

Editorial

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Welcome to our final edition of 2023. In this edition we begin with Anne Kotonya's article, "A Systematic Quantitative Review of Literature on Social Justice and Clinical Legal Education in Africa." Kotonya provides a comprehensive analysis of the development and research trends in the field of clinical legal education in Africa, with a particular focus on its social justice role. The article reviews 61 articles published in English language legal journals before 2020, thereby offering a coherent picture of research in this area, especially in Kenya and South Africa.

The study highlights how clinical legal education plays a crucial role in promoting access to justice, especially in countries with underperforming legal aid systems. This form of education not only imparts practical legal skills to students but also instils a sense of social responsibility, potentially influencing their career paths towards public interest law.

Kotonya's review identifies that a small number of highly prolific authors from specific countries, notably South Africa and Nigeria, dominate the scholarship in this field. It also notes the diversity of methodological approaches used in these studies and the prevalence of the topics covered in various legal education-focused journals. The findings reveal that while there is increasing interest in the social justice aspects of clinical legal education in Africa, the research is not systematic or sustained.

Additionally, there is a limited representation of African countries in global clinical scholarship.

The review provides valuable insights into the current state of research in clinical legal education in Africa, identifying gaps and suggesting potential areas for future research. It underscores the need for more diverse and collaborative research across the continent, beyond the dominant narratives from South Africa and Nigeria, to better understand and enhance the social justice impact of clinical legal education in Africa.

We continue with Jacqueline Weinberg and Jeff Giddings' article which examines the impact of the COVID-19 pandemic on Clinical Legal Education and the subsequent transition to virtual learning. They focus on the student perspective, highlighting the importance of effective, intentional, and explicit clinical supervision practices for productive learning experiences. Their research is based on the Monash Clinical Program in Melbourne, Australia, and is globally relevant.

Traditionally, Clinical Legal Education involves students having direct interaction with clients under the guidance of clinical supervisors, focusing on social justice and ethical legal practice. As many of our readers will have experienced, however, the pandemic necessitated a shift to remote learning, challenging this traditional model. Weinberg and Giddings argue that despite these challenges, remote delivery can be effective if supervision is adapted appropriately. To do so involves the re-design of Clinical Legal Education to accommodate remote learning, including utilising technology to maintain student-client interaction and supervision. The shift

to remote delivery required rethinking clinical pedagogy, emphasising the importance of technology in maintaining the quality of legal services and education.

Weinberg and Giddings underpin the conclusions drawn through empirical evidence gathered through a survey seeking to understand student experiences with remote Clinical Legal Education. Key themes emerged, including connection with supervisors, peer communication, and the role of technology in supervision. The findings indicate that students had positive experiences with remote learning, appreciating the support and guidance from their supervisors and the use of technology for communication and client interaction.

In the article the authors emphasise the need for supervisors to adapt their approaches to remote supervision, using technology effectively to support student learning and client service. This adaptation includes recognising the importance of explicit and intentional supervision where supervisors actively guide students through the learning process, rather than leaving them to learn by osmosis. They conclude that effective supervision in Clinical Legal Education, whether remote or in-person, requires a clear understanding of its objectives and a deliberate approach to student-teacher relationships. They argue for maintaining the elements of effective remote supervision in post-pandemic Clinics to enhance the learning experience and prepare students for future legal practice. This approach involves ongoing reflection, adaptation, and explicit focus on teaching and supervising students, ensuring that the principles of social justice and ethical practice remain central to Clinical Legal Education.

The article "Feeding Up and Feeding Back: Exploring the Value of Peer Learning Through a Law Clinic Setting" by Louise Hewitt and Lucy Yeatman focuses on the role of peer learning in legal education, particularly within the context of law clinics. The authors emphasise the importance of building trust and respect among students to facilitate meaningful peer review and learning. They argue that while peer review can improve academic outcomes and psychological well-being, it often faces resistance due to students' initial reluctance to engage in collaborative work and their scepticism about the value of peer contributions.

The authors first describe the clinical teaching approaches at Liverpool Law Clinic and the Innocence Project London, highlighting their focus on group work and peer review. The second section discusses the pedagogical rationale for peer learning, outlining its benefits and addressing common student resistance to collaborative work. The authors note particular challenges such as fear of criticism, feelings of inadequacy, and frustration with unequal contributions in group settings. The third section offers an examination of specific teaching strategies used by the authors to overcome these challenges and support peer learning - such as careful pedagogic design, clear communication about group work purposes, and structured roles to enable collaboration.

Hewitt and Yeatman reflect on surveys conducted with students at both clinical settings, revealing insights into students' perceptions of group work and peer learning. Despite initial apprehension, many students reported positive changes in their attitudes towards group work over a period of time, citing tutor support and

peer interaction as key factors. The authors conclude that well-structured group work, along with supportive teaching practices, can foster a collaborative learning environment that enhances student abilities to assess the quality of their own work and that of others, ultimately empowering lifelong learning.

We continue this edition with a practice report from Hannah Franz who critically examines the role of clinical legal education in Germany in promoting access to justice and human rights. Despite the significant potential of legal clinics to provide practical skills to law students and offer free legal advice to marginalised individuals, German law clinics are relatively underdeveloped and under-recognised within the country's legal education system.

Franz outlines how clinical legal education serves two main purposes: it supplements theoretical law studies with practical experience, and it provides free legal advice to marginalised groups. The effective combination of these approaches can significantly enhance access to justice. However, in Germany law clinics can struggle with limited recognition in academia and due to their financial instability. They are often viewed as extracurricular student activities rather than integral parts of legal education, and this may lead to a lack of institutional support and academic credit for clinic work.

This practice report provides a historical overview of the clinical movement in Germany, noting that until 2008 legal regulations severely restricted the provision of free legal advice, hampering the development of law clinics. Since then, progress has been made, particularly with the establishment of refugee law clinics, but these efforts

still face significant challenges. The clinics primarily operate on the margins of the academic environment with most being student-run and voluntary, and lacking in proper institutional anchoring.

Quality control and supervision are identified as crucial for the success of law clinics. Franz argues that effective legal and psychological supervision is needed to ensure high-quality student counselling and to protect the welfare of clients. She also suggests that integrating law clinics into the legal education curriculum could enhance their educational value and social impact.

To improve the access to justice impact of German law clinics, Franz recommends focusing on social justice as well as education, offering academic credit / formal recognition for clinic work, and better integrating clinics into law school operations. She emphasises the need for policy change to support these initiatives, including funding for qualified staff and the creation of stable academic positions for clinic educators. Franz concludes the practice report by noting that recognising the potential of legal clinics in advancing access to justice in Germany, the need for greater institutional support, recognition, and integration into the legal education system are all necessary to fully realise their potential.

We conclude this edition with a commentary by Andrea Todd, from the field, which explores the concept of "active citizenship" in the context of law students engaging in pro bono work and social justice. It begins by recognising that while law students often engage in pro bono activities as part of their clinical legal education, these experiences primarily teach them the skills for providing such services, rather

than the underlying reasons and societal importance of pro bono work. Todd argues that teaching such insight is essential not only to equip students with the ability to perform pro bono work but also to instil an understanding of why such work is necessary. The assertion is that such a critical understanding of the political and social context surrounding the need for pro bono advice can foster a genuine, long-lasting commitment to social justice.

This contribution reflects on the pilot year of a student-led module, "Law in Action," at the University of Chester. The module was designed to foster social responsibility and a strong sense of social justice, aiming for a lasting commitment to pro bono work among future lawyers. Todd discusses the concept of active citizenship, defined as individuals proactively shaping their rights and obligations in society through active participation. The module encouraged students to critically understand the role of pro bono initiatives in the legal landscape and provided them with opportunities to engage in in-depth analysis of social justice issues. Todd concludes that by actively engaging with the reasons behind pro bono work, students are more likely to carry a commitment to social justice into their legal careers, becoming not just good citizens but active ones who can drive change in the pro bono and social justice sphere.

This is a wonderful edition which raises important issues relating to clinic work across five separate jurisdictions. It offers insights based on policy, empirical evidence and scholarship, whilst providing historic and contemporary analyses. The authors

have provided a thoughtful collection which I am sure will offer valuable insights for all readers.