



Designing Digital Law Clinics for Student Success

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INTRODUCTION

This chapter provides insight into the design of law clinics in a digital environment for clinical legal education, with a focus on a digital criminal justice clinic developed at The Open University's Law School within the Open Justice Centre (OJC). It emphasises the incorporation of social justice, professional and employability skills into the curriculum, exploring their significance in learning design and how they are perceived by students through a research project involving the Criminal Justice Clinic (CJC) and its forerunner, the Criminal Appeals Project (CAP). The research examines students' perspectives on employability skills garnered through their participation in a pro bono digital criminal appeals clinic, suggesting that the findings and methodologies could be adaptable to

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both face-to-face and other digital law clinic settings due to the universal applicability of the underlying principles.

Organised into several sections, the chapter begins with an overview of The Open University (OU), OJC, CAP, and CJC, including the demographics of the OU student body and the formation and objectives of the CJC, especially concerning employability skills. Subsequent sections examine relevant literature, detail a two-year employability research project conducted within the CJC—highlighting methodology, critical analysis, and implications—and conclude with future directions and discussion points to engage the reader further.

BACKGROUND

The Open University is a UK-based university whose enduring mission is to be ‘open to people, places, methods and ideas’ (The Open University, n.d.-a). The OU’s student community is diverse, with 70% of OU students combining their studies with either full- or part-time employment, 33% of students having no higher qualifications than one A-level when they commenced their OU studies, and 37,118 students declaring a disability in 2021/22 (The Open University, n.d.-b). Such diversity brings opportunities and challenges when designing law clinics and thinking about embedding skills.

The Open University Law School (OULS) celebrated its 25th anniversary in 2023, and with approximately 9,000 students enrolled (The Open University, n.d.-c) is believed to be the largest law school in Europe. Its vision—‘To make outstanding legal education accessible to all who pursue it’ (The Open University, n.d.-c)—is demonstrated in the clinical legal education provided as part of its undergraduate law degree through the OJC since the Centre’s formation in 2016. The OJC comprises various legal education clinics covering civil law, family law, and criminal justice. All clinics are run digitally online and have clients who rely on the students, and their supervisors, for advice. In addition, the OJC runs other projects that do not have clients but are of equal importance; for example, the policy project looks at topical debates and feeds into wider legal consultations; the mediation project teaches students the skills they need for successful legal mediation; the international law and digital justice projects; and previous projects involving Streetlaw and work in prisons. Some of these clinics run as extra-curricular activities for students

while others can be taken as part of a law degree and attract academic credit.

‘Justice in Action’ is a module that currently runs at level three, the equivalent to level 6 of the Framework for Higher Education Qualifications (FHEQ). It is an optional module that is split into two distinct sections, albeit they are connected in some ways as students must undertake the first part to understand the second. The first part of the module teaches students professional practice skills and centres around social justice, professional identity, and ethics. It involves students studying module materials digitally, attending tutorials that are held online, and working through activities to gain knowledge and skills. Students work collaboratively in teams and develop skills in writing and research as well as how to interview effectively and provide legal advice. The module is assessed through tutor-marked assessments, much of which is in relation to reflective learning. The second part of the module is different to all others taught at the OU as it mimics what happens in legal practice. Here, the students are assigned to one of the clinics or projects and use the knowledge and skills acquired throughout the law degree and the first part of the module to provide a report or advice in the area they are assigned to. All of these projects and clinics are run digitally; there are no physical clinics situated on campus or any other site.

At the point students undertake this module they will usually have completed the main compulsory law modules covering criminal, contract, tort, public, trusts, European Union, and land law. Students therefore already have broad substantive legal knowledge, but the ‘Justice in Action’ module puts that knowledge into practice, thereby allowing students to develop key employability skills such as letter and report writing, note-taking, verbal presentation skills, legal research skills, and organisational and chairing skills.

OVERVIEW OF THE CRIMINAL JUSTICE CLINIC (CJC)

The CJC sits within the OJC and is one of the projects offered in the ‘Justice in Action’ module. Initially, it was formed as a pilot project offered to students as an extra-curricular opportunity. Shortlisted for the LawWorks and Attorney General Student Pro Bono Awards in 2023 in the category ‘Best New Pro Bono Activity’, the CJC is an innovative digital criminal appeals clinic that is run wholly online. CJC students research and advise

on live criminal cases under the direct supervision of a practising solicitor. To take part in the CJC, students must have successfully completed the level 1 (FHEQ level 4) criminal law module and the first part of 'Justice in Action'. While it is not directly credit-bearing, the CJC is located within a law module and as such the experience obtained from the clinic contributes to the grading through reflective activities that students engage with in assessments.

The CJC is led by a practising solicitor and academic and is partnered with a criminal practice which provides criminal appeal casework for students to work on. Students review the materials in a real case where the convicted person (the client) is serving a long prison sentence often for crimes such as murder, manslaughter, and serious assault, and where the client will be protesting their innocence or feels that their sentence is excessive. Students working on the case will need to ascertain whether there are grounds to refer the case to the Criminal Cases Review Commission (CCRC) because the conviction is unsafe, or the sentence is manifestly excessive. This investigation requires detailed reading of papers and undertaking research, often in the context of sensitive and emotive cases. Students can initially feel overwhelmed with the volume of case material (sometimes running into thousands of pages) and the weight of being the client's last chance to be heard. In addition, the nature of the cases and the possibility of a failure in the criminal justice system can cause students to worry and the possibility of vicarious trauma is also a risk (Curryer & Mawdsley, 2024).

The CJC runs for around 20 weeks in an academic year. Before students are allowed to access any case papers, they are required to sign a confidentiality agreement and complete refresher training on criminal law and evidence. They then participate in training on criminal appeals and vicarious trauma as well as learn how to use the digital case management system. Students work collaboratively in groups of seven to carry out research using digital platforms, including the vast resources held, or subscribed to, by the library. Collaboration is really important to the success of the CJC, both for the development of professional skills and to reflect what happens in legal practice, and training in this skill is incorporated from the start of the students' time in clinic. Students are required to organise their own meetings and agree their own roles within their team, with the aim of collaboration quickly becoming the norm. One student noted: 'after some excellent training, within a couple of weeks, we were working remotely but collaboratively to establish the knowledge

and intent of a defendant convicted under the doctrine of joint enterprise’ (Der Gregorian et al., 2022).

In the main, undergraduate legal education in England and Wales concentrates on teaching substantive law but does not fully equip students with all the knowledge and skills needed for a future in legal practice. However, the CJC supports the development of a student’s employability skills while encouraging them to think reflectively about the role of a legal professional. In effect, it brings legal practice into the law curriculum, allowing students to be mentored by legal practitioners as well as academic professionals. The clinic also offers the opportunity for alumni to work on a pro bono basis as case workers thereby developing their employability skills while supporting student learning.

When setting up the CJC, the project lead gave a lot of thought to what meetings would be needed and why, given the aims of ensuring confidentiality, group cohesion, and individual participation. Due to the nature of the work, weekly supervision meetings are held digitally in Microsoft Teams with a supervising solicitor and case worker, and students are required to use a camera and microphone. The meetings are held for a number of purposes:

- To share knowledge and skills in a secure environment and promote peer-to-peer review and assistance while still allowing for supervision and professional support, leading to strong connections within the student team.
- To make sure that students understand what is required of them and to allow them to negotiate points where needed.
- To maintain confidentiality in an online environment by requiring all students to attend supervision meetings on camera and talk on a microphone.
- To allow for collaboration with legal practitioners and to share ideas on good practice in law.
- And to allow for equality of opportunity for learners, engage in collaboration, and showcase the work that all students do.

Designing and Creating the Criminal Justice Clinic

Prior to establishing the CJC, the OJC had an agreement with an external provider for students to participate in assisting with criminal appeals case-work during their studies on the module. This required a supervisor employed by the OU to ensure that students could cope with the work and provide solutions to improve students' skills. However, it became clear that although the provision was good, it was only provided over a 12-week period and did not fit with the schedule of the 'Justice in Action' module. Students struggled with the basic professional skills required that they had not been taught in the law degree. Over a period of three years new elements were introduced to scaffold learning for students taking part, including the use of a written policy project that allowed students to practice their research and written skills before starting the main project. Students that participated in the written policy document reported that they benefitted from earlier collaboration and acquisition of learning research and writing skills before working on complicated criminal appeals work. However, research and reflective practice showed a longer-term solution was needed. Using an outside provider was restricting the project so that it could not be adapted to suit the diverse range of students at the OU. The need to conform to standard university methods was not providing students with sufficient support to get the most out of their involvement in the project. As a result, the option of setting up and running an in-house criminal justice clinic that provided better teaching and outcomes for our students was pursued.

It has been argued that clinics provide an opportunity to showcase the development of professional skills to future employers (Blandy, 2019), with Gilbert (2022) claiming that clinical legal education can be an engine of social justice by transforming student futures through the acquisition of professional behaviours. Given the diversity of students studying at the OU there was a need for a suitable method of teaching skills in a digital setting within the 'Justice in Action' module. Other issues such as student engagement and compulsory collaboration proved to be problematic. Student feedback demonstrated a need for a different pedagogical approach more consistent with the OU ethos of social justice and its mission to be open 'to people, places, methods, and ideas' (The Open University, n.d.-a).

Clinical legal education is a form of experiential learning (Dewey, 1938), which reduces the gap that can be present between formal taught

education and what is expected in practice at work. By its nature, clinical legal education is also reflective and at its core lends itself to self-regulated learning (Yeatman & Hewitt, 2021). Nicol and Macfarlane-Dick (2006) created a framework of seven principles for effective feedback including clarifying what good performance is, facilitating self-assessment and reflection in learning, delivering high-quality information to students about their learning, encouraging teacher and peer dialogue, encouraging motivational beliefs and self-esteem, providing opportunities to close the gap between current and desired performance, and providing information to teachers to shape teaching.

These seven principles have been incorporated into the design of the CJC where feedback does not follow a set formula, is not solely based on formal written responses, and tends to be spontaneous around conversations that take place in supervision meetings and training. While students receive written feedback on a draft advice and research note completed by the end of their time in the CJC, most feedback centres around verbal comments. Given the nature of the work, the advice to the client and the research note are drafted and re-drafted several times before final submission to the supervising solicitor and onward transmission to the client. Students peer review these drafts before they are seen by the supervising solicitor. For students, the process of an informal method of communication is key as reflection is a continuous process and helps with developing employability skills including collaboration and team working that are also needed within the small teams. Students' reflection on each other's work in a positive and supportive environment enhances team cohesion, which can clearly be seen in the reflective blogs that have been published on the Open Justice website. This approach draws on the work of Yeatman and Hewitt (2021) who recommended that a series of conversations together with peer review is best practice in CLE.

Another method of design that has really benefitted the CJC is built on the idea of assessment not evaluating students' work within the CJC per se. 'Justice in Action' has a number of assessments that are marked by tutors. Those assessments consider the *practical and professional skills* that are needed in pro bono work and students are not graded for the work that they complete within the CJC. This is very different from other law modules as it is more reflective of what happens in professional practice. Building on the pedagogy of Nicol and Macfarlane-Dick (2006) who found that receiving a mark can be demoralising, it was decided that the CJC would promote a nurturing and mentoring approach to feedback. In

essence this means that students are not in competition with one another and perhaps more importantly, do not perceive that they are in competition with one another, resulting in a more supportive environment and a stronger cohesion and collaboration in a group context. It also takes away the personal feeling of feedback that the student may have. Formative feedback is spontaneous, centring around professional skills and writing in a collaborative manner, and is viewed constructively by students because of its professional nature.

Literature Review

In designing and creating the CJC, it was important to establish what had worked in other higher education providers and, therefore, a brief literature review was completed that has now been updated for this chapter. The review considers two distinct areas: firstly, whether there was any research into the effectiveness of digital criminal appeals clinics in higher education in England and Wales; and, secondly, whether employability skills were developed by participation in pro bono work completed by law students in higher education.

In relation to the first area, there appeared to be no research completed into other higher education digital criminal appeals clinics in England and Wales. There were digital criminal appeals clinics but not within a university setting, and there were criminal appeals clinics or innocence projects but not within a digital setting, for example, the Innocence Project London at the University of Greenwich (Hewitt, 2018). There were also digital legal clinics in universities, but they did not cover criminal appeals (Dunn et al., 2020). Therefore, the search was widened to include face-to-face criminal appeals and innocence projects outside England and Wales and digital legal clinics in universities that did not cover criminal appeals, because the pedagogy and design of those clinics might transcend geographical and legal subject boundaries.

Hewitt (2018) discusses pedagogy in relation to experiential learning in clinical legal education with an innocence project that is run face-to-face in a traditional brick university. That project considers wrongful convictions where individuals are maintaining their innocence and have already been through the criminal appeals system so has a basis very similar to the CJC. Despite it not being in a digital setting, some of the observations made resonated with the CJC that was to be set up at the

OU, such as the need for students to learn by experience and the application of David Kolb's cyclical learning model being central to that. Kolb identified the need to acknowledge the process of learning rather than the outcome and noted that 'Ideas are not fixed and immutable elements of thought but are formed and re-formed through experience' (Kolb, 2014, p. 10). This differs from the more formal learning that takes place in a traditional taught law degree and is reflective of the learning process in the CJC. Hewitt, in discussing her experience of running a face-to-face innocence project, takes this a step further by noting that learning not only takes place through the experience of the student but also in response to workplace issues such as working to deadlines, and drafting of appropriate documentation (Hewitt, 2018, p. 5). Even though there was a difference in the method of delivery, these principles were adapted and applied in the creation and design of the CJC.

Student reflection on participating in an internship with the Bridge of Hope Innocence Initiative, a face-to-face innocence project in Australia, is discussed by Stratton et al., (2023) and considers the students' views of their development of employability skills for criminology and justice degree students together with career path decision-making. After analysing research carried out with around 100 students' reflective pieces who participated in the initiative, the authors conclude that such constructive experience 'can build student capacity towards post-graduate employment following criminal justice and other trajectories' (Stratton, 2023, p. 14).

There is limited literature in relation to digital legal clinics but the benefits, together with the problems, associated with creating and running projects within digital clinical legal education in the OJC at the OU are aptly described as being 'fundamentally positive' and leading to high pass and completion rates (McFaul et al., 2020). Written in 2020 after the advent of COVID-19, McFaul et al. (2020) discuss facilitation of distance learning through digital technology, including the need for clinical legal education to be brought online due to the pandemic. The authors note challenges and describe three key themes that need to be considered: collaboration, quality, and congruence. They argue that overcoming working relationships, investment in suitable technologies, and relationships with external partners is key to success. This approach has been pivotal to the design of the CJC where a partnership was formed with an external partner and digital technologies in the form of a case management system, Microsoft Teams, and collaboration spaces are used.

Not all experiences of digital clinical legal education appear to be positive. As part of a small research project, van Dorresteijn et al. (2023) interviewed seventeen teachers in Holland who were involved in experiential legal education during the pandemic. This research is different to the experience of McFaul et al. (2020) who worked in an educational environment which was digital by default and by design and had time to plan and prepare for the digital clinics described by them. Van Dorresteijn's teachers had little time to research pedagogy or experiment with ideas for digital learning before having to move away from face-to-face teaching due to the pandemic. In their analysis of this research, the authors found that teachers felt that activities in relation to the acquisition of knowledge were the easiest to teach digitally while those that promoted association with the profession were the most difficult. They note that teachers 'struggled to facilitate life-like online learning experiences' and identify when students needed support, and the degree of learning depended on the 'student's own level of autonomy' (van Dorresteijn et al., 2023, p. 14). While this research shows difficulties with digital teaching, experience from the CJC confirms that, with planning and resources, they can be overcome.

The second area of the literature review showed some research into what employability skills students could obtain from working in clinical legal education. However, once again, reported studies were limited to face-to-face clinics or digital clinics that did not include criminal appeals. Cantatore (2018), in Australia, discusses the link between law clinics and the employability skills gained by those students that take part in them. Cantatore relies on a pilot project involving a small survey conducted with students before and after they took part in four law clinics, including a criminal law clinic, although none of these clinics were digital clinics. This survey used the Graduate Employability Indicators to decide on employability skills to consider. Participation in the clinics did not lead to any academic credit. The research centred around students' perceptions of their graduate skills by comparing those students that took part in the pro bono law clinic as against a control group that did not. Findings showed a 16% increase in the perceived capabilities of graduates in a commercial law clinic and a 13% increase in students' perception of their own competency after participation for a semester in a pro bono clinic as opposed to a control group result of 2.7% increase in graduate skills. Cantatore's research was only a pilot study, but important nonetheless as

there is limited research still in this field. It suggests that employability skills can be gained from participation in clinical legal education.

In her further study in the same area, Cantatore (2020) used quantitative and qualitative data to survey law clinic students and those results were used to compare outcomes for students in Australia, South Africa, and Chile. Again, surveys were given before and after students took part in face-to-face pro bono clinics. There were only 27 participants, so the data is limited, but overall they demonstrate an increase in graduate skills in all geographical locations with an average increase of 22% in Australian graduate skills during the semester, including the largest of 44% in knowledge and industry awareness and the lowest of 11% in teamwork. In South Africa, these figures were raised to a 30% average increase in graduate skills for the same period and, in Chile, an average increase of 71%. Cantatore et al. account for some of the difference in terms of the area of law being used and the difference in social and economic environments in which the clinics operate (Cantatore et al., 2021, p. 334).

EVALUATION OF THE CJC

From 2020 to 2022 a pilot research project was run within the CAP and CJC. Students assessed the development of their employability skills from the time they started in the CAP/CJC until the time they left. Analysis of student responses demonstrated that there was a change in their perception of the skills that were needed in professional practice by the end of their time in the clinics. At the beginning of their time in the CJC, students anticipated teamwork, time management, research, and analytical skills would be needed in the clinic. By the end, students felt that written and verbal communications skills, together with time management and collaboration were most needed before entering professional legal work.

Method

The research project was designed to show whether or not students were of the opinion that they developed employability skills during their time in clinical legal education with the OU, as well as what employability skills students thought they would need upon entering legal practice. The pilot research was developed as a quantitative study, partly because of the number of students involved but also to provide an overall sense of the student experience rather than in-depth qualitative exploration through

interviews and focus groups. The number of students enrolled in the CAP or CJC at the relevant time was 113, although not all of those students were eligible to take part in the study due to OU rules on research. There were two questionnaires, one completed before the students participated in the CAP and CJC and the other completed at the end of their time in the clinics.

The first questionnaire asked about students' expectations and concerns before taking part and asked them to rate their experience and competence in various legal professional practice skills areas. The second questionnaire asked students what they found most challenging, and they re-rated their competence identifying any improvement in their skills. The list of skills was the same for both questionnaires, with approximately five months between completion of the questionnaires. The necessary approvals were granted by the OU, including ethics, and students were required to sign a consent form prior to completion of both questionnaires. Questionnaires were completed anonymously on a digital survey platform as it was the most secure and convenient method for the researchers and students and allowed for straightforward analysis of the data. In questionnaire one, students were asked what they thought were the three most important employability skills for work in legal practice. They were also asked for the three most important skills they would need for working in the CAP/CJC. Questionnaire two returned to the same skills but from the perspective that they had now completed the CJC/CAP.

For the purposes of this study, employability skills were defined as skills that are required by practitioners working within the legal profession. These were broken down into themes: written, verbal, research, collaboration, negotiation, time management, and confidentiality. The themes then had a list of employability skills that were within that theme. With each theme students were asked to rate their experience before and after their work in the clinic. Students rated their experience from one, the lowest, to five, the highest, against a set list and then rated their competence for the same themes separately. The skills are set out in Table 11.1.

The level of response was limited—26 students answered the first questionnaire and only six answered the second questionnaire—and this means the research comes with various caveats. Due to anonymity, there is no way we can tell whether the six who completed the second questionnaire also completed the first one. Lower response rates to the second questionnaire may be because it was completed after the project and their studies

Table 11.1 List of employability skills

Written skills	Letter writing
	Report writing
	Advice writing
	Professional emails
	Note-taking
Verbal skills	Minute-taking
	Presentation skills
	Contributions at meetings
Research skills	Asking questions to gain information
	Using legal databases for research
	Accessing news items
	Accessing relevant articles
Collaboration skills	Working with statutes to provide clear advice and guidance
	Working with cases to provide clear advice and guidance
	Listening to others
	Responding constructively to ideas
	Presenting ideas
	Setting up and organising a meeting
	Acting as a mediator
	Acting as a chair
	Minute-taking
	Setting an agenda
Negotiation skills	Listening
	Rephrasing
	Respecting others
	The ability to compromise
	Being confident in your own research to consolidate an argument
	Dividing tasks fairly between the group
	Time management skills
Confidentiality skills	Negotiating allocation of workload to avoid over commitment
	The ability to keep work confidential
	Be able to keep the project discrete/isolated from the other areas of your life (i.e. not discuss work in the clinic with family and friends)
	Do all work in on the case management system allocated in real-time online

on that module ended, and some students had completed their degree. The second questionnaire was requested just before an assessment was due and in the second year another research project was also taking place. Students tended to view that second research project as more important

because it involved training on vicarious trauma, viewed by students as an innovative idea.

The skill that students felt they made most progress in was research skills and here they felt that they had improved in all areas. Research required within the CAP/CJC is much more detailed than perhaps needed for other areas in the law degree. Further, it is specific to criminal appeals so involves much more use of specialist practitioner resources and case law than they might have used before. The second main area of progress was collaborative working, where they felt they had improved in listening to others, responding constructively to ideas, presenting ideas, and acting as a mediator. In all other skills in this category, they felt they had remained the same. Other themes all showed some progress but only in certain areas. The main progress that students felt they made in written skills was with report writing, advice writing, note-taking, and minute-taking. In verbal skills the most progress was made in asking questions to gain information. The main progress that students felt they made in terms of confidentiality was developing the ability to keep work confidential and do all the work on a case management system. This is not surprising as students had not usually worked in the legal profession before they took part in the clinics and may not have had to keep work confidential or work on a live case management system.

While it was difficult to come to specific conclusions in relation to the open-ended questions, it was possible to place the results into some common themes. The open-ended questions included identification of the three most important employability skills that were obtained when working in the CJC. Students felt they made most improvement in communication, team working and collaboration, and research. Although the data sample is limited, it is possible to see emerging themes that show students believed they progressed in certain areas and those are perhaps no surprise given the nature of the tasks the students were participating in.

Discussion

What conclusions can be drawn from this research? Before considering the individual areas explored with students, it is important to remember the nature of OU students. The OU population is diverse in terms of age, work, prior education and qualifications, disability, and social and economic profiles. Students tend to break the mould of a 'typical' student,

if one even exists. Therefore, it was important for the researchers to ask about experience as well as skill set. It is unknown how important these factors may be for the results of the research but should be borne in mind when considering the design of a digital clinic. While the FLC students took part during their degree, the CJC was a pilot project in the first year of the research and that may have impacted on students because it was extra-curricular, and generally students tended to be time poor and might have perceived they did not have time to take part in the research. On reflection, it might have been better to have applied for funding to arrange to interview a selection of students individually or arrange for focus groups to discuss their perspectives on employability skills in the clinics.

The research in the first year informed decisions about how the CJC could be enhanced in terms of employability skills and alterations were put in place for the second year. This included the introduction of a policy project prior to commencement in the CJC, which was designed to enhance students' writing skills, particularly in relation to report writing and note-taking, as well as research skills. The aim was to enhance students' abilities in these areas so that they could adapt to the work in the CJC more effectively. Templates for advice and letters were introduced, and further training was given on skills in research and collaboration. In addition, in the second-year supervision meetings included more focus on developing collaboration and transferring knowledge to experience as well as dealing with the case.

LOOKING FORWARD

It is hoped that further research can be completed in this area at the OU and beyond. Experience, together with the results of this limited research, suggests that employability skills are developed through clinics such as the CAP and CJC. Alumni have gone on to be awarded scholarship grants in order to qualify as a barrister, specialist legal advisors, and court advocates in England and Wales. Students have been able to utilise their skills and experience in interviews and been successful in obtaining both employment and funded PhDs. As entry into professional legal practice remains highly competitive, it is important for digital clinical legal education to fill a gap that might otherwise exist for students who would not be able to participate in face-to-face clinics. Moreover, innocence projects and the CJC provide a last chance for some of the most vulnerable in our

society to have a voice and seek justice. While much of the discussion in this article has centred around designing clinics to enhance student experience and employability, it is important to acknowledge the value of clinics' work to those that might have been wrongly convicted or given an excessive prison sentence. With the ever-decreasing availability of legal aid for convicted individuals and the lack of government-funded agencies to assist, pro bono digital clinics will be needed more (Curryer, 2022). Generative AI such as ChatGPT may assist students with their work in law clinics (e.g. with letter writing), and in improving access to justice generally, but AI cannot currently replace students due to the wide array of skills needed in such clinics. However, given AI has progressed so far so quickly it is impossible to say what the future holds in that regard.

CONCLUDING REMARKS

The CJC is the embodiment of the OULS mission of encouraging:

critical engagement with the law and revealing the transformative effects of an outstanding legal education on society and individuals. This will be achieved through our creative and varied curriculum which is informed by our diverse research interests. We will foster personal development, irrespective of goals, prior achievement, or personal circumstances.' (The Open University, n.d.-c)

By providing students with digital learning and teaching that develops employability skills which enhance their future career prospects, we fulfil that mission by providing a platform from which students can achieve irrespective of their personal circumstances.

The final word should be left to the students. Feedback from alumni has been published in a series of blogs, as Field et al. (2022) note:

The Criminal Justice Clinic has enabled our team of new age explorers to experience Law from a position of safety, not quite fully saddled with the responsibility of managing a case, but in the relative comfort of our own reality. Our journey into this unknown realm was enhanced by our courageous leader and cohorts, to whom we owe a great deal of thanks for their support and guidance.

Tips

The five tips for creating a digital criminal justice clinic or other digital law clinic are:

1. When considering setting up a digital clinic within clinical legal education give a lot of time and thought to how students can be supported digitally. Do not underestimate the time and energy that it takes to set up a successful clinic. This can be demonstrated when considering the difference in experience from that described by McFaul et al. (2020) as compared to van Dorresteijn et al. (2023).
2. Consideration needs to be given to preserving confidentiality by using appropriate systems for case management and meetings. The use of microphones and cameras also assists with this, not least because it means that the supervising solicitor is aware of whether any third party is in the room with the student which would be breach of client confidentiality.
3. One of the most difficult areas to incorporate is collaboration. Students often find this difficult in face-to-face clinics, but even more so when meetings are held digitally. The use of cameras and microphones is pivotal to successful collaboration, while training and support from experienced practitioners also help.
4. Training is key. The provision of training prior to participation in the CJC assisted students with revising their knowledge of law and learning new skills. It is also important to consider vicarious trauma training to protect students from exposure to sensitive materials of a distressing nature.
5. Having the correct personnel is crucial to a successful digital clinic. Thought needs to be given to who will run and teach in the clinic. The personnel need to be experienced in the legal area of the clinic. If the clinic involves dealing with real cases, it often needs to be led by a practising lawyer to comply with professional regulations. In addition, well-trained and experienced case workers are an asset.

Discussion Points

1. Discuss the implications and challenges of transforming traditional law clinics into digital formats. What are the specific advantages and

disadvantages faced by students and educators in a digital-only environment? How does this affect the acquisition of practical skills in legal practice?

2. Explore the concept of employability skills as discussed in the chapter, particularly in the context of law students working in a digital law clinic. What specific employability skills are enhanced through participation in the Criminal Justice Clinic (CJC), and how do these skills prepare students for professional legal practice?
3. Examine the role of social justice in the curriculum of digital law clinics like the CJC. How does the clinic's focus on assisting clients who claim to have been wrongly convicted contribute to broader social justice goals? Discuss the ethical considerations and responsibilities of law students and educators in such settings.

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FURTHER READING

For those interested in finding out more about incorporating employability into a law school, you may be interested in reading:

Cantatore, F. (2018). The impact of pro bono law clinics on employability and work readiness in law students. *International Journal of Clinical Legal Education*, 25, 147–172.

Dunn, R., Bengtsson, L., & McConnell, S. (2020). The policy clinic at Northumbria University: Influencing policy/law reform as an effective educational tool for students. *International Journal of Clinical Legal Education*, 27, 68–102.

If you are interested in vicarious trauma you might like to read the following:

Curryer, E., & Mawdsley, G. (2024). *Let's debate: The need for vicarious trauma training to support the legal profession*. Retrieved from <https://www.lawcare.org.uk/get-information/articles/let-s-debate-the-need-for-vicarious-trauma-training-to-support-the-legal-profession/>

For a more general discussion on innocence projects we suggest reading:

Stratton, G., Moffa, M., Sigamoney, A., & Ruyters, M. (2023). Innocence projects, work-integrated learning, and student career pathways. *Journal of Criminal Justice Education*, 1–17. <https://doi.org/10.1080/10511253.2023.2231050>

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