

Chapter 15

Pro-Bono Virtual Legal Clinics for Enhancement of Social Impact by Communities Affected by COVID-19

Chin Chin Sia

Taylor's University, Malaysia

ABSTRACT

The right to legal advice is an essential entitlement and an imperative step toward effective enjoyment of other fundamental rights, especially to the communities which have limited access to legal opinions due to scarce financial means. Global communities are adversely affected, particularly in relation to employment, domestic violence, and financial hardships during this pandemic. This pro-bono virtual legal clinics project is instrumental in enhancing social impact by ensuring that communities continuously have better access to quality legal advice and information during the COVID-19 Movement Control Order through multiple social networking tools and meaningful collaborations with NGOs.

INTRODUCTION

Access to legal advice empowers individuals and communities, contributes to reducing poverty and promotes the protection of human rights (UNDP Global Legal Aid Report 2016). The 2030 Agenda for Sustainable Development recognizes “the need to build peaceful, just, and inclusive societies which provide equal access to justice and are based on respect for human rights.” Goal 16, and its target 3 in particular, highlight the importance of ensuring “access to justice for all” in achieving sustainable development. That target has a direct impact on progress across other goals, such as Goal 1 on Poverty, Goal 5 on Gender Equality and Women’s Empowerment, Goal 8 on Productive Employment and Decent Work, and Goal 10 on Reducing Inequalities.

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With these targets in mind, this student community project via pro-bono virtual legal clinics is to ensure that communities would continuously have better access to quality legal advice and information during the COVID-19 Movement Control Order, even in the absence of face to face interaction in person.

The objectives of this virtual legal clinic are in line with the module objectives of Community Service Initiatives which are to:

1. Inculcate a sense of Social Responsibility in the students.
2. Promote the culture of caring and respect towards all members of society
3. Make them responsible citizens of this country.
4. Understand the community around them.
5. Understand themselves in relation to their community and beyond.

This paper also explores the practical implications of virtual legal clinics to the future of legal practice and using suitable technologies, as well as the future of potential payment of legal fees in Malaysia using cryptocurrencies. In addition, the use of blockchain in the lifelong learning of the learners is also discussed to enable the issuance of legal pro bono passport in the long term.

BACKGROUND

These innovative virtual legal clinics are adapted from an existing model, in which the legal clinics (Buhler et al 2020) are usually provided in a face-to-face setting by experienced legal practitioners/ academics and final year law students. Clinical legal education (O’Leary, 2019) is a process whereby students learn by doing. It is an experiential problem-solving based model, in which students actively involve themselves in either real client/personal interaction or simulation lessons set up to mirror real client/personal scenarios (McFaul, et al 2020). This project was carried out by 6 groups of undergraduate law students. It is a platform to expose students to social justice work and a novel channel which streams community education and substantiates legal empowerment. Currently in Asia, there is no student-initiated pro-bono virtual legal clinic being carried out and this project is the first of its kind in this region. Virtual live legal consultations, oral and written legal opinion were provided by final year students under the expert supervision of law school lecturer. Social networking tools and virtual meeting tools are actively utilized to engage with vulnerable communities, such as retrenched employees, small and medium enterprises, the offenders of movement control orders, B40 communities affected by COVID-19 pandemic and prominent NGOs (All Women’s Action Society and The Lost Food Project).

AIM AND SCOPE OF CHAPTER

This chapter aims to:

1. Investigate the impact of social media and digital platform in facilitating a virtually conducted and delivered legal clinic project on 2 main types of communities i.e. vulnerable communities and groups of learners;

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