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## “TRAINING IS EVERYTHING” HOW TO PREPARE STUDENTS FOR POLICY CLINIC PROJECTS

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### **Abstract**

As more students carry out policy work as part of their law degrees, the different skills needed for policy work have become clearer. Policy work differs from traditional legal studies in a number of key ways, and so requires different, or more developed, skills to effectively participate and engage in projects. This article reviews the literature on the skills required for policy work. It summarises the evaluation of the online training provided to Open University policy clinic students in 2022-23, analysing the attendance and engagement data and the findings of a student survey to draw conclusions about the value and effectiveness of the training.

In order for law students to carry out policy work, there is a need for training in policy research and analysis skills and the research suggested students found this of value. Whilst the literature suggested the need for further communication skills training, it was not possible to reach an evidenced conclusion about this from the research. Students expressed a strong preference for online synchronous training sessions provided at the start of a project. The recording of those sessions allowed students to re-visit the training throughout the project as and when needed, which was of value to them.

## Introduction

The above quote from Mark Twain<sup>1</sup> reminds academics of the importance of preparing students effectively for policy clinic work. The evolution of clinical legal education to include policy work has led to a re-evaluation of the training needed as students need to develop a different range of skills to work on policy projects.<sup>2</sup> Many students are strategic learners and therefore choose carefully which learning to engage with,<sup>3</sup> and this can be amplified when they are time poor (for example, managing their studies alongside employment and other commitments).<sup>4</sup> Having a greater understanding of the skills required for policy work enables supervisors to target their training at the skills which students lack and to communicate the need for the training clearly to students, as well as contributing to a more efficient and effective project.

Policy and advocacy work within Law Schools can take many forms, from voluntary extra-curricular activities (such as responding to consultation papers), policy work incorporated into an already established module (such as a report on an area of law

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<sup>1</sup> "Training is everything. The peach was once a bitter almond; cauliflower is nothing but cabbage with a college education" Mark Twain, Pudd'nhead Wilson's Calendar in Pudd'nhead Wilson (1894), <https://libquotes.com/mark-twain/quote/lbw7w1b> (accessed 12-01-23).

<sup>2</sup> Dunn, R. and Glancey, R. 'Using legal policy and law reform as assessment.' in Bone, A. and Maharg, P. (eds) *Critical Perspectives on the Scholarship of Assessment and Learning in Law* (ANU Press 2019) p.143

<sup>3</sup> Weinstein, C.E., 'Strategic learning/strategic teaching: Flip sides of a coin' in Pintrich, P.R., Brown, D.R. and Weinstein, C.E. *Student motivation, cognition, and learning: Essays in honor of Wilbert J. McKeachie* (Routledge 1994) p.258

<sup>4</sup> Xavier, M. and Meneses, J. 'Persistence and time challenges in an open online university: a case study of the experiences of first-year learners', [2022] *International Journal of Educational Technology in Higher Education*, 19(1), pp. 1–17.

needing reform) through to a credit bearing policy reform modules.<sup>5</sup> At the Open University our online policy clinic, established in 2019, is part of a final undergraduate year credit bearing module. Students work in small groups to carry out empirical legal research for external organisations, with the ultimate aim of influencing policy and/or law reform.<sup>6</sup> Students undertake a literature review of the topic, carry out the empirical research, analyse it and propose recommendations for law reform. The research, analysis and recommendations are written up in a report which is provided to the client.

Drawing upon previous literature and an evaluation of the training programme provided for our policy clinic, this article will explore the skills needed to work in a policy clinic and the most effective training to support the development of those skills within a policy clinic in an online setting. From this conclusions have been reached regarding both the substantive topics which need to be covered by policy clinic training and the best methods of providing this training. However some of the findings and recommendations could be transferred to policy clinics using other modes of delivery (hybrid or face to face).

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<sup>5</sup> Dunn, R., Bengtsson, L., and McConnell, S. 'Building policy clinic network Cleo workshop 13th May 2021' [2021] *International Journal of Clinical Legal Education*, 28(1), p244

<sup>6</sup> Dunn, R., Bengtsson, L., & McConnell, S. 'The Policy Clinic at Northumbria University: Influencing Policy/Law Reform as an Effective Educational Tool for Students'. [2020] *International Journal of Clinical Legal Education*, 27(2), p68.

## Policy clinics and skills

Skills teaching within university degrees has a mixed and inconsistent history, initially being largely left to the vocational stage of training, while university degrees tended to focus on a liberal arts curriculum emphasising critical evaluation skills.<sup>7</sup> From the 1970s onwards there was increasing pressure to introduce more generic skills training and practical employability skills into the curriculum.<sup>8</sup> The introduction of the Legal Practice Course and Bar Vocational Course in the 1990s accelerated the incorporation of skills teaching into the law curriculum, although it was inconsistent and unregulated.<sup>9</sup>

Some consistency was encouraged by the 2013 Legal Education and Training Review (which set out a number of recommendations for core knowledge and skills of legal education training and services) and the introduction of the QAA's Benchmark statements. These reports and recommendations have almost universally

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<sup>7</sup> Slapper, G. 'The History of Legal Education' [2011] *Journal Of Commonwealth Law And Legal Education* vol 8(1); Giddings, J., Burrridge, R., Gavigan, S.A.M. and Klein, C.F. 'The first wave of modern clinical legal education: The United States, Britain, Canada, and Australia' in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p.6

<sup>8</sup> Boon, A. 'History is Past Politics: A Critique of the Legal Skills Movement in England and Wales', [1998] *Journal of law and society*, 25(1), p.158

<sup>9</sup> Boon, A. 'History is Past Politics: A Critique of the Legal Skills Movement in England and Wales', [1998] *Journal of law and society*, 25(1), p139

recommended the development of skills required to work in the legal profession, and the adoption of clinical legal education approaches.<sup>10</sup>

Clinical legal education (CLE) is distinctive in its emphasis on providing professional skills training and instilling professional values of public responsibility and social justice, through the methodology of experiential learning.<sup>11</sup> The inclusion of CLE into law degrees also offered an opportunity to focus on students' employability skills and improve students' opportunities of obtaining graduate employment.<sup>12</sup> A LawWorks survey in 2014 of clinical activity in the UK found that CLE was primarily carried out through law clinics and public legal education projects, involving advising a member of the public on a legal query or providing legal education on a specific area of law to the public.<sup>13</sup> A survey of law clinics in three different countries found that participation in the clinic improved a number of employability skills including problem solving, writing, speaking, thinking and collaborative skills.<sup>14</sup> In putting their

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<sup>10</sup> Giddings, J., BurrIDGE, R., GAVIGAN, S.A.M. and Klein, C.F. 'The first wave of modern clinical legal education: The United States, Britain, Canada, and Australia' in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p.17

<sup>11</sup> Bloch, F.S. and Madhava Menon, N.R. 'The global clinical movement' in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p.269

<sup>12</sup> Hardie, E., McFaul, H. and Ryan, F. '50 years of Clinical Legal Education; Looking Back to the Future', in Claydon, L., Derry, C. and Ajevski, M. (eds) *Law in Motion: 50 Years of Legal Change* (Open University 2020) p215

<sup>13</sup> Carney, D., Dignan, F., Grimes, R., Kelly, G. and Parker, R. 'The LawWorks Law School Pro Bono and Clinic Report 2014' (LawWorks, 2014). < <https://www.lawworks.org.uk/sites/default/files/LawWorks-student-pro-bono-report%202014.pdf> > accessed 26 January 2024, p4

<sup>14</sup> Cantatore, F., McQuoid-Mason, D, Geldres-Weiss V. and Guajardo-Puga J.C. 'A comparative study into legal education and graduate employability skills in law students through pro bono law clinics' [2021] *The Law Teacher* 55:3, p.332

legal knowledge into practice, students are also exposed to the ethical constructs and rules that confine the practice of law.<sup>15</sup>

However policy work has a different focus: rather than using legal knowledge to provide legal information to the public, students use their knowledge to suggest reforms to the law, making it more responsive to the needs of the community that lawyers serve.<sup>16</sup> Traditionally many Law Schools focus on teaching law students to ‘think like a lawyer’ which has led to a situation where “law reform and legal education have traditionally been separate worlds, rarely in danger of collision or even constructive combination”.<sup>17</sup> Ross argues that law schools should be facilitating the development of “citizens of the world” who “know how to think” through exposing students to the key policy debates in each area of the law, with some non-legal data that gives insight into the directions those debates might head.<sup>18</sup> This is a valuable employability skill for lawyers: Coper argues that “the best and most effective lawyers .... are those with a deep understanding of the law and the legal system”.<sup>19</sup> Indeed,

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<sup>15</sup> Duncan, N. and Kay, S.I. ‘Addressing lawyer competence, ethics, and professionalism’ in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p183

<sup>16</sup> McCrimmon, L. and Santow, E. ‘Justice education, law reform, and the clinical method’ in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p223

<sup>17</sup> Coper, M. ‘Law reform and legal education: uniting separate worlds’ [2008] *University of Toledo Law Review*, 39(2) p.233

<sup>18</sup> Ross, N.J. ‘Beyond skills and doctrine : the need for policy skills and interdisciplinarity’. [2017] *Victoria University of Wellington Law Review*, 48(2) p.362

<sup>19</sup> Coper, M. ‘Law reform and legal education: uniting separate worlds’ [2008] *University of Toledo Law Review*, 39(2) p.237

Lady Hale made the same point when reflecting on the way in which her time at the Law Commission prepared her for her work as a Supreme Court judge.<sup>20</sup>

Identification of the additional skills required for policy clinic work is based on literature from the field of policy analysis, which emerged as a standalone discipline with its own degree programs since the 1970s, initially in America and then in other countries.<sup>21</sup> Policy analysis involves assessing the underlying problem, identifying possible solutions (including maintaining current policy) and providing a recommendation after a systematic assessment of the alternatives.<sup>22</sup> This is very similar to the task students are asked to complete within policy clinics. The skills taught within policy analysis qualifications include problem definition and data collection, stakeholder identification, a rationale for government involvement, evaluation criteria, identification and analysis of policy alternatives, and a recommendation.<sup>23</sup>

Some of these skills are required for legal academic study: problem definition, evaluation, identification of alternatives and making a recommendation are all part of the Law Benchmark Statement. As the majority of policy clinics take place at FHEQ6,

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<sup>20</sup> Hale, B. 'Impact in the Courts'. Impact and Law Reform Conference 2019 (*Supreme Court*, 2019) <https://www.supremecourt.uk/docs/speech-190611.pdf> accessed 26 January 2024

<sup>21</sup> Coulthart, S. 'What's the problem? Frameworks and methods from policy analysis for analyzing complex problems', [2017] *Intelligence and National Security*, 32:5, p637

<sup>22</sup> Weimer, D.L. 'The Universal and the Particular in Policy Analysis and Training' [2012] *Journal of Comparative Policy Analysis: Research and Practice*, 14:1, p.3

<sup>23</sup> Durrance, C.P. 'Teaching public policy analysis: Lessons from the field', [2022] *The Journal of Economic Education*, 53:2, p143



these skills are likely to have already been introduced within a law degree; the Benchmark Statement describes a progressive attainment of skills at each level.

However other skills identified by Durrance such as data collection, stakeholder identification, a rationale for government involvement and analysis of policy alternatives are not routinely included in law degrees and do not form part of the Benchmark Statement for Law. The first skill which may be new to students is data collection, or empirical research. Students may need to develop their research skills beyond traditional legal doctrinal research to understand the different methodologies available and research ethics, for example if they are carrying out focus groups or interviews.<sup>24</sup> Dunn and Glancey noted that law students may find it relatively easy to look up what the law is currently, but harder to gather research on what needs changing to make it better.<sup>25</sup> Students will therefore need enhanced research skills (or an understanding of data collection by the clinician, depending on the methodology adopted).

As well as training on data collection or research methods, an analysis of policy alternatives is not routinely included within law degrees. In order to articulate policy alternatives and make a reasoned recommendation, students will need to consider the role of values. Aiken expresses concern that too often the message that students

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<sup>24</sup> Dunn, R., Bengtsson, L., & McConnell, S. 'The Policy Clinic at Northumbria University: Influencing Policy/Law Reform as an Effective Educational Tool for Students'. [2020] *International Journal of Clinical Legal Education*, 27(2), p81.

<sup>25</sup> Dunn, R. and Glancey, R. 'Using legal policy and law reform as assessment.' in Bone, A. and Maharg, P. (eds) *Critical Perspectives on the Scholarship of Assessment and Learning in Law* (ANU Press 2019) p.144

receive is that justice is merely the product of the application of neutral rules.<sup>26</sup> This is challenged by policy work, where students have to identify how values have influenced the policy behind the development of the law and agree what principles should underpin suggestions for reform. Students may therefore have to consider more abstract ideas such as justice or fairness. Whilst this can be challenging for students, questioning what the law should be can lead students to develop a social justice ethos.<sup>27</sup>

As well as an enhanced focus on values, an analysis of policy alternatives involves understanding the policy implications of changing the law.<sup>28</sup> Students must analyse arguments about the policy which the statute should be based on, in order to demonstrate that what is proposed will be better than what went before. They also need to take into account the views and experiences of relevant stakeholders. As most law reform in the UK is carried out by statute, this requires a focus on the design of statutes rather than common law methodology.<sup>29</sup> Policy clinic work involving empirical data may also require analysis methods derived from the social sciences

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<sup>26</sup> Aiken cited in Curran, L. 'University Law Clinics and their value in undertaking client-centred law reform to provide advice for clients' experiences' [2007] *International Journal of Clinical Legal Education* Volume 12, p127

<sup>27</sup> Dunn, R., Bengtsson, L., and McConnell, S. 'Building policy clinic network Cleo workshop 13th May 2021' [2021] *International Journal of Clinical Legal Education*, 28(1), p245

<sup>28</sup> Hale, B. 'Impact in the Courts'. Impact and Law Reform Conference 2019 (*Supreme Court*, 2019) <https://www.supremecourt.uk/docs/speech-190611.pdf> accessed 26 January 2024 p.1

<sup>29</sup> Palmer 2015 cited in Ross, N.J. 'Beyond skills and doctrine: the need for policy skills and interdisciplinarity' [2017] *Victoria University of Wellington Law Review*, 48(2) p.362

(such as statistical analysis or a thematic approach) in place of more traditional doctrinal legal analysis.<sup>30</sup>

Finally, communication has been highlighted as an important skill needed for policy work. An initial evaluation of the policy clinic at Northumbria University noted that students considered their written communication skills had been 'really put to the test'.<sup>31</sup> Reporting on their research, analysis and recommendations will involve communicating in a style different from what students may be used to. For example, responding to consultation papers requires students to write for a different and more technical audience.<sup>32</sup> A policy clinic report must be detailed enough to address the concerns of those with an in-depth knowledge of the area being considered, yet written in a style that can be understood easily by decision-makers and members of the public.<sup>33</sup>

When we set up the policy clinic in 2019, we initially provided additional training on an ad hoc basis, believing that most of the skills needed would already be possessed by the final year students. This proved to be both an overestimation of the students' skills level and an underestimation of the distinct nature of the skills required for

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<sup>30</sup> Coulthart, S. 'What's the problem? Frameworks and methods from policy analysis for analyzing complex problems', [2017] *Intelligence and National Security*, 32:5, p637

<sup>31</sup> Dunn, R., Bengtsson, L., & McConnell, S. 'The Policy Clinic at Northumbria University: Influencing Policy/Law Reform as an Effective Educational Tool for Students'. [2020] *International Journal of Clinical Legal Education*, 27(2), p87

<sup>32</sup> Dunn, R. and Glancey, R. 'Using legal policy and law reform as assessment.' in Bone, A. and Maharg, P. (eds) *Critical Perspectives on the Scholarship of Assessment and Learning in Law* (ANU Press 2019) p.144

<sup>33</sup> McCrimmon, L. and Santow, E. 'Justice education, law reform, and the clinical method' in Bloch, F.S. (ed) *The Global Clinical Movement: Educating Lawyers for Social Justice*. (Oxford University Press 2011) p215

policy work. Over the next three years we worked on an evolving and developing training programme for students. An evaluation of this training in 2022-23 has highlighted the value students place upon the different training elements and their views on the most effective ways of providing this training.

### **Case study: Open University online policy clinic**

The Open University is the largest university in the UK with over 160,000 students in 2020-21 (equating to 44% of UK HE market) and a further 45,000 studying with validated partners. The Open University Law School started in 1998 and has over 7,000 students a year studying at undergraduate, postgraduate and PhD level, primarily in the four nations (England, Wales, Scotland and Northern Ireland) with some living abroad. With an open access policy, our students often have no or low levels of previous educational qualifications (34%) as well as being students with a disability (25%), from deprived communities (26%), or already in work (70%). With this diversity of students, flexibility in when, where and how to study is key to their success and is reflected in our learning design of the policy clinic.

Our students study online at a distance from each other and their tutors. Interactive learning materials are provided through the university VLE for students to study at a time and place to suit them. The materials are designed to be engaging and reflective, containing multiple interactive activities to promote students 'learning by doing'. This

is based on a constructivism learning theory which prioritises students as an active participant in their learning.<sup>34</sup> In addition to these asynchronous teaching materials, students have the opportunity for live synchronous interaction with both tutors and students, sometimes face to face but more frequently using online collaboration tools. Students can also collaborate asynchronously using online forums.

The Law School founded the Open Justice Centre in 2016 to provide opportunities for law students to carry out voluntary pro bono work for members of the public and not-for-profit organisations. The online policy clinic began in 2019 to provide students with an opportunity to carry out research for client organisations. The policy clinic runs between October and April as part of a 30-credit, assessed final year undergraduate optional module. Students work together in small groups to plan and carry out the project and produce a written report in response to a brief from an external organisation. They are assessed on their reflections of their time in the clinic, including what they have learnt about their skills development and the module themes (social justice, professional identity and legal values and ethics).

To provide maximum flexibility for students, the policy clinic is fully online. Students mostly work independently at a time to suit them and from their own homes. Regular online meetings with their group and supervising tutors are held using Teams, usually in the evenings or at weekends. Emails to external bodies are sent from a central

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<sup>34</sup> Elliott, S. N., Kratochwill, T.R., Littlefield Cook, J. and Travers, J. *Educational psychology: Effective teaching, effective learning* (3<sup>rd</sup> ed, McGraw-Hill College 2000)

policy clinic Open University email address. Students work together on documents which are kept securely in a MS Teams shared folder, accessed by all students and staff. Any interviews with stakeholders are carried out online using Teams or Zoom.

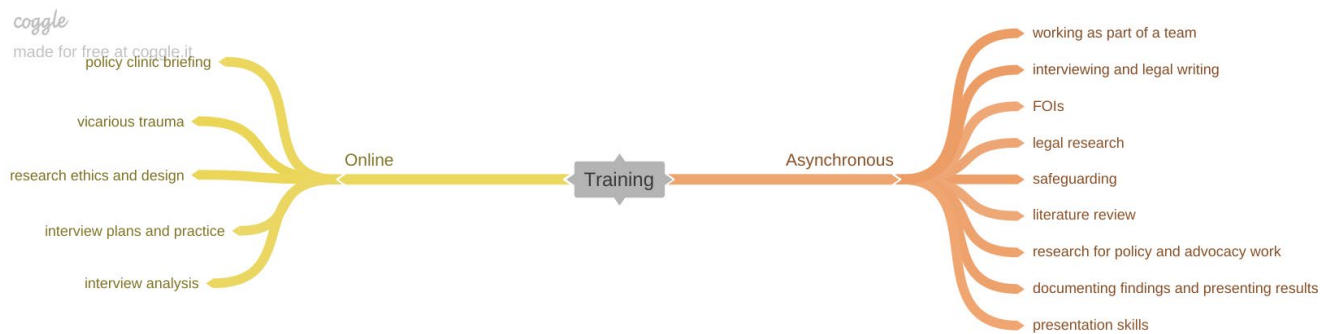
During the first four years of its operation, students have worked on ten projects for a variety of client organisations including the Environmental Law Foundation, Scottish Sentencing Council, Royal National Institute for the Blind, Just Rights Scotland (a human rights charity) and the Bridges Programmes (a charity working with migrants, refugees and asylum seekers). We have also worked on projects jointly with Northumbria University policy clinic. Our student's projects have informed the Law Commission's Weddings project and a government consultation on open justice.

The training provided to our students has evolved over the last four years. Initially the training was provided as part of the regular online meetings between students and tutors. However we realised during the first year that this was not sufficient and the students needed more focused training on a wider range of skills to be able to successfully complete the project. As many of our students have other work and caring responsibilities, training also needed to be provided using asynchronous methods to ensure everyone could benefit from it. During 2022-23 we provided a programme of synchronous and asynchronous training to 20 students working on 4 different projects. At the end of the academic year we evaluated the training through analysis of students' engagement with the resources provided and a student survey.

The training provided had evolved organically over the previous four years and in 22-23 included five synchronous online sessions covering different topics (policy clinic briefing; vicarious trauma; research ethics and design; interview plans and practice; and interview analysis). With the exception of the vicarious trauma training, all sessions were designed to be short to accommodate students' busy lives. They were therefore lecture-based followed by a question and answer session. The sessions were carried out in either Adobe Connect (a version of Blackboard which students are familiar with as the platform for Open University online tutorials) or MS Teams. They were led by either one or two of the supervising tutors. All sessions were recorded and the recordings and slides were made available to those who could not attend to listen to at a later date. The vicarious trauma session was longer and interactive, with whole class discussions and interactive activities. Due to the personal nature of the discussion, it was not recorded.

There were also ten asynchronous training resources made available to the students. This included three online courses, four pre-recorded training sessions and three online written units comprising written and interactive materials. All of these could be accessed at any time by the students from their own devices via the internet. The online courses included safeguarding training, legal research, and carrying out a literature review. The recorded sessions covered research for policy and advocacy work, documenting findings and presenting results, Freedom of Information requests,

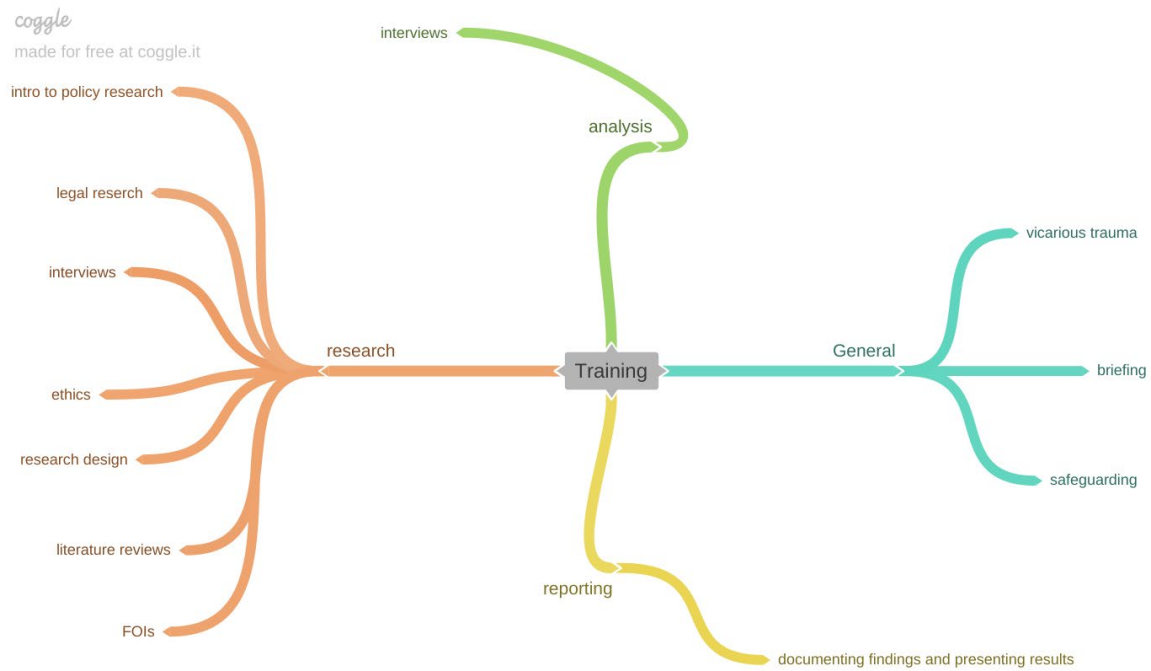
and literature reviews. The online written units included working as part of a team, interviewing and legal writing, and presentation skills.



Picture 1: Mind map of training by method

When considering the content of the training, nine of the twelve suggestions focused on distinct skills needed for policy work which students had not already developed through their previous legal study. These were identified through the policy clinic tutors' previous experience of delivering the clinic and informal student feedback from previous policy clinic projects. Three of the suggestions were more general. Seven of the suggestions focused on research, with only one training suggested for analysis and one suggested training for communication or reporting. Given the importance of analysis for policy work, this imbalance was something we considered during the evaluation.





Picture 2: Mind map of training by skills

All of the asynchronous training resources were made available to students at the start of their time in the policy clinic. The online training sessions occurred once a week during the first five weeks of the clinic, although the recordings were then available during the remainder of the students’ time in the clinic. In addition to the formal training programme, students met regularly with their supervising tutor and could email them with additional questions at any time.

**Evaluation**

*Methodology*

The training was evaluated through collection of the student attendance and engagement data from MS Teams. This included the number of students attending online synchronous sessions, the number listening to the recordings of synchronous and asynchronous sessions, and the number of students accessing supporting documentation such as agendas and PowerPoint slides. As the training was voluntary, we considered that attendance or engagement with the training suggested that students found it useful and of value.<sup>35</sup>

In addition, we surveyed the 20 students who took part in policy clinic projects in 2022-23 to ascertain their views on the training provided. We considered that a survey had the potential of reaching as many students as possible. All questions were drafted by the research team and were approved by the university's Human Ethics Research Committee. The survey had 17 questions, divided into 5 sections. The first section included a number of closed questions asking students which of the recommended training they had completed, and the reasons they had not engaged with any of it. The second section asked how useful students found the training, using a Likert scale and open questions. We used a Likert scale to compare the responses from different students; although this is subjective and does not always represent how people think, its limited use did enable us to compare students' views.<sup>36</sup> The third section contained a number of open and closed questions about the method and timing of the training.

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<sup>35</sup> Massingham, P., & Herrington, T. 'Does Attendance Matter? An Examination of Student Attitudes, Participation, Performance and Attendance' [2006] *Journal of University Teaching & Learning Practice*, 3(2), 20-42. <https://doi.org/10.53761/1.3.2.3>

<sup>36</sup> Salopek, J. 'Rethinking Likert' [2004] *ProQuest Educational Journals* 58:9 26.

The fourth section had a number of open questions about students' motivations for carrying out policy clinic work whilst the final section had closed questions about the student's background.

#### *Engagement with online sessions*

The online sessions were all held in MS Teams, from which information has been obtained regarding the numbers attending the live session, listening to the recording and viewing the PowerPoint slides and agenda (if available). Information about the vicarious trauma training is limited as attendance data was not available through MS Teams and the session was not recorded. The author was at the session and noted that 14 students attended; however as there is no attendance data to confirm this the attendance data below has been left blank.

There were a total of 20 students who could attend each session. It was not compulsory to attend the sessions. In particular, of the four projects which ran in 2022-23, only two projects (involving 11 students in total) involved interviewing participants as part of the research; the other students did not need to attend the interview plans and interview analysis sessions. With regards to the vicarious trauma training, it was anticipated that only two projects (also involving 11 students) would benefit from the training due to the nature of the projects. However all students were advised of the sessions and able to attend.

Given that these sessions were optional, and the students were time poor, it was expected that they would only attend sessions they felt was relevant to their project and from which they would obtain benefit. Attendance at a session (or engagement through viewing the recording or slides) is therefore taken as an indication that students considered they may need additional development of that skill as preparation for the policy clinic work.

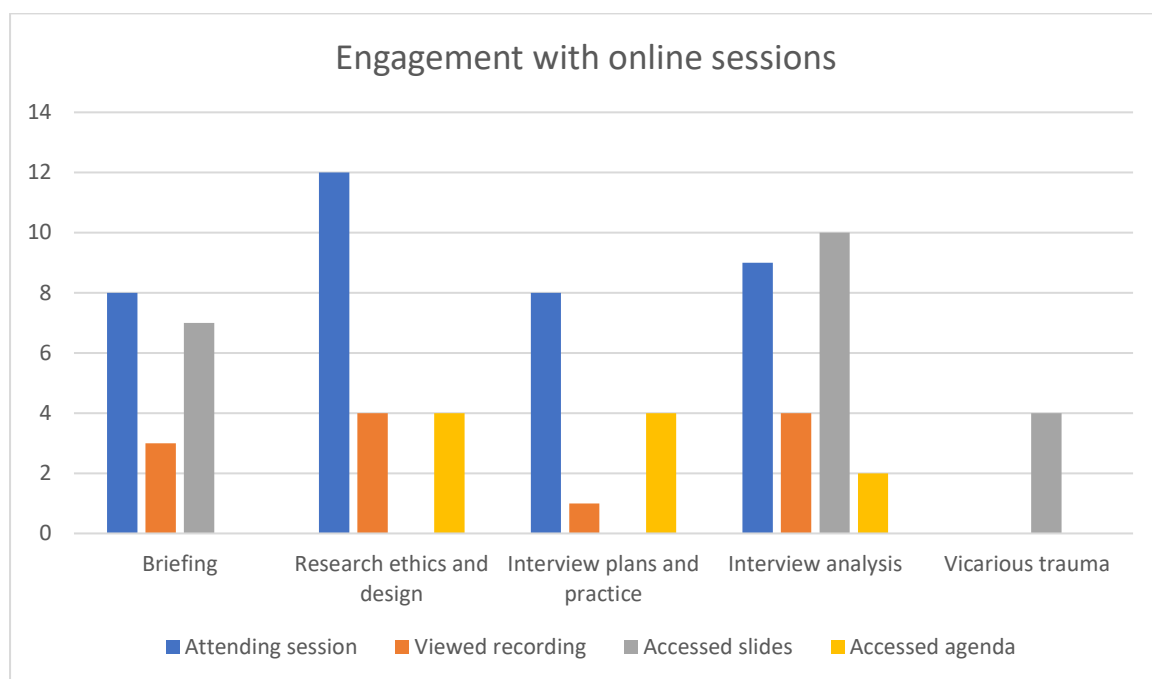


Table 1: Engagement with the online sessions

Most students (12 students) attended the research ethics and design session: this is one of the three training sessions relevant to all of the projects. Nine students attended the interview analysis session and eight students attended the policy clinic briefing and

the interview plans and practice session. Further students engaged through viewing either the recording of the session, the agenda, the PowerPoint slides or a combination of all three.

Amalgamating the number of students attending the session, the number of viewers of the recording and the number of viewers of the slides gives an indication of the total number of students who engaged with each of the online sessions. A limitation of this approach is that MS Teams does not provide individual identification of students. It is therefore possible that one student may have attended live and also listened to the recording or accessed the slides.

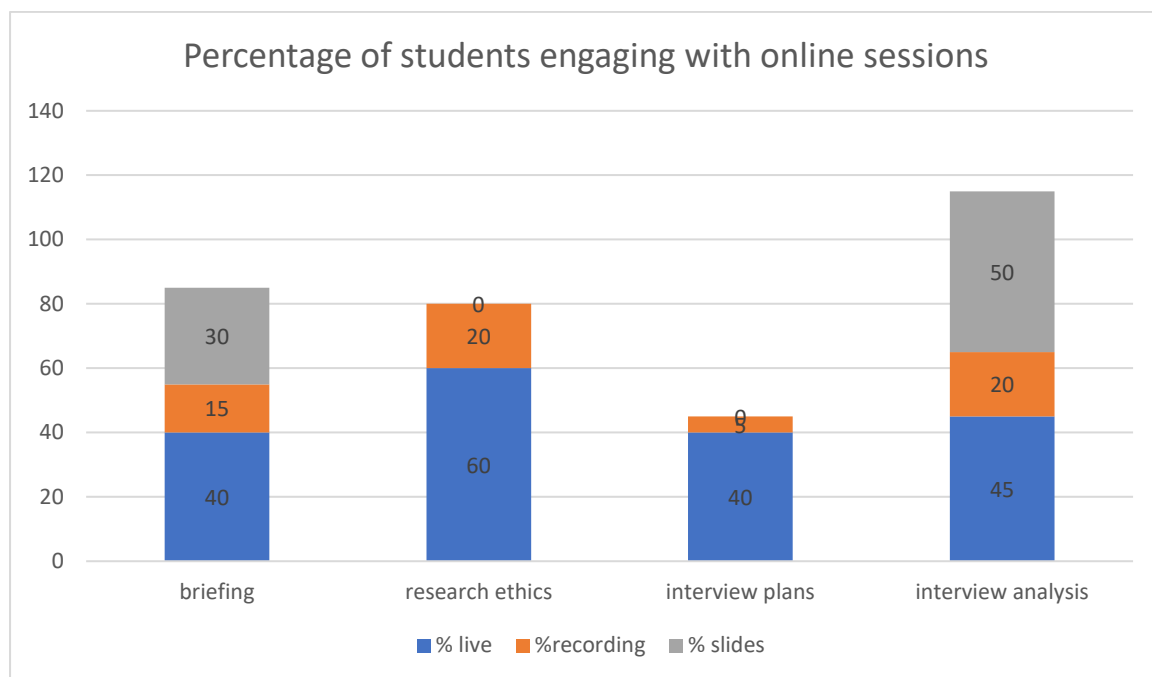


Table 2: Percentage of students engaging with online sessions.

The percentage of students have been calculated against the total number of student in the policy clinic (20 students). However, as noted before only 11 students were involved in projects which would have involved interview plans or interview analysis.<sup>37</sup> The two online sessions applicable to all students (the briefing and research ethics and design) had high levels of participation with 85% and 80% of students engaging with the training. The two sessions on interviewing and analysis had lower numbers attending; however higher engagement with asynchronous methods meant the interview analysis session overall had the most participation.

MS Teams records the numbers of viewers and the number of times the document or recording has been viewed. Most of the recordings and documents were accessed more times than the numbers of viewers, suggesting that individual students accessed them on more than one occasion.

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<sup>37</sup> The average of students engaging with these sessions, calculated against 11 students, is as follows:  
Interview plans – 75% attended, a further 8% watched the recording making a total of 81%.  
Interview analysis – 82% attended, a further 36% watched the recording and 92% accessed the slides, making a total of 209%.

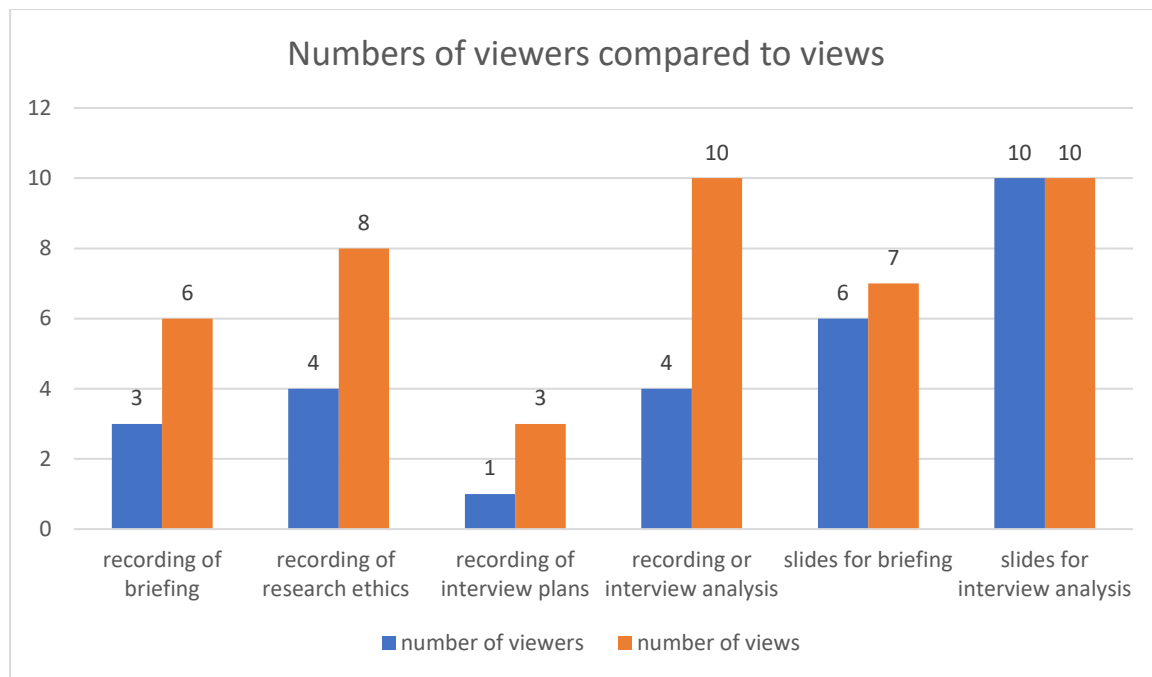


Table 3: Number of viewers compared to views.

Eleven students viewed the recordings of the four sessions a total of 27 times; an average of 2.5 times per individual. This suggests that students found value in the recordings and watched them on multiple occasions. By contrast, students were less likely to view the slides or agenda on multiple occasions, averaging just over 1 viewing per student.

*Engagement with asynchronous sessions*

There were four pre-recorded sessions which were available to view asynchronously by students.

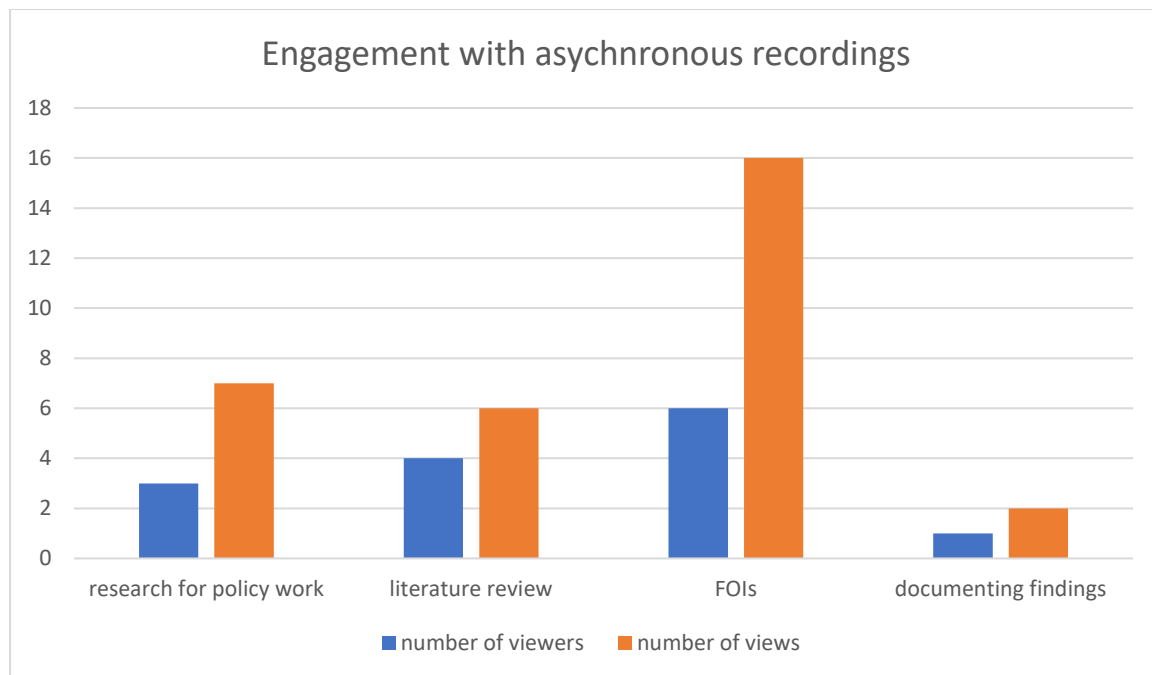


Table 4: Engagement with asynchronous recordings

As with the online sessions, there were more viewings of the recordings than the number of viewers which suggests that students watched multiple occasions – particularly the recording on Freedom of Information requests, where each viewer on average watched the recording 2.6 times. However overall a smaller percentage of students engaged with the recorded sessions (between 5 – 30%, compared to 45 – 115% for the live online sessions).

Of the remaining asynchronous training, it was not possible to collate engagement data for the three online courses (safeguarding, legal research, literature reviews) as this data is collated on VLEs outside of the Open University. It was also not possible to identify how many policy clinic students engaged with the written interactive units



(teamworking, interviewing and legal writing, presentation skills). The number of readers of these units included all students on the module across five projects and it was not possible to separate out the policy clinic students.

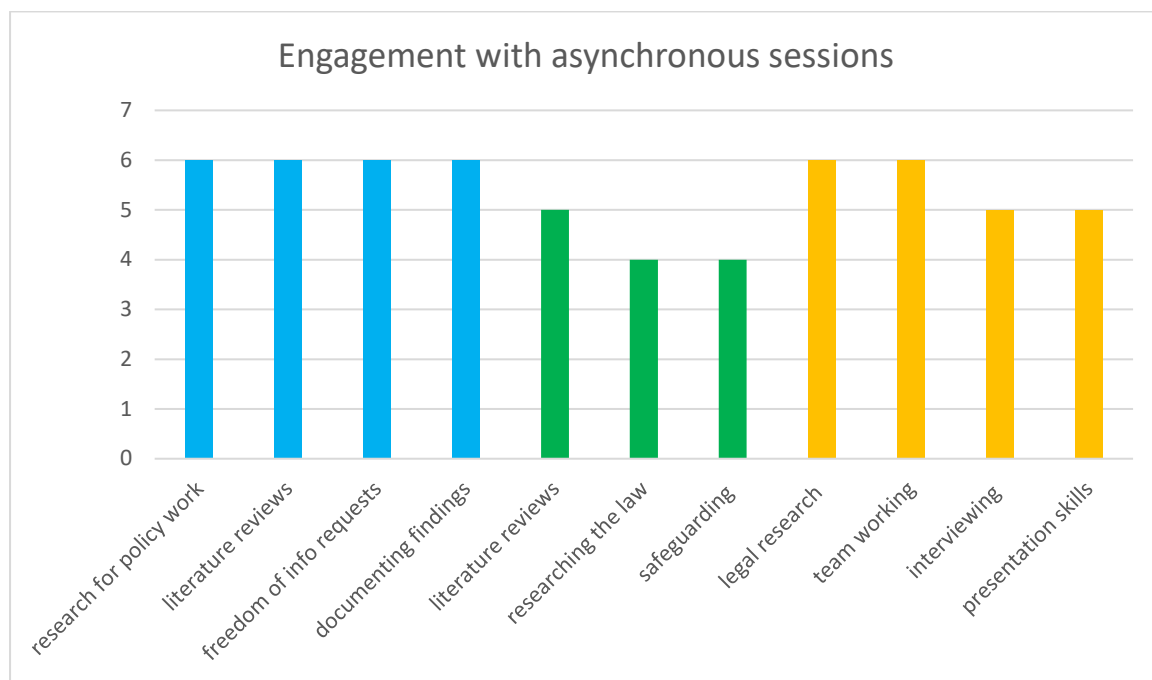
### *Survey responses*

Following the end of the module, a survey was sent to the 20 students who participated in the policy clinic. Six students responded, representing 30% of the students. Whilst this is a small data set, it is difficult to obtain large data sets given the small numbers of students involved in policy clinic work and the competing demands on students' time. However their responses have been included as by correlating their responses with the attendance data, it is possible to draw some conclusions about the value and effectiveness of the training.

When considering the students who responded to the survey, there were more females and students from black and ethnic minorities than is representative of the law students overall. They were also slightly older than the average law student. However the numbers of those with disabilities was consistent with Open University Law School averages.

Students were asked which training they had completed as part of their time in the policy clinic. All six students reported that they had attended three live online sessions: the policy clinic briefing, research ethics and design, and vicarious trauma

training. In addition four had attended the interview plans training and the interview analysis session. Four students had also listened to the recordings of the sessions in addition to attending live. One student had listened to the interview plans recording but had not attended live. On average therefore, 90% of surveyed students engaged with the online sessions, which is slightly higher than all of the policy clinic students (80%, as captured by the attendance data). All six students reported they had also listened to the four recorded trainings (100% of students) which was significantly higher than all of the policy clinic students (17.5% average).



Blue – recorded sessions  
 Green – online courses  
 Yellow- interactive written units

Table 5: Survey results – asynchronous sessions

From the survey, the most popular method for asynchronous training was listening to pre-recorded sessions (100%) followed by the written, interactive units (92%). The online courses were least popular, but these were still completed by an average of 72% of students surveyed.

If students had not completed the training, they were asked to provide a reason why. Of the 15 responses received, seven indicated that specific training was not relevant for their project (responses focused on the interview plans, interviews analysis and vicarious trauma sessions, which was expected given these applied to only two of the projects). Four responses indicated the student was already confident in the skills or topic being taught (research skills, documenting findings and teamwork), whilst four responses stated they were not aware of the training. These all came from the same student and concerned the asynchronous training, notwithstanding that these were all detailed in the policy clinic handbook.

Students were asked how useful they found the training overall, using a Likert scale from 0 – 5 where 0 is not useful and 5 is very useful. The mean average score was 3.7, indicating the training overall was between useful (3) and quite useful (4). The median score was 4 – quite useful, selected by three students. Students were also asked which training was most useful: two selected the training on Freedom of Information requests, and one student respectively selected researching the law, ethics research and design and vicarious trauma. One student referred to the ongoing support and help of the supervising tutor.

Students were also asked which training they found least useful and only three students responded to this question. One student referred to the Freedom of Information requests and one to the interview analysis session, both of which were stated to not be relevant to their project. One student found none of the training useful as: "I found the level of training very basic so it didn't actually better the skills I already had".

Students were asked if there was any other training they would have wanted to receive. Again only three students responded, requesting training on working in a group, and writing a project report and synopsis. These two students had both declared a disability: none of the students who did not declare a disability suggested additional training. The third student commented that the pre-existing skills of students should be accounted for rather than training being aimed at those with no prior knowledge.

In order to situate students' responses within a broader context of skills development, students were asked in a free text answer which skills they thought they had developed through their time in the policy clinic. Two students referred to research skills and teamwork/collaboration skills. One student referred to each of the following skills respectively: increased confidence, reflective skills, interviewing skills, soft skills and analysis skills.

### *Training method*

In addition to the substantive training topics, students were also asked in the survey when and how they preferred the training to be provided. All six students expressed a preference for online synchronous sessions over asynchronous methods, noting that this allows for “instant answers to questions” (3 students), “a better exchange of ideas” (2 students) and “interaction with other students” (1 student). Four of the six students also preferred longer, interactive sessions in place of lecture and Q&A style sessions. Their reasons included “I always find interaction helps to reinforce learning” and “I can get a better understanding of the subject”. Two students preferred a short lecture style presentation followed by questions and answers but no reasons were given for this.

Interestingly though, when students were asked which training was most useful, three of the suggested trainings were provided asynchronously and only two were online synchronous sessions. The attendance data also shows that many students listened to the recordings of the sessions afterwards, including on multiple occasions by the same student. Students also accessed the slides for some sessions in large numbers. This suggests that online sessions which are recorded and made available to students afterward may be the most effective way of providing training.

All six students preferred for the training to be provided at the start of the project, rather than at relevant stages throughout the project. Their reasons for this included that it helped prepare the student (3 students), that they needed all the skills from the start (1 student) and being “able to carry out my own training in areas I still felt unsure of/not covered by the policy training” (1 student). The fact that the training was also available afterwards asynchronously meant that students could re-visit and refresh their knowledge at the relevant time when they needed to use those skills.

When asked whether there was any additional information they wanted to share, one student indicated that they would have liked the training to have started even earlier, and a second response requested more clarity about which parts of the training were relevant to which projects.

## **Discussion**

There are some limitations when considering the evaluation of the policy clinic training. The data set, particularly in relation to the survey, is small. The students who responded to the survey also indicated they had completed more of the training than the average, which suggests these students were the more committed and engaged students.

Small data sets is common when researching policy work, as the numbers of students involved tend to be small.<sup>38</sup> This research was exploratory to provide a basis for improving the training of students involved in policy clinic work, and can contribute to future research in this area. In order to mitigate the limitations of the survey size, it has been correlated with the attendance data to avoid drawing too wide ranging conclusions from it.

The attendance and engagement data is more robust, as it is applicable across all of the students who participated in the clinic. As students are generally time poor, engagement with the training suggests students found a value in the events.<sup>39</sup> However the attendance data does not show how long each participant engaged with the training resource, and so students may have looked at it briefly for 5 minutes or worked through it in its entirety. It is also not possible to track an individual student's participation, and so the same student may have both attended an online event and listened to the recording.

Comparison of the attendance data with the survey results reveals some inconsistencies. The survey responses indicated all six students had watched the four recorded training sessions. However the attendance data from MS Teams indicated that the sessions were watched by three, four, six and one student respectively. It has

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<sup>38</sup> Dunn, R., Bengtsson, L., & McConnell, S. 'The Policy Clinic at Northumbria University: Influencing Policy/Law Reform as an Effective Educational Tool for Students'. [2020] *International Journal of Clinical Legal Education*, 27(2), p83

<sup>39</sup> Massingham, P., and Herrington, T. 'Does attendance matter? An examination of participant attitudes, participation, performance and attendance' [2006] *Journal of University Teaching & Learning Practice*, 3(2)

not been possible to determine whether the survey responses were inaccurate, or the attendance data from MS Teams. Without a clear understanding as to why this inconsistency exists, this must be born in mind when drawing conclusions from the data.

Finally the research was based on a specific setting which may be different in other policy clinics. At the time the evaluation took place, there was no possibility of providing joint training with other projects or courses and the policy clinic had to provide all the training needed to students. As there were similarities in the methodology of the projects, training was made available to all of the students. The evaluation therefore did not consider whether it would be better to teach some skills in larger groups and provide more bespoke sessions for individual projects, which may be more appropriate in other settings.

Notwithstanding the above, it is possible to draw broad conclusions about the skills which students need to develop to undertake policy work effectively and the best way to provide such training, to inform future training for policy clinic work.

*Substantive training topics*



Limited conclusions can be drawn about training for generic skills identified by Dunn *et al* such as teamwork, time management and project management;<sup>40</sup> this training was covered by online courses, for which there is no attendance or engagement data. However the survey responses indicated that the students had engaged with all three online courses, suggesting they found benefit from them. One student noted the vicarious trauma training was the most useful training, indicating that it helped them to reflect critically on themselves. In addition, of the two suggestions made for additional training, one related to teamwork or collaboration. Whilst students have received skills training on group work previously at FHEQ five and six, the collaboration required earlier in the law degree is more limited than working in a group on policy clinic work, both in terms of the size of the group, the duration of the task and the complexity of the work. Students typically do find policy clinic collaboration difficult and so further advice and guidance on effective teamworking would benefit policy clinic students.<sup>41</sup>

The literature suggested there are three skills needed for policy clinic work which may be new to students. These are research skills, analysis of policy alternatives, and communicating clearly their recommendations and solutions. When considering research skills, the training on research ethics was the most popular synchronous

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<sup>40</sup> Dunn, R., Bengtsson, L., & McConnell, S. 'The Policy Clinic at Northumbria University: Influencing Policy/Law Reform as an Effective Educational Tool for Students'. [2020] *International Journal of Clinical Legal Education*, 27(2), p87

<sup>41</sup> Hussein, B. 'Addressing Collaboration Challenges in Project-Based Learning: The Student's Perspective' [2021] *Education sciences*, 11(8), p. 434

online session (60% of students). Students also engaged to a high level with the other training resources on research, and the number of students viewing the sessions multiple times suggests they found value in them. This is corroborated by the survey results: of the six nominations for the most useful sessions, four related to research (two suggested the FOI training, one the research ethics session and one the online course on researching the law).

Research skills required for policy clinic work are very different from doctrinal legal research students might have engaged with previously. It includes determining the methodology of the research, the collection and then the recording of empirical data where appropriate. In doing this students also need to be aware of any ethical concerns (including consent from participants) and be able to respond in order to mitigate any risks. Research methods will vary according to the specific project but may include literature reviews, comparative research into other jurisdictions, freedom of information requests, surveys or interviews. It is unlikely that students will have experienced these types of research previously. Interestingly, students may not appreciate the different research skills needed for policy work. Two students in the survey indicated that they did not engage with research training as they were already confident in their skills. Good communication is therefore needed to explain the differences between more traditional legal research and policy clinic research, and consideration given to making the training sessions compulsory.

Secondly, once the data has been collected, students have to analyse it and consider policy alternatives.<sup>42</sup> This may include analysis methods from the social sciences<sup>43</sup> as well as consideration of the values on which policy alternatives should be based on. The session on research analysis had the highest level of engagement of all of the online sessions provided, and each student watching the recording viewed it an average of 2.5 times. This suggests that students found value in the analysis training, and given the smaller amount of training offered on analysis (compared to research) may suggest the need for further training in analysis methods.

Finally, students engaged in policy work will need to communicate clearly and effectively their evidence based, well-reasoned recommendations as to how the law should be reformed. Durrance noted that effective communication is a key component of policy analysis, both in public speaking and writing.<sup>44</sup> The method of communication will vary according to the specific type of policy work, but could include a report to a client organisation, a verbal presentation, a response to a consultation or a letter to legislators or the media. Reporting on their research, analysis and recommendations will involve communicating in a style different from what student may be used to. For example, students may not have any experience of clearly

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<sup>42</sup> Ross, N.J. 'Beyond skills and doctrine : the need for policy skills and interdisciplinarity'. [2017] *Victoria University of Wellington Law Review*, 48(2) p.362

<sup>43</sup> Coulthart, S. 'What's the problem? Frameworks and methods from policy analysis for analyzing complex problems', [2017] *Intelligence and National Security*, 32:5, p637

<sup>44</sup> Durrance, C.P. 'Teaching public policy analysis: Lessons from the field', [2022] *The Journal of Economic Education*, 53:2, p146

presenting statistical information, or reporting on a large set of data in a clear and detailed manner.

Attendance data shows that the pre-recorded session on documenting findings was the training which least students engaged with, suggesting they may not have found any value in it. This may have been because students were presented with a detailed template for writing up their findings into a written report, and they therefore did not consider they also needed to listen to a recording. However of the two suggestions made by surveyed students for further training, one concerned communication (further training on writing a project synopsis or report). The need for training in communication is therefore unclear from this evaluation and needs to be researched further.

## **Conclusion**

In order to carry out policy clinic work, students need training in order to develop the skills they will need to carry out their projects. Some of these will be existing skills which students will develop further in their policy work, whilst others are likely to be new.

When considering new skills, our evaluation suggests two areas where students are likely to need further training. The first is research methods: students are unlikely to have used the research methods required in policy work previously, such as research

ethics, interviews and collections of statistical data. The numbers engaging with the research training and the responses to the survey suggests that that students found training in research methods useful. The second area where training is required is policy analysis. Students need to be able to use different analytical methods (including those from social sciences), and to consider the values behind the different policy alternatives. Again, both the attendance data and the survey results suggest that students found value in this training.

The literature also suggests that policy clinic work involves new skills in communicating clearly the students' findings and recommendations. However the evaluation was unclear as to whether students found training on documenting results useful or not. The attendance data suggested this training was not well engaged with by students, while the survey suggested students would value more training in this area.

In addition to the new skills required by students in policy clinic work, they may also need to develop their general skills further. The two areas highlighted by the evaluation were collaboration and vicarious trauma training.

Finally students expressed a strong preference for training to be provided synchronously online in longer, interactive sessions. Recording the training and making it available afterwards enables students to listen again to the sessions to refresh their knowledge and skills. Students also expressed a unanimous preference for training to be front-loaded and provided at the start of the project. Whilst the

survey on which this is based was small, the unanimity of the responses suggests that this may be the view of the majority of students.

We hope that these suggestions are of use to those responsible for overseeing students carrying out policy work, so that they can ensure students are well prepared to work on policy projects.