

Begrudgingly Compulsory to Voluntarily Gratifying

I briefly studied law in South Africa and there, pro bono work is compulsory. This infuriated me because I felt the social obligations of the government were being pushed onto individual lawyers who are simply trying to make a living. I viewed pro bono work negatively because I felt it was unfair that a government who did not help me achieve my degree would force me to give them the benefit of it.

From growing up middle-classed in a third world country, it always felt like abundant charity was expected and people were forced to sacrifice what they earned for the public. This unrelenting demand and entitlement influenced me to be more selfish and hold onto what is mine. This gravely influenced my view on providing free legal services one day.

This ungratefulness and taking advantage of free services was unfortunately confirmed to me when our first client did not attend the interviews and never contacted us with an explanation. This strengthened my frustration with people disrespecting the goodness of others and was deferring me from pro bono work in the future.

However, this started to change during the interview with the second client because I genuinely felt bad for her. The defendant kept finding ways to avoid paying the court's award. I could see her frustration and I empathised with her. She could not afford a solicitor and if it wasn't for the clinic - the defendant, who possibly has a solicitor, would have an unfair advantage. This demonstrates the uneven access to justice whereby only those with money can afford legal representation.

In my Open Justice portfolio, I wrote:

“I think [the client] was also frustrated retelling the story she has probably retold many times... The client seemed sceptical that we were able to help as we are students...she asked the other client to speak mostly and [the first client] did not elaborate a lot about the case” (Extract 1)

This is significant because she appeared defeated and hopeless and using energy to retell the events seemed futile. At one stage, she said, “I just don't want him to get away with it”. As a woman, I unfortunately have to recognise that because the defendant was a man, it appeared that the old-fashioned power dynamic between genders was at play and this infuriated me. I felt the defendant was relying on his masculine bullying or superior job position to have the final say. This built my empathy and compelled me to want to help the client have equal bargaining power and break out of not only the inferior woman role but the inferior employee role. This demonstrated to me how easily vulnerable people can be further disadvantaged without legal advice and pro bono work is imperative to protect such individuals.

From a social justice perspective, it seems unfair that I have this wealth of legal knowledge and I do not share it because without pro bono work, individuals would simply not pursue legal cases or the outcome will be vastly different and unsatisfactory (Open University,

2019, 3). The gratification I felt helping this client has outweighed my previous negative feelings. I no longer view pro bono work as simply for the public's benefit but for struggling individuals' benefit. My experience with the clinic has personalised pro bono work for me by showing me that everyone deserves an equal chance of success in court proceedings and I have the skills to help them.

Looking forward, I would like to possibly continue working in the Open Justice Law Clinic or another pro bono clinic once I am qualified.

Robyn Rhodes

Reference list

- Rhodes, R. (2020) 'Extract 1', originally written 30 March 2020.
- The Open University (2019), *Unit 1: pro bono and access to justice* [Online] Available at <https://learn2.open.ac.uk/mod/oucontent/view.php?id=1546156§ion=4> (Accessed 23 September 2019)