

Justice First Fellows: a boost for the whole justice sector

Fiona Bawdon explains why this ground-breaking scheme is aimed at firms, as well as not-for-profit agencies

IN BRIEF

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The Justice First Fellowship, launched by the grant-giving charity The Legal Education Foundation (TLEF) in 2014, funds the cost of trainee solicitor posts at social justice organisations across the UK. It was created by TLEF in response to concerns over where the next generation of social justice lawyers would come from, given the legacy of funding cuts and under-investment the sector has faced for more than a decade.

There are now over 100 Justice First Fellows (JFFs) (most are solicitors; a small number are barristers), of which more than half are now qualified—with the majority working as lawyers in the social justice sector. The scheme has been heralded for injecting new blood and much-needed additional resources into this vital but beleaguered area of the law.

By a large measure, most of the organisations hosting a Justice First Fellow are not-for-profits—law centres, advice agencies, and legal charities, including Liberty, Shelter, Child Poverty Action Group, and Howard League, among others. From the outset, however, a small number of fellowship posts each year have been at privately-owned solicitors firms, including some of the most respected names in the legal aid world, such as Bhatt Murphy, Deighton Pierce Glynn and Community Law Partnership.

Hosting opportunities

Applications to host a JFF in 2022 are now open (deadline is 17 February 2021, see bit.ly/2XM7ScQ). There are around 15 training posts on offer and TLEF is keener than ever to encourage more legal aid firms to apply, in recognition of their importance to the social justice sector, and the lack of alternative sources of funding during the pandemic.

Regardless of whether they are Nfpts (not for profit) or firms, JFF hosts have to meet TLEF's application criteria: they must be experts in social welfare law; be doing

work of national significance; committed to training and staff development; and financially stable. While TLEF has more resources than most in the social justice sector, its funds are necessarily finite, which means numbers of fellowship posts available each year are necessarily limited. (A number of posts are co-funded, including by other charitable foundations and some law firms.)

The fellowship aims not just to add to the existing pool of new social justice lawyers, but to create leaders of the future. Fellows are given additional training to equip them with skills in business planning, fundraising and communications. A key element of the scheme is the project which each fellow undertakes during their training, which is intended to increase access to justice. In normal times, fellows and their supervisors are expected to attend twice-yearly conferences organised by TLEF, where this additional training is delivered, and where fellows and hosts have the chance to meet each other and network. (Inevitably, the format of these events has been re-thought since lockdown.)

Testimonials

What has the experience been like for the half dozen or so firms who are already part of the Justice First Fellowship?

Bhatt Murphy (BM) Solicitors has a national reputation for its work holding state bodies to account and has just recruited its second JFF. Partner Janet Farrell leads on what she describes as BM's 'partnership' with TLEF, and says her background in the not-for-profit sector meant it was easy for her to 'get' the fellowship scheme. She says: 'I love this scheme. I rave about it all the time.' Adding

that BM colleagues who came up through private practice 'did initially find the scheme a bit of an oddity'.

Clare Jennings, director and head of public law and community care at north London-based Matthew Gold & Co, says the scheme allowed the firm to take on a trainee which they otherwise couldn't have afforded, giving them welcome additional resources. She says: 'Although at first blush, you might think that the scheme is for the charity sector, as a legal aid firm, in reality our position is not that distinct from the voluntary sector. Our work is funded by legal aid and our aim is to help marginalised and disadvantaged groups. So we play an equally important role as NGOs in furthering social justice issues and training the next generation of lawyers.'

Deighton Pierce Glynn, which has offices in Bristol and London and is known for its civil liberties work, was the first firm to join the fellowship scheme, back in 2014, when the LASPO cuts were beginning to bite. Like Matthew Gold & Co, JFF funding meant DPG could take on a trainee, despite uncertainty over its legal aid income during the length of the training contract. Partner Adam Hundt says: 'We don't have predictable income streams, because we don't know how the government will hammer us next. We don't know whether, two years later, we will have work.'

Janet Farrell says there are benefits to the fellowship, other than financial, including the way the scheme plugs host organisations into a wider network of like-minded lawyers, working in different disciplines and regions across the country.





As a specialist firm doing strategic work, BM is inevitably somewhat set back from the social justice frontline. Now, when it's important to know precisely what is happening at the coalface, Farrell can 'approach my JFF colleagues' in law centres and NGOs to ask them. Rosaleen Kilbane, partner and founder of Birmingham-based Community Law Partnership, agrees that 'being part of a bigger network is really good for us and really good for our fellow'.

Funding matters

Unlike not-for-profit agencies, law firms may be inexperienced at making grant applications, but Kilbane says they shouldn't let that put them off the scheme. Other than tendering for the Legal Aid Agency (LAA) housing duty scheme, CLP had no previous experience of making funding applications, but found the JFF process straightforward.

JFF grants are intended to cover all the costs associated with hosting a trainee, including their salary plus the management and supervision they will need. For firms which have been in survival mode for more than a decade, where billing targets rule, the idea of being paid *not* to do case work, can take some adjustment. As Adam Hundt says, he and his senior colleagues have to 'manage the firm in our spare time. That's what we are used to'. For DPG, having a grant-funded trainee solicitor post has meant 'a fundamental shift in how we view supervision'.

The solution that both DPG and BM arrived at is to view supervising their fellow's project as they would a case. 'You have to think of it as like one of your cases; something that it is

your job to spend time on. You need to attach a monetary value to it and put it against an individual's billings,' says Hundt.

Fellows are expected to spend the equivalent of a day a week on their project, which, again, may be a bit of a culture shock for firms. Janet Farrell says BM's answer has been to treat its fellow, Sohini Mehta, who joined in 2019, as they would a part-time employee. (BM also has a second fellow, Rebecca Dooley who started in 2021). 'On Monday Sohini does her project and no one is allowed to bother her,' says Farrell.

CLP takes a similar approach with its fellow, Alyena Rahman, who also joined in 2019. Rosaleen Kilbane says: 'We make sure that Alyena has a whole day a week when she is not working for us, but exclusively on her project.' When Rahman's allotted project day has conflicted with hearings, it will be shifted 'because we also think it's important for trainees to have the chance to attend and observe at hearings'. Adam Hundt, however, says there can be tensions, when client work needs to be done urgently. He says: 'So much of our work is time-sensitive. It is about keeping clients safe—literally safe. We can't, say, leave someone sitting in detention over the weekend, so work on a project can be done.'

women from being killed for want of police action. The aim is to create a library of material, as a resource for others working in the field. 'But for Sohini having the idea in the first place, and but for the fellowship, this would never have happened,' says Farrell.

Deighton Pierce Glynn has just appointed its third Justice First Fellow and, with this year's recruit, is breaking new ground for the firm and the scheme. Its latest fellowship post is being offered in partnership with the deaf and disabled rights charity Inclusion London, and was reserved for a disabled candidate.

This co-hosted, reserved post is an example of the role the JFF scheme can play in providing otherwise battle-weary, over-stretched, organisations with the encouragement and resources to think creatively and try out new ideas.

DPG solicitor Robyn Taylor says: 'There is an obvious lack of representation in the legal profession of disabled lawyers, and part of the issue is access to training contracts. By ring-fencing the post, we are sending a clear signal that we recognise the barriers disabled people face and will take positive action to address this.'

Taylor says the quality of applicants for the post was outstanding, something she

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Clare Jennings says: 'The project element of the scheme brings an interesting dimension. It allows us to do the type of pro bono work we would want to do. It also has the potential to bring in paid work and build connections with other voluntary groups.'

For Aleyna Rahman's project, she is looking at the law in relation to dementia patients and those trying to negotiate it on their behalf. The subject was her own idea, but it is an issue which is also close to Rosaleen Kilbane's heart. At Bhatt Murphy, Sohini Mehta, is collating five years' worth of data from BM's work on domestic homicides and information in the public domain, where women have been killed by current or former partners.

Sohini's project has entailed trawling through police misconduct hearings, inquests and domestic homicide reviews, plus making FOI requests to police forces across the country, to identify the common and repeated failures by police to protect women when they report abuse. Farrell says: 'It is the kind of thing that solicitors will try to do individually on a case, but on a far wider scale.' BM's hope is it will increase police accountability, improve practices and, ultimately, prevent

puts down at least in part to the support TLEF was able to give in promoting the position to wider networks. The successful candidate started in January 2021, and will divide their time between Inclusion London and DPG.

Rosaleen Kilbane agrees that the fellowship's national recognition helps attract applications from a broader range of candidates than CLP might usually expect to see. Their fellow, Alyena, has a background in immigration, rather than housing law, which is CLP's main area of specialisation. Kilbane says: 'Although her heart is in the same place as ours, we wouldn't necessarily have attracted her to apply, without the JFF connection.'

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Applications to host a Justice First Fellow in 2022 close on 17 February 2021. For more information and to apply see: <https://jff.thelegaleducationfoundation.org/host-opportunities/host-a-trainee-solicitor/>

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