

Sustainable justice first

Aspiring social justice lawyers have an opportunity to qualify & build lasting careers, as **Matthew Smerdon** explains



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Social welfare law, the ‘law of everyday life’, which covers everything from welfare benefits, debt, housing, employment, community care, and immigration and asylum, may not be the most financially rewarding area of practice to some wannabe lawyers, but it remains a crucial element of the UK’s legal sector with a vital role to play in supporting people to secure their rights.

Following passage of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 and wider reductions in local authority support, the Legal Education Foundation (TLEF) became concerned about the funding pressures on the legal aid and advice sectors, reducing the ability of those with legal problems to obtain help. Alongside this was the virtual collapse in the ability of the sector to offer training contracts.

With a lack of public funds squeezing law centres and private practice law firms TLEF looked to create a scheme that would help aspiring social justice lawyers qualify and build sustainable careers in this area of law.

Part of the inspiration came from America. In 2013, I went to the US to visit Equal Justice Works and the Skadden Foundation, two schemes established in the 1980s with the aim of bringing through the next generation of social justice specialists. Since then, both of these American fellowships have funded hundreds of young lawyers and achieved impressive retention figures in the sector. We realised that, with some modifications for the UK market, the same could be achieved on this side of the Atlantic. And so, with such ambitions, the Justice First Fellowship (JFF) was born.

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The JFF allows aspiring lawyers to complete a fully-funded, two-year training contract in a specialist social welfare agency, private practice law firm, or barristers’ chambers. It was important to us that the fellows cost our host organisations nothing during this two-year period. To that end, TLEF makes a grant to each host totalling around £80,000, payable over two years, effectively covering the fellow’s salary (set by the host and in line

with its own internal wage structure: usually around £25,000 in London and £20,000 outside the capital) and associated training costs, such as the trainee’s professional skills course which is generously provided pro bono by BPP University.

The scheme has gone from strength to strength and by the start of 2018 we will have passed a significant milestone by funding 51 fellows—46 solicitors and five barristers—in 40 host centres across the UK. Their work consists of everything from solving everyday legal problems to strategic litigation in high-profile cases before the Supreme Court. But that is only half the story: the big test for the scheme was whether after qualification our fellows would have a sustainable career in the sector. Would we merely help young lawyers get over the training contract hurdle, only to have their careers hamstrung by the paucity of available jobs in the sector?

We began the scheme not fully knowing the answer to that question, but any doubts we had have since been assuaged. Eight fellows have completed their training contracts and all obtained roles at either their hosts or other specialist legal organisations within the sector; in the second round of nine, six are remaining with their hosts, one has moved to another law centre, and two are weighing up offers.

The welcome retention rates so far are down to the creative and enterprising host organisations who, in the face of funding pressures, have worked hard to find new sources of income for their work. It is also thanks to the way the JFF scheme is structured.

During their training period fellows take responsibility for an access to justice project, with the aim of developing their project management skills and to, potentially, identify a new work stream for their host organisation. They also receive wider training in the use of evaluation data, communications, the role of digital technology, fundraising and project planning. This additional training—rarely available with a traditional training contract—provides fellows with a wide range of skills that will be valuable for their future career progression.

Inevitably, as the scheme continues, some fellows will move into different organisations and sectors. Other fellows may decide to take their specialist focus on the role of law as a tool for social justice into other contexts and we are really interested to see how that side of the programme develops. We believe this wider, ripple effect of the fellowship, will also be an important part of its legacy and impact.

Another feature which sets a fellowship apart from a standard training contract, is that all fellows are regularly brought together, along with their various hosts, for networking events. This enables them to share experiences and ideas, and to ensure they feel part of a movement of like-minded lawyers. JFF also assists in increasing diversity within the profession itself. The social welfare sector has been traditionally diverse, and we want to ensure that remains the case. JFF follows good practice guidelines for ethnic diversity and social mobility recruitment, and this is reflected in the wide range of backgrounds of the fellows who have been selected for the scheme.

We hope we are helping to prepare fellows for a long, effective, and sustainable career and a lifelong commitment to social justice. And, with our next round of placements now open for applications, we are starting to reach a scale of service provision that will deliver real change now and for years to come. These young people are the future leaders of the profession, and we are all lucky that they have chosen to focus their talent on social justice.

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The Legal Education Foundation (TLEF)

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► TLEF is a grant-giving charity which was created following the sale of the College of Law in 2012. TLEF’s charitable purpose is to promote the advancement of legal education and the study of the law in all its branches. Its strategic objectives centre around helping people to understand and use the law, and priorities are assessed in terms of two key criteria—degree of need and degree of benefit.

► Since its launch in January 2013, TLEF has granted £15m to more than 270 different projects and organisations throughout the UK. As well as its flagship fellowship scheme, TLEF funds work, ranging from training barristers to deal with vulnerable witnesses, to teaching primary school students about their rights, to the creation of an app to support people making disability benefits claims.

www.thelegaleducationfoundation.org

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