

'Into the Light...'

Before starting W360, 'pro bono' was a term heard but not understood. Although 'Erin Brockovich' is a family favourite, the impact her work had on the lives of the people involved was never something I chose to reflect on. The majority of us have had minimal dealings with the law, and it's for this reason that we do not realise that access to justice is a fundamental human right.

I opted for W360, thinking it would add value to my CV. As per Sommerlad's research, I was a law student with a commercialised view of law and never knew legal aid practice existed (2007, p.202). The law was linked to serving the paying client only. The first assignment in W360 regarded an essay on pro bono work that I now realise was to introduce the topic and open our eyes to the plight of those unable to afford legal representation.

Mediation equipped me with new means to assist clients, and it taught me how issues could be resolved outside of court. Initially, when hearing disputes, I would immediately form an opinion and take a side, *'he didn't pay rent, he shouldn't be there, it's their right of way.'* A mediator is not a judge or jury. They facilitate communication between two disputing parties to guide them to reach a mutual agreement. And mock scenarios presented ample opportunity to practise and develop these new skills. As an aspiring legal professional wanting to do pro bono work, I realised that this project was ideal for developing active listening skills, empathy, and not being judgmental. '24/2 –Can you get free mediation? Pro bono and mediation - would be an excellent tool to resolve disputes and avoid lengthy litigation.' (Bashir, S. (2022), Extract 1)

I also found myself at the cusp of professional identity formation. I believed doing pro bono work was an achievable aspiration and not an unattainable ideal. If I found ways to give back to the community, it would soon become part of my nature. With that in mind, I began to search for pro bono work.

Holmes (1886) stated that idealistic souls "*will make their world ideal.*" I eventually found a position as a court-based volunteer. During one of my observation sessions, I noticed how a witness was highly nervous about testifying. The volunteer sat with her

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and did everything to allay the witness' anxiety until she was called to testify. Pro bono work varies widely and helps all kinds of people. I realised that it does not have to be legal advice; it could be as simple as providing emotional support.

I started this course with a vague concept of pro bono and no thought about professional identity. I now view pro bono as a moral obligation and a professional responsibility. Rhode (2003, p. 416) states that someone motivated by a desire to help or a sense of professionalism is more likely to commit to their activities fully and do their best when undertaking them. Lawyers are taught how to navigate the law and resolve legal problems. I can now see how difficult it can be for those without any legal training to find the answer to a legal issue. My aim for the future will be to find ways to continue to contribute in any capacity I can. Many people cannot afford to pay for advice, so free legal help provided on a pro bono basis can be invaluable.

In the words of Lady Hale, as reported by the Guardian (2019), '*Everyone deserves access to justice whether or not they can afford a lawyer.*' If you are interested, get involved! Whatever your capacity, I would highly recommend it.

References

Articles

Rhode, D. (2003) 'Pro Bono in Principle and in Practice', *Journal of Legal Education*, vol. 53, no. 3, pp. 413-464.

Sommerlad, H. (2007) 'Researching and theorising the processes of professional identity formation', *Journal of Law and Society*, vol. 34, no. 2, pp. 190–217.

Books

Holmes, O. and Howe, M. (1962) *The Occasional Speeches of Justice Oliver Wendell Holmes*. Harvard: Harvard University Press.

The Open University (2021a) W360 Unit: *Introduction to W360 Pro bono work and social justice* [Online]. Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=1811560> (Accessed 21 April 2022).

The Open University (2021a) W360 Unit 1: *Pro bono and access to justice* [Online]. Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=1811566§ion=5> (Accessed 21 April 2022).

The Open University (2021a) W360 Unit 2: *Professional Identity and pro bono* [Online]. Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=1811566§ion=5> (Accessed 21 April 2022).

The Open University (2021a) W360 Unit 3: *Legal ethics and values* [Online]. Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=1811568§ion=4.3> (Accessed 21 April 2022).

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Other sources

Bashir, S. (2022) 'Extract 1', originally written 24 February 2022

The Guardian (2019) 'UK's top judge calls for donations to legal support charity', 28 July, Available at: [https://www.theguardian.com/law/2019/jul/28/uks-top-judge-calls-for-donations-to-personal-support-unitlegal support charity](https://www.theguardian.com/law/2019/jul/28/uks-top-judge-calls-for-donations-to-personal-support-unitlegal%20support%20charity) | Legal aid | The Guardian (Accessed: 21 April 2022).