

**LLM Clinical Legal Education:
Annual Report 2013-14**

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The second year of the LLM Clinical Legal Education (CLE) has been a busy and exciting time for staff and students and while it is not possible to set out all the work that has been done, our Annual Report gives a flavour of some of the more notable activities and achievements of the year.

2013-14 saw ten new students join the LLM CLE and take up their placements in our award-winning Ulster Law Clinic, providing legal advice and representation for members of the public. We also bade a fond farewell to the first ever cohort of full-time students graduating in December 2013 with their LLM Clinical Legal Education in December 2013.

The academic year began with a celebration of 21 years of Law at Ulster, at a Gala Dinner in Belfast's Merchant Hotel where School of Law staff and students were joined by alumni, former colleagues and distinguished members of the judiciary and the legal profession. The Lord Chief Justice, Sir Declan Morgan QC, toasted the success of the Law School noting that *"the development of the Ulster Law Clinic as part of the clinical law course has been a notable feature recognising the relationships and service that can be established by academic institutions embedded in their community."*



Mr Justice Ronald Weatherup QC, Dr Eugene McNamee, Head of School of Law, Lord Chief Justice Sir Declan Morgan QC and Mr Justice Seamus Treacy QC.



LLM Clinical Legal Education students taking part in a mock Case Management Discussion

The Ulster Law Clinic is a core part of the LLM CLE, which focuses on access to justice for those with unmet legal need. The programme trains post-graduate law students to provide advice, and representation for members of the public who need help with social security and employment law problems, while encouraging students to think strategically about how legal problems might be resolved on an individual and systematic level. The programme combines the academic study of law through independent research and the clinical work done by students on placement, in the Ulster Law Clinic and externally with our placement partners: the Legal Support Project, Citizens Advice Regional Office and local Citizens Advice offices in Belfast and Newry. Each year, students prepare for their placements, taking substantive law modules in Employment Law and Social Security Law and Policy, alongside skills-based modules in Alternative Dispute Resolution and Tribunal Representation during their first semester. In the second semester students take on live client work under staff supervision, while developing their strategic analysis of access to justice through their Litigating in the Public Interest module and a research-based Dissertation.

The students also form the Ulster Law Clinic's Management Board, Chaired by the Clinic Director Ciarán White, where they determine and pursue the strategic objectives of the Clinic and its development.

The 2013-14 LLM CLE continued the focus on integrating professional and practical experience through the delivery of specialist legal training by expert caseworkers and practitioners. In the Social Security Law and Policy module, students benefited from the knowledge and advice of social security caseworkers from Law Centre (NI) who provided guest lectures and simulated case-work exercises focusing on tribunal representation. Further specialist training on social security advocacy was given by the Legal Support Project (LSP) and this was complemented by a guest lecture by the Chief Social Security Commissioner, Dr Kenneth Mullan, on the issues involved in appealing social security tribunal decisions. Gerardine McKeith from the Belfast Citywide Tribunal Service provided students with the chance to observe the role of a tribunal representative through work-shadowing at social security tribunal hearings. Students also had access to a two-day training course on employment



Dr Gráinne McKeever with Fiona O'Connell of the Northern Ireland Assembly, at the Knowledge Exchange Seminar Series



Dr Gráinne McKeever and Professor Paul Carmichael with the Rt Hon Lord Kerr, Justice of the Supreme Court, the Lord Chief Justice Sir Declan Morgan and the Justice Minister David Ford MLA at the 2014 Commonwealth Lawyers Association Mediation Conference

law and tribunal representation by the LSP as placement preparation, and a mock Case Management Discussion, facilitated by Paul Gillen from Pinsent Masons. Complementing this was a guest lecture on conciliation by Avril Alexander from the Labour Relations Agency. The practical and professional training for students has included a focus on improving their understanding of client needs. This year LLM CLE staff and students took part in training provided by the Royal National Institute for the Blind to develop an awareness of the obstacles facing clients with visual impairments. The training was extremely well received, prompting Clinic staff and students to implement new strategies to assist clients with visual impairments.

Underpinning the practical and professional training within the LLM CLE is the development of the students' academic capacity. While this is a central focus of the core modules, LLM CLE staff have developed additional opportunities for students to engage in academic debate through participation in key academic conferences and seminars. LLM CLE students took part in the Commonwealth Lawyers Association Mediation Conference, a major conference run by the School of Law and the Law Society of Northern Ireland Dispute Resolution Service. Students had unparalleled access to debate and engagement with the Rt Hon Lord Kerr QC, Justice of the Supreme Court, the Lord Chief Justice Sir Declan Morgan QC and the Justice Minister David Ford MLA and with leading international academics including Professor Laurence Boule and Dr Susan Prince, as well as conference delegates from all over the world. Students were also invited to attend a seminar by Dr Gráinne McKeever at the Northern Ireland Assembly on 'Access to Justice through Better Decision Making', as part of the University's participation in the Assembly's Knowledge Exchange Seminar Series. In addition, Ciarán White led the Law School's Annual Roundtable on Public Interest Litigation with invited participants from the Equality Commission, Northern Ireland Human Rights Commission, Children's Law Centre, Public Interest Litigation Support project, and QCs from Northern Ireland and England involved in high profile public interest litigation, giving students the opportunity to engage with leading figures in public interest law.



LLM Clinical Legal Education student Allison McAreavy at the 2014 PILA Conference, Using the Law To Challenge Injustice

LLM CLE students are uniquely placed to contribute to discussions on clinical legal education and have seized the opportunities to do so. At the Public Interest Law Alliance conference on 'Using the Law to Challenge Injustice' LLM CLE student Allison McAreavy led the Conference discussion on the innovations in clinical legal education at Ulster, generating a lively debate on the achievements and potential for clinical legal education to deliver mutually supporting benefits to students and members of the public. LLM CLE students joined conference delegates at LSP's conference on 'Pro Bono in Practice: International Perspectives' and provided feedback on their pro bono experiences at a session on 'Legal Education and Pro Bono', chaired by Dr Gráinne McKeever. The Ulster Law Clinic also partnered with University

College Dublin and the Public Interest Law Alliance for the Irish Clinical Legal Education Association Conference on 'Law in Action: Reimagining Clinical Legal Education in Ireland', giving students the chance to discuss their experience of clinical legal education with the keynote speaker, Professor Michael Martin from Fordham Law School, New York, as well as clinical legal education practitioners from the Northern/Irish Law Schools. All of these opportunities have increased the capacity of LLM CLE students to develop their academic expertise beyond the traditional confines of taught post-graduate programmes, as evidenced by the work of LLM CLE student Conor McCormick whose essay for the LLM Social Security Law and Policy module has now been published by the UCD Law Review.



Ulster Law Clinic staff with Attorney General Dominic Grieve QC MP at the House of Commons receiving the LawWorks & Attorney General Award for best new pro bono activity in the UK

The quality of the work of LLM CLE students is further evidenced in the Ulster Law Clinic, specifically created to enable LLM CLE students to put their legal knowledge and skills into practice, under the supervision of Law School staff and on behalf of members of the public. Students take cases on employment and social security law which have either come directly from members of the public or been referred to the Clinic by other agencies including the Labour Relations Agency, RNIB and Windsor Women's Centre. To date, the 2013-14 LLM CLE students have closed ten cases – five employment and five social security – on which almost 100 hours of work have been completed. There are a further ten cases which remain open (again equally divided between social security and employment cases) and an additional ten cases are in the process of being formally closed and archived. The social security cases have included advice and representation on appeals relating to Jobseeker's Allowance, Disability Living Allowance and Employment and Support Allowance. The employment cases have raised multifactorial issues including unfair dismissal, sexual orientation harassment, racial and sectarian discrimination and the application of the Working Time Regulations. This year's cohort also participated in our first Labour Relations

Agency Conciliation process in which the student clinician advised and supported the client through the process, which resulted in the claim being settled for an amount that satisfied the client.

Working with Clinic clients has been a rewarding experience for LLM CLE students and staff and we have been delighted with client feedback on the service provided by LLM CLE students.

Thank you for your honest concern in helping me get through a mine field of information at a time when I find myself faced with declining health. I am truly grateful. I was nearly at breaking point.

Ulster Law Clinic client

2013-14 saw significant national recognition of the value of the work of LLM CLE students in delivering pro bono advice and representation in areas of unmet legal need when the Ulster Law Clinic won the prestigious 2014 Law Works and Attorney General Award for best new pro bono activity in the UK. The award recognises the impact, innovation and sustainability of the Ulster Law Clinic, the partnership work with local and legal communities, and the provision of pro bono legal support that is unavailable elsewhere. The focus of the Ulster Law Clinic on access to justice in areas of unmet legal need has been further endorsed by the Department of Justice through the award of an Access to Justice Scholarship for the LLM CLE. This is a full-fee Scholarship awarded on a competitive basis and the inaugural award for 2013-14 was given to Conor McCormick.

The student dealing with my case was very thorough and very helpful and by coming with me to the appeal made me feel much more confident. I have already recommended the service to other people and will continue to do so. Thank you for all your help and support throughout my appeal.

Ulster Law Clinic client



The Access to Justice Scholarship Recipient, Conor McCormick, with Mr Mark McGuicken, Department of Justice and Professor Richard Barnett, Vice-Chancellor, University of Ulster

Conor McCormick: *"With all the will in the world, I could not have taken part in this fascinating and fulfilling programme without being made this year's recipient of an Access to Justice scholarship. I am sincerely grateful for the direction this award has given my career."*

The University greatly appreciates the Department's support for the LLM CLE which has enabled us to attract a high calibre of students to the programme, supporting the shared ambition of improving access to justice. We are delighted that the Department is continuing its association with the LLM CLE with further scholarship funding for 2014-15.

The work of the Clinic is further supported by an external Advisory Group, Chaired by the Chief Social Security and Child Support Commissioner, and comprised of members from the Equality Commission, Labour Relations Agency, Advice NI, Citizens Advice, and Legal Support Project alongside the Presidents of the Appeals Tribunals and the Industrial and Fair Employment Tribunals who all generously provide their time and expertise to guide the Clinic's development.



Sinead Mulhern, Legal Support Project, collecting the award for best new placement employer of the year from Robin Swann, MLA, Chair of the Employment and Learning Committee, with Lynda Bryans

The relationship with our external stakeholders is a central feature of the LLM CLE and so, in addition to their Clinic cases, students work on cases for their placement organisations. Within the LSP students work on employment and social security cases, under the expert supervision of Sinéad Mulhern and Owen McCloskey, and the contribution of LLM CLE students is acknowledged in the Legal Support Project's Impact Report 2013-14. New placements were created this year at the Belfast and Newry offices of Citizens Advice, and students here have focused on social security case work, providing advice and representation at social security appeal tribunals. A trial placement in 2012-13 with Citizens Advice Regional Office was extremely successful, with a full-time LLM CLE student working alongside the Legal Support Officer, Laura Banks, to review and draft potential appeals on points of law to the Social Security Commissioner. We were delighted that the placement continued for 2013-14, and that Laura has seen the placement adding such value to the work of Citizens Advice:

"This support has proved invaluable as it has enabled more clients to access justice ... I have been so impressed with the calibre of students, their legal knowledge and expertise in the social security system ... The feedback from our advisers and clients has been overwhelmingly positive."

These placements have been critical to the success of the LLM CLE, and the University has acknowledged in particular the contribution of LSP – our first placement partner. The LSP placements guaranteed the necessary clinical experience for LLM CLE students to allow the staged development of our in-house Ulster Law Clinic. In addition, LSP has provided students with access to specialist legal advice, training and supervision as well as further insight into how advice and representation can be delivered. In recognition of this contribution LSP won the University's best new placement employer award at the Placement Employer Awards 2014, a well-deserved success reflecting the dedication and contribution of staff at LSP.



Dr Gráinne McKeever at the Australian National University's College of Law, with Professor Simon Rice, Director of Law Reform and Social Justice

In addition to our local partnerships the LLM CLE has been developing its international collaborations to share learning with, and from, other jurisdictions. LLM CLE staff and students have been able to take advantage of the expertise of the Law School's Visiting Professor Peter Sutherland, Director of the Legal Aid Workshop at the Australian National University and a Senior Member of the Civil and Administrative Tribunal in the Australian Capital Territory. During 2012-13, Peter assisted LLM CLE students with case management strategies in the Clinic and encouraged them to think comparatively about dispute resolution systems, offering critical insight into the structural reform and workings of tribunals in the Australian Capital Territory. Building on this collaboration Dr Gráinne McKeever was appointed to a Visiting Fellowship at the Australian National University's College of Law, on the invitation of Professor Simon Rice, Director of Law Reform and Social Justice. As part of her Fellowship she participated in a number of administrative justice roundtable events with tribunal judiciary and gave a staff seminar at the College of Law, having also been invited as an international speaker at the Annual Conference of the Australian Institute of Administrative Law, where she gave a presentation on "Enabling User

Participation in the Decision Making Process'. Following this, Gráinne took up a Visiting Scholar post at the University of Melbourne's School of Law, at the invitation of Professor Beth Gaze, where she delivered a staff seminar on clinical legal education and a public lecture on 'A model of legal participation for tribunal users'. Our North American collaborations are also being developed, with Fordham Law School in particular. The Head of the Law School and member of the LLM CLE course team, Dr Eugene McNamee, has been awarded the highly prestigious Fulbright Public Sector Award which will be taken up in Fordham Law School from September 2014-January 2015. The global Fulbright Programme is one of the most prestigious awards programmes worldwide, operating in over 150 countries, with over 300,000 alumni awards. The US-UK Fulbright Public Sector Award goes to senior managers working in the public sector to pursue research and/or assess best practice affiliated with any US institution. Eugene will be reviewing the work of the different Law Clinics at Fordham Law School, to understand the innovations there with a view to incorporating best practice within the Law School at Ulster. We look forward to the benefits that this unique partnership will bring to the LLM CLE in particular.



Modern Law Review Scholarship winner, Orla Drummond

The foundations laid over the first two years of the LLM CLE have allowed us to build towards the future, and we are anticipating a number of interesting and exciting developments in the year to come. Plans are already in place for LLM CLE staff to continue to present the work of the Ulster Law Clinic, and the research underpinning the programme, to local, national and international audiences and 2014-15 will see the appointment of a new member of academic staff to develop the strengths and expertise of the LLM CLE team. Our global connections have continued to be productive and we are looking forward to the return visit from our Australian Visiting Professor, Peter Sutherland, who will be based at the Clinic during 2015.

We are working with LLM CLE students to develop their research into PhD projects to help them follow in the footsteps of our current PhD students who work in related areas and whose research has already received national recognition through the highly prestigious Modern Law Review Scholarship (awarded to Orla Drummond), as well as Socio-Legal Studies Association fieldwork grants to conduct empirical research on Special Educational Needs Tribunals (also awarded to Orla Drummond) and welfare reform (awarded to Mark Simpson). The interaction between LLM, doctoral and staff research will continue to be a sustaining force in the development of the LLM CLE and the work of the Ulster Law Clinic.

The final word on the LLM CLE must go to its students who are the life-blood of the Ulster Law Clinic and whose hard work and commitment have continued to impress Law School staff and our external stakeholders. We were delighted to see the first cohort of LLM CLE students graduate in December 2014, and to know that the experience of the LLM CLE has been so positive for them.

Fiona Quinn LLB LLM: *"I would highly recommend the LLM CLE for anyone who wishes to pursue a legal career. It provides practical experience and greatly enhances skills which are vital to a successful career in law. Dealing with real life clients is something which cannot be taught from a book but through experience. The LLM CLE provided an experience that law students in Northern Ireland do not get enough of."*

Lynsey Elliott LLB LLM: *"I would wholeheartedly recommend the LLM CLE to any law student thinking of practicing law or anyone with an interest in social justice and law. Personally the LLM was the beginning of my legal career. It has given me the contacts, confidence and skills to pursue a legal career. I believe this is only the beginning for clinical legal education in the UK and Northern Ireland, and I am very proud of the fact that I am amongst the first graduates of LLM Clinical Legal Education."*

What has been equally gratifying is that the work of LLM CLE staff has been so appreciated by our students who nominated staff for the 2014 Students Union Award for best course team. Our delight at winning this award is matched by our enthusiasm to continue to create a unique and rewarding experience for our students, and we look forward to building on all of the successes of 2013-14.



Dr Esther McGuinness with the Students Union Teaching Award for the best course team of the year



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LLM Clinical Legal Education

The LLM CLE programme is a distinct and unique contribution to legal education in Northern Ireland and on the island of Ireland, there being no comparable programme at undergraduate or postgraduate level. Its function is to supplement the range of legal service providers by focusing on unmet legal need in the fields of employment law and social security law, while giving students the opportunity to develop legal advice and advocacy skills and engaging their interest in the provision of legal services more generally.

To this end, students receive training in social security law, employment law, alternative dispute resolution and tribunal representation in preparation for providing advice and advocacy, to members of the public with appeals before Social Security or Industrial Tribunals. This advice and representation will be provided through the 'Ulster Law Clinic' (based on the Belfast campus) and/or on placement with advice sector organisations in semesters two and three. The programme also involves students in the development and management of the 'Ulster Law Clinic'.

Admission Requirements

Applicants must:

- (a) have gained
 - (i) a second class honours degree or better in law from a university of the United Kingdom or the Republic of Ireland, from the Council for National Academic Awards, the National Council for Educational Awards, the Higher Education and Training Awards Council, or from an institution of another country which has been recognised as being of an equivalent standard; or
 - (ii) an equivalent standard (normally 50%) in a Graduate Diploma, Graduate Certificate, Postgraduate Certificate or Postgraduate Diploma in law or an approved alternative qualification;

and

- (b) provide evidence of competence in written and spoken English (GCSE grade C or equivalent); or, as an alternative to (a) (i) or (a) (ii) and/or (b):
- (c) In exceptional circumstances, where an individual has substantial and significant experiential learning, a portfolio of written evidence demonstrating the meeting of graduate qualities (including subject-specific outcomes, as determined by the Course Committee) may be considered as an alternative entrance route. Evidence used to demonstrate graduate qualities may not be used for exemption against modules within the programme.
- (d) In addition, all applicants will be required to submit a personal statement detailing their interest and motivation in undertaking the programme, and they will also be required to attend an interview to evaluate applicants' suitability for the programme.

Further information is available at

www.socsci.ulster.ac.uk/law/clinic/