doing

pro bono work with us. This stage is intended to encourage you to reflect on, and learn further from, the overall experience. *[It is entirely up to you as to how formal this is but a form of self-evaluation, both in terms of what the students learned and how useful they found the project, will allow all concerned to consider how to improve the project next time around. The following paragraphs are an example of an evaluation format you may wish to adopt.]*

[Although we aim to provide a useful service, the main rationale of clinical education is to aid your learning. Self-evaluation is a vital part of this process. We will therefore ask you to do two things after you have worked on your case presentation:

First, complete a self-evaluation form. This asks you to think about what you achieved, what you could have done better and what, with the benefit of hindsight, you might have done differently. Your tutor will consider this form together with your case file to assess whether you have met the criteria for the award of a certificate of participation. The form will also help the tutor write references for you.

And, **second**, attend a meeting with all the students and tutors concerned, including future participants, to discuss in general terms your involvement and how the project went. Learning from the experience of others is as important as reflecting on your own work.]

2.2 What knowledge and skills will I use?

To a certain extent, the answer to this will depend on the issue or case you are working on. If, for example, you are working with a client group on problems they are having with their rented flats, you may have to look at a range of laws covering the relationship of landlord and tenant. If, on the other hand, you are making a presentation on prisoners' rights, you may be dealing with a whole host of laws, not the least being the provisions of the Human Rights Act. If you are delivering a session to secondary school pupils on 'stop and search' then the legal research may be more limited. In any event certain key issues will arise regardless of the detail of the project you are working on. You may have to do any or all of the following:

- conduct interviews with the target audience to establish the area of need and level at which the session should be pitched;
- analyse complex factual situations if responding to particular circumstances shared, for example, by a group of tenants in the same block, or a group of women who have been victims of domestic violence;
- conduct legal research;
- draft documents such as fact sheets that can be readily understood by your target audience;
- solve problems (in a practically appropriate way);
- work effectively as a team;
- maintain a file;
- manage your time;

- develop your presentation skills (and be an effective advocate).

You may soon come to realise that it is not just what the law says that matters (presupposing that you have correctly identified the legal issues and accurately researched the position). The options open to people and the relative merits of particular courses of action (including the cost and risk implications) need to be appreciated and explained. The solution or preferred option may not be based solely on a given client's legal 'rights' or 'responsibilities'. Solutions are what work for the people concerned. But you do need to understand the legal framework to know what is possible.

In addition, you should become familiar with the ethical and professional framework relevant to legal practice.

2.3 What standard will I be expected to achieve?

We owe a duty to provide a competent and professional service to all groups with whom we work. Where we offer a service to the public, supervised by solicitors, we are subject to the professional rules and disciplinary procedures of The Law Society of England and Wales. In our *Streetlaw* programme we owe a duty to the groups we work with to ensure that what we present and discuss is legally and procedurally accurate (as well as being understandable!).

All work that you do as a student will therefore be supervised by appropriately qualified staff. Depending on the subject matter and depth of content this may mean a faculty member, or a qualified and currently practising external lawyer. We expect high standards of work from everyone involved in our pro bono efforts, but we aim to offer similarly high standards of support and feedback. We also carry professional indemnity insurance to protect everyone concerned, in the unlikely event of things going awry³.

2.4 How will I know that I am doing things right?

Apart from being closely supervised at all stages of your participation, we believe that you will wish to know whether the work you have produced and your overall contribution has been of a satisfactory standard. The best way to achieve this is through a process of evaluation and feedback, coupled with a consideration of your materials and, if relevant, your file, by the tutor. If you have achieved a satisfactory standard, you will be presented with a certificate at the end of the year to acknowledge your achievement⁴. The criteria for this will be provided for you separately and in advance of your embarking on your *Streetlaw* project.

³ Again – check that this is indeed the case.

⁴ Again, this is an option you may choose to take up. Certainly an element of recognition of the students' efforts is a welcome addition to any scheme and certificates show appreciation from the faculty and that the activity and endeavour is validated by them.

A guide to professional practice is included in Appendix A of the Handbook. This should provide you with a framework for client care as well as keeping you on the professional 'straight and narrow'.

3. The *Streetlaw* clinic

Imagine this: you have just had a lecture on the impact of the Human Rights Act. You know all about the European Convention - the rules concerning torture and degrading treatment, fair trial, privacy, family life. You have even talked about it in a seminar and discussed all those cases from Strasbourg. But what do you really know? Let's find out ...

Armed with your lecture notes and a textbook or two, you are off to a local prison. Your law school has an arrangement with the Education Department there and a small group comprising you, your classmates and your tutor, are going to meet 20 inmates working on the Education Wing.

First, you and your colleagues will introduce yourselves. Your objective is to explain to the inmates what the Human Rights Act is all about. You will need to make it interesting; after all who wants to be lectured when you can talk with them about real-life experiences?

Initially it is hard to get everyone's attention. There is some talking going on in the group. A few people look uninterested. However, after a few awkward moments the session gets underway. The prisoners slowly begin to enjoy the presentation. Some begin to ask questions, most of which are very practical and detailed. Like students in a tutorial, some participants are more vocal than others. You don't know the answers to all - if any - of their questions - and cannot be expected to. Don't worry; you explained this to the prisoners at the outset. Like all good lawyers, you know where to find out answers!

After the session you are off to the library or on the internet, looking up statutes, cases and textbooks. You have meetings with the other students to work on the problems the prisoners have raised. You discuss your findings with the tutor and rest of the group, and decide on what you are going to tell the prisoners and how you are going to go about delivering the information. You have of course begun to realise - if you didn't suspect already - that learning by doing is an effective way of studying, and you are now putting theory into practice.

To cut a long story short, you might go back to the prison two weeks later and answer the prisoners' queries. Perhaps you get them to act out some of the problems they came up with – a mock trial for example. In the end you feel that you understand the Act so much better. The prisoners say that the sessions were really valuable and want you to come back another time. The tutor is really impressed with the quality of your work - maybe you write a dissertation based on what you have done and get a distinction for it! Members of the prison staff are so pleased that they want the law school to do a short course for prisoners on rights and responsibilities. There is even talk that the prison officers would like a course for themselves. Whatever the detail, experience suggests that everyone is likely to be pleased at the outcome.

Alternatively you may be involved in delivering a single session which forms part of a course of related topics.

So, what is this initiative all about? Primarily, it is to enhance the educational experience of students – giving you a hands-on opportunity to apply the law in a protected environment, supervised by qualified staff. It is also designed to provide a benefit to others. It does not have to be set in a prison. Legal literacy or *Streetlaw* programmes have been successfully run in many different community venues – schools, colleges, community centres and with not-for-profit organisations.

This approach to teaching and learning has several advantages:

- it gives students the opportunity to become actively involved in their learning;
- it increases awareness of rights and responsibilities for both students and the targeted community group;
- it forges valuable links between the law school and the wider community;
- it can provide an opportunity for academics, practitioners, students and members of the local community to work together to increase knowledge and understanding of law and the legal process; and
- it complements moves to include citizenship in a wider educational context (for example as part of the National Curriculum for 11-16 year olds).

3.1 *Streetlaw* in action

Such courses already exist in a variety of law schools. In the USA, Street Law (as it is written there) has been used in a wide range of institutions and has been running for almost 30 years. This, then novel, approach to learning and pro bono involvement originated in Georgetown University (Washington DC). There, the National Institute for Citizen Education in the Law promoted opportunities for raising public awareness of rights and responsibilities – developing curricula, training teachers and producing materials. A key component of this approach puts the law student in the position of teacher, presenting, in user-friendly form, practical law courses in high schools, correctional institutions and community-based settings. Street Law, Inc., also of Washington, is now at the forefront of Street Law work in the USA and in many other countries (see www.streetlaw.org).

In South Africa, the involvement of law schools in addressing essential human rights issues has been an important dimension in the move towards democratisation. Through the National Street Law Programme based in the University of Natal (Durban), extensive field testing has been carried out and Street Law is now a common feature in many law schools, whose students present material for example to pupils, prisoners and rural farm workers.

Streetlaw models have now been running for many years in the UK (after being first established at The College of Law in the mid-1990s), with over 40 law schools currently taking part.

On one scheme, in an inner city school, 15-year-olds were involved in a role-play of a criminal case and looked at a variety of important issues from arrest through bail applications and trial, to sentencing. The programme was well received, with the pupils saying that they now understood the role of the law and the courts so much better. One or two even said that they had no wish to end up in court themselves unless it was as a lawyer!

There are now Street Law programmes up and running across the globe from the USA to Ukraine and from the UK to Uzbekistan. With so many places involved there must be something worth doing here!

3.2 Taking part

Streetlaw works because it is a carefully structured methodology. Under a *Streetlaw* programme, students have to demonstrate their understanding of concepts by having to present them, at an appropriate level and in a form that can be readily understood, to the other participants. There is perhaps no better test of comprehension than having to explain something to someone else. Students meet with the community group in question to confirm topics for study, and then research and prepare for delivery of the material. It is important to work closely with the partner group and make sure that the material covered is relevant to local needs.

Emphasis throughout is on active participation for both the law students and the group they are working with. Depending on resources and individual requirements, courses can range from one-off presentations (for example an outline of the Human Rights Act and its implications) to short courses on housing rights, social security entitlement or consumer law.

There is no prescribed target group. *Streetlaw* projects elsewhere have involved:

- school pupils;
- students on FE courses;
- adult prisoners;
- young offenders;
- tenants' associations;
- benefit claimants' groups;
- residents in homeless persons' hostels;
- women's groups;
- asylum seekers;
- healthcare workers;
- staff in Youth Offending Teams; and
- many more groups.

Given the UK government's emphasis on citizenship (part of the national curriculum since 2002), such a development is broadly welcomed by schools and other community-based organisations.

So here is your chance to apply your knowledge and perhaps assist others along the way. The value of experiential learning can perhaps best be summed up by one student at The College of Law who said:

This was the best thing I did in my time at law school. Problems come to you as real, everyday difficulties – not neatly packaged as ‘contract’ or ‘tort’. I learnt to take the questions apart, to identify the legal issues, research the law and come up with practical solutions. That is what learning should really be all about.⁵

To summarise, therefore, *Streetlaw* is an educational tool that helps law students and members of the wider community to gain a better understanding of law and the legal system. Through an interactive methodology participants have the opportunity to put theory into practice and engage in informed discussion about a range of issues focusing on rights, responsibilities and citizenship.

Through *Streetlaw* links can be built between law schools, the legal profession, the local community, government and the not-for-profit sector, with the aim of improving the quality of legal education at whatever level the programmes are delivered at. Experience at home and abroad suggests that taking part in *Streetlaw* results in an enhancement of knowledge, skills and self-confidence for all participants. In other words, in a well-structured and supervised *Streetlaw* clinic, everyone is a winner.

3.3 What are the learning outcomes in a *Streetlaw* clinic?

By the end of your *Streetlaw* experience you (as a law student)⁶ should:

- have a thorough understanding of the law applicable to the subject of your presentation(s);
- be able to apply that law to given situations, in a procedurally accurate and practically relevant way;
- have developed an appreciation of the fundamental professional and ethical principles of legal practice;
- have improved your legal and transferable skills, notably applied research, communication, problem-solving, time management and team work; and
- be able to deliver material on rights and responsibilities at the appropriate level for the target audience.

4. Your participation

4.1 How will *Streetlaw* work?

⁵ This section, describing the origins and development of *Streetlaw*, is an updated version of an article originally written by Richard Grimes (Legal Education Consultant) which appeared in the *New Law Journal*, 26 January 2001, p 87.

⁶ As a law student making a *Streetlaw* presentation, you should set specific learning outcomes for the group you are working with in the *Streetlaw* sessions e.g. school pupils, prisoners or single parents. What should they know at the end of the session that they might not have known at the start? Inform the group at the beginning what you’re aiming to get across to them.

A meeting will be called at the start of the academic year, to which all students (full and part-time) will be invited⁷. At this meeting, the details of the scheme will be outlined and partner organisations (those we will be working with) will be identified. Volunteers will then be asked to apply. [It is anticipated that there will be more volunteers than places as we pilot the scheme in *[insert academic year]*. If this is the case then we will select by ballot⁸.]

Student Commitment

If selected, you will be required to sign a form (see page []) expressing your commitment to the programme. You will also be given a likely date for the start and finish of your *Streetlaw* involvement. Typically this will last around six weeks from the time of the first meeting with your tutor and other member of your project team, and involve you in about 45 hours of work, including presentation time.

If for any reason you are unable to make this commitment your place will be offered to someone else.

Team Allocation & Timetable

Once you have confirmed your participation you will be allocated to a team of between four and eight participants and to a tutor who will supervise your preparation and delivery. [The team will contain members drawn from at least two different year groups.]

You will be reminded of your participation dates at least a week before the scheduled start and given a timetable for meetings and tasks to be undertaken prior to your final presentation. If for any reason you cannot attend the initial meeting you must inform the administrator or tutor immediately, and we will try (but cannot guarantee) to arrange for you to be allocated to another group meeting at a later date. However we will only do so if you have a good reason for being unable to attend in the first place. Please remember that you are expected to conform to professional standards in this regard – and we place great emphasis on punctuality, meeting deadlines and commitment.

It is imperative for the target audience, the law school and your own reputation that the system operates effectively. It is our professional responsibility to meet the legitimate expectations of the groups we will be working with.

Summary of Activity

In summary, on the *Streetlaw* programme, you will:

- discuss the issues to be covered with your group and tutor;
- divide the various tasks to be done – research and preparation of materials – amongst the team;

⁷ Clearly you should tailor this for your precise plans. Perhaps if you are considering including first years by term two this would be appropriate anyway.

⁸ You may prefer to select by way of application.

- meet with the team and tutor to discuss your results;
- meet with the group to deliver the session;
- identify any further questions the group may have;
- [research, prepare and return to deliver your results at a second session⁹ (for logistical reasons, however, some students may not have the opportunity to visit a second time);]
- with the approval of your tutor, refer individual queries to other appropriate sources of help; and
- evaluate the experience (see pages 57-59).

You may have the opportunity to repeat the experience with another audience group and/or on another subject matter, depending on resources, and depending on the demands of your particular course and the desire to give opportunities to as many students as possible.

Legal Advice

The purpose of *Streetlaw* is to improve awareness of rights and responsibilities across a wide range of matters. It is not to give individual advice as such. If a 'client' does have personal concerns he or she can be referred to another agency, using established referral procedures, including local advice centres and solicitors.

It would therefore be useful if, before the session is delivered, part of the preparation research involved establishing what other local and national support services and information resources exist for those in the audience who may need further assistance in future.

4.2 Typical timetable for a *Streetlaw* group

For the purposes of this example, let us say that your team is going to work at a local prison or school. The timetable of events will probably look something like this:

Date	Objective	Outcome
Week 1	Remind students of start date – initial meeting with tutor to discuss session. Link set up with group that will receive the session.	Students ready to begin – clear allocation and understanding of tasks. Group decides what area of law they would like to learn about.

⁹ This is a useful option for the programme. You may wish to simply deliver the session as is, but it's a better service if there is some follow up. In this case it is crucial to make this clear to the students in the first place so that they remain committed beyond the first presentation. It could be that two presentations become the norm, which is fine if everyone knows this from the start. With school presentations this is less likely than with presentations to adults who are more likely to have follow up questions.

Week 2	Tutor and team meet for team briefing, to review action plan and arrive at an outline of the session.	Action plan formed. Students ready to research issues and prepare presentation.
Week 3	Meeting to discuss research outcomes and presentation plans.	The law being covered is confirmed as being correct by supervisor. At end of meeting students should be in a position to complete preparation of the presentation.
Weeks 4-5	Tutor and team meet for full run-through of session (see evaluation form page [])	Further amendments identified and presentation amended as required – team ready to present
Week 6	Delivery to target group followed by evaluation meeting (see evaluation form page [])	Presentation completed and evaluation of performance concluded – file closed ¹⁰

The exact detail of who does what and when will vary according to the individual circumstances, but [the experience of other law schools/our experience] suggests that the whole process from initial instructions to evaluation should take between 4 and 6 weeks.

4.3 What will the issues be and how will they be identified?

However, ultimately the choice comes down to a combination of what the target group needs and wants to learn about and what the students and staff/supervising lawyers are able to provide. For example, we will not be able to deliver a session to asylum seekers on asylum welfare benefits if we do not have access to the

¹⁰ Amend timetable as fit for structure agreed upon – e.g. if follow up session is planned, or if supervision of the session content is being carried out by a third party, maybe an 8 week programme is more appropriate.

internal or external expertise required to prepare a properly supervised lesson plan.

In our discussions with a potential audience group, therefore, we will listen to their needs and also give examples of sessions we have already considered or that we understand have been given in the past by other law schools. We can use the student pro bono database held on StudentProBono.net to get in contact with other *Streetlaw* programmes at other law schools in order to compare notes on the sessions they have run.¹¹

These could include:

- tenants' rights (e.g. deposit protection scheme for student tenants);
- human rights;
- police powers/stop and search
- constitutional law
- criminal law – crime and punishment
- consumer law – sale of goods act
- women's rights;
- drugs and the law;
- sex and the law – including issues of consent;
- parents, children and the law;
- employment rights;
- age of responsibility (e.g. when can you drive, smoke, vote, etc.); and
- anti-discrimination law.

Our student coordinators will invite the groups to suggest other areas of interest. Armed with this list we will then agree the principal issues of concern for each group, and it is at this stage that you will become involved. You will therefore know in advance what subject matter you will be covering but will also have to take questions from the group as they arise (returning perhaps at a second session to answer those questions). Arranging things in this way gives us a structure to work with from the beginning, but also provides us with the flexibility to respond to a particular group's needs.

4.4 *What if the issues raised involve areas of law that I know nothing about?*

Do not worry! In fact it is likely that this will be the case. Good lawyers may not know all the answers but they do know where to find them. Your tutor will be able to refer you to many useful resources, particularly practitioners' texts. On top of this, members of our lecturing staff possess a wealth of knowledge and expertise, and your tutor will always be able to guide you to a lecturer who may be able to help you.

¹¹ Go to <http://www.studentprobono.net/searches/projectsbyType.php> and select 'Streetlaw' from the drop down list of activities.

In terms of accessing practitioner's research resources, consider making a link with a local firm who may allow you to use their law library, or online resources. The local law society may also be willing to assist.

4.5 *What if the issues addressed by, or raised at, the Streetlaw sessions are sensitive or controversial?*

Using controversial topics or presentations is not essential or necessarily desirable but this can provide a very useful vehicle as it can interest and motivate participants. If controversy is planned or does arise be aware of some ground rules:

1. Recognise the general legitimacy of controversy. This is part of the real world!
2. Agree rules with the group so that the issues can be dealt with in an ordered and balanced way, e.g. giving everyone the chance to have his or her say and respecting (even if disagreeing with) their views.
3. Focus on the issue and not the individual.
4. As a presenter don't take sides until the debrief and then justify your own views.
5. Be aware that people may find content offensive and explain in advance this possibility, giving people choices on whether to participate.
6. Take the session seriously and impress on the group the need for them to do so too.

4.6 *What records will I have to keep?*

We will require each team to keep a file on their project. This will consist of records of the meetings with tutors, research findings and presentation material.

Record-keeping is an essential part of the work of a solicitor. Although the file you will keep is not quite the same as a client's file in a solicitors' office, it is important to compile a file in the *Streetlaw* programme. It will help you organise your material. It will also be a valuable tool for learning, especially when you are evaluating the project, and it will provide the basis for tutor feedback. [The file will also be used for assessment purposes. The criteria for assessment (for the award of the certificate of participation and endorsement of your results transcript) will be made available to you¹².] Your records must be accurate, up-to-date and maintained in a way that anyone picking up the file can readily understand.

Remember that there may be confidential information on the file – details of the group and their questions. All files must be retained for safe-keeping by the administrator. You may work on the research and presentation anywhere, but you must not reveal any confidential details or remove the file from the law school unless authorised to do so by the supervising tutor.

4.7 *What about photocopying, processing and printing?*

¹² You could delete this section and consider that satisfactory participation in the project alone is sufficient for a certificate.

A photocopier is available for your use. Staff will direct you to this and other facilities e.g. computers and other resource materials¹³.

4.8 How will I be contacted?

Our primary method of contact is via the university e-mail system. You **must** check your e-mail **daily** to check for any messages from your team, client group or tutors. In addition you must provide:

- up-to-date copies of your timetable including the dates and times of any assessments/deadlines; and
- term-time and home addresses and, if available, telephone (including any mobile) numbers.

You must notify your tutor immediately of any changes to these. You should also make sure that your team members always have an up-to-date contact number and details of when and where they can contact you.

Reliable communications are the basis of an effective team.

4.9 What happens if my course work comes into conflict with my pro bono commitments?

If you are having any difficulties fulfilling your duties under the programme (for example you do not think you will be able to attend a meeting because you have to complete an assessment), you **must** let your tutor know as soon as possible.

We will do whatever we can to help you resolve any such conflicts, but we must stress that we will not be able to obtain any extensions to your course work deadlines. We will try to ensure, but cannot guarantee, that your work on the *Streetlaw* programme will avoid other assessment periods. As a result, inevitably, you may find yourself allocated to a project in the same week as an assessment deadline. If this does happen we would normally expect you to fulfil both responsibilities. If you do not think you will be able to cope with this, then you must consider whether you can participate in *Streetlaw*. We do not want to put anyone off but we are being realistic. This is hard work. We believe it is also a valuable learning experience and a socially-useful exercise. From what we have found from other law schools running this scheme, students, staff and 'clients' have reported that it is very worthwhile.

Remember; whilst we are here to supervise and support you so that you can achieve the standards expected of the profession, pressure will inevitably arise. Pressure of work is a fact of life!

¹³ Edit this section as appropriate.

4.10 Do the Solicitors Regulation Authority rules of confidentiality apply to my Streetlaw work?

In principle, yes. You must be familiar with the Solicitors' Practice Rules and Code of Conduct on confidentiality. The Practice Rules are summarised later on in this Handbook, but you should also look at *The Solicitors Code of Conduct*. The best place to find an up to date copy is on the SRA website¹⁴. The key professional practice issues are summarised in Appendix A (pages []).

Although in our *Streetlaw* programme we are not acting for an individual client, we are still holding ourselves out as a legal service, potentially supervised by practising solicitors. Even where we do not (e.g. where a session's content is supervised by a non-practising academic), the rules should still be complied with as a matter of best practice. We therefore consider that the programme should be subject to the relevant professional practice rules.

There is a risk that you breach confidentiality if you discuss the personal details of any case that you encounter during the project, if this would or could lead to any identification of the client or case concerned. This does not mean you cannot discuss the work you have undertaken or what you have learnt from it, but you can only do this where the personal details of a case cannot be identified to people outside of the programme.

It is not a breach of confidentiality to discuss details of a case with another *Streetlaw* student or with a tutor. But to avoid the risk of accidentally disclosing information, we recommend that you only discuss the case with your team and tutor, unless you are told otherwise (for example, at the meetings with other *Streetlaw* participants).

4.11 Am I allowed to receive any money or other gift from anyone I work with on Streetlaw?

No. This is a free service. We cannot receive money from or on behalf of anyone we work with. We do not have a client account and we are not subject to the rules applying to such an account. You may only accept a gift with the tutor's agreement. It has been known for grateful people to offer the odd bottle of wine or box of chocolates! Even if this happens you **must** inform your tutor.

4.12 Can conflicts of interest arise and if so what do I do?

It is unlikely that such a situation could arise on the *Streetlaw* programme. If you do have any concerns over what you can or cannot do, see your tutor. He or she should in any event be on the lookout for conflict situations.

4.13 What if there are complaints?

¹⁴ <http://www.sra.org.uk/solicitors/code-of-conduct.page>

In what we hope is the unlikely event of a complaint or concern, please refer the matter immediately to your tutor who will activate [insert name of law school]'s complaints procedure.

5. Working with community groups

It is important to define and manage everyone's expectations – before, during and after the event. In the preparatory work carried out by the *Streetlaw* team, the scope of each project is clearly explained to each group with which we work. You will explain to the group at your first meeting what the sessions will cover, stressing the fact that we do not give legal advice on individual cases but that we can try to answer questions of general application within the topic area that has been prepared. In addition, we can refer individual cases to appropriate sources of help.

We will also endeavour to make clear to all students what is expected of them. This Handbook sets out much of that detail.

You will be expected to present your material in a user-friendly way. More is said on this below (see separate document – ***Streetlaw Teaching Methods***). The emphasis is on team work and audience participation. This must not be a lecture!

Although we only work with groups who invite us to do so, there is often an issue of credibility to address. "*What can a bunch of law students tell us?*" In order to gain the trust of those you work with you will need to show you do have something to offer. This will become clear if you actively engage the group in your presentation, if you are well prepared and if you take the views and concerns of the group seriously. This should help to engender mutual respect.

This means that you must be aware of the nature of the group you are working with, taking into account their needs, social and cultural backgrounds and the circumstances in which they may find themselves. This is true for all *Streetlaw* sessions but is especially relevant when working with, for example, the young, the elderly, those with particular mental or physical conditions, homeless people and prisoners. Their experiences and situations call for particular sensitivity. You will of course be well-briefed, including, where appropriate, on security matters. However, you must always be aware of the dynamics operating or likely to be found in the group you are working with.

6. ***Who are the members of staff on the Streetlaw team at [insert name of law school]?***

The members of staff are:-

TITLE	NAME	ROOM	CONTACT DETAILS

7. A final word

Working on a pro bono initiative such as *Streetlaw* provides you with a unique opportunity for two reasons. First, it gives you hands-on experience of the practical matters you are studying elsewhere on your course, within a closely supervised environment. Second, and perhaps more importantly, it gives you time to think about what you have achieved, and how you could improve on your performance next time. The opportunity to reflect on your experiences is one that you may rarely have when you finally enter practice. As a result, if you are to gain the maximum benefit from taking part you need not only to aspire to the highest professional standards, but also to commit yourself to the work as an opportunity to learn about your own strengths and weaknesses.

We all have to learn from the experience and it is inevitable that both staff and students involved will have constructive suggestions for ways in which our operations can be improved. Please pass on suggestions - even where they are critical.

***[Insert name of Law School] Streetlaw Programme
[Month, Year]***

Appendix A

A GUIDE TO PROFESSIONAL PRACTICE

This guide applies to all pro bono work carried out at **[insert name of law school]**.

Any solicitors working on our pro bono initiatives must ensure that we comply, in all respects, with relevant practice rules governing the profession and other principles of conduct. Accordingly, students must adhere to rules of professional practice stringently and this Handbook gives an outline of the basic rules for your attention. Of course, this is not a comprehensive guide to the rules of professional conduct, and your attention is drawn in particular rules of professional practice set out by the Solicitors Regulation Authority (reference given above). Further, some of these rules cover circumstances which are outside the scope of those applicable to a *Streetlaw* context, but are included to give a rounded impression of the professional conduct regime.

Depending on the pro bono activity in question, certain sections of this guide will not be relevant, but each is included for completeness.

The Solicitors Regulation Authority is authorised to make rules to regulate the professional practice, conduct and discipline of solicitors. The rules have changed over the years but the main set of rules concerning our work can be found in the Solicitors Regulation Authority Handbook, version 19, 2017 (the “**Code**”). The Solicitors Regulation Authority is the independent regulatory body of the Law Society of England and Wales.

1. INDEMNITY INSURANCE RULES

All Solicitors who are held out as principals in private practice are required to be insured against loss arising from claims in respect of civil liability, of any description, incurred in connection with practice. Typically this covers where solicitors give negligent advice. **[Insert name of Law School]** has informed its insurers of the activities planned and ensured that cover is in place for claims based on professional negligence made against it.

2. SUPERVISION AND MANAGEMENT OF AN OFFICE

Solicitors running legal services for the public must exercise proper supervision over students and maintain conduct of the case or project, generally. All solicitors working in such service must hold a practising certificate. There are strict rules applying to the staffing and supervision within a law firm (including the need for tutors to have requisite experience). However, for services operating in the not-for-profit sector these rules have recently been relaxed, to enable the services to operate within their particular constraints.

Staff who do not hold a practising certificate or who are not solicitors, may still work in a solicitor's office providing that they, too, are overseen by a solicitor in the circumstances defined above.¹⁵

3. GENERAL PRINCIPLES OF OBTAINING INSTRUCTIONS

A prospective client who is seeking a solicitor must have a free choice as to whom to instruct. It is therefore fundamental to the relationship which exists between a solicitor and the client that a solicitor should be able to give impartial and frank advice, free from any pressures or interests which would destroy or weaken professional independence or the relationship with the client. The fundamental principle relating to obtaining instructions is that a solicitor cannot do anything in the course of practising as a solicitor, or permit another person to do anything on his or her behalf, which compromises or impairs, or is likely to compromise or impair, any of the following:

- the solicitor's independence or integrity;
- a person's freedom to instruct a solicitor of his/her choice;
- the solicitor's duty to act in the best interests of the client;
- the good repute of the solicitor or of his/her profession;
- the solicitor's proper standard of work;
- the solicitor's duty to the court.

The Code explains a solicitor's obligations in terms of referral of business. In the course of a pro bono project you may need to use referral lists and you will be directed to these by your tutor¹⁶.

A useful resource in terms of referring people to solicitors is Community Legal Advice – www.communitylegaladvice.org.uk. This provides you with a list of local legal aid lawyers who may assist on a wide range of legal areas (assuming the individual is eligible for Legal Aid. You should only make a referral with the tutor's approval.

4. PUBLICITY

Students working on our pro bono schemes should be aware of the rules governing publicity which are relevant to our practice. Rule 7 of the Code permits advertising, providing it is clear and not misleading or inaccurate.

¹⁵ It would be in the law school's interest to strike up a relationship with a local firm or two, who might take responsibility for overseeing the planned session content, in order to maintain this supervision and protection where the legal content is outside of the tutor's competence.

¹⁶ Some useful preparatory work would involve putting together such a list of local agencies, but also being aware of the national phoneline options as well. LawWorks can assist with the latter.

Any matter involving publicity for our pro bono work must be discussed with your tutor. This includes the information put on any website we may create. It is clear the following is forbidden:

- unsolicited visits or telephone calls to the general public; and
- naming your clients without the clients' consent.

5. ARRANGEMENTS FOR THE INTRODUCTION OF BUSINESS

Under Rule 9 of the Code, solicitors may accept introductions and referrals of business from other persons and may make introductions and refer business to other persons, provided there is no breach of the other rules of the Code. In the context of our work, it is perfectly permissible for other agencies, for example a Citizens Advice Bureau, to refer clients to us, or for us to refer clients to other agencies or solicitors as long as we remain independent when doing so. We would not, for example, wish to enter into any commission-earning arrangements with other legal practices¹⁷.

6. THE “RETAINER”: ACCEPTANCE OF A CLIENT'S INSTRUCTION

A solicitor is generally free to decide whether or not to accept instructions. A refusal to act, however, must not be based upon the race, colour, ethnic or national origins, gender or disability of the prospective client.

A solicitor must not act or, where relevant, must cease to act further where the instructions would involve the solicitor in a breach of the law or a breach of the Code, unless the client is prepared to change the instructions appropriately.

A solicitor must not act or continue to act in circumstances where s/he cannot represent the client with competence or diligence.

A solicitor must not accept instructions where s/he suspects that those instructions have been given by a client under duress or undue influence.

Where instructions are received not from a client but from a third party on behalf of that client, a solicitor should obtain written instructions from the client that the client wishes the solicitor to act. In any case of doubt the solicitor should see the client or take other appropriate steps to confirm instructions.

A solicitor must not generally accept instructions to act in a matter where another solicitor is acting for the client in respect of the same matter, until either the first retainer has been determined by the client or the first solicitor has consented to the second solicitor acting in their place. Especially in the context of pro bono advice,

¹⁷ LawWorks has come across this sort of arrangement being suggested to pro bono services and we would advise strongly against entering into such an arrangement no matter how tempting it may appear.

this is very important. Resources are already stretched without clients seeking second opinions in parallel to their existing adviser.

A solicitor who has accepted instructions on behalf of a client is bound to carry out those instructions with diligence and must exercise reasonable care and skill. Above all else, a solicitor must keep the client's business and affairs confidential. Further, it is implied with the retainer that a solicitor is under a duty, at all times, to observe the principles of professional conduct set out in the Code. In the light of this, a solicitor must not take advantage of the age, inexperience, want of education or business experience, or ill health of the client. The solicitor is under a duty to keep the client properly informed on case progress and costs and to comply with reasonable requests from the client for information concerning the client's affairs.

A solicitor is under a duty to consider and advise a client on the availability of publicly-funded legal services (formerly known as Legal Aid) where the client might be entitled to assistance.

7. COMPLAINTS

The pro bono programme operates an internal code for complaints and we feel the following code of practice is appropriate:

- we must ensure that a client or group knows the name of the personnel responsible for the day-to-day conduct of the matter and the tutor responsible for overall supervision;
- we must ensure that a client knows whom to approach in the event of any problem with the service provided; and
- we must ensure that a client is, at all relevant times, given any appropriate information as to the issues raised in the progress of the matter¹⁸.

8. TERMINATION OF RETAINER

A Solicitor must not terminate the retainer with a client except for good reason and upon reasonable notice. Examples of good reasons for a solicitor terminating a retainer would include:

- where a solicitor cannot continue to act without being in breach of the Code;
- where a solicitor is unable to obtain clear instructions from a client; and/or
- where there is a serious breakdown in the confidence between a solicitor and a client.

¹⁸ In the case of *Streetlaw* it would be sensible to treat the school or other community group as the 'client' for these purposes.

A client, however, can terminate a solicitor's retainer for **any** reason.

Any decision to terminate a retainer must be made by the tutor or be reported to him or her if a client so decides.

9. PUBLICLY-FUNDED LEGAL SERVICES

When advising or otherwise acting for clients, you must inform them about the existence and availability of publicly-funded services. They should be informed of the effect of the statutory charge (property recovered or preserved may be used to offset the cost of providing the client with legal services from public funds). Clients should be told that if they lose the case they may still be ordered by the court to contribute to their opponent's costs even though their own costs are covered by payments from the public purse, and that even if they win their opponent may not be ordered to pay the full amount of their costs and may not be capable of paying what they have been ordered to pay. Clients should also be told of their obligations to pay any contribution assessed and of the consequences of any failure to do so..

10. CONFLICT OF INTEREST

A legal adviser should not accept instructions to act for two or more clients where there is a conflict, or a significant risk of a conflict, between the interests of those clients.

If a solicitor or firm of solicitors has acquired relevant knowledge concerning a former client during the course of acting for that client, the solicitor or firm of solicitors must not accept instructions to act against the client.

A solicitor or firm of solicitors must not continue to act for two or more clients where a conflict of interest arises between those clients.

A solicitor must not act where the solicitor's own interests conflict with the interests of a client or potential client.

Consequently we cannot undertake work against **[insert name of law school]**, its Governors, staff, current students or other existing clients.

11. CONFIDENTIALITY AND PROFESSIONAL OBLIGATIONS TO THE CLIENT

As mentioned earlier, a solicitor is under a duty to keep the affairs of the client confidential to the law firm and to ensure all members of staff do the same. This duty can be overridden in certain exceptional circumstances, but this is a decision that can only be taken by the tutor. An advisor, for example, must not disclose a client's address without the client's consent under **any** circumstances. Nor must the details of a client's case be revealed or the fact that you are advising a client,

e.g. by leaving a telephone message for a client that someone else might pick up (unless the client has authorised this).

A solicitor is obliged to deal promptly with correspondence on behalf of the client or former client and with any correspondence with the Solicitors Regulation Authority.

12. PROFESSIONAL OBLIGATIONS OWED TO THE COURT AND PROFESSION

A solicitor who acts in litigation, whilst under a duty to do the best for the client, must never deceive the court.

If, prior to, or in the course of, any proceedings, a client admits to the solicitor that he or she has committed perjury or misled the court in relation to those proceedings, it is the duty of the solicitor to decline to act further unless the client fully agrees to disclose the conduct to the court.

A solicitor must comply with any order of the court which the court can properly make requiring the solicitor to take or refrain from taking some particular course of action; equally, a solicitor is bound to honour an undertaking given to any court or tribunal.

A solicitor must not act, whether in a professional capacity or otherwise, towards anyone in a way which is fraudulent, deceitful or otherwise contrary to the solicitor's position as a solicitor. Nor must the solicitor use the solicitor's position to take unfair advantage.

Appendix B – USEFUL FORMS & PRECEDENTS

- B.1 Acknowledgment of Commitment
- B.2 Practice run-through evaluation form

Acknowledgement of Commitment

I understand that as a member of a *Streetlaw* team I will be representing [insert name of law school] to the wider community. I also understand that as a student, possibly intending to become a solicitor or barrister, I will also be representing the legal profession to the wider community.

In consequence, having regard to the above, I undertake to:

- work diligently as a member of my team;
- attend team meetings;
- check my student e-mail every day whilst involved in the *Streetlaw* programme;
- respond promptly to phone calls and/ or e-mails from my team leader and/ or from any member of staff involved in *Streetlaw*;
- behave appropriately during my *Streetlaw* visit; and
- complete and return the *Streetlaw* questionnaire promptly.

Please delete the whole of the next section if you are NOT a team leader.

As team leader I additionally undertake to:

- diligently carry out any tasks assigned to team leaders by any member of staff involved in *Streetlaw*;
- arrange meetings and contact all team members and my supervising tutor well in advance;
- keep my supervising tutor fully informed of when each stage of preparation has been completed;
- keep the team's *Streetlaw* log in order and up to date and ensure it is complete following the conclusion of the presentation; and
- be professional in all dealings with **[insert name of law school]** and the external groups and organisations with which we deal.

Signed _____ Class _____

Print Name _____ Date _____

Streetlaw - Practice run-through evaluation form

On your *Streetlaw* visit you will be representing [insert name of law school] and the legal profession, so it is vitally important that your presentation is as good as you can possibly make it. You will need at least two full practices to enable you to spot weaknesses and to give you the chance to make improvements before the actual visit. At least one of these should be done in front of a critical audience, including your supervising tutor. The purpose of this form is to help you make the most of these practices, so make sure you complete it honestly and then act on it!

Score each item out of 5 (5 = very good, 1 = poor) and write brief comments about what specifically needs to be improved and how.

Presentation Issue	Score (1 – 5)	Comment
<p>1. Clarity</p> <ul style="list-style-type: none"> • Are you using plain English? • Are your sentences short? • Are you speaking at a helpful pace? • Are you pausing where appropriate? • Can you be clearly heard from the back of the room? • Are you looking at your audience? • Are you giving clear instructions about any audience exercises/ activities? • Are you linking different parts of the session clearly? 		
<p>2. Use of examples to illustrate legal concepts</p> <ul style="list-style-type: none"> • Are your examples relevant to the audience? • Are they topical? • Do they clearly illustrate the point? 		

Presentation Issue	Score (1 – 5)	Comment
<ul style="list-style-type: none"> • Have you got examples from relevant case law? • Have you got enough examples? 		
<p>3. Interaction with the audience</p> <ul style="list-style-type: none"> • Are you asking them enough questions? • Are you asking them to participate in other ways? • Is there enough interaction? • Is there enough variety of activity in the session? • Are you positive in your demeanour? 		
<p>4. Visuals – PowerPoint/overhead projector/flipchart</p> <ul style="list-style-type: none"> • Is the font large enough? • Is the style of font easily legible? • Are bullet points as brief as they can be? • Are the slides interesting to look at? • Are illustrations relevant? • Are illustrations clearly visible? 		
<p>5. Props</p> <ul style="list-style-type: none"> • Are you using any physical props? • If so, are they useful? 		
<p>6. Timing</p>		

Presentation Issue	Score (1 – 5)	Comment
<ul style="list-style-type: none"> • Do the sessions fit into the time available? • Is each section/activity of the appropriate length? 		
<p>7. Beginning and End</p> <ul style="list-style-type: none"> • How well do you explain the aims of the session at the beginning? • How clear is your summary at the end of the session? 		
<p>8. Handouts, etc.</p> <ul style="list-style-type: none"> • Is your handout relevant/ useful? • Is the information accurate and up-to-date? • Does it look good? 		

Appendix C - Student self-evaluation form

Evaluation form

Streetlaw Follow-up Questionnaire (Students)

Thank you for taking part in this *Streetlaw* Project. We would like to improve the scheme in the future so that the experience is as worthwhile as possible, both for our students and for the organisation(s) that participate.

Please take a moment to complete this questionnaire and then please return it to your appointed *Streetlaw* Student Coordinator.

Name of organisation visited:

Dates of visit(s):

Title of presentation:

Length of presentation/ workshop:

Name and title of person completing the questionnaire:

Telephone number:

E-mail address:

Please evaluate on a scale of 1-5

1 – very poor

5 – very good

Please circle the appropriate figure and provide evidence for your scoring – i.e. the reason why you have given the score in each instance using the space beneath the question.

1	Was the presentation/workshop of interest to the audience?	1	2	3	4	5
---	--	---	---	---	---	---

2	Which aspect of the visit did the audience value the most? Why?	
3	Which aspects were least valuable? Why?	
4	Was the 'level' appropriate for the audience?	1 2 3 4 5
5	Was there enough / too much / too little material in the session?	1 2 3 4 5
6	Was there sufficient variety in the material?	1 2 3 4 5
7	How did the content of the session fit in with the issues and concerns facing your audience?	1 2 3 4 5
8	Would you be interested in taking part in another <i>Streetlaw</i> project?	Yes / No / Maybe
9	If yes, what would be your preferred area of law?	

10 Do you have any other comments about how the scheme could be improved or adapted in the future?

Thank you

[Insert name of person responsible for overall supervision]

[Insert name of law school]

Appendix D – Audience evaluation form

Evaluation form

Streetlaw Follow-up Questionnaire (for the audience)

Thank you for being part of this *Streetlaw* Project. We would like to improve the scheme in the future so that the experience is as worthwhile as possible for you and future audiences.

Please take a moment to complete this questionnaire and then please return it to:

[insert relevant contact details – perhaps give them back to the group contact and they could then forward them back to you?]

Dates of visit(s):
Theme of presentation:

Please evaluate on a scale of 1-5

1 – very poor

5 – very good

Please circle the appropriate figure and provide any comments and reasons in the space below the question.

1 Was the presentation/workshop of interest to you?

1 2 3 4 5

2 Which aspect of the presentation did you find most useful and why?

3	Which aspects were least valuable and why?
4	Was the information provided clearly? If not, which bits were unclear? 1 2 3 4 5
5	Was there enough / too much / too little material in the session? 1 2 3 4 5
6	Would you be interested in taking part in another <i>Streetlaw</i> project? Yes / No / Maybe
7	If so, what areas of law would you like to find out more about?
8	Do you have any other comments about how the scheme could be improved/ adapted in the future?

Thank you

[Insert Name of Law School]