London South Bank University

Drop-in
Legal Advice Clinic

Director's Manual
1st Edition

The Higher Education Academy

LawWorks

supported by The Law Society

CONTENTS

PREFACE & ACKNOWLEDGMENTS

In October 2011, London South Bank University opened a new Drop-In Legal Advice Clinic where law student volunteers – working under the supervision of practising solicitors – provide free, on-the-spot, face-to-face legal advice to the general public.

This manual is based upon our first year of operation. It is primarily aimed at current or prospective Clinic Directors in Higher Education Institutions – that is, people who are running clinical legal education projects or are thinking about setting one up. The main purpose of the manual is to:

- Provide an alternative model of clinical legal education to the 'letters of advice' model (for which you can also find supporting documentation on the LawWorks website);
- Explain how to set-up and manage a face-to-face drop-in legal advice service within a higher education institution;
- Provide all the key forms and policies you will need; and
- Give helpful, practical advice about problems you may face.

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Blake Wilner	Dominic Gilbert	Joe Casey
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London South Bank University | Legal Advice Clinic

I.

INTRODUCTION

WHY RUN A FACE-TO-FACE DROP-IN ADVICE CLINIC

Different institutions across the country are running a whole variety of interesting clinical legal education projects that are unique to them.[1] However, the underlying basis of most university law clinics is the 'letters of advice' model as described by LawWorks in its "Sample Law School Clinic Manual".[2] In this model, there is no public drop-in service. Potential clients telephone the clinic and speak initially to the Centre Administrator. The administrator passes brief details onto the Supervising Solicitor who takes a view as to whether the inquiry is appropriate to be handled by the clinic: "Factors taken into account include urgency, complexity and available expertise and whether or not the case is likely to be of educational benefit to the students."[3] If an inquiry passes this assessment, then an initial appointment will be for the client in at least one week's time. A team of students will be assigned to the matter and begin preliminary legal research based on the information provided by the client in the initial telephone-call. After a week of research, the students meet the client for the first time and conduct a "fact-finding" interview where the giving of advice is strictly prohibited. The client leaves. The students have a post-interview review with the supervisor. There is a further reassessment as to whether the inquiry is suitable to be handled by the clinic. If the inquiry is deemed suitable, the students conduct further legal research and then over at least the next two weeks draft successive versions of a letter of advice for the supervisor to check. When the letter of advice is finally approved, it is sent to the client. Advice is only given by writing.

The drop-in clinic model works much more like a Citizens Advice Bureaux or Law Centre. The core service is open-door drop-in sessions

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[1] LawWorks Student Pro Bono Report 2011 and Lydia Bleasdale-Hill, The Experience of Establishing and Maintaining Pro bono Projects within an Educational Setting: A Narrative (Sept 2011) – both at lawworks.org.uk.

[2] Derived from an original manual authored by the law clinic staff at Sheffield Hallam University in 1999; revised by the College of Law in 2006. LawWorks Sample Law Clinic Handbook 2006 <http://www.lawworks.org.uk/index.php?cID=163&cType=document> accessed 25 August 2012.

[3] ibid p7.

where members of public simply turn up, and are given on-the-spot face-to-face legal advice. Working under supervision, student volunteers interview and assess clients, research the enquiry while the client waits, and then give information and generalist advice, and/or signpost and refer to other local advice agencies and solicitors. There is also the option to refer clients to the Clinic's own appointment-based evening sessions, where volunteer solicitors give face-to-face specialist advice in a number of practice areas. Students shadow the volunteer solicitor, and assist by writing up the attendance note.

The main benefits of the drop-in model include that with suitable premises on the public highway and some local publicity, you are likely to find yourself inundated with clients. You will develop close working links with your local network of legal advice providers. And according to Schön's terminology of 'high ground' and 'swamp' that describes the distinction between the rarefied artificiality of law exam problem questions and the messy reality of the undigested world,[4] students are dropped in the deep end by making them the first point of client contact without any prior filtering. They will be presented with people who do not necessarily have a readily identifiable legal problem and learn to assist clients in translating their concerns into legally recognisable categories and provide concise explanations of legal concepts and processes which will be entirely new to people. This intensively develops their interview skills, practical legal knowledge and understanding of client care – in particular, learning to be non-judgmental and non-discriminatory towards clients and their problems, and providing the best possible service within the time-constraints of a busy drop-in service.

The table below compares the two models. Although it is convenient to describe them in opposition, there is clearly a lot of scope for picking and mixing elements of both models – for example, it would be easy to use the drop-in core service as your filter through which you can refer on to any number of satellite clinical projects (which could include 'letters of

[4] Brayne, Duncan and Grimes, Clinical Legal Education: Active Learning in Your Law School (Blackstone, 1998) pp35-36.

advice' in particular practice areas where you have the available expertise).

Letters of advice model	***Drop-in model***
Enquiries are filtered for suitability and educational benefit	No filtering whatsoever
Clinics can struggle to find suitable clients[5]	There is generally no shortage of clients
Advice in writing only	Face-to-face advice
At least 3 weeks from client's first contact until the letter of advice	Legal advice is instantaneous
Tends to function separately from the local legal advice network	Deeply embedded in the local legal advice network
Students are forewarned about the nature of the enquiry and research it in advance	No forewarning or research prior to meeting the client – students are plunged into the swamp
No requirement for premises on the public highway	Requires premises suitable for public drop-in
Easy to restrict enquiries based on available staff expertise	Difficult to restrict enquiries because of the open door policy – supervisors need to have a good basic working knowledge of social welfare law at generalist advice level or above
Can proceed to casework and representation	Can proceed to casework and representation

[5] Bleasdale-Hill (2011 – n1) confirms that written advice clinics can be "desperate for clients" and available interview slots are unfilled (p11).

II.

THE CLINIC SERVICE

LEVELS OF ADVICE

In order to describe the drop-in model, it will help to explain the generally accepted hierarchy of legal advice provision for social welfare matters.

The lowest level of advice is **basic information**. Typically, it will involve giving a client a leaflet or a factsheet, or in some other way taking them through standardised information which is not tailored to them as an individual. Everyone can access that advice by going to the Citizens Advice Bureau website, where they maintain a publicly available online resource called **adviceguide**. If a client visits a CAB in the UK, they will typically get a 10 minute triage appointment with a "gateway assessor" who will see if they can resolve the enquiry at the level of basic information.

The next level of advice is **generalist advice**. This is much more sophisticated than basic information. The adviser is now dealing with the client as an individual, tailoring advice to their particular circumstances. It will be based on advice resources that the general public does not have direct access to – principally, **Advisernet** which is a vast subscription-only resource maintained by CAB, and supplemented by various weighty practitioners handbooks on welfare benefits and other matters. This is the second-tier of service at CABx in the UK. If the 10 minute "gateway assessor" appointment cannot resolve the enquiry, then the client will go through to a full generalist advice appointment, typically one hour long. This could be a one-off appointment, or you can also have casework at that level – for example, complex debt management where a client needs ongoing help (depending on what funding the particular bureau has).

Generalist advice is a massively complex area, which will cover all social welfare matters prior to legal proceedings. The CAB traditionally divides generalist advice into:

Benefits and Tax Credits	***Consumer Goods & Services***	***Debt***
Employment	***Family***	***Housing***
Immigration[6]		

Generally it takes about 8-12 months to train as a CAB Generalist Adviser – i.e. before an adviser would interview and advise clients on their own, under the supervision of an advice session supervisor. **In the drop-in clinic model we employ much more intensive supervision than the CABx in order than student volunteers give generalist advice to clients from day one.**

The next level up in the hierarchy is **specialist legal advice** for people involved in (or in contemplation of) legal proceedings, provided by solicitors or some other substitute services – for example, you might obtain advocacy at tribunal level from the Free Representation Unit for employment or social security tribunals. **In the drop-in clinic model, specialist legal advice is provided at the appointment-based evening sessions where students shadow volunteer solicitors and assist them by drafting the attendance note.**

And then, just to introduce another couple of advice sector terms which may be unfamiliar: at any point a client could be directed to another service by **signposting** them (which is to send a client somewhere else without having made an appointment for them – the adviser simply tell them where to go) or **referring** them (which means the adviser does contact the second agency and books the client in). And that choice between signpost or referral will usually involve the adviser making an assessment at to the merit of an enquiry – if you want to build up good

[6] Since 1999, immigration advice has been regulated by the Office of Immigration Service Commission. It is a criminal offence for anyone to give immigration advice or services in the UK unless they are regulated by the OISC, a regulated solicitor, barrister or legal executive (or European equivalent) or exempted by Ministerial Order.

referral links with other agencies, then you need to establish a reputation for conducting effective triage so that if you seek to refer an enquiry to another agency, they will know that it is worth their while to accept it and will not be a waste of their resources.

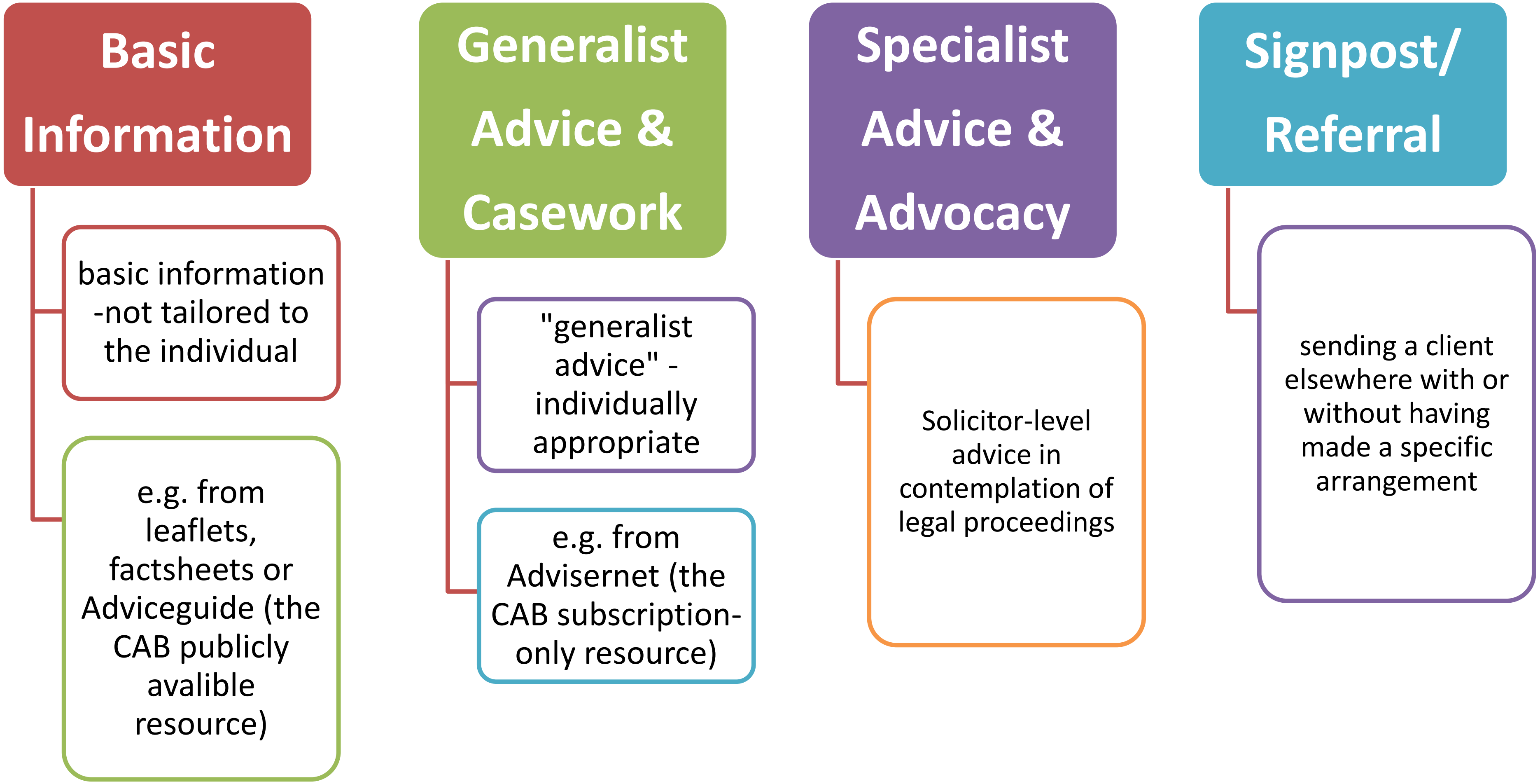


Figure 1: Levels of Advice

THE CLIENT PATHWAY

The drop-in clinic is a face-to-face generalist advice service, onto which you can tack practice areas of appointment-based specialist advice depending on what links you are able to develop with local law firms.

In our first year of operation, we ran two 3-hour daytime drop-in sessions each week (next year we are adding a third session). Our publicity material said that we would:

- Provide basic information on any topic;
- Give generalist advice on any area of social welfare law in one-off one-hour appointments (except immigration, because we are not a registered immigration provider);
- Signpost and refer to appropriate local advice agencies and legal services; and
- Refer to the Clinic's own evening appointment-based specialist advice sessions.

The daytime drop-in sessions worked as follows (figure 2):

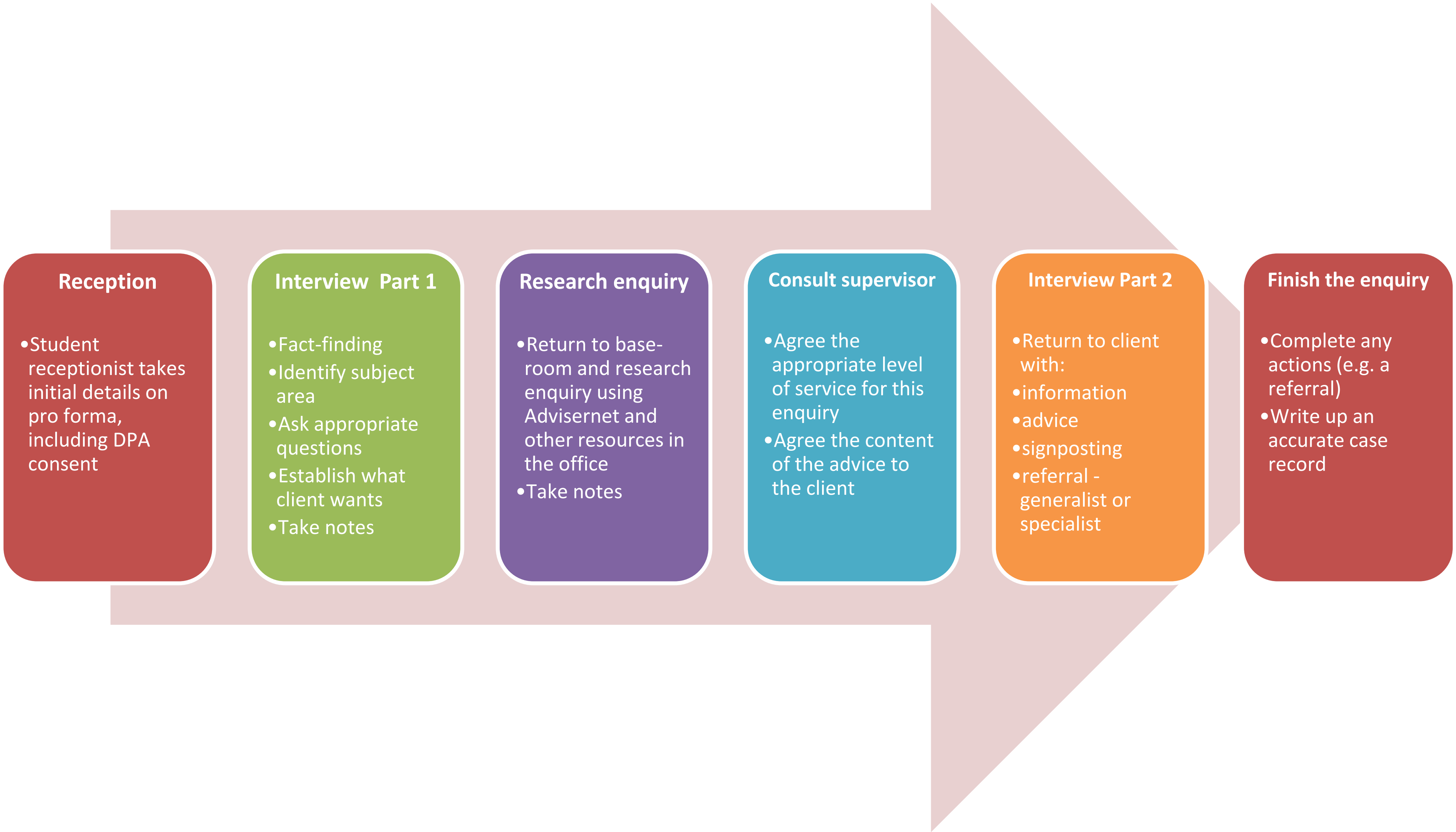
- One student acted as receptionist, taking initial details on a pro forma (the students rotated reception duties each week).
- Four other students worked in two teams of two. Each team had a dedicated supervisor.
- The supervisor and students collected a client from reception and took them to an interview room.
- We took initial instructions – that is, we got the client talking and found out what the problem was, gathered all the relevant information (using our standard questions booklet as a guide) and identified what the client wanted to achieve.
- Next the interview was paused briefly and the client waited while we returned to the base-room, researched the enquiry and formulated the advice.
- Then we returned to the interview room and gave the client the appropriate information and advice.
- Finally, we wrote up a succinct advice note once the client had left.

We had a maximum one-hour time-limit to complete that whole process, so in practice we advised approximately six clients in each 3-hour drop-in session.

Please find attached:

- **Drop-In Clinic Reception Sheet**
- **Drop-In Clinic Case Record**
- **Standard Questions Booklet**
- **Client Referral Sheet**

Figure 2: Drop-In Clinic Client Pathway



Date [dd.mm.yy]: Ticket no:

DROP-IN CLINIC - RECEPTION SHEET

PLEASE COMPLETE AND SIGN THIS FORM AND RETURN IT TO THE RECEPTIONIST

Have you had advice from the LEGAL ADVICE CLINIC before? Yes [ ] No [ ]

If YES, have you come about the same problem today? Yes [ ] No [ ]

Title: **First name** (Please print): **Last name** (Please print):

Address:

Postcode:

Phone number: **May we leave a message?** Yes [ ] No [ ]

Email (print clearly)**:**

If this is your first visit to the Clinic - please fill in the following:

Age (tick one): under 16 ❑ 16-29 ❑ 30-39 ❑ 40-49 ❑ 50-59❑ 60-69 ❑ 70 and over ❑

Gender: Female [ ] Male [ ]

Do you have a disability? Yes [ ] No [ ]

Ethnic Group - Please tick ✓ beside your ethnic group

White British		Mixed White & Black Caribbean		Indian		Black Caribbean		Chinese	
White Irish		Mixed White & Black African		Pakistani		Black African		Other Group	
Other White		Mixed White & Asian		Bangladeshi		Other Black			
Other Mixed		Other Asian							

How did you hear about us? (please tick)

Clinic flyer/leaflet [ ] CAB [ ] Friends/family [ ] University [ ]

GP/other health staff [ ] Other [ ] (please specify)

What do you want help with today? (please tick)

Debt [ ] Benefits & Tax Credits [ ] Employment [ ] Housing [ ] Immigration [ ]

Consumer goods & services [ ] Ending a Relationship [ ] Other [ ] please state:

Data Protection Act 1998

In order to help you we need to maintain a record of your case which may contain sensitive personal data. The law says we must get your consent to do this. Everything you tell us will be treated confidentially within the Clinic. For the purposes of the Act the Data Controller is [insert].

I give my consent to the Legal Advice Clinic to keep a confidential record of my enquiry.

Signed: ……………………………………………………………………………………….

DROP-IN CLINIC CASE RECORD

Date [*dd.mm.yy*]**:**			
Student Clinic Volunteers:			
Supervisor:			
Client's Title:			
Client's First Name:			
Client's Last Name:			
Address:			
Post Code:			
Email: [*if provided*]			
Phone no: [*if provided*]		Leave Message?:	Yes/No
Enquiry Type: [***Pick ONE EXISTING category and delete the rest***]	Benefits & Tax Credits Consumer Debt Employment Family Housing Immigration Other: [specify the subject area]		
Details of Enquiry: [***In the box <u>below</u>, write a full, accurate and concise record of what the client told you. Use the standard questions for guidance about what are the relevant matters for each subject area.***]			
The Client told me: •			
Information/Advice Given: **[*In the box <u>below</u>, write a full, accurate and concise record of what information/advice/material the client was given. You must indicate the <u>source</u> of the information e.g. the Advisernet paragraph number*]**			
•			
Next Steps: **[*In the box <u>below</u>, write what is happening next? Is the client taking some action? Is client signposted/referred/ evening appointment?*]**			
•			
If signposted, where to: **[*i.e. client directed to another agency without an appointment*]**			

<table>
<tr><td rowspan="13">If referred:

[i.e. client directed to another agency with a booked appointment]

IF YOU ARE REFERRING A CLIENT TO THE EVENING SESSION OR ANOTHER AGENCY YOU MUST SCAN ANY ADDITIONAL DOCUMENTS AND SAVE THEM IN THE CLIENT RECORDS FOLDER</td><td>Referred to which Agency:
[if CAB, specify which one]</td><td></td></tr>
<tr><td>If referring for <u>specialist legal advice</u> (internally or externally), is the client eligible for legal aid? [Print and attach your calculation results page.]</td><td>Eligible for legal aid/ Not eligible</td></tr>
<tr><td>Check client's details are complete above (<u>inc. a phone number</u>)</td><td>Yes/No</td></tr>
<tr><td>National Insurance Number:
[desirable, not essential]</td><td></td></tr>
<tr><td>Date of Birth:
[desirable, not essential]</td><td></td></tr>
<tr><td>Any access issues?
[e.g. interpreter needed]</td><td>Yes [specify]/No</td></tr>
<tr><td>Date of appointment:</td><td></td></tr>
<tr><td>Time of appointment:</td><td></td></tr>
<tr><td>Contact name at Agency:</td><td></td></tr>
<tr><td>Contact number at Agency:</td><td></td></tr>
<tr><td>Confirm that a Client Referral Form was given to client:</td><td>Yes/No</td></tr>
<tr><td>Are there additional documents on file? If so, have you scanned them and saved them to Client Records?</td><td>Yes there are scanned documents/ No there are no additional documents</td></tr>
<tr><td colspan="3">Student Clinic Volunteers: You now need to:
• Print this form & staple it together with the Reception Sheet and any other paperwork (e.g. a legal aid assessment) – the Case Record should be uppermost.
• Ask your supervisor to check and sign the Case Record (below)
• File the signed Case Record.
Supervisor's signature:</td></tr>
</table>

LEGAL ADVICE CLINIC

STANDARD QUESTIONS BOOKLET

EDITION 1.0

CONTENTS

DEBT

THE PROBLEM

- ❑ Get a description of the problem.
- ❑ Roughly how much does the client owe in total
- ❑ What are the debts (i.e. are they priority or non-priority)?
- ❑ Are all the debts in the client's name?
- ❑ Include what has led up to the situation (has income recently decreased? Why?) and
- ❑ **What outcome the client wants**

HOUSING

If the client is owner occupier

- ❑ Approximate value of house
- ❑ Whether there are any secured loans or charges on the property
- ❑ Mortgage outstanding

If accommodation is rented; is the landlord:

- ❑ The council
- ❑ Housing association
- ❑ Private

If none of the above, what is the client's housing situation

HOUSEHOLD

- Who is in the Client's household and whether they are employed?

ANYTHING ELSE

Anything else about the client's situation that needs noting e.g. savings, assets, disabilities or illnesses? Asses client's capability – could client self-manage?

ACTION

What has client done about the problem so far? Has client tried to negotiate with creditors?

BENEFITS AND TAX CREDITS

GENERAL DETAILS

1. Get a description of the problem; has there been a change of circumstances? When di this occur?
2. Ask what benefits/tax credits the client receives or has applied for
3. Is there an emergency?
4. Capture the following information to explore additional eligibilities:

INFORMATION NEEDED TO FIND OUT ELIGIBILITY

- **Who is in the household?** List the names, gender, age and relationships of the household:

❑ client
❑ partner
❑ dependant and adult children
❑ other family members (parents, relatives)
❑ boarders and anyone else in the household

CIRCUMSTANCES

Note any of the following specific circumstances for each person:

❑ pregnant ❑ sick ❑ disabled ❑ with any industrial injury or disease ❑ care for someone sick or disabled	❑ retired – aged 60/65 ❑ unemployed ❑ bringing up children ❑ working (how many hours) ❑ widowed

Also because of special rules, watch out for people who are:

❑ students ❑ over 18 ❑ Travellers ❑ In hospital or residential care ❑ With no fixed abode	❑ from abroad (i.e. clients or partner subject to immigration control) ❑ on strike ❑ On leave from prison

CONSUMER – GOODS

GENERAL DETAILS

- What are the goods and what is wrong with them?
- Who did the client buy them from (name and address) and when did the client buy them?
- How were they bought (at traders premises, tele-sales, mail order, internet, doorstep sale etc)?
- Was there any indication that they were faulty at the time?
- Was this pointed out?
- Did the client check the goods?

MONEY INVOLVED

- How much did the goods cost?
- How was payment made?

  - ❑ In full
  - ❑ Deposit only
  - ❑ On credit
  - ❑ Nothing paid

- How did the client pay?

Cash	Cheque	Credit/store card	Debit card	Other

- Does the client have any kind of receipt? (or copy of credit agreement)

ACTION

- Has the client approached the trader? If so, what happened?
- Would the client accept:

Money back	Replacement	Credit note	Repair

CONSUMER – SERVICES

GENERAL DETAILS

- What was the work that was supposed to be done?
- What does the problem consist of?
- Was there any written contract?
- Who did the work?
- When did the client find it was faulty?

MONEY INVOLVED

- How much did the work cost?

  - ❑ In full
  - ❑ Deposit
  - ❑ Credit card
  - ❑ Debit card
  - ❑ Payment outstanding
  - ❑ Other

- Does the client have any kind of receipt?

ACTION

- Has the client approached the trader if so, what happened?
- Would the client accept

  - ❑ Money back
  - ❑ Credit note
  - ❑ Satisfactory rectification or completion

EMPLOYMENT – GENERAL

CLIENT DETAILS

- Is client still working? If not when did they stop, and how did it end (dismissed/made redundant/walked out/suspended)?
- Contract- does client have anything in writing e.g. letter, written statement etc.?
- Employment status – watch out for indications of self employment, agency working, volunteers
- The rules are different for some people who are not British nationals – does this apply to the client?

DETAILS OF CLIENTS JOB

- Who is/was the client's employer? Is the employer still trading?
- How long has the client worked for employer? (check no breaks in service or transfer of company)
- Date started?
- Nature of the job?

DETAILS OF CLIENTS EMPLOYER

- What is the name and address of the **clients employer?**
- Check whether any changes to the company and whether it is still trading

DETAILS OF ISSUE

- When did the issue first crop up?

RESOURCES

- Is client a member of any Trade Union?
- Does client have household insurance that includes legal expenses?

[The following pages cover 'Losing a Job' and 'Problems at Work]

LOSING A JOB

- Was the client dismissed, made redundant, walked out, suspended?
- Have they got another job?

REASONS FOR LOSING THE JOB

- What reason for dismissal did the employer give?
- What is client's view for the reason for dismissal?
- For specific reasons:
  - **Redundancy**
    - Any evidence ? payment, letter etc
    - Who else was made redundant? (more than 20 people?)
    - Watch out for discrimination in selection for redundancy
  - **Capability**
    - What is the history of the client's performance?
    - If client has been off sick, how long or how frequent, any sick notes or medical evidence?
    - What is in the job description about the issue?
    - Does client have a disability that is involved?
  - **Conduct**
    - Who was involved, any dates and times, who said what, any witnesses
    - What does contract say about the issue?
    - Has conduct been accepted for other employees? (watch out for possible discrimination)

HISTORY

- How and when was the client informed of the reasons for dismissal?
- Was it set out in writing?
- Was there a disciplinary meeting? If so, the date and what happened?
- Was there an appeal? If so, the date and what happened?
- Was client accompanied at either the meeting or the appeal?
- When was client paid up to?

- What **outcome** does the client want?

  - ☐ Job back
  - ☐ Compensation
  - ☐ References
  - ☐ Other

PROBLEMS IN WORK

CLIENT WANTS TO CHANGE CURRENT TERMS OR ROLE

- Has client asked the employer?
- If so when and how? (in writing?)
- How did the employer respond to the request:?
- What does current contract say about the issue?
- Anything in writing about the issue?
- Any examples of change accepted for other employees? If, so watch out for possible discrimination?
- Has the client raised a grievance?
- How is employer likely to respond to client pursing the issue?

EMPLOYER WANTS TO CHANGE CURRENT TERMS OR ROLE

- When was request made and how? (in writing?)
- How did client respond to request?
- What reasons does client have for not accepting change>
- What does current contract say about the issue?
- Anything about the issue in writing?
- Has the change been proposed for other employees? If not, watch out for possible discrimination
- How may the employer respond to continued refusal by client?

FAMILY

GENERAL DETAILS

- Are the client and partner married/ living together? How long for?
- Does the client want to separate or stay together or not sure?
- Is this a same sex relationship?
- Has there been any violence?
- Is the client or partner subject to immigration control? (don't make assumptions, always check)
- Do the partners agree about what should happen?
- Is the client pregnant?

CHILDREN

- Does the client have children living with them?
- How old are the children?
- Are they the children of the client and/or partner?
- Are there any issues about where the children will live?
- Are there any issues about the other partner's contact with the children?

INCOME

- Will the client have financial problems living on their own?
- Does the family get any benefits?
- Where does the client's and the partner's income com from (eg working, benefits, tax credits, pensions)?

THE HOME

- Is the client's present home rented or do they have a mortgage?
- Is the home in joint names or in one name? (whose?)
- Are there any issues about who stays in the home?
- Does the client need to leave (or ask partner to leave) at short notice (eg. because of violence)?

BELONGINGS

- Are there any issues about joint ownership?
- Are there things on joint credit?

HOUSING STATUS

The first step with most housing enquiries is to find out housing status. This determines most rights, and how secure a client is in their home.

GENERAL DETAILS

- When did the client move in?
- If an owner, is there a mortgage?
- In whose name(s) is the agreement?
- What rent, if any, is paid?
- Who is the client's landlord? Who does client pay their rent to?

PRIVATE RENTED

- Does the landlord live in the same building as the client?
- Did the client move from another property owned by the same landlord?
- Does the client share accommodation with anyone who is not in client's household?
- Has the client got a written agreement, letters, receipts for rent/deposit?
- If nothing in writing, what did the client agree verbally?
- Is there a verbal or written agreement for fixed term?

[The following pages consider 'Housing Options', 'Eviction and Harassment' and 'Homelessness'.]

HOUSING OPTIONS

A client may be looking for housing because they have none, they have to leave soon, or their current accommodation is unsuitable.

- Why is the client looking for accommodation?
- Do they want to stay in their current accommodation?

SHORT TERM OPTIONS:

- ❑ Does the client want emergency or temporary accommodation?
- ❑ Hostels or temporary accommodation projects
- ❑ Women's refuge
- ❑ Homeless application to the local authority (see 'Homelessness')
- ❑ Family or friends

LONGER TERM OPTIONS:

- Has the client applied for an allocation of housing, or transfer, through the local authority or housing associations?
- Private rented accommodation – has the client got money available for upfront rent and deposit?
- Homeless application to the local authority (see 'Homelessness')

EVICTION AND HARASSMENT

You must know the client's housing status before you can give advice.

LANDLORD/LENDER HAS GIVEN NOTICE

- ❑ In whose name(s) is the agreement?
- ❑ What has been said or done so far?
- ❑ Has the client been given anything in writing?
- ❑ What reason(s) has the landlord/lender given? (specific reasons may be needed depending on the client's housing status)
- ❑ Does the client dispute the reasons?
- ❑ Are there any rent/mortgage arrears? How many weeks/months?
- ❑ Any reason for them? (e.g. delayed housing benefit payments)
- ❑ Name and address of landlord/lender.

ILLEGAL EVICTION IN RENTED ACCOMMODATION

- What has the landlord (or someone instructed by them) done to make the client leave? For example: locked out, threats moved someone else in.

HARASSMENT IN HOUSING

- Is it the landlord (or anyone instructed by them) who has made the client's life difficult? e.g. cutting off gas/electric, changing locks, coming in uninvited, late night visits, racial/sexual abuse of client, threatened client?

HOMELESSNESS

If a client applies to a local authority as homeless, the authority will apply five tests to determine what duties are owned.

- **Who is in the household?** (this includes anyone the client would normally live with) List the names, age and relationships:
  - ❑ Client
  - ❑ Partner
  - ❑ Dependent children
  - ❑ Other family members (parents, relatives, carer)

TEST 1: ELIGIBILITY FOR ASSISTANCE

- Is the client subject to immigration control, or not habitually resident?

TEST 2: LEGALLY HOMELESS

- Where is the client living now?
- Why does the client need to leave their current accommodation? When?

TEST 3: PRIORITY NEED

Is anyone in the household:

- Are there any dependent children or is anyone pregnant?
- Is the client homeless due to emergency e.g. flood, fire or other disaster?
- Under 18?
- Vulnerable because of illness, disability, or other reason (including violence or threats)?

- Is anyone in the household:
  - ❑ Over 65
  - ❑ Been in care, prison or the armed forces?
  - ❑ Experienced domestic abuse/violence?

  Note there are differences in how these categories are classed in England and Wales – check the information.

TEST 4: INTENTIONAL HOMELESSNESS

Why did the client leave their last accommodation? (Sometimes you will also need to ask about earlier accommodation).

TEST 5: LOCAL CONNECTION

- Which council district does the client want to apply to?
  - ❑ Has the client lived in that district? When and how long for?
  - ❑ Is there a family member in the district they want to live near?
  - ❑ Does anyone in the household have a job in the district? (not casual employment)
  - ❑ Is there a special reason for wanting to live in that district?
- If the client has no connection with preferred district:
  - ❑ Does the client have a connection with another district?
  - ❑ If so, does the client have a special reason why they do not want to live there? For example, fleeing violence?

IMMIGRATION

If the client has an immigration inquiry, explain that the Clinic is **not licensed to give immigration advice**.
However, if the client provides the following basic information, we can direct them appropriately.

- **Where does the client live (i.e. which London borough)?**

IS THE ENQUIRY ABOUT THE CLIENT OR SOMEONE ABROAD?

Does the client or person concerned want to:

- Come to the UK from abroad?
- Change their immigration status or extend their stay whist in the UK?
- Apply for British Citizenship?

Details of the person concerned in the enquiry

- Name
- Male or female
- Age
- Nationality and partner's nationality
- Are they/partner a British or EC citizen?
- What is their/their partner's current immigration status eg. Student, work permit holder, settled?
- Is there a time limit on their stay in the UK?
- If not the client, what is their relationship to the client eg. Spouse, parent, fiancée, child?

If coming from abroad

- What country are they coming from?
- What is their purpose in coming to the UK eg. Holiday, work, to settle here?
- How long do they want to stay?
- If coming to join the client, what is the client's immigration status?
- Where are they going to live?

- How will they support themselves financially (eg. Savings, work, person in the UK will support them)?

If wanting to change status or extend their leave

- When does their leave to stay in the UK run out?
- For how long do they want to stay?
- Why do they want to extend their leave or what status do they want to change to?

If wanting to apply for British Nationality

- Is the client under 18?
- What is their/their spouse's present nationality?
- Were they born or adopted in the UK? If so, when?
- How long have they lived in the UK?
- Was either of their parents born in the UK or acquired British Citizenship?

BEFORE LOOKING AT ANY FILE ITEMS,
CHECK WITH THE CLINIC DIRECTOR

OTHER

GENERAL DETAILS

- Can you briefly describe what you want help with?
- Capture any relevant dates.
- Have you taken any action yourself so far? (If the client is involved in a legal process, try to understand which stage they have got to so far.)
- What are you hoping we can do for you?
- If we may need to signpost or refer, establish which borough the client lives in.

LEGAL ADVICE CLINIC

CLIENT REFERRAL SHEET

Client's Title:
Client's First Name:
Client's Last Name:

You have been referred to:	
At:	
Date of appointment:	
Time of appointment:	
Contact name at Referral Agency:	
Contact number at Referral Agency:	
We will forward details of your enquiry to the specialist solicitor	
You should bring the following documents with you to your appointment:	• All relevant paperwork

If you are unable to attend your appointment, please phone the Clinic
so we can reschedule your appointment
or offer it to someone else if you no longer require our help.

SPECIALIST EVENING SESSIONS

We opened with two weekly daytime drop-in sessions providing generalist legal advice, and one weekly evening 3-hour appointment-based session for specialist legal advice in family and housing law provided by volunteer solicitors from local law firms **Philcox Gray** and **Wainwright Cummins**. Subsequently, we added evening appointments in employment law, long leaseholder matters and personal injury, with volunteer solicitors from **Anthony Gold** and **Russell-Cooke**.

By the end of the year, we generally had two volunteer solicitors working each evening session, with one student shadowing each of them. The students would arrive 15 minutes before the appointment time and familiarise themselves with the drop-in case records. They shadowed the volunteer solicitor as they gave specialist advice. They took a careful note and wrote up an attendance note, which the volunteer solicitor checked and signed off.

We told clients that the evening appointments were one-off advice sessions, and that we did not offer casework or representation ourselves (however there is no reason at all why you could not do this if you have the expertise and capacity). In most cases, this one-off session was sufficient to resolve the enquiry (in the sense that the client had no immediate need of further legal advice). In other cases:

- We invited clients to return to the Clinic as the matter developed and we could offer further help – and we had a small number of clients who visited us a number of times as the same matter unfolded.
- Assisted the client with finding legal representation by signposting or referring them to local solicitors.
- The client was taken on by the volunteer solicitors as a client of their firm (so long as it was made clear to the client that they had complete freedom of choice in respect of instructing a solicitor);

Please find attached:

- **Evening Appointment Case Record**

LEGAL ADVICE CLINIC EVENING APPOINTMENT RECORD

Date [*dd.mm.yy*]:	
Student Clinic Volunteers:	
Volunteer Solicitor:	
Clinic Supervisor on Duty:	
Client's Title:	
Client's First Name:	
Client's Last Name:	
Enquiry Type: [*Pick ONE category and delete the rest*]	Housing Family Employment Leaseholder Personal Injury
Has a legal aid assessment been completed, and is the client eligible for legal aid? [*Print and attach your calculation results page if this is a new calculation.*]	
Details of Enquiry: [*In the box <u>below</u>, write a full, accurate and concise record of what the client told you. Use the standard questions for guidance about what are the relevant matters for each subject area.*]	
The Client told us:	
Information/Advice Given: [*In the box <u>below</u>, write a full, accurate and concise record of what*	

information/advice/material the client was given. You should indicate any source material (statue, case law,]	
Next Steps: [*In the box <u>below</u>, write what is happening next? Is the client taking some action?*]	
Has the client been taken on by the volunteer solicitor firm? [*NB. It must be made clear to the client that they have complete freedom of choice in respect of instructing a solicitor.*]	
Student Clinic Volunteers: You now need to print this form & staple it together with any other paperwork (e.g. a new legal aid assessment) – the Case Record should be uppermost. Ask the volunteer solicitor to check and sign the Case Record (below) Attach the Case Record to the Daytime Record with a treasury tag. File the signed Case Record. Solicitor's signature:	

OUTPUTS IN OUR FIRST YEAR

It may be helpful to give an indication of our outputs in our first year. Between September 2011 and May 2012 we were open for 27 weeks and conducted 192 face-to-face client interviews. The vast majority of our Clinic enquiries fell into the standard social welfare law categories (figure 3).

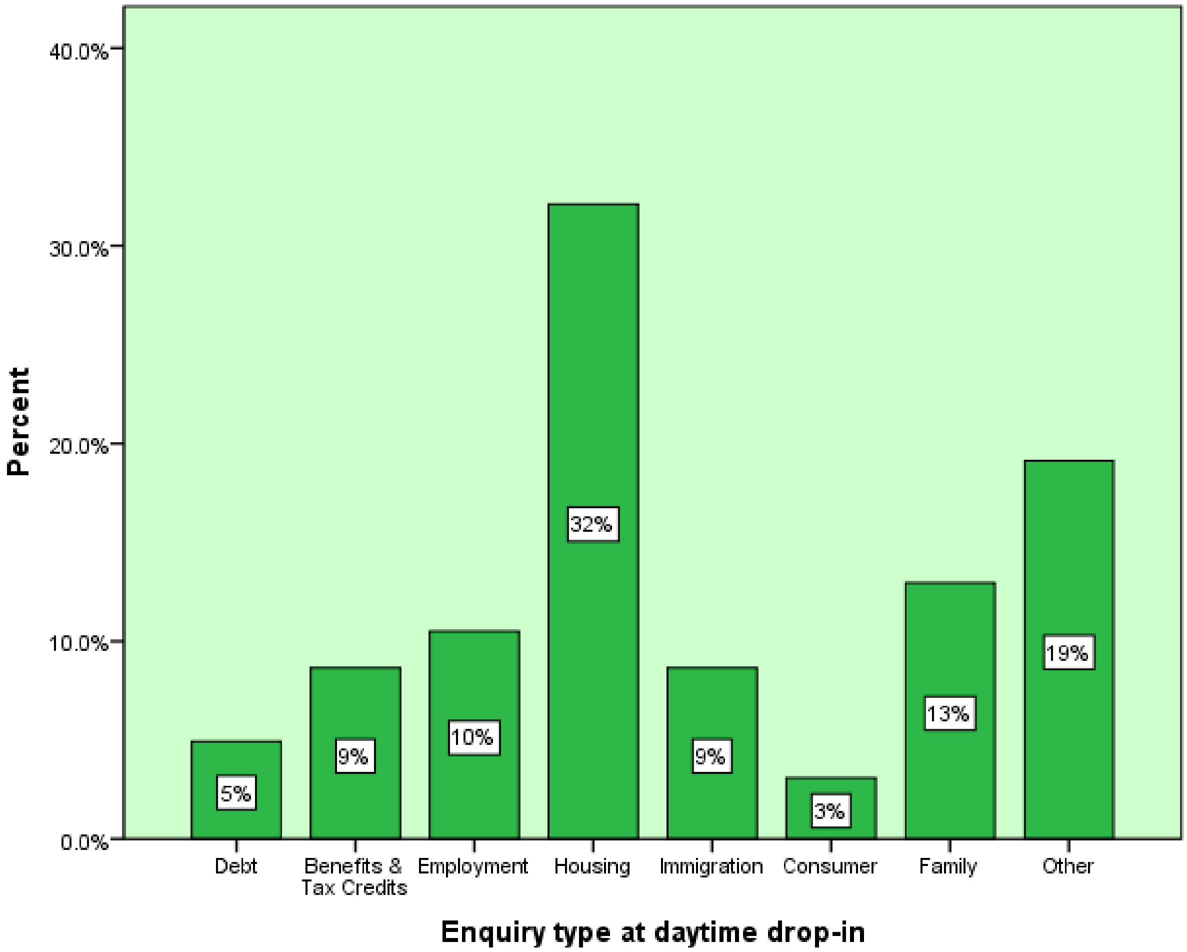


Figure 3

Figure 4 illustrates the outcome of enquiries at the daytime drop-in sessions. The vast majority – 62%, the blue portion – were resolved at the level of generalist advice in the sense that the client was now able to take action and had no immediate need for further legal advice (though they might return to us or another service at a later stage, when there had been some further development). Another very substantial portion – 25%, the yellow section - were referred to our own specialist advice evening sessions. Only a very small portion of enquiries – 9%, the green – were given basic information and signposted on; in practice, that was all immigration enquiries and a small number of commercial cases that were outside our expertise

The overwhelming majority were handled internally in our daytime or evening sessions. These statistics show that we ran a very busy and effective Clinic, with the majority of drop-in enquiries being resolved at the level of generalist advice. The high resolution figure is important because it means that we are providing a genuinely useful service for the public, which in turn means that our students get a real sense of satisfaction and completion from the work.

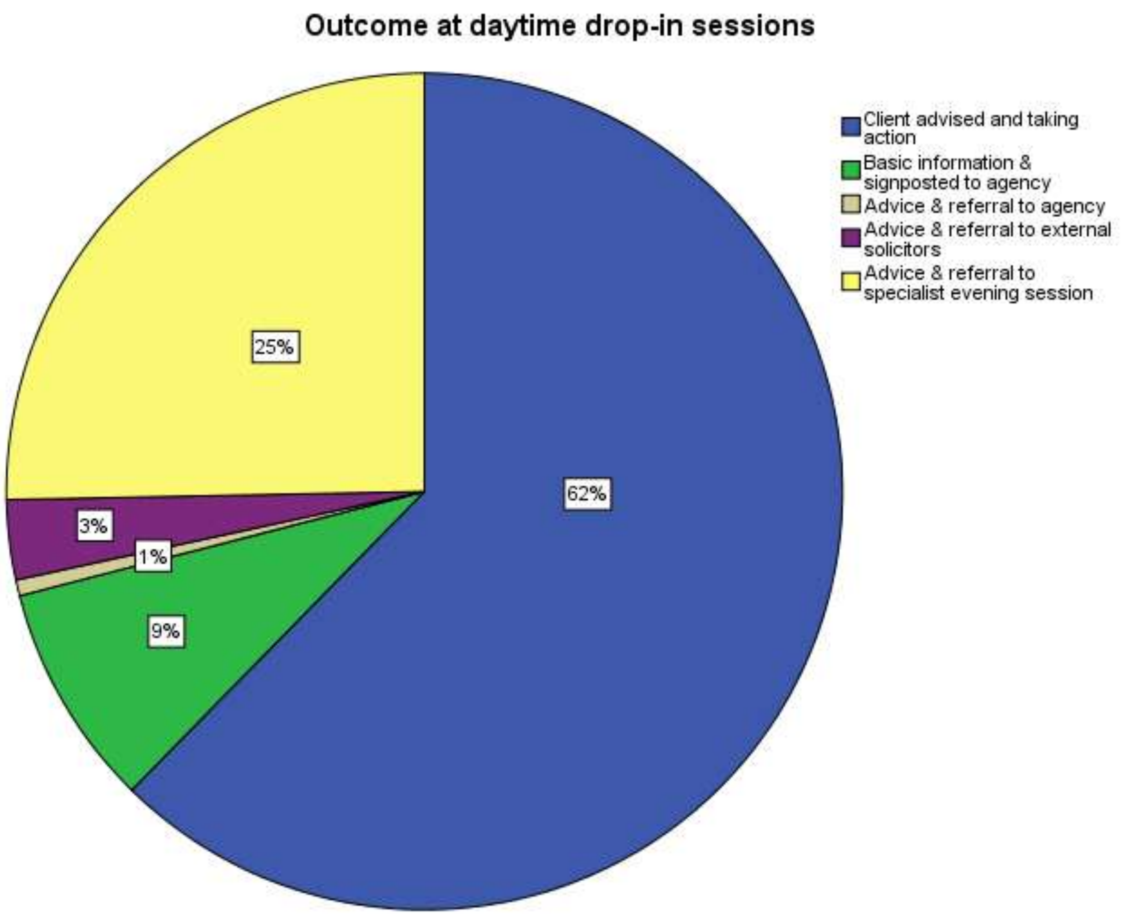


Figure 4

III.

STUDENT VOLUNTEERS

RECRUITMENT & TRAINING

For our first 2011-12 session, we recruited 20 student volunteers. We selected applicants by way of application form and short interview. All law students were invited to apply; however we recruited towards the end of semester 2 to begin the following year, so in practice all our volunteers would be in at least their second year of study before they started their placement.

We required a minimum of **sixteen 3-hour sessions** in order to deem a volunteer placement fulfilled. Upon completion of the placement, we provided a Certificate of Clinical Legal Education Placement and permitted the students to use the Clinic Directors as referees on any job or training applications they made. We promised them a detailed reference based on their work in the Clinic.

We gave our student volunteers **two days initial training** in the week prior to Week 1 of the semester. This was jointly delivered by us and local Citizens Advice Bureau staff and covered general matters such as working with clients, interview skills, using information resources, our policies and procedures, and how to refer and signpost to the local community advice network.

All the rest of our training (i.e. all the substantive law) was delivered on-the-job. This is very different to how the CABx trains and works. A CAB Generalist Adviser training is much more front-loaded – there will typically be many weeks of training sessions about the substantive law before an adviser ever goes near a client, but once trained an adviser works under arms-length supervision. One CAB Advice Session Supervisor will supervise multiple Generalist Advisers working individually (figure 5).

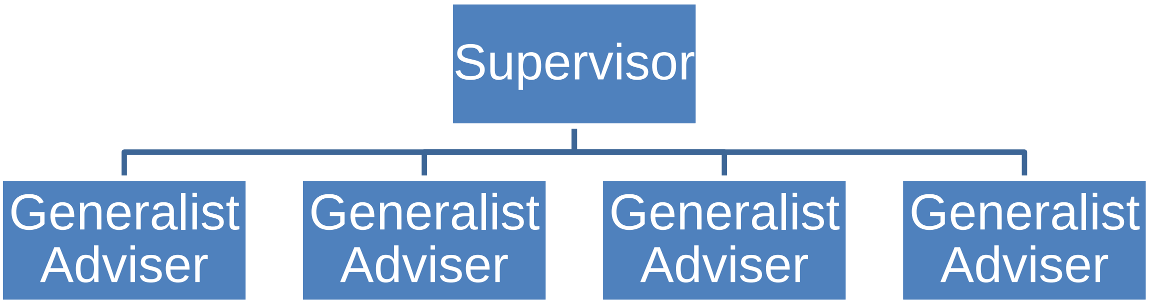


Figure 5: CABx supervision

We chose to run our project on a much more **modelling and experiential learning** basis – partly from choice and wanting to ensure the project had educational benefit (rather than simply being pro bono work) and partly because we had no scope to timetable a longer initial training. Our students work in teams of two with a dedicated supervisor. This means we are committed to a very high staff/student ratio, and there are no economies of scale in our model – if we want to add another student team then we need to add another supervisor. If you have scope for a longer initial training then you might think about altering the supervision arrangements.

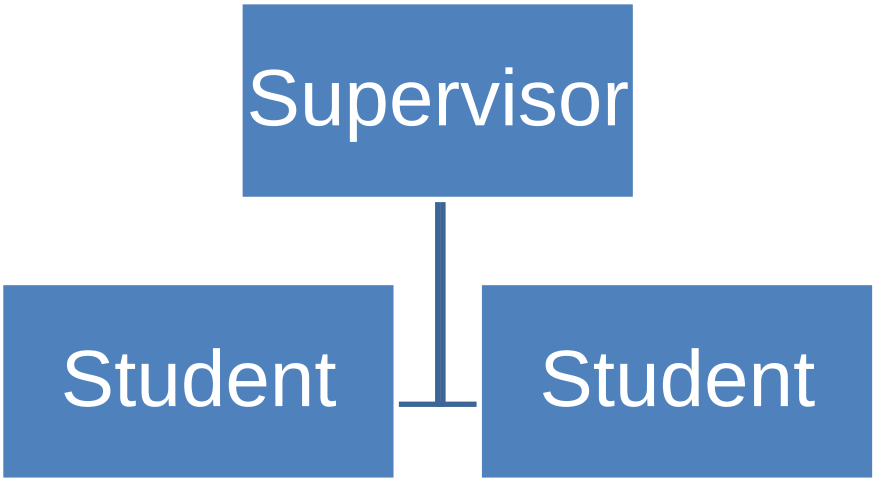


Figure 6: Drop-In Clinic Supervision

By joining the **LawWorks** group of clinical legal education projects, our student volunteers also had access to the comprehensive programme of **LawWorks** training sessions. This programme cycles through a wide range of social welfare matters and advice skills every semester. The sessions are principally intended for volunteer solicitors working in clinical projects and they are delivered at a fairly high level. We encouraged our students to attend as many sessions as possible, or listen to the accompanying podcasts available online. Generally students found that they got more out of the training sessions once they had a certain level of experience in the Clinic.

PROGRESSION & RETENTION

For our 2011-12 session, we recruited 20 volunteers. With hindsight, we under-recruited. Two volunteers dropped out over the summer for personal reasons and did not attend the initial training. Two volunteer placements were terminated at the start of Semester 2 – one at the student's own request and one for persistent unreliability. Three further students reluctantly withdrew from the project for personal reasons. We still managed to run the Clinic very successfully, and never had to close the Clinic due to low student numbers. However, we are recruiting substantially more students for next year to give sufficient allowance for terminated placements and withdrawals.

At the start of a student's placement, the supervisor modelled every stage of the 4-part process:

- Taking initial instructions;
- Researching the answer;
- Feeding the advice back to the client; and
- Writing up the case record.

But we very quickly moved on to collaborating with the students in the process. Almost immediately, we required them to do the research and write up the note (with less and less guidance as their placement progressed).

Next we encouraged them to feed the advice back to the client when we went back into the room. Finally, we invited them to take initial instructions from the client.

In our 2011-12 session, all our students learnt to research real-life legal issues and write professional quality case notes. Their writing skills – their ability to identify what elements were legally relevant, and to present that information clearly, precisely and concisely – improved tremendously.

85% of students progressed to giving face-to-face advice to clients – that is, once instructions had been taken, and the legal research was done, they formulated the oral advice and delivered that in a clear, systematic manner that was appropriate for the individual client.

69% progressed to taking initial client instructions, which we consider the most challenging stage of the advice process – going into the room without any forewarning, making sense of the client's story and asking all the relevant follow-up questions.

Given that it takes about 8-12 months to train as a CAB generalist adviser, and we only have our students for 16 sessions (which equates to 48 hours) we are very pleased with that progression rate; although we are providing a very high level of on-the-job supervision – much more than a CAB is able to do.

Originally, we hoped to retain our experienced volunteers into the following year and pair them up with new recruits so that we were not beginning from square one and training up all the students from scratch every year. However, in practice this was impossible to arrange. Our university managers wanted to see as many new students benefiting from the project (rather than existing students taking up volunteer places in the following year). In any event, the student teaching timetables gave little scope to pair up students from different years in the same Clinic session. Other institutions may not be restricted in this way, and may be able to utilise experienced student volunteers to supplement direct supervision by staff.

FEEDBACK

At the end of the year, student volunteers completed a two-page feedback from. Overall, their feedback was excellent.

92% of students said their practical legal skills were very much improved from taking part in the Clinic.

92% of students rated the Clinic placement as very good or excellent overall

We were inclined to regard a successful placement as a student who progressed all the way through to taking initial instructions, but judging from the student feedback it was not necessary for a student to do that in order to rate the project highly. Two students who did not manage to progress to feeding back advice or to taking instructions, both said their practical legal skills were very much improved, and rated the placement as excellent. Even on its own the researching, writing up, and shadowing the drop-in service and the specialist evening sessions was very worthwhile for them.

Please find attached:

- **Student Clinic Volunteer Agreement**
- **2-day Initial Training Agenda**
- **Sample Volunteer Rota**
- **End of Placement Student Feedback Form**

LEGAL ADVICE CLINIC

STUDENT CLINIC VOLUNTEER AGREEMENT

As a Student Clinic Volunteer, you are an important member of our staff and act as a representative of the Legal Advice Clinic to the community at large. In order that there is a clear understanding of what you can expect as a volunteer and what is expected of you by the Clinic Directors, we ask you to read and sign the following Volunteer Agreement.

The Clinic will provide you with:

1. Comprehensive training and support in the work you do.
2. A reference for future employers describing your work once your minimum placement is completed.

The Clinic requires that you:

1. Complete at least 16 advice sessions by [insert date].
2. Arrive at the Clinic at least ten minutes before your advice sessions are due to begin.
3. Comply with the Rota Protocol, which includes:
   a. Understanding that entering onto the Rota is to take responsibility for covering this session.
   b. In exceptional circumstances if you cannot attend your session, to make prompt arrangements for an alternate Student Clinic Volunteer to attend in your place and to inform the Clinic Directors immediately by email of this swap.
   c. Understand that your volunteer placement will be terminated without further notice if you fail to attend any session without good excuse and supporting evidence.
4. Comply with the Confidentiality Policy and ensure that the personal and case details of all clients of the Legal Advice Clinic are kept strictly confidential at all times.
5. Comply with the Equality and Diversity Policy and treat clients and other volunteers fairly, with dignity and respect, and without discrimination.
6. Keep your contact details up to date, in particular your mobile phone number.

I confirm:

- I have read and accept the Student Clinic Volunteer Agreement.
- I undertake to read and abide by the Legal Advice Clinic's published policies and procedures.
- I will respect the confidentiality of the Legal Advice Clinic and its clients at all times.
- I understand that my placement will be terminated without further notice if I fail to attend any session without good excuse and supporting evidence.

Name of Student (BLOCK CAPITALS):

Student Number:

Signature:

Date:

LEGAL ADVICE CLINIC
INITIAL TRAINING AGENDA

<u>Day 1</u>

9:45 – 10:00	Arrival	
10:00 – 1:00	• Working with clients • Interview skills • Main enquiry areas • Sample questions • Case recording • Client confidentiality • How to work with difficult clients	CAB staff
1:00 – 1:45	Lunch (*provided*)	
1:45 – 4:30	• The CAB Adviceguide • Signposting and referral • Deciding next steps • Identifying discrimination	CAB staff

<u>Day 2</u>

9:45 – 10:00	Arrival	
10:00 – 11:00	• How will the Clinic work? - Client pathway - Levels of service • Initial Clinic policies and procedures - Confidentiality - Anti-discrimination	Clinic Directors
11:00 – 12:15	Our specialist areas of law: • Family • Housing	Volunteer Solicitors
12:15 – 1:15	How to do a Legal aid assessment	Clinic Directors
1:15 – 2:00	Lunch (*provided*)	
2:00 – 3:00	Effective referrals for social welfare advice	Southwark Legal Advice Network
3:00 – 4:00	Advice role-play	CAB staff
4:00 – 4:30	• Volunteer Agreement • Volunteer Rota • Confirm contact details • Feedback forms	
4:30 – …..	Food and drink at Clinic	

LEGAL ADVICE CLINIC

SAMPLE WEEKLY VOLUNTEER ROTA

Week	*Date – Volunteers*		*Clinic Director on duty*
Week 1	**Wednesday 28 Sept Morning 11am-2pm**		
	Reception		
	Team 1 – A		
	Team 1 – B		
	Team 2 – A		
	Team 2 – B		
Week 1	**Thursday 29 Sept Afternoon 2pm-5pm**		
	Reception		
	Team 1 – A		
	Team 1 – B		
	Team 2 – A		
	Team 2 – B		
Week 1	**Thursday 29 Sept Evening 6pm-9pm**		
	A	N/A	
	B	N/A	

LEGAL ADVICE CLINIC END OF PLACEMENT STUDENT FEEDBACK FORM

1) Did you complete your minimum Clinic placement in the agreed time (i.e. did you do 16 sessions by 10 May 2012)?

Yes **No**

*If you **didn't** complete your placement, please explain briefly why not and whether your placement is rolling over into the next session. If you **did** complete your placement, please say whether or not you are continuing to volunteer in the Clinic.*

2) In September 2011, you were given **two days initial training** in conjunction with the CAB. We will have another two days training with the new cohort of volunteers in September 2012. In light of your experience, should we make changes or additions to the initial training?

3) Did you attend any additional **LawWorks training sessions**?

Yes **No**

*If you **did** attend LawWorks sessions, did you find them helpful? If you **didn't** attend any LawWorks sessions, why not?*

4) Did you find the Legal Advice Clinic **Facebook group** useful? Should we continue it?

A [*don't run the FB group*] **B** [*I don't mind either way*] **C** [*keep the FB group*]

5) Did you attend any **evening sessions** at the Clinic?

Yes **No**

*If you **did** attend evening sessions, how did you find them? If you **didn't**, why not?*

6) Roughly speaking, a volunteer's progression through the daytime Clinic placement has 3 stages: (1) shadowing (2) giving advice and (3) taking instructions.

Did you progress onto giving advice?	**Yes**	**No**
Did you progress onto taking instructions?	**Yes**	**No**

Our biggest challenge at the Clinic is to progress volunteers onto taking instructions as quickly as we can, while making sure that we are providing a professional service to our clients.
What could we do to further support you in progressing onto giving advice and taking instructions?

7) Have your practical skills been improved by taking part in the Clinic?

No	**Yes, a little improved**	**Yes, very much improved**

Please comment on how your practical skills have (or have not) been improved:

8) Please rate the overall quality of your Clinic placement:

1 [*poor*] **2** [*competent*] **3** [*good*] **4** [*very good*] **5** [*excellent*]

PLEASE MAKE ANY FINAL COMMENTS ABOUT YOUR CLINIC PLACEMENT:

IV.

RESOURCES

FUNDING, STAFF, PREMISES & INSURANCE

Our Drop-In Clinic is currently an extra-curricular clinical legal education project. Our two Clinic Directors are both lecturers in law and practising solicitors. Very significantly, both the Clinic Directors also have extensive experience of delivering generalist advice drop-in services. Approximately half their standard teaching allocation is given over to Clinic supervision – so together this is approximate to one full-time member of staff (there is no additional administrative support). In our first year, we received generous donations from **Russell-Cooke** and **Anthony Gold** solicitors. However, it is likely that we will need to embed the Clinic to some extent to ensure its long-term financial viability and we are still considering the best way of doing so.

The London South Bank University main site is located very close to Elephant & Castle, a major transport hub in the London Borough of Southwark. It is located on the south side of the Thames and bordered by Lambeth and Lewisham, with the City of London and Tower Hamlets north of the river. Tate Modern, the Royal Festival Hall, the Globe Theatre and Borough food market are nearby. However, Southwark was ranked the 17thmost deprived area out of 354 local authorities and districts in the Indices of Multiple Deprivation 2004 based on an overall aggregated measure of deprivation (income, employment, health, education skills, crime etc). The Clinic premises are part of the campus but on the high street – with a large street-level disabled-access reception area, two interview rooms, a lockable back office and a base-room teaching space.

It was very evident to us that there was a huge amount of unmet local need for legal advice in social welfare matters. Early on in developing our Clinic project we made a site visit to Peckham CAB and saw 60 people queuing when the doors opened at 10 am and another 30 who arrived before the session ended. If you are unsure about the needs of your local community, then start by **contacting your local CAB and**

Law Centres. They will be able to give you a clear idea of the nature of the enquiries they deal with, and whether there is unmet need in your area. It is very likely that there will be, even if it is not on your doorstep. If you are a campus-based university, think about a town-based outreach.

Our Clinic is covered by our general University **insurance**. If your institution insists that you obtain separate professional indemnity insurance then you can do this easily and inexpensively. LawWorks particularly recommends **AdviceUK** who are familiar with law clinic work: http://www.adviceuk.org.uk/supporting-you.

With regard to **security**, you should note that every CAB in the country runs an open-door public drop-in without any security whatsoever. We have a general security team on campus but none in the Clinic building itself. In 192 face-to-face interviews in the Clinic, we have only had one client whose conduct required us to call the general university security and he left once security arrived. It is certainly very challenging to have to deal with situation like that while being observed by students looking to you to model best practice, but handle it well and debrief it properly and that becomes a very powerful learning experience. We would only stress that you should have a precise understanding of exactly what powers your security staff have (i.e. can they lay on hands and physically remove someone from the premises, or do you need the police in order to do that). We recommend that, prior to opening your doors, you meet with your security team to discuss their powers and the most effective way of contacting them urgently, and whether you should call the police at the same time. However, **it is important not to allow very occasional difficult clients to have a disproportionate impact** – people tend to remember the extremes and recall the one client who kicked off in reception rather than the 191 that did not. The prospect of difficult clients should not put anyone off running a drop-in service. The **overwhelming majority of our clients are extremely satisfied and effusive in their thanks** and that gives students a powerful sense of their capabilities.

INFORMATION RESOURCES

The most comprehensive information resource for civil social welfare matters is **Advisernet**, the subscription-only resource published by Citizens Advice. It is issued on CD-ROM in monthly updates. The annual subscription charge for voluntary organisations is currently £539 + VAT: http://www.citizensadvice.org.uk/index/adviser_resources/advisernet.htm

Note that Advisernet does not cover **criminal matters**. A basic LPC textbook or practitioner manual, such as Hannibal and Mountford's Criminal Litigation Manual (OUP – updated annually) will plug that gap, or you may be able to access electronic resources through your institution's existing subscriptions (e.g. Archbold Criminal Pleading, Evidence and Practice is available as an e-book on Westlaw).

Citizens Advice also maintains the publicly-available web resource called **Adviceguide** at http://www.adviceguide.org.uk. It can be a useful basic starting-point, and source of general factsheets.

For benefit calculations, you will need a subscription to **Quick Benefits Calculator**: http://www.lissongrovebenefits.co.uk/qbc.html. This software is intended for 'experienced advisors'. It is somewhat tricky to use – especially in relation to tax credits. We are not aware of a more user-friendly alternative.

In relation to welfare benefits, **Child Poverty Action Group** provides the finest hard-copy resources and training events. Their **Welfare Benefits and Tax Credits Manual** (updated annually) is essential: http://www.cpag.org.uk/welfarerights

Disability Rights UK (formerly Disability Alliance) produces superior resources on disability benefits, especially the beautifully readable **Disability Rights Manual** (updated annually): http://www.disabilityrightsuk.org

PUBLICITY

Do not underestimate how much publicity you will need to get sufficient footfall through the door. Despite being located at a major South East London transport hub where the local CAB will regularly have 60 people queuing outside, we still had to do a substantial amount of local publicity in the first few weeks to get started:

- We sent out over 3,000 leaflets to every advice agency, library, GP surgery, and anywhere else that we thought might have potential clients.
- We got our service listed in every online directory that we could find (see letter below).
- We networked extensively with local services.
- We put a huge banner on the front of our building.
- We drafted press stories for local free papers and websites.

After that we seemed to reach critical mass, and when we reopened after the Christmas vacation, we had clients queuing up to be seen from day one. We are planning to do another huge publicity blitz prior to reopening in September, having been closed over the summer.

Lydia Bleasdale-Hill's recent excellent survey of clinical legal education projects also makes a number of suggestions about ways to publicise your service.[7]

Please find attached:

- **Sample letter requesting council directory listing**
- **Sample press story**

[7] See n1.

Legal Advice Clinic

[insert date]

Dear Anywhere Council Press Department

I am writing to request that you add our legal advice service to your A-Z of local services; although we are based in Southwark, our service has no postcode restriction.

The London South Bank University Legal Advice Clinic is a free drop-in service five minutes' walk from Elephant & Castle staffed by LSBU Law Student Volunteers under the supervision of practising solicitors (myself and my colleague, Alan Russell).

- We provide basic information on any topic
- We provide generalist advice in welfare benefits, consumer issues, employment, family and housing
- We signpost and refer to appropriate local advice and legal services
- We provide **specialist legal advice in family, housing, and personal injury, clinical negligence & criminal injury** at Thursday evening sessions (accessible via referral from our daytime drop-in)

The Clinic is located at Caxton House, 13-16 Borough Road, Southwark SE1 0AA.

Public drop-in sessions take place on Wed 11am-2pm and Thurs 2pm-5pm during term-time only (1 Feb - 10 May 2012).

Our public telephone number is 020 7815 5450 and our email is legaladvice@lsbu.ac.uk.

I have included a summary of our service below and would be very grateful if you would add our service to your A-Z of services.

With best wishes

Dr John Russell
Lecturer/Solicitor-Advocate (Higher Courts Civil Proceedings)
LSBU Legal Advice Clinic

London South Bank University Legal Advice Clinic is a free drop-in service five minutes' walk from Elephant & Castle staffed by LSBU Law Student Volunteers under the supervision of practising solicitors.

- We provide basic information on any topic;
- We provide generalist advice in welfare benefits, consumer issues, employment, family and housing;
- We provide specialist legal advice in **family, housing, personal injury, clinical negligence & criminal injury** at Thursday evening sessions (accessible via referral from our daytime drop-in);

The Clinic is located at Caxton House, 13-16 Borough Road, Southwark SE1 0AA. You can find the directions at http://www.lsbu.ac.uk/about/maps.shtml. Our service is not postcode restricted.

Public drop-in sessions take place on:

Wednesday	11am-2pm
Thursday	2pm-5pm

(during term-time only: 1 Feb - 10 May 2012)

Tel.:	020 7815 5450
E-mail:	legaladvice@lsbu.ac.uk

SAMPLE PRESS STORY:

LONDON SOUTH BANK UNIVERSITY OPENS A FREE LEGAL ADVICE CLINIC

London South Bank University has a new Legal Advice Clinic at Elephant and Castle, staffed by law student volunteers and supervised by practicing solicitors. The Clinic Directors, Alan Russell and Dr John Russell, have 30 years of experience between them of working as solicitors and advocates in private practice, law centres and advice services. Alan Russell says: ‘There’s a huge demand for legal advice in inner London. The Legal Advice Clinic is part of the Southwark Legal Advice Network and is an excellent addition to existing services”.

The Legal Advice Clinic allows public access to free, independent, and confidential advice, without postcode restrictions. It provides basic information on any topic and generalist advice in housing, debt, welfare benefits, family, consumer issues, and employment. Clients with issues relating to housing and family have the opportunity to meet with specialist family and housing solicitors for free initial advice (accessible through the daytime drop-in sessions only) from Philcox Gray & Co., and Wainwright & Cummings our partnership law firms.

Located in Caxton House, a short 5 minute walk from Elephant and Castle tube station, the Legal Advice Clinic has seen approximately 30 clients with a variety of issues ranging from housing to relationship breakdown, homelessness to child welfare and directing clients to agencies and solicitors firms when more specialised advice was needed.

“One of the more pressing cases we’ve had in the clinic was a client who was suffering from domestic violence and intended to move out of the family home. The Clinic volunteers gave her immediate advice about the implications of such a move in respect of housing law and any future divorce proceedings. She was referred to our evening session the same day and received free legal advice from a specialist family law solicitor. She was subsequently taken on as a client by that firm.” says Alan Russell.

Alan Russell says: “We’re really proud of the work we’ve done so far. It is not only a valuable community service, helping Southwark residents to access legal advice quickly and easily, but it is also a fantastic opportunity for our students to develop their workplace skills”. The Clinic is unique in that it allows law students to gain firsthand experience working with clients in an environment similar to that of Citizen’s Advice Bureaux.

The Legal Advice Clinic is located at Caxton House which is 16 Borough Road, Southwark SE1 0AA near St. George’s Circus, a short walk from the Elephant and Castle tube station and bus routes. The clinic is a drop-in service with interviews of up to 45 minutes. The opening hours are on Wednesdays from 11am – 2pm; and Thursdays from 2pm – 5pm during university term time 28 Sept-15 Dec 2011; and 31 Jan-10 May 2012.

V.

ADDITIONAL DOCUMENTS

LEGAL ADVICE CLINIC
VOLUNTEER CONFIDENTIALITY POLICY

THE FUNDAMENTAL PRINCIPLE OF CONFIDENTIALITY

Confidentiality is a **fundamental principle** of the Legal Advice Clinic. The Clinic provides a wholly confidential service to clients.

Everyone working for the Clinic must have an understanding of the confidentiality policy and its importance. Student Clinic Volunteers must have a practical understanding of what confidentiality means for the operation of the Clinic, including ensuring that Student Clinic Volunteers do not:

- Discuss cases where they can be overheard by clients or people in the waiting room.
- Do not discuss cases with students who are not Student Clinic Volunteers.

A Student Clinic Volunteer should **NEVER** breach the principle of confidentiality.

The **3 CORE RULES** of the confidentiality policy are as follows:

1. Nothing learned during the course of dealing with a client (including the fact that an enquiry has been made) will be passed to anyone outside the clinic without the client's **express** permission.

2. The Clinic will often refer clients onto other appropriate advice services. If a client agrees to information being given to a third party, there is no breach of confidentiality. **YOU SHOULD ALWAYS GET CONFIRMATION FROM A CLINIC DIRECTOR BEFORE YOU CONTACT A THIRD PARTY.**

3. There are some **VERY EXCEPTIONAL** circumstances in which a breach of confidentiality will be authorised. **ONLY A CLINIC DIRECTOR IS AUTHORISED TO MAKE A DECISION TO BREACH CONFIDENTIALITY.**

ENQUIRIES ON BEHALF OF A THIRD PARTY

If someone approaches the Clinic with an enquiry on behalf of someone else, you can provide information and initial advice but must obtain a signed form of authority from the third party before taking any action on his/her behalf.

- IF YOU ARE BEING INSTRUCTED BY A THIRD PARTY YOU SHOULD RAISE THIS WITH THE CLINIC DIRECTOR DURING SUPERVISION.

TAKING CLIENT RECORDS FROM THE CLINIC

Student Clinic Volunteers should never take client records off the Clinic premises.

ACCESS TO RECORDS

Clients have the right to see their own case records and letters written or received on their behalf. Copies may be given to clients, but the originals should be retained in the Clinic files.

- IF A CLIENT ASKS TO SEE THEIR CLINIC RECORD YOU SHOULD CONSULT A CLINIC DIRECTOR.

DISCLOSURE OF CRIMES

In England and Wales there is no duty to report a criminal offence, although it is an offence to assist in the commission of a crime. Being aware that a crime might take place is not, except in very unusual circumstances, assisting in the commission of that crime.

- IF DURING THE COURSE OF AN INTERVIEW A CLIENT BEGINS TO GIVE INFORMATION ABOUT CRIMINAL ACTIVITIES, YOU SHOULD PAUSE THE INTERVIEW AND CONSULT A CLINIC DIRECTOR.

SOCIAL SECURITY FRAUD

Under social security legislation there are two criminal offences concerning benefits: making or assisting with fraudulent claims, and failing to notify changes of circumstances concerning benefits.

The general rule is that the Clinic cannot assist a client in making or furthering a fraudulent claim, but we have no obligation to report the offence. We will usually warn the client of the potential consequences of benefit fraud and say that we cannot advise them any further in relation to that particular matter.

- IF YOU ARE CONCERNED THAT A CLIENT IS COMMITTING SOCIAL SECURITY FRAUD, YOU SHOULD RAISE THIS WITH THE CLINIC DIRECTOR DURING SUPERVISION.

CHILD ABUSE

There is no statutory obligation on the Clinic to report allegations of abuse against a child, and this is not normally a reason to breach client confidentiality. It may be appropriate to propose that the client report the matter to an appropriate agency and give information about this process.

- IF YOU ARE CONCERNED THAT A CHILD MAY BE AT RISK FROM PSYCHOLOGICAL OR PHYSICAL ABUSE, YOU SHOULD RAISE THIS WITH THE CLINIC DIRECTOR DURING SUPERVISION.

REVIEW

This policy will be reviewed annually or more regularly if we identify any non-compliance or problem or in the light of emerging legislation or best practice that could impact on this policy.

LEGAL ADVICE CLINIC

EQUALITY AND DIVERSITY POLICY FOR VOLUNTEERS

1. INTRODUCTION

1.1 The Legal Advice Clinic is committed to providing a supportive and inclusive culture for:

- all those who need our services,
- our volunteers, and
- our staff.

We recognise the positive value of diversity, promoting equality and fairness, and challenging discrimination.

We welcome our legal duties not to discriminate as a service provider. We aim to go beyond the narrow scope of legislative compliance and follow best practice, making equality, fairness and diversity a fundamental part of all our activities. We recognise people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions, and we wish to encourage and harness these differences to make our services more relevant and approachable.

1.2 The Legal Advice Clinic will not discriminate or tolerate discriminatory behaviour on the grounds of race, colour, sex, gender identity (including transgender), disability, nationality, national or ethnic origin, religion or belief, marital / partnership or family status, caring responsibilities, sexual orientation, age, social class, educational background, employment status, working pattern, trade union membership or any other irrelevant factor.

2. SCOPE

2.1 This policy relates to the work undertaken by the Legal Advice Clinic involving volunteers, including: meeting clients' needs, service delivery, dealing with other volunteers and staff, suppliers, supporters and other associated third parties.

3. LEGAL OBLIGATIONS

3.1 Volunteers do not fall within the scope of the legislation listed below. However, this list serves to illustrate to volunteers the framework within which the bureau operates and that we are committed to providing our services in way which is non-discriminatory and which values diversity.

3.2 The Equality Act 2010 harmonises and strengthens and replaces most previous equality legislation. The following legislation is still relevant:

- The Human Rights Act 1998.
- The Work and Families Act 2006.
- Employment Equal Treatment Framework Directive 2000 (as amended).

4. MEETING CLIENTS' NEEDS

4.1 We are committed to treating all clients equally and fairly and to not discriminating unlawfully against them. We will also, wherever possible, take steps to promote equal opportunity. We will ensure that clients:

- are given help that is relevant to their problem and situation
- are treated fairly, with dignity and respect, and without discrimination
- have their needs listened to, and met whenever possible.

4.2 The Legal Advice Clinic is committed to meeting the diverse needs of clients. We will take steps to identify the needs of clients in our community and develop policies and procedures accordingly. We aim to ensure that the services we provide are accessible to all. We will consider whether particular groups are predominant within our client base and devise appropriate policies / procedures to meet their needs. Such groups include: men and women; carers; older people; ethnic groups or nationalities and lesbian, gay or transgender people.

5. VOLUNTEERS

5.1 Volunteers contribute significantly to the diversity of the organisation. They can expect to be treated fairly, with dignity and respect, and without discrimination.

They are likewise expected to treat others fairly, with dignity and respect, and without discrimination. Due to the restrictions imposed by employment law, volunteers are not entitled to the same rights and protections as employees.

6. IMPLEMENTING THE POLICY

6.1 RESPONSIBILITIES

6.1.1 The Clinic Directors are responsible for promoting this policy and ensuring it is understood and complied with by all volunteers, dealing with breaches and complaints (whether reported or not) seriously, speedily, sensitively and confidentially and contributing ideas for the advancement of diversity principles within the organisation. Clinic Directors are expected to be proactive in identifying circumstances in which elements of the policy can benefit individual volunteers, and encourage and support volunteers in making use of such benefits.

6.1.2 All volunteers are expected to have read and understood this policy, to ensure that they behave in accordance with its principles and requirements.

6.2 CONDUCT AND GENERAL STANDARDS OF BEHAVIOUR

6.2.1 All volunteers are expected to conduct themselves in a professional and considerate manner at all times. The Legal Advice Clinic will not tolerate behaviour such as:

- making threats
- physical violence
- shouting
- swearing at others
- rudeness
- isolating, ignoring or refusing to work with certain people
- telling offensive jokes or name calling
- displaying offensive material such as pornography or sexist / racist jokes, or the distribution of such material via email / text message or any other format
- any other forms of harassment and victimisation.

6.2.2 The Legal Advice Clinic encourages volunteers to resolve misunderstandings and problems informally wherever possible, depending on the circumstances. However, whether dealt with informally or formally, it is important for a volunteer who may have caused offence to understand that it is no defence to say that they did not intend to do so, or to blame individuals for being over sensitive. It is the impact of the behaviour, rather than the intent, that counts, and that should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

6.3 COMPLAINTS OF DISCRIMINATION

6.3.1 The Legal Advice Clinic will treat seriously all complaints of unlawful discrimination on any forbidden grounds made by employees, volunteers, clients or other third parties and will take action where appropriate.

7. MONITORING

7.1 The Legal Advice Clinic will monitor and record equal opportunities information about staff and volunteers, including trustees, on the basis of age, gender, ethnicity and disability. We will store equal opportunities data as confidential personal data and restrict access to this information. Equal opportunities information will be used exclusively for the purposes of equal opportunities monitoring and will have no bearing on opportunities or benefits.

8. REVIEW

8.1 This policy will be reviewed annually or more regularly if we identify any non-compliance or problem or in the light of emerging legislation or best practice that could impact on this policy.

Policy implementation date: 15 September 2011
Latest date for review: 15 September 2012

LEGAL ADVICE CLINIC
COMPLAINTS PROCEDURE

The Legal Advice Clinic is committed to providing a high quality of service, including the prompt resolution of any complaints.

If you are unhappy with the service you have received, please ask to speak to one of the Clinic Directors in the first instance.

If the Clinic Directors are unable to resolve the matter satisfactorily, you may make a formal complaint in writing to the Head of the Law Department. Please provide your name and address and the details of your complaint, including the date on which it occurred. Your letter should be clearly headed, 'Formal Complaint'. We recommend that you send your letter by recorded delivery and keep a copy for your own reference. You should address your letter to:

[insert address]

We aim to send you an initial written acknowledgement of your complaint within two weeks from the date of receipt. Your complaint will be investigated and we aim to send you a final written decision within eight weeks from the original date of receipt.

QUICK BENEFITS CHECKLIST

This checklist prompts you to obtain the most common information for a QB calculation. It is not comprehensive, there may be other factors that should be explored.

Clients Name:			
Client DOB:		**Partner DOB:**	
Child DOB:	(1)	(2)	(3)
Savings/Capital:			
Disability:			
ESA Status:	Assessment ☐	Work Related Activity Group ☐	Support Group ☐
Work:			
Claimant Hours:	Gross:	Net(Less Tax and NI):	
Partner Hours:	Gross:	Net(Less Tax and NI):	
Gross Income:[8]			
Claimant Current Financial Year:		Previous Financial Year:	
Partner Current Financial Year:		Previous Financial Year:	
Benefit Income:			
Claimant:			
Partner:			
Other Income:			
Claimant:		Partner:	
Rent/LHA: Monthly/Weekly		**Council Tax:** Monthly/Weekly	
Non Dependants Gross Income	(1)	(2)	(3)
Owner/Occupier:			
Outstanding Mortgage(s):		2 Oct. 1995: Pre / Post	
Ground Rent (Annually/Monthly):		Service Charges (Annually/Monthly):	
Outstanding Home Improvement or Repair Loan(s)		2 Oct. 1995: Pre / Post	

[8] Financial year runs 6 April to 5 April.

SAMPLE SOLICITORS LIST

CRIMINAL LAW SOLICITORS

The following solicitors offer specialist help in Criminal law. The LSC website indicates they have government contracts to provide free legal advice to people who are financially eligible; however this may depend on the particular offence you need advice about, the stage the matter has reached and how busy a firm is at any given time.

Firm	*Address*	*Best way to contact*
Rae & Co t: 020 7407 6256	2C Trinity Street, London SE1 1DB	Drop-in, phone or email
Murrays Partnership t: 020 7701 8653 www.themurraypartnership.co.uk	94-96 Walworth Road, London SE1 6SW	Drop-in, phone, email or write
Steel & Shamash t: 020 7803 3999 www.steelandshamash.co.uk	12 Baylis Road, London SE1 7AA	Drop-in, phone, email or write
Carter and Company t: 020 7183 7336 www.carterandcompany.co.uk	93-95 Borough High Street, London SE1 1NL	Drop-in, phone, email or write
Kaim Todner t: 020 7701 4747 www.kaimtodner.com	195 Walworth Road, London SE17 1RW	Drop-in, phone, email or write
Knox & Co t: 020 7407 1010	2nd Floor, 85-87 Borough High Street, London SE1 1NH	Drop-in, phone, email or write
Atanda Solicitors t: 020 7231 3060 www.atandasolicitors.com	2nd Floor, 59-61 Old Kent Road, London SE1 4RF	Phone or email
A2 Solicitors t: 07956 314464	Southbank House, Black Prince Road, London SE1 7SJ	Phone

LSBU Legal Advice Clinic – Updated 12 April 2012

You can search for up-to-date information about legal practitioners in any geographical area by going to Legal Adviser Finder (http://legaladviserfinder.justice.gov.uk/AdviserSearch.do)
or The Law Society (http://www.lawsociety.org.uk/choosingandusing/findasolicitor.law?=lshome)