



Lawyers working free  
for the public good

# LawWorks Students Project Pro Bono - The Next Generation

Published September 2006

Research carried out by LawWorks  
Research and publication sponsored by DLA Piper UK LLP

# Foreword

I am delighted to introduce the third LawWorks Law Schools Survey. More students and law schools than ever before are now participating in pro bono activities. This work not only helps to provide real solutions to real problems around the country, but it also gives future lawyers a valuable early introduction to the practice of real law.

This report is not only an excellent guide to current student and law school pro bono activities, but is also a tribute to the staff, students and others in and around our educational institutions who provide this service.

In the coming years my Pro Bono Coordinators Committee will continue to work with LawWorks to help even more educational institutions to get involved.

My thanks to DLA Piper for their continued support of LawWorks.

**The Rt Hon the Lord Goldsmith QC, Attorney General**  
June 2006

# Law school pro bono activity

## 1. Executive summary

This report contains the findings of a survey carried out on behalf of LawWorks - formerly the Solicitors Pro Bono Group (SPBG) - between October 2005 and April 2006.

The research surveyed 95 law schools in the UK and asked a range of questions about the extent to which each is involved in pro bono activity.

The research identified law schools active in pro bono work, the type of work engaged in and a variety of operational issues surrounding such activity.

The findings are detailed below along with a set of recommendations for future support and development.

The principal findings are as follows:

- 53% of law schools are involved in pro bono activity
- 12% of law schools intend to get involved in the next academic year (2006/07)
- a further eight per cent of law schools are thinking about doing pro bono work
- these figures represent a significant increase in the relevant activities and plans compared with those found in the 2000 and 2003 surveys
- an increasing number of law school staff are given timetable allowances for their involvement in pro bono work
- the majority of law schools would value assistance in setting up or developing pro bono initiatives
- the amount of money allocated both by institutions and by external donors is, in most cases, very modest.

## 2. Background

LawWorks has long had an interest in pro bono activity in law schools. The rationale behind this involvement is twofold:

- law schools contribute (and have the potential to contribute further) to the provision of free legal services
- encouraging law students to become involved in pro bono work is likely to develop their commitment to, and understanding of, professional values, which should in turn lead to their active involvement in pro bono work later in their professional lives.

In 2000 SPBG, as it then was, commissioned a report on pro bono activity in law schools<sup>1</sup>. Of 81 institutions contacted, 73 responded, giving a response rate of 90%. Of the 73 responding institutions, 30 (41%) reported pro bono activity, while a further 14 institutions, (19%) said that such work was planned.

This work was followed up in 2003 with a further survey<sup>2</sup>. 76 Institutions were contacted: 56 responded a response rate of almost 74%. 23 Institutions (41%) reported pro bono activity. Of the 33 institutions with no pro bono activity, 42% indicated that they intended to run pro bono schemes sometime in the future.

Both surveys looked at pro bono work in a wide context, but did not examine any educational aspect of the activity, for example the extent to which it was integrated within the curriculum.

In 2005 the then SPBG decided to commission a further survey, in part to discover the present position in terms of pro bono provision in law schools, and in part to identify those institutions expressing the need for support in establishing a pro bono programme. The LawWorks Students Project was therefore to be descriptive of what was happening on the ground and supportive of those universities and colleges that requested help.

<sup>1</sup> A survey of pro bono activity by students in law schools in England and Wales, Browne, SPBG, 2000

<sup>2</sup> A survey of pro bono at law schools and universities, Whitman and Akoto, SPBG, 2003

### 3. Methodology

The initial project plan is described in the proposal contained in Appendix A. The survey looked at all known law schools across the UK, covering undergraduate, postgraduate and graduate vocational programmes<sup>3</sup>. A questionnaire with covering email was sent to all listed law schools and in many instances there were follow-up telephone calls to elicit survey responses. The total number of institutions approached was 95. Responses were received from 84 institutions; a response rate of 88%. Analysis of non-responding institutions indicates that our respondents are representative of the 95 institutions offering legal education in the UK, in terms of size, location and age of institution.

The analysis of results was made using detailed Excel tabulations. These do not appear in the report, but have been retained. We offered anonymity to the surveyed institutions, and therefore cannot reveal their individual responses.

Results are illustrated by appropriate charts; where provision across all institutions, or important subgroups, is being presented, pie charts are used to portray percentages within totals. Where more detailed data are being presented, for example on occurrences of types of pro bono activity provision, bar charts are used.

For each section a narrative explains the results and adds any relevant comments.

Eleven institutions failed to send a response. From our personal knowledge we are aware of the existence of pro bono programmes at some of these institutions. We have not added this information to the statistical analysis but at relevant points in the commentary mention is made of such programmes.

Apart from the survey itself the LawWorks Students Project was designed to identify and help those institutions that would welcome assistance in setting up or further developing pro bono initiatives. It was thought that the survey results would inform this process. In the event, the survey took longer to complete than anticipated (due to the time that it took to elicit the survey responses) but awareness amongst law schools of the LawWorks survey has led to a number contacting us and requesting assistance. Again, we are not at liberty to reveal the identity of the institutions themselves, but the number and type of activity supported is set out in section 5 below.

---

<sup>3</sup> The identity of the law schools surveyed was revealed through use of the UK Centre for Legal Education's Directory of legal education in the UK



## 4. Results

The results of the survey are set out below.

First, each question is given, in the order of asking. Percentages have been rounded in the usual way. Pro bono activity is abbreviated as PBA in the results section and survey questionnaire.

### Question 1

#### Does your law school organise PBA?

For the purposes of this survey, pro bono activity (PBA) was defined in the questionnaire as:

'legal services carried out without charge, delivered or supported by law school staff and/or students of the law school with the law school's knowledge and consent. This may include in-house advice and/or representation units, placements with other legal service providers or public legal education programmes (*Streetlaw*) and may take place within the law school or in the wider community'.

Of the 84 institutions that responded, 53% (44) stated that they currently run pro bono programmes. This figure contrasts with 41% in both the 2000 and 2003 surveys.

Of the 11 institutions that failed to respond to the questionnaire the research team know from personal contacts with them that there are pro bono programmes at four of the institutions, three of which run *Streetlaw* initiatives (two student-led and the other run by law school staff). One institution has an advice centre that is run by the Guild of Students (Students' Union) and law students form the bulk of the advice staff (under the supervision of Guild officers and local solicitors). This information was not formally reported and therefore does not form part of the statistical analysis in this report.

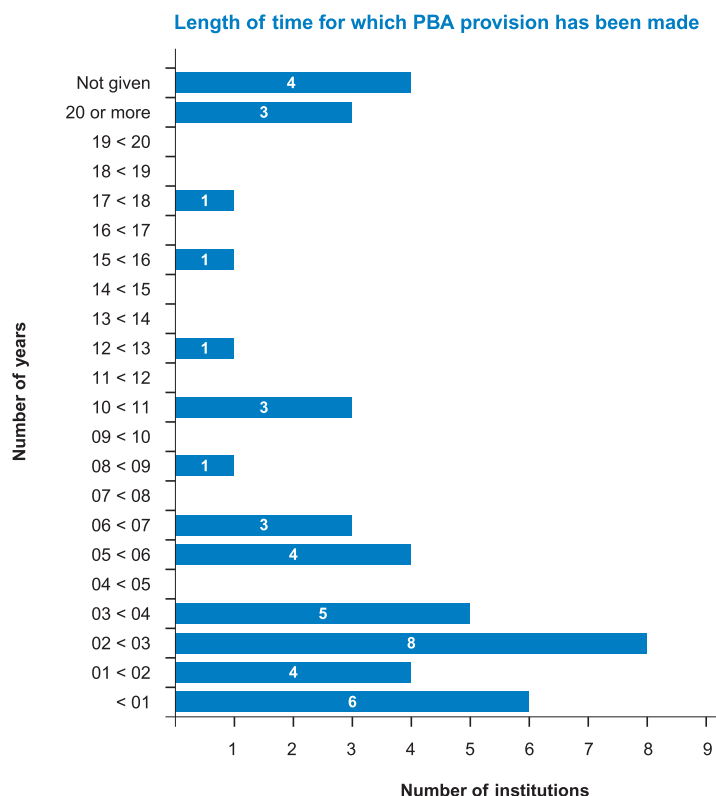
### Question 1.1

#### If YES, for how long has it done so?

Of the 44 PBA-providing institutions, 40 were able to give information on the length of time for which provision has been made.

The bar chart below shows the range of years involved – less than one, up to 20 or more. In the chart we have retained a degree of detail. The most common category of answer, from eight institutions, is two to three years. Close behind, with six responses, is less than one year. At the other extreme are three institutions that have made PBA provision for 20 or more years.

Aggregation of the data gives the broad-brush picture. Over half (23) of the 40 institutions have made PBA provision for a relatively short time, that is, under four years. Seven have made provision for four to seven years inclusive. Another six have made provision for eight to 15 years inclusive, while, finally, four are in the 16 years and over category.

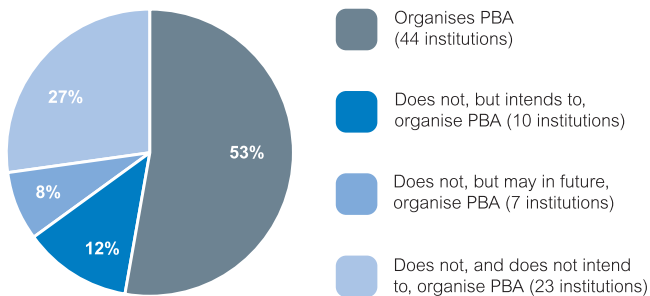


**Question 2**

**If NO, does your law school intend to do so, and, if so, when?**

Of the 40 institutions (47% of total respondents) not currently engaged in PBA, 10 reported that they intend to engage in such activity within 12 months of completing the questionnaire. Of these 10, seven have definite plans to offer PBA provision before, or at the start of, the academic year 2006-2007. A further seven of the 40 institutions not currently offering PBA reported that provision is under discussion. The remaining 23, that is, 27% of the 84 respondents, neither make, nor plan to make, any such provision.

The provision is summarised in the pie chart below.



**Organises, or may organise, PBA**

In summary, a total of 61 institutions (73% of total respondents) organise, intend to organise, or are considering organising, PBA provision.

In the 2000 survey, 43% of responding institutions (59% of total respondents) did not do pro bono work. However, 32% of non-providers reported that they planned to make such provision.

A further 47% said that they would do so if circumstances – mainly resource-linked – permitted. The remaining 21% neither made, nor planned to make, pro bono provision.

In the 2003 survey, 33 of the responding institutions (59% of total respondents) did not do pro bono work. Of the non-providers, 15% stated that pro bono provision was planned for the near future. A further 27% said that they planned to make such provision at some time in the future. However, over half of the non-providers said that they had no plans to introduce pro bono activity<sup>4</sup>.

<sup>4</sup> The questions asked in the 2000 and 2003 surveys were not identical hence the slightly different form of reporting



### Question 3

If YES to Q.1, please answer the following questions:

#### Question 3.1

##### What is the PBA?

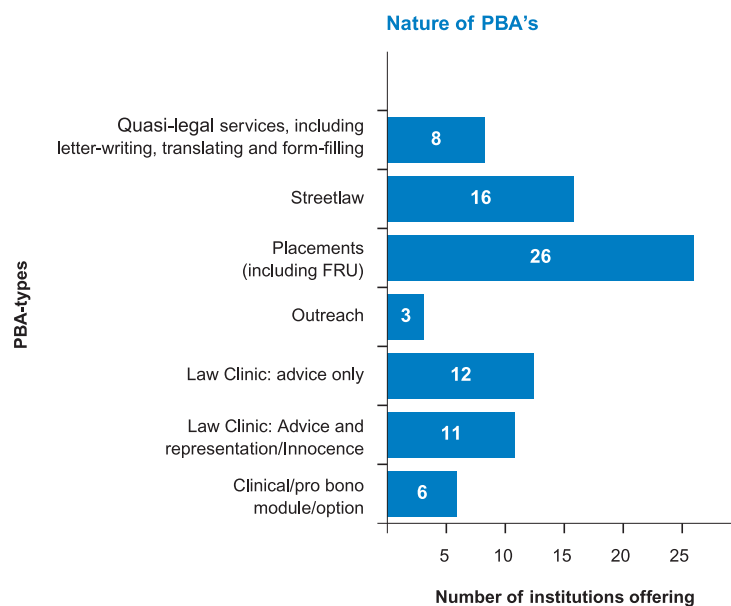
The 44 institutions offer a wide variety of PBA schemes. The vast majority of institutions offer more than one type of activity. We have placed each PBA into one of seven categories, set out in the bar chart below. Between them, the 44 institutions reported a total of 82 distinct activities or groups of activities falling within the given categories.

Of the 44 institutions offering PBA, 22, (50%), said that they offer in-house advice and/or representation. It can be seen from the bar chart below that 11 institutions offer law clinics giving both advice and representation. Twelve institutions offer advice-only clinics. One institution, a major provider, offers both.

The largest single category of PBA is, however, placements, mentioned by 26 of the institutions. Such activity involves students being sent to organisations external to the educational provider. The attractions for the institutions of this type of PBA include the fact that the cost of supervision and of any case management falls to the host organisation.

Sixteen of the institutions provide *Streetlaw* (legal literacy clinics where students teach the public about legal rights and responsibilities). This type of PBA thus comprises approximately 20% of pro bono activity-types reported.

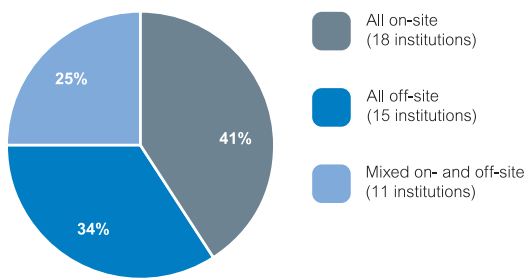
Other types of pro bono work include quasi-legal services (such as form-filling and translation work), provided by 18% of the 44 institutions, and outreach services - run by three of the law schools, but based in their respective communities.



### Question 3.2

#### Where does the PBA take place?

With regard to the location of pro bono activity, the pie chart below shows that for 41% of the institutions offering PBA, that is, 18 institutions, provision is wholly on-site. For a further 15, that is 34%, provision is wholly off-site. The remaining 11, that is 25%, have provision which is a mixture of the two.



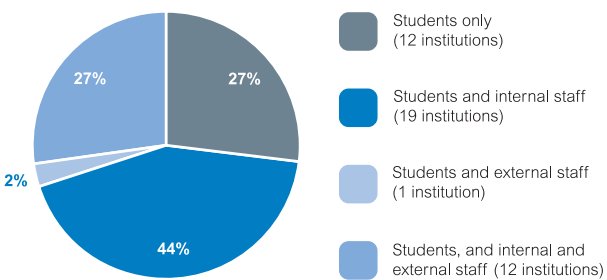
Location of PBA

### Question 3.3

#### Who takes part in the PBA (staff/students/others)?

In response to the above question, 19 of the 44 institutions (44%) said that students and internal law school staff participate in PBA. In a further 12 institutions (27%), PBA participants comprise a mix of students, tutors and supervisors from external organisations.

In one institution, PBA involves only students and external staff. PBA schemes involving students only were reported by 12 institutions (27%).

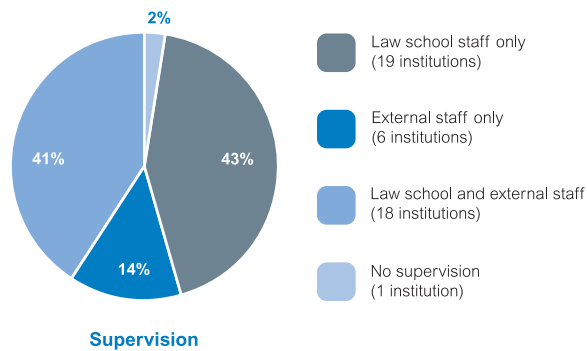


Participants

#### Question 3.4

**Is the PBA supervised, and if so by whom (e.g. law school staff, private practitioners, staff at host organisation)?**

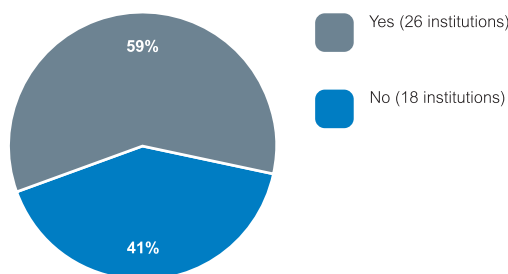
The pie chart below shows the pattern of supervision; in 19 institutions, 43%, supervision is by law school staff only. In a significant minority of cases, six, or 14% of institutions, supervision is by external staff only. For the bulk – 18 – of the remainder, supervision is by both law school and external staff. In only one institution was there reported to be no formal supervision.



#### Question 4

**Does your law school provide training for the PBA?**

In a sizeable majority of cases, 26, or 59% of the institutions, the respondents reported that they provide PBA training for participants. Some added, in informal comments, that training is also provided by external organisations.



Provision of training by institution

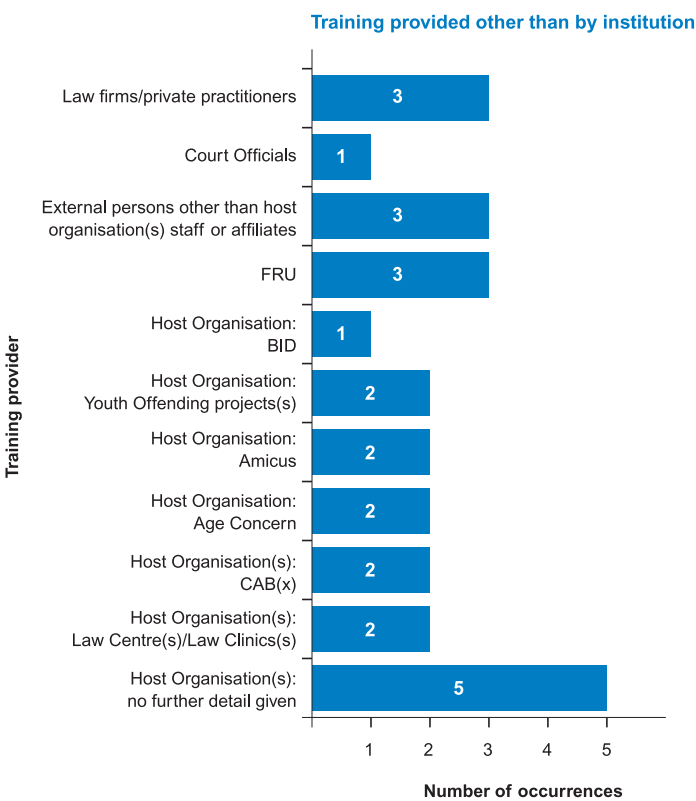
### Question 5

#### If NO, does anyone else provide training?

Of the 18 institutions not themselves providing PBA training, 16 reported that training is provided via staff of external organisations. In one of the two remaining cases, training by internal staff is in preparation. In the final case, the PBA in question comprises assistance to legal practitioners who may be presumed to give such guidance as is required.

The bar chart below details the types of external organisation at which training is provided, or via which training is channelled.

It can be seen that in 16 of the 26 instances of externally-provided training (62%), the latter is undertaken by staff of host organisations.





### Question 6

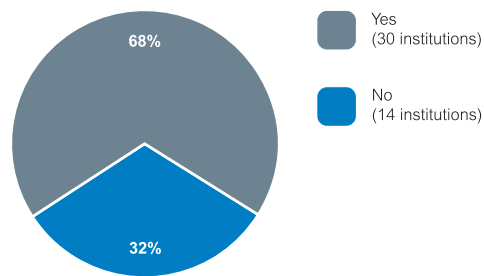
#### Does your law school work in partnership with any other organisation(s) in the provision of PBA e.g. local Law Society, CAB, law centre?

Of the 44 institutions, 30, that is, 68%, reported that they work in partnership with others.

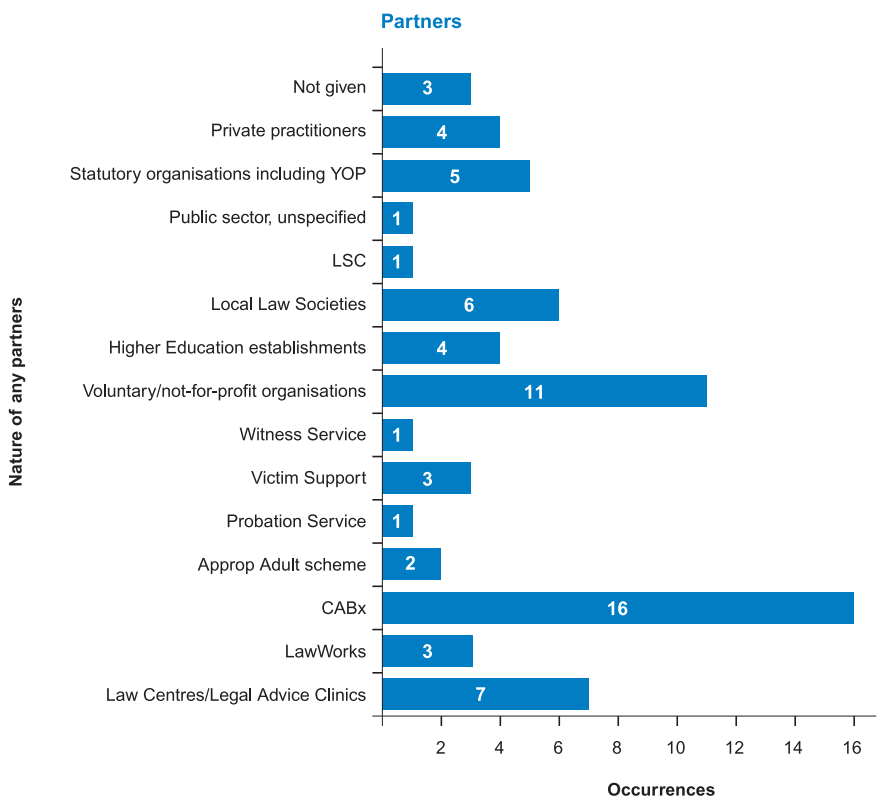
The 30 institutions that work in partnership reported 68 instances of such working. We have categorised the

instances. The bar chart below gives that categorisation, and the number of instances falling within each category.

It is evident from the bar chart that the largest single category of partner is CABx, with 16 instances, followed by not-for-profit and/or voluntary organisations, with 11. Interestingly, local law societies also feature reasonably strongly amongst partner organisations.



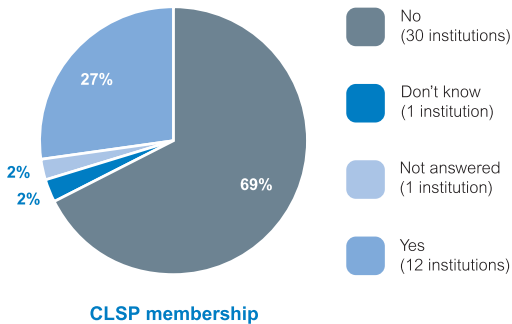
Whether institution works in partnership



**Question 7**

**Does your law school belong to the local Community Legal Services Partnership?**

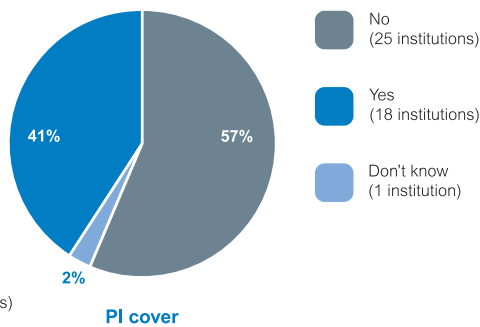
The creation of Community Legal Services Partnerships (CLSPs) in the 1999 Access to Justice Act attempted to bring together legal service providers locally and regionally. As the pie chart below shows, only a minority, 12, or 27%, of PBA-providing institutions reported that they are members of their local CLSP. One respondent said that she does not know whether her institution belongs to the local CLSP.



**Question 8**

**Is the PBA covered by professional indemnity insurance?**

Eighteen of the 44 institutions, that is, 41%, reported that their PBA is covered by professional indemnity insurance (see pie chart below).



The respondent for one of the remaining 26 institutions said that she does not know whether her institution's PBA is so covered, while the remaining 25 reported that they do not have Public Indemnity (PI) cover. One of the 25 noted that an on-campus legal advice centre is planned, and that the centre will have relevant cover.

LawWorks acknowledges that the question may have been ambiguous in that some respondents interpreted the question as asking whether the law school provides indemnity cover, rather than any organisation including the law school and any host.

A proportion of the respondents stating that their institutions do not have PI cover, made it clear in comments that they would expect any host organisation to have cover adequate to indemnify against relevant risk.

**Question 9**

**If YES, in whose name is the insurance, and is any (additional) premium payable to cover the PBA?**

All institutions with PI cover, save two, said that the cover is in the name of the institution. Of the two exceptions, one reported that the cover is expressly in the name of the university's law clinic, which is independently insured. For the other exception, cover is in the name of an independent voluntary organisation offering the PBA and technically distinct from the university.

**Question 9.1**

**Is a premium payable?**

Of the 18 institutions having PI cover for their PBA, the majority, 11, reported that no additional premium is payable, while four said that such a premium is payable. In two cases the information was reported as not known, or was not given. In the final case, practice varies across the institution's sites.

**Question 10**

**If students are involved in the PBA, at what stage are they in their legal education (i.e. their year of study)?**

The following bar chart sets out the courses of study on which PBA-participant students are registered.

Of the 44 institutions all but one provided information on the types of course having PBA-participant students. More than a quarter of the institutions, 27%, accept students across a range of courses.

At least 35 institutions providing information (81%) offer PBA opportunities for undergraduate and/or postgraduate non-vocational students. In four instances of postgraduate study, the vocational/non-vocational nature of the courses was not specified. In two of the cases, the institutions in question accept non-vocational undergraduates, and are thus included in the 35 given above.

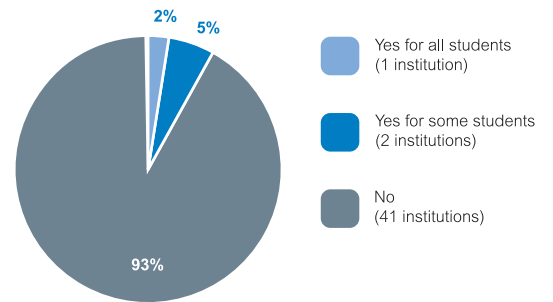
Such non-vocational courses would, of course, be the majority of courses on offer. However, vocational programmes - the Legal Practice Course, the Bar Vocational Course and the graduate conversion programme (Common Professional Examination) - are also well represented. For example, of the 35 institutions offering PBA opportunities to non-vocational students, eight also offer such opportunities to students on vocational programmes. A further six institutions offer PBA opportunities only to vocational students.

**Question 11**

**Is participation in the PBA compulsory?**

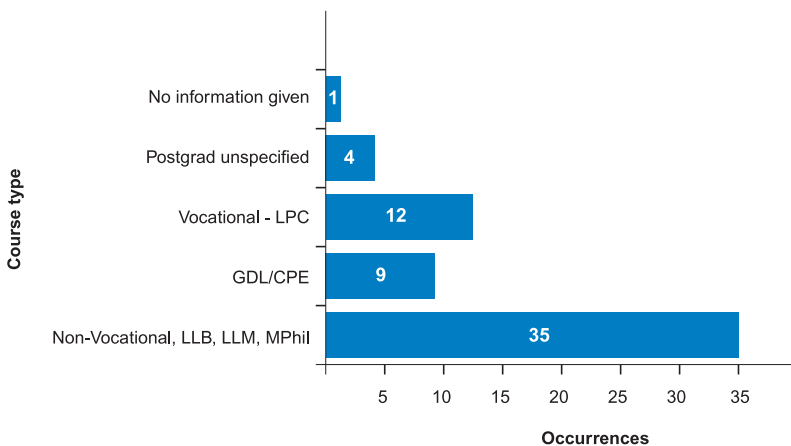
The pie chart below sets out the responses to this question.

PBA participation in the vast majority - 93% - of the 44 institutions is reported to be voluntary. In only three institutions is PBA compulsory for some or all students on relevant courses.



**PBA compulsory?**

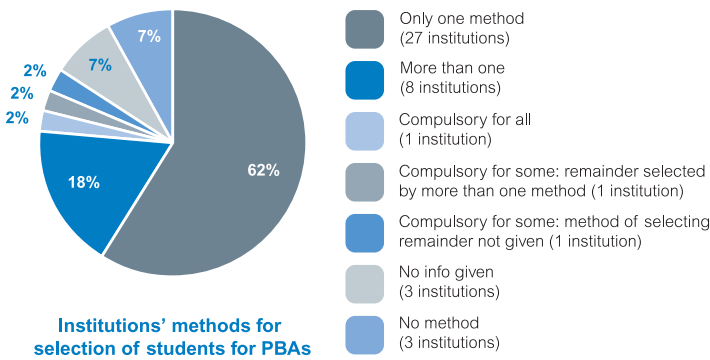
**Types of courses**



**Question 12**

**If NO, how are students selected to take part in the PBA?**

Our experience is that PBA is popular amongst the student body, often leading to over-subscription. We therefore asked about methods of selecting students for PBA. The pie chart below shows, for all 44 institutions providing PBA, whether methods of selection are employed, and if so, how many methods.

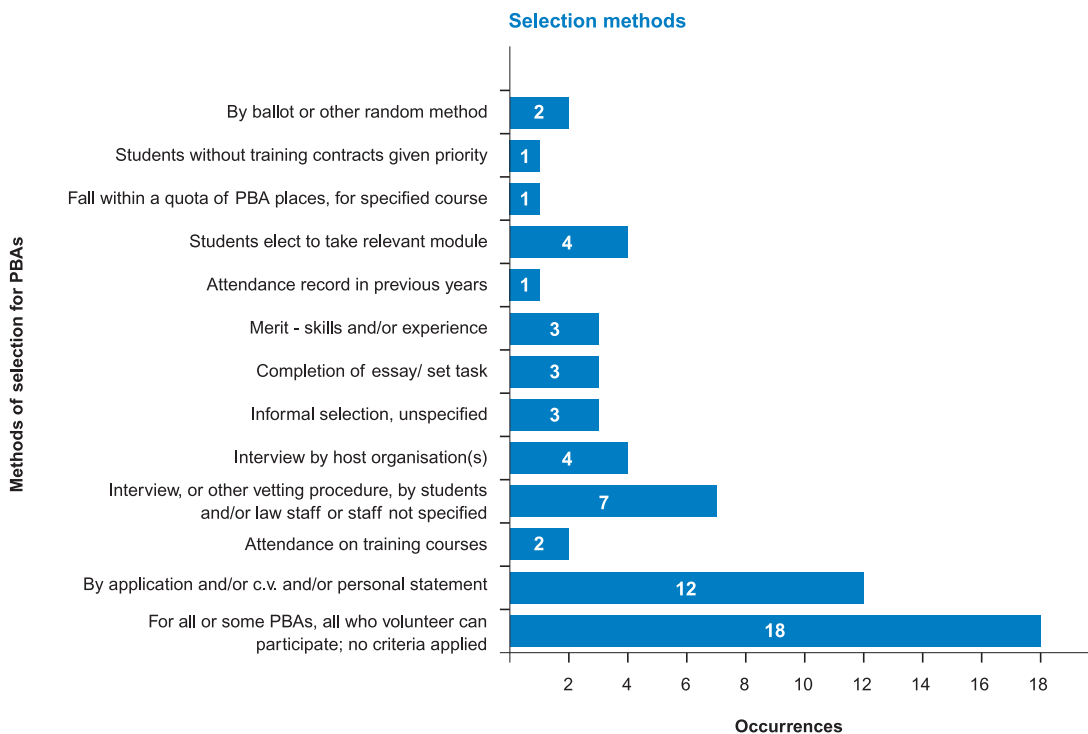


As noted previously, three institutions reported that PBA participation is compulsory for some or all students on relevant courses. Of the remaining 41 institutions, three gave no relevant information.

Of the remaining 38, three institutions reported that no method of selection is employed; in effect, all comers are accommodated. The majority of those using any selection method rely on only one method.

The variety of means used by the various institutions and/or host organisations is set out in the bar chart below. Eighteen institutions reported that for some PBAs, and, indeed, in some cases for all PBAs, the institution is able to accommodate all who volunteer; in effect, no selection criteria need be applied. An additional four institutions noted that notwithstanding their having in place set selection procedures, they have in practice been able to find PBA places for all students wishing to participate. In other cases a wide range of selection criteria – often set in conjunction with staff of host organisations – is employed. The latter is, of course, particularly true for very popular PBAs.

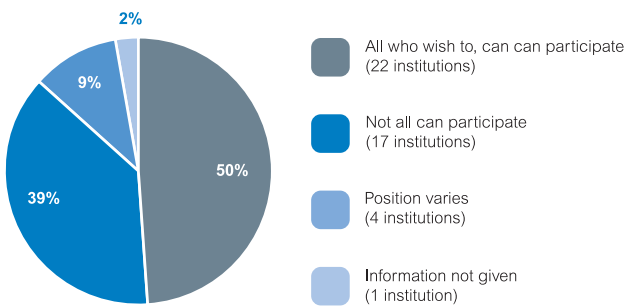
Some institutions reported that, if need arises, students who have met the given criteria, but who cannot be accommodated in a given year on the PBA of their choice, will be given priority on that PBA the next year.



**Question 13**

**Are all students who wish to, able to take part in the PBA?**

The responses to the above question are set out in the pie chart below.



**Participation possibilities**

Of the 44 institutions, one gave no information in response to the above question. Twenty two institutions, that is, 50% of the total of all providing institutions, reported that all students wishing to participate in pro bono activity can do so.

A total of 21 institutions said that they cannot, or cannot always, accommodate all students who wish to participate.

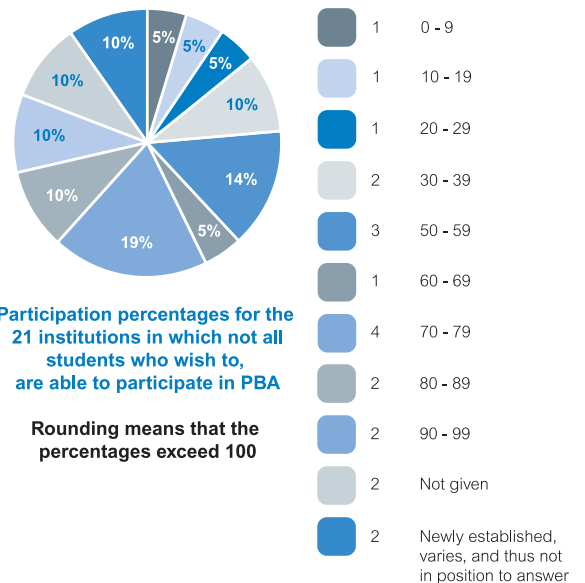
**Question 14**

**If NO, what percentage of students who wish to, are able to take part?**

The percentages of students able to participate, where institutions reported that they are not able to accommodate all students wishing to participate in PBA, are set out below.

Two of the 21 relevant institutions reported that their PBAs are newly established, or are not yet in a stable condition, and that meaningful answers could thus not be given.

A further two institutions did not give information. Of the remaining 17, percentage participation varied widely. The largest single category is that for institutions, four in number, able to accommodate between 70 to 79 per cent of would-be PBA participants. It is noteworthy that almost half of the institutions giving participation figures, eight out of 17, reported that they are able to accommodate over 70% of would-be participants.



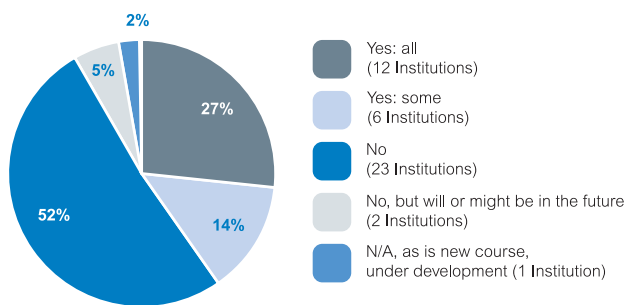
**Participation percentages for the 21 institutions in which not all students who wish to, are able to participate in PBA**

**Rounding means that the percentages exceed 100**

**Question 15**

**Are students academically assessed on the work undertaken in the PBA?**

In previous studies a significant number of law schools recognised the academic value for the students and provider of doing PBA; in the 2003 survey 48% of all respondents saw educational value in PBA. We therefore asked a range of questions on whether and how the PBA was academically assessed. The pie chart shows the responses to the relevant question.



**PBA academically assessed?**

In 23 PBA-providing institutions – that is, in just over half of the latter - PBA is not seen as an integral part of the curriculum – that is, where the student is given academic credit for his or her PBA or work related to it.

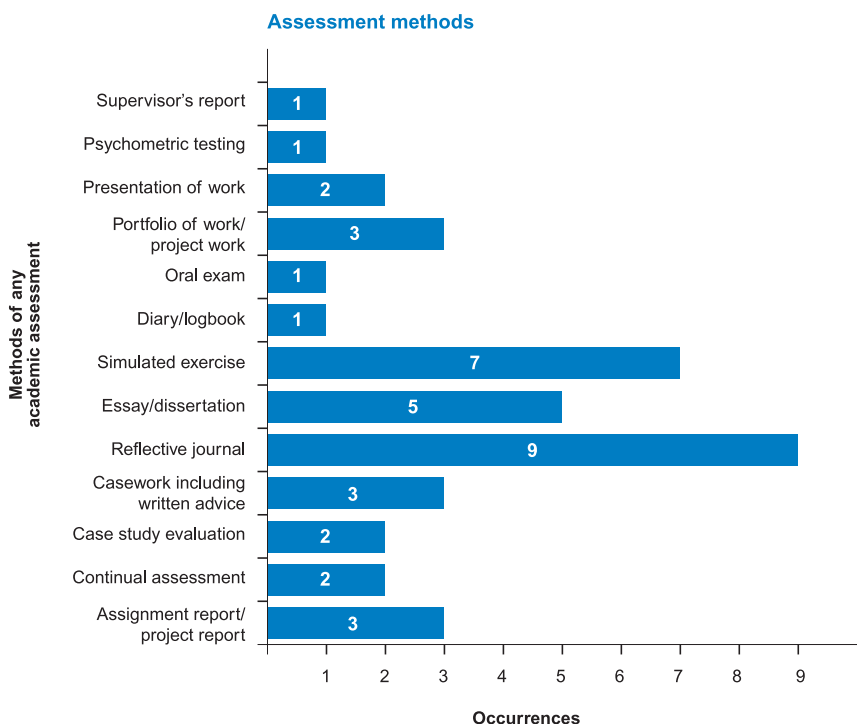
In 18 institutions, 41%, academic assessment is made of some or all of the students' PBA work. The response from the 2000 survey was almost identical. The question was not asked in the 2003 survey.

**Question 16**

**If YES, how are they assessed (e.g. by exam, essay, reflective journal)?**

The means by which students are assessed vary widely, from use of a reflective journal through to end-of-activity traditional tasks such as the writing of an essay or presentation of a portfolio of work or of a project, through to execution of a simulated exercise or the undergoing of psychometric tests. The most common forms of assessment are reflective journals, seen in nine institutions; simulated exercises (seven) and concrete exercises such as essays or dissertations (five); and work portfolios or projects (three). The bar chart below sets out the full list of responses.

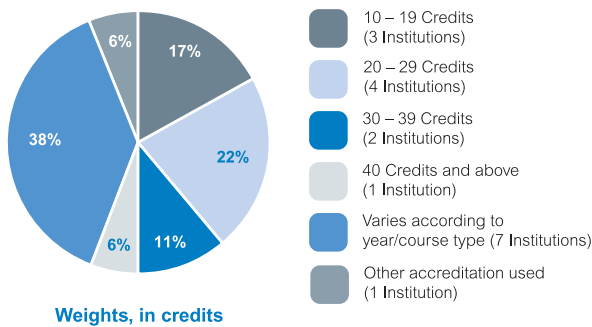
It is noteworthy that most institutions use more than one method of assessment. In only two institutions is one method, only, used.



**Question 17**

**If the students are assessed what weight does the assessment carry (e.g. a 20 credits elective)?**

A quarter of responses where credit is given indicate that the assessed element carries what can be termed a full module weighting (typically 20 units in a 360-credit degree programme). The pie chart below sets out the full responses. This suggests that the 'clinical' component is treated as a full (20) credit elective.



**Question 18**

**How many students will take part in the PBA in the current academic year - 2005/06 (specify overall total and total by each defined activity if more than one)?**

The numbers of students taking part in PBA vary enormously between institutions. The bar chart below sets out the range of numbers of students participating in PBA.

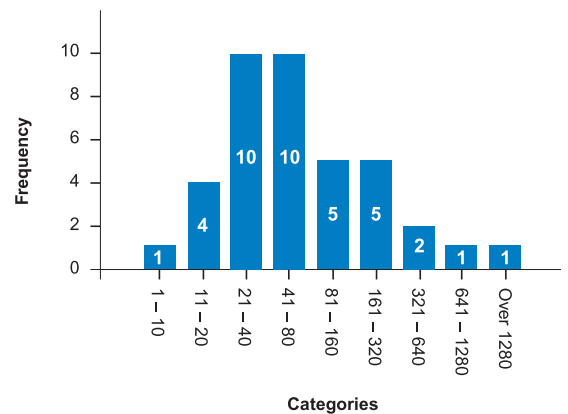
In order to accommodate in a reasonable way, what transpired to be a very wide range of numbers, the latter have been aggregated into bands. The bands are of uneven width, in order to fit the whole range of numbers into a reasonable space.

Of the 44 institutions, four were unable to give the figures. Additionally, one institution described its PBA provision as being 'under development' and did not give a figure.

Just over half of the 39 institutions able to provide figures reported that their PBA provision comprises numbers of students between 21 and 80. At the extremes, two institutions reported PBA provision of one thousand or more students, while one has fewer than 10.

A number of institutions broke down the overall number of participant students by individual PBA, but most did not. LawWorks is extremely grateful to responding institutions that provided figures, but decided that it would be spurious to report detailed breakdowns as if the latter could be taken as dependably representative.

**Frequency of ranges of PBA student numbers (uneven category-classes)**

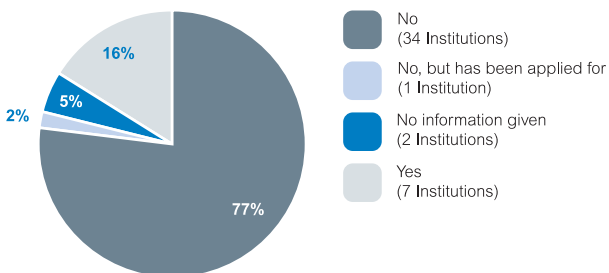


### Question 19

#### Does your law school hold the Legal Services Commission's Quality Mark and, if so, at what level?

The questionnaire then went on to ask about the Legal Services Commission's Quality Mark. This question was included, in part, to see to what extent external quality assurance measures are used, and also to identify those institutions that are in a position to take part in cases that are eligible for referral and/or public funding.

The pie chart below shows the responses to the above question.



#### Whether Quality Mark held

Two of the 44 institutions gave no information on the holding of the Quality Mark. Of the remaining 42, 34, that is, the majority of institutions, do not have the Quality Mark. Seven institutions have the Quality Mark, while an additional institution has applied for it.

Of the seven institutions holding the Quality Mark, two hold it at the general level; one is qualified to offer information; one holds a casework Quality Mark; one holds a specialist Quality Mark in three areas; and one is accredited across a number of areas. The seventh provided no detail of its accreditation.



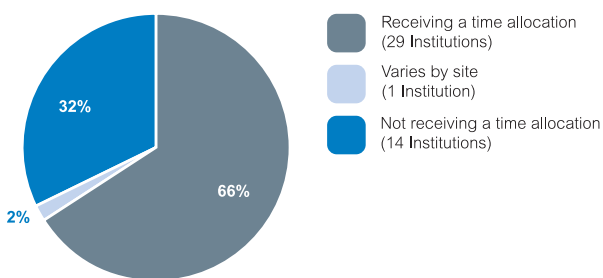
### Question 20

#### Do any members of law school staff receive a time allocation for taking part in the PBA, and if so what?

The worth of PBA may be recognised by the educational provider in a variety of ways, one of which is allocation of institutional staff time to the pro bono work.

In the 2003 study 26% of PBA law schools gave internal staff a time allocation to carry out PBA work.

The present survey – the results of which are shown in the pie chart below - sees a significant increase in this figure to 66%, that is 29 of the 44 providing institutions. One additional institution reported that receipt of a time allocation varies by site. Notwithstanding the increase in reported frequency of allocation of time, it remains true that virtually a third of PBA providing institutions reportedly make no time allocation.



Time allocation

### Question 20.1

#### Time allocation

Twenty five of the institutions in which staff receive some time allocation for PBA work gave some indication of the scale of the allocation. However, the data given varied enormously in precision and in virtually all cases was incommensurable in terms of staff numbers and the period for which a given number of hours is allocated.

### Question 21

#### Apart from staff time allocation does the law school commit any funds to PBA to pay, for example for administrative, training or overhead costs, and if so, what?

In the 2000 study just under 30% of law schools directly funded their own PBA.

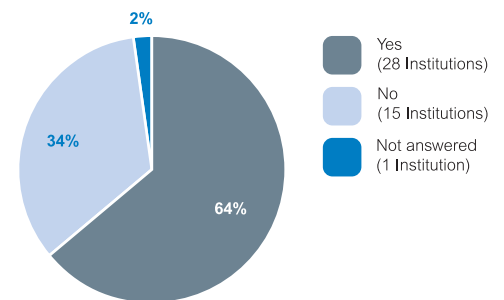
The pie graph below sets out the results of the 2006 survey.

Of the 44 providing institutions, one gave no information. Of the remaining 43, 28 reported some commitment of establishment funds. Thus, out of 44 providing institutions, at least 64% of them make some funding provision for their PBA.

Of the 28, 14 provided some indication of the scale of provision. In the interests of brevity of questionnaire, not much scope was given for detailed exposition of amounts of money.

The 14 responses yielded an average amount of just over £22,000. It is not possible to say how many of the responses referred to annual allocations and how many to one-off allocations, such as those for start-up costs. If the one very substantial amount among the 14 is excluded, the average falls to £2,700 per institution.

Twenty four institutions of the 28 gave some indication of the type of cost intended to be covered. The vastly greater part comprise either start-up non-capital costs such as launch publication costs, or recurrent costs such as stationery and associated costs such as photocopying, travel, lighting and the like. In only five institutions was mention made of covering any staff salary costs.

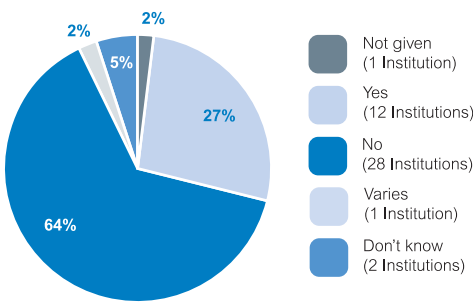


Any commitment of establishment funds?

**Question 22**

**Does the law school receive any external funding for its PBA, and if so what?**

In 2000 44% of law schools received some form of external funding (from charities and foundations, sponsorship and legal aid). The pie chart below sets out the results of the 2006 survey in respect of external funding.



Any external funding?

Two institutions said that they do not know whether any external funding is received. One additional institution did not respond to the question. Of the remaining 41, one reported that external funding varies by site, 12 reported that external funding is received, whilst 28 said that no external funding is received.

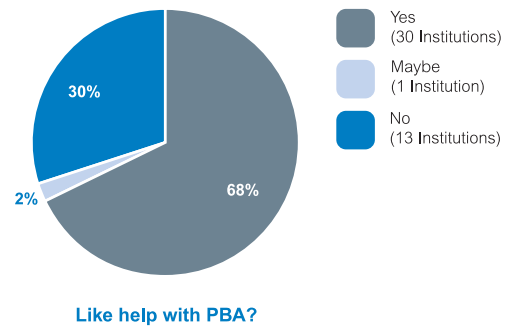
In summary, the incidence of external funding appears to have dropped to less than 30%.

Eight of the 13 in receipt of external funding indicated the scale of funding. This ranged from almost half a million pounds to £500. As with information on institutions' own funding of PBA, it is impossible to make an accurate judgement of the scale of provision and of the true scope of costs intending to be covered. However, comments on the latter indicated that in a small number of cases substantial funds have been made available to meet the bulk of running costs, including those of staffing. In the greater number of cases, however, external funding is modest in scale.

**Question 23**

**Would your law school like to receive help with the design, training or running of the PBA, and if so what is the need?**

The pie chart below shows that almost 70% of providing institutions indicated that they would value assistance in respect of their PBA.



Like help with PBA?

The scale of interest is borne out by the number of institutions that have actually asked LawWorks for help. (See section 5 below)

**Question 24**

**Would your law school be interested in joining a support group for those involved in PBA?**

The vast majority, 42 of 44, of providing institutions said that they would be interested in joining a support group to promote and develop PBA in law schools.

## 5. Follow-up work

As mentioned at the beginning of this report part of the project design was to identify, through the research, those institutions that would welcome and benefit from assistance in terms of creating or further developing pro bono clinics.

The time taken to acquire the survey data and the resource constraints of the project meant, however, that the support intended was not going to be delivered within the project framework.

Whilst the members of the project team were discussing this, and following dispatch of the survey questionnaire, a number of institutions contacted LawWorks seeking assistance. One of the survey questions had asked whether such help would be welcomed. The project team therefore responded to each request as the latter arrived and in the currency of the project (October 2005 – April 2006) 16 institutions (17% of all institutions surveyed) were visited and/or corresponded with. Of these, nine wanted help establishing or developing in-house advice clinics and seven intended to set up *Streetlaw* programmes.

Assistance was given in the form of presentations on the benefit of pro bono work (for the public, for students, for the profession and for the institution) and on the possible models of clinical legal education that could be established. Of the nine institutions wanting to set up advice clinics, five have either launched their clinics or intend to do so by September 2006. Two already had clinics and are now delivering an extended programme (in the form of a telephone advice service in employment cases). Of those that were helped with *Streetlaw* initiatives, five have now piloted a programme and four intend to run *Streetlaw* in the 2006/07 academic session.

The project also had as one of its objectives the creation of a bank of resource materials. This is expected to be posted on the LawWorks website by end-August 2006 and will consist of guides to establishing clinics in a variety of settings. Generically they cover in-house advice and representation units, placement schemes and *Streetlaw* programmes. Accompanying these handbooks will be a guide to reflective practice, a draft protocol on law school pro bono work, recommendations for law school clinical activity and a set of frequently asked questions and answers. Feedback on draft forms of this material, from the institutions the team has already worked with, has been very positive.

## 6. Conclusion and recommendations

The research team considers that the survey responses are sufficiently numerous and detailed to provide reliable and valuable material from which meaningful conclusions can be drawn.

It is clear that pro bono activity is now widespread amongst law schools and that clinics in various forms are incorporated within the law school curriculum in a significant number of institutions.

Teaching staff in law schools are increasingly being given time allocations for PBA.

A very high percentage of the institutions surveyed expressed interest in receiving help setting up and developing clinics, and an even higher percentage of those doing PBA said that they would like to join a support group.

The research team's activity with individual law schools indicates that, where support has been given, there is a significant measure of success, as evidenced by the creation of new clinic initiatives - the research team's input having been a 'helping hand' on the way to a successful outcome.

The research project has cost approximately £15,000 to carry out together with help in kind, provision of consultant's time in visiting law schools, writing materials and producing this report, valued at around £20,000. It is not for the team to say that this necessarily represents value for money, but it can be said that for a relatively modest outlay the current state of PBA in law schools is now better understood, and that a significant number of institutions have been helped to get programmes up and running. In addition, valuable reference and self-help materials will shortly be available to assist others.

### Recommendations

LawWorks staff generally, and the research consultant specifically, brought to the research project a range of relevant experience and contacts. The survey, boosted by those pre-existing links, has yielded a list of contacts that, if maintained, will allow continuing promotion and monitoring of PBA development.

The research team therefore suggests:

- 1 that the list of contacts be kept up-to-date, in part to help with development work and in part as a hard-won resource that merits being kept up-to-date in an ongoing and incremental way;
- 2 that funding be obtained to examine further the responses from institutions not providing PBA, to identify constraints on provision and reasons for non-provision. Where appropriate, and recognising the right of institutions not to provide PBA, practical advice will be offered on how to overcome perceived constraints;
- 3 that the possibility be kept open for further work from this current survey;
- 4 that institutions engaged in PBA be encouraged to compile case studies and materials, for use by others, perhaps posted on a support group network (LawWorks or the Clinical Legal Education Organisation); and, finally,
- 5 that funding be sought to support a law schools PBA development team.



## 7. Acknowledgements

The research team wishes to thank DLA Piper UK LLP for its generous support, and Elaine Radford in particular for her encouragement; the staff at those law schools who took the time and trouble to respond to the survey; regular staff and volunteers at LawWorks; and, finally, The College of Law for kindly agreeing to the use of some of its core materials as a base for some of the guidance material.

**Richard Grimes**

Independent consultant

**Jan Musgrove**

LawWorks Students Project  
Research Officer

May 2006

## Appendices

### A. LawWorks Students Project outline

#### 1. The project

LawWorks Students Project was designed to elicit who was doing what pro bono and clinical work in UK law schools, to create a set of materials to help law schools set up pro bono clinics and to identify those law schools that were willing, and, with the benefit of support from the Students Project team, able, to establish or further develop clinical programmes.

#### 2. Why?

Law schools, their staff and their students are uniquely placed to make a contribution to unmet legal needs. It is a 'win, win' situation. With support from professionally qualified lawyers, law schools can complement and add to existing service provision and provide students with an opportunity for 'hands-on' learning.

#### 3. The research

The first task of the project is to find out what is happening in law schools. A questionnaire has been sent and we expect to have the results of this by early March. The findings will be published and made available in hard and electronic copy.

#### 4. The materials

Materials have been written covering the three main 'models' of law school clinic – advice and representation services, placements and a legal literacy programme called *Streetlaw*. These will act as a guide for law schools in setting up and running clinics. The team will be posting these on the LawWorks website within the next two months. In addition to these handbooks a *PowerPoint* presentation has already been put on the website showing the benefits of law school clinics, and indicating the types of clinical activity law schools can engage in. Feedback so far on this has been positive.

#### 5. The law schools

The research has been designed to identify those law schools wanting help in setting up clinics. Whilst we have been waiting for responses to the survey we have already been contacted by 12 law schools that have asked for help. The Students Project team is assisting a range of universities in both the 'old' and 'new' sectors and spread across England and Wales.

#### B. Copy of survey questionnaire

##### Solicitors' Pro Bono Group

##### Survey of law school pro bono activity

As you may be aware an increasing number of law schools are now taking part in schemes to provide help for those who have unmet legal needs. There are many reasons for doing so. Students have the opportunity to put theory into practice, clients receive free legal help, law schools get the chance to make stronger links with the community and this work adds to the local legal service provision.

Some law schools encourage students to work with other organisations (for example Citizens' Advice Bureaux, law centres and other not-for-profit groups) helping them increase their own levels of service. Other law schools run their own in-house projects giving information, advice and in some cases representation. Properly supervised such schemes offer benefits to all those concerned.

It is now over 2 years since a survey of the extent and range of law school pro bono work was conducted (see the Students/Links and Resources section of the SPBG website). With grateful thanks to DLA Piper UK LLP ([www.dlapiper.com](http://www.dlapiper.com)) for their support and help in this project we are therefore writing to you today to

ask you to help us bring the law school pro bono picture up to date.

We have made the questionnaire as brief as possible. If you do not wish to be identified we will respect your anonymity. Please however complete and return this questionnaire as soon as possible and no later than 15 November 2005. There are several regional and national initiatives on-going at present that may lead to increased support (including funding) for law schools wanting to do pro bono work. Identifying at this stage who is doing what and what will aid this development.

Thank you very much for your co-operation.

For the purposes of the questionnaire, the following term is used:

*Pro Bono activity (PBA)* – legal services carried out without charge, delivered or supported by law school staff and/or students of the law school with the law school's knowledge and consent. This may include in-house advice and/or representation units, placements with other legal service providers or public legal education programmes (*Streetlaw*) and may take place within the law school or in the wider community.

Please answer all questions by indicating YES or NO as appropriate and by inserting relevant details in the spaces provided.

## Questions

**Question 1** Does your law school organise PBA?

YES  NO

If YES, for how long has it done so?

---

**Question 2** If NO, does your law school intend to do so, and, if so, when?

YES  NO

If YES, when?:

---

**Question 3** If YES to Question 1, please answer the following questions:

**Question 3.1** What is the PBA?

---

---

**Question 3.2** Where does the PBA take place?

---

**Question 3.3** Who takes part in the PBA (e.g. staff/students/others)?

---

**Question 3.4** Is the PBA supervised, and if so by whom? (e.g. law school staff, private practitioners, staff at host organisation)

YES  NO

By whom?

---

**Question 4** Does your law school provide training for the PBA?

YES  NO

**Question 5** If NO, does anyone else provide training?

YES  NO

If YES, by whom is the training provided?

---

**Question 6** Does your law school work in partnership with any other organisation(s) in the provision of PBA e.g. local law Society, CAB, law centre?

YES  NO

If YES, with whom?

---

**Question 7** Does your law school belong to the local Community Legal Services Partnership?

YES  NO

**Question 8** Is the PBA covered by professional indemnity insurance?

YES  NO

**Question 9** If YES, in whose name is the insurance, and is any (additional) premium payable to cover the PBA?

Name of insured

---

Is premium payable?  YES  NO

**Question 10** If students are involved in the PBA, at what stage are they in their legal education (i.e. their year of study)?

---

---

**Question 11** Is participation in the PBA compulsory?

YES  NO

**Question 12** IF NO, how are students selected to take part in the PBA?

---

---

**Question 13** Are all students who wish to, able to take part in the PBA?

YES  NO

**Question 14** If NO, what percentage of students who wish to, are able to take part?

---

**Question 15** Are students academically assessed on the work undertaken in the PBA?

YES  NO

**Question 16** If YES, how are they assessed (e.g. by exam, essay, reflective journal)?

---

---

**Question 17** If the students are assessed what weight does the assessment carry (e.g. a 20 credits elective)?

---

---

**Question 18** How many students will take part in the PBA in the current academic year – 2005/06 (specify overall total and total by each defined activity if more than one)?

Total number of students for year:

---

Totals for each PBA:

---

**Question 19** Does your law school hold the Legal Service Commission's Quality Mark and, if so, at what level?

YES  NO

Level:

---

**Question 20** Do any members of law school staff receive a time allocation for taking part in the PBA, and, if so, what?

YES  NO

Time allocation:

---

**Question 21** Apart from staff time allocation does the law school commit any funds to the PBA to pay, for example, for administrative, training or overhead costs, and if so, what?

YES  NO

Amount? £ 

---

To cover what?

---

**Question 22** Does the law school receive any external funding for its PBA, and if so, what?

YES  NO

Amount? £ 

---

To cover what?

---

**Question 23** Would your law school like to receive help with the design, training or running of the PBA, and if so what is the need?

YES  NO

The need?

---

---

---

**Question 24** Would your law school be interested in joining a support group for those involved in law school PBA?

YES  NO



LawWorks is the operating name of the  
Solicitors Pro Bono Group and is a registered charity  
(number 1064274)  
(Company registration number 03410932)

**DLA Piper** is a global legal services organisation, the members of which are separate and distinct legal entities. For further information please refer to [www.dlapiper.com/structure](http://www.dlapiper.com/structure)

A list of offices can be found at [www.dlapiper.com](http://www.dlapiper.com)

DLAPRGC 9692/09.06



**INVESTOR IN PEOPLE**