

WE STAND FOR AMBITION.



University of
Kent

Student Outdoor Clerk Scheme

Outline for new university members



Embedding Employability in Curricular & Co-Curricular

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I was called to the Bar in 1998 and practised as a criminal barrister. After part-time teaching at Kent Law School, I became a permanent member of staff in 2018 and I am now a senior lecturer. I established a cohesive lawyering skills programme where students can undertake modules in client interviewing, mediation, mock trial advocacy, mooting and negotiation. I also established a Student Outdoor Clerk Scheme (SOCS) in November 2021 and we are very pleased to see that the scheme is starting to gain traction and be widened nationally. Our lawyering skills programme and SOCS are run in collaboration with students who have been established in a 'Law School Community Hub' office. This provides a fantastic opportunity to embed employability skills in the students and it certainly fits in well with the latest government agenda in Higher Education. Once it is established, the scheme practically runs itself and I hope that it will be a great addition to your Institution's portfolio of activities for students. By working together nationally we can contribute to the developing academic scholarship community in experiential learning techniques, while on the way hopefully inspiring students carry out activities that have social purpose.

What is SOCS and why did we start it?

This is a scheme whereby law firms instruct law students to attend court and assist the advocate. This is not exclusively, predominantly, involves students attending the Crown Court on behalf of defence firms. Legal Aid funding for firms to send outdoor clerks to court has long since expired and is yet another victim to a declining criminal justice system. Law academics will have noticed that the motivation for many students to study law is the draw of the large salaries from large corporates and law firms, particularly for those who come from non-traditional backgrounds. They have the big dream. This is unsurprising due to the neo-liberalisation and consumerisation of our Higher Education sector. The concern of those of us who are passionate about our criminal justice system is that if we cannot inspire the next generation to care about it, what will happen? In their article, *'Vulnerability, the future of the criminal defence profession, and the implications for teaching and learning'* Harris et al. said,

'Within this process, we are aware of problems in the criminal justice system and, in particular, the challenges faced by criminal practitioners. We feel a duty to play a role in fighting to protect an institution that we see great importance in. That said, the task of providing resilience to the criminal defence profession is not ours alone; universities should also play a greater role in supporting the legal profession. Doing so will not only illustrate that they take seriously their students' futures but that they also recognise – and place value on – contributing to wider society'

The idea was always that students themselves would drive that engine, as long as the law school could provide them with the resource to run it. Using those local legal community connections already established, we were able to ascertain that there was appetite for the scheme from some of the local criminal defence firms. The biggest issue that was raised was how confidentiality could be maintained between the student

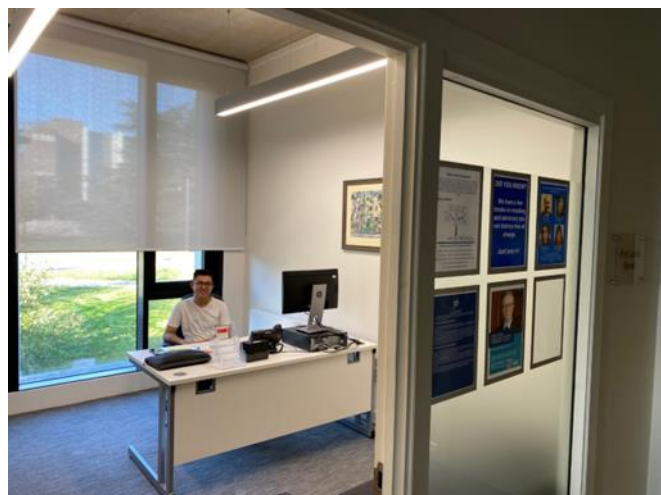
clerks and the firms and counsel. Having already established a relationship with Caselines (now Thomson Reuters Case Center) for the delivery of our lawyering skills modules, in particular moot and mock trial advocacy, it was easy to see how that technology could be used to alleviate the concerns of the profession. The next step was to establish a base of operations for the scheme.

This is why we are pleased to say that Thomson Reuters Case Center are supporting the National Scheme. It is hoped all Student Outdoor Clerk Schemes will use the TR technology to run the scheme safely.¹ TR are providing this to universities free of charge.

All that will be required is for you to fill in an order form and you will then be set up. The account has been set up so that each individual university will not be able to access other university cases. You will essentially be running your own scheme in your way, though we can assist you by providing:

- Text for leaflet to go out to firms of solicitors (includes terms and conditions)
- Text for leaflet to go out to counsel
- Text for case booking form
- Training material for students
- SOCS student compliance pack
- Training for TR Case Center, (Darren Weir is the accredited national trainer for Case Center – for SOCS - and will be able to train you on the system).
- Run a training session for you (travel expenses and small charge may be imposed).

What we have done is recruit student mentors to lead the administration of the scheme. They will routinely take a couple of shifts in the hub each month to ensure that it all runs smoothly. Students have found great benefit from doing it.



'My role in the hub involved quite a few different things. Firstly, I would oversee the phone line, email inbox and calendar for the Student Outdoor Clerk Scheme (SOCS). This involved me ensuring that a student clerk was scheduled in advance for a case we had coming up and ensuring they had what they needed to go to court - this included reassurance.

I considered myself to be a 'mentor' for students who needed reassurance whether that be for SOCS or for a moot or mock trial they had coming up. Most of the people who visited the office had something coming up that they were worried about or wanted advice on. Being a student with experience of different forms of advocacy, I was able to support and advise students while trying to help them control their nerves (not stop the nerves because nerves are good!).

Most importantly (in my opinion), the role in the hub involved me being just a friendly face. We were in the hub at least once a week so students entering the law school were able to regularly see our faces. This (I hope) brought more comfort and reassurance to students as they knew if they ever needed advice

¹ Universities can use other systems provided they can satisfy themselves and the firms they work with that it is secure.

or help with something, they would come to see us!"

- JV, Kent Graduate

Students who participate in this way report improved interpersonal and communication skills, elevated organisational and time-management skills, enhanced creative problem-solving skills, superior advisory skills and a better appreciation of professionalism and team work.²

Ultimately, students have credited successes to their involvement in their participation in the programme and working in the hub.

"I am trying to become a criminal barrister after receiving a reserve offer last year, I hope this year will be the year. Subsequently, I spent four months in Fort Lauderdale, Florida working with defence attorneys on cases where the State sought the death penalty. Working in the hub enabled me to put the experience I had gained from Darren into my application for Amicus, which was ultimately successful. In many of my 2nd round interviews for pupillage, barristers (including a few KC's) would specially ask me about my role working in the hub."

- VB, Kent Graduate.

Lots of Questions? – Video may contain the answers.

You are likely to have a number of questions about the scheme. When we first reached out to other universities who expressed an interest, we ran a presentation which has been recorded. You can find a link to the recording below. Since the recording, it has been confirmed that Thomson Reuters are supporting the scheme.

VIDEO LINK:

<https://kent.cloud.panopto.eu/Panopto/Pages/Viewer.aspx?id=36cdd449-04e0-4595-beaf-b1f500836522>

Legal Status

One of the most common questions we get asked is about the legal status of the scheme. You are of course to sort this out with your own institution. We have made it clear to the solicitors that we work with, that the university is simply the conduit through which we connect eager students with the firms. We make this clear in our Terms and Conditions, which you can have access to should you decide to follow our scheme at your institution. As far as confidentiality and GDPR, this is part of the training session we run with the student outdoor clerks and is reinforced throughout. The reason why we use TR Case Center is because they are securely storing the data and we are not. You can also arrange the settings so that students cannot download any material off of the system. Besides which, most of the notes taken by clerks are happening in open court in any event. Some firms, for example, do not want the clerk in conferences with the client they are that paranoid about confidentiality. This is fine. It's their choice.

Next Steps

For many, you may already have firms who you work with and are ready to set up the scheme. Having a firm or firms onside and ready to go, the next step is to email d.weir@kent.ac.uk and ask to be connected with the TR Case Center reps to get you signed up. Once signed up, you can let us know what you need from us or you can be on your way. Just remember to please use the national logo!



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