

PRO BONO: WHAT'S IN IT FOR LAW STUDENTS? THE STUDENTS' PERSPECTIVE

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Abstract

In England and Wales, there is an increasing need for the provision of pro bono legal services. Law students may be a resource that can help fill the access to justice gap, whilst at university and onwards in their future careers. Whilst some students are intrinsically motivated towards altruistic behaviour, many are not. This article will consider what motivates students to undertake pro bono work whilst at law school.

The article will explore the range of intrinsic and extrinsic motivating factors for student participation in pro bono programmes and consider how students can be encouraged to engage in such activities. The article will also consider whether exposure to pro bono experience can instil a public service ethos in students.

In conclusion, the article will highlight experience as an influential factor in encouraging initial participation in pro bono work but also instilling a willingness to undertake pro bono work in the future.

Introduction

Many would argue that lawyers have a moral obligation to promote access to justice.²

It is also arguable that it is more than a moral obligation and is in fact a professional

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² For discussion on the role of lawyers in promoting access to justice, see Alice Woolley, '*Imperfect Duty: Lawyers' Obligation to Foster Access to Justice*' (2008) 45:5 *Alberta Law Review* 107

obligation. The International Bar Association states that a lawyer is ‘an indispensable participant in the fair administration of justice.’³ Further, the United Nations also recognise this duty stating that ‘[l]awyers shall at all times maintain the honour and dignity of their profession as essential agents of the administration of justice.’⁴ Pro bono work may be considered as one of the methods for fulfilling this obligation.⁵

The Law Society of England and Wales reports that 63% of solicitors had conducted pro bono work (undefined⁶) at some point in their career.⁷ In 2015, 37% of solicitors reported that they had undertaken at least one hour of pro bono work (as defined by

³ International Bar Association, ‘International Principles on Conduct for the Legal Profession’ (2011) Available at [file:///C:/Users/intel_000/Downloads/IBA_International_Principles_on_Conduct_for_the_legal_prof%20\(4\).pdf](file:///C:/Users/intel_000/Downloads/IBA_International_Principles_on_Conduct_for_the_legal_prof%20(4).pdf) (accessed 10 October 2016)

⁴ OHCHR, ‘Basic Principles on the Role of Lawyers’ (1990) Available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RoleOfLawyers.aspx> (accessed 10 October 2016)

⁵ See Debra D. Burke; George W. Mechling; James W. Pearce, ‘Mandatory Pro Bono: Cui Bono’ (1996) 25:4 Stetson Law Review 983; Deborah L. Rhode, ‘The Pro Bono Responsibilities of Lawyers and Law Students’ (2000) 27:2 William Mitchell Law Review 1201; Douglas L. Colbert, ‘Clinical Professors’ Professional Responsibility: Preparing Law Students to Embrace Pro Bono’ (2011) 18:3 Georgetown Journal on Poverty Law and Policy 309

⁶ There is no universally accepted definition of ‘pro bono’. Evans highlights that ‘some lawyers consider work done for legal aid as pro bono because of the low level of remuneration, while other would also include matters in which that have substantially reduced, but not waived, their fees.’ (Adrian Evans, ‘Recognising the Conditional Nature of Pro Bono Motivation: Avoiding ‘Aspirational’ Compulsion and Developing an Appropriate Pro Bono Ethic in New Lawyers’ Available at http://www.nationalprobono.org.au/conference/pdf/2003_papers/3a_evans.pdf (accessed 23 September 2016))

⁷ The Law Society of England and Wales, ‘The pro bono work of solicitors: PC Holder Survey 2015’ Available at <http://www.lawsociety.org.uk/support-services/research-trends/solicitors-pro-bono-work-2015/> (accessed 23 September 2016)

the Pro Bono Protocol⁸) in the preceding 12 months.⁹ This is a statistically significant decline on the 42% reported in the 2014 survey.¹⁰ Interestingly, 43% of solicitors who did not provide pro bono services suggested that there were not adequate opportunities to do so.¹¹ Unfortunately, it is not clear what is meant by the lack of opportunities. This phrase could be interpreted to mean that solicitors did not believe there was a need for pro bono work which seems unlikely. An alternative interpretation for this phrase is that their firm did not support pro bono opportunities. Reasons cited for not undertaking pro bono work include transactional lawyers stating that they are not litigators, lack of time, cost to the firm in terms of time and money, lack of knowledge in relation to relevant laws affecting the indigent, and not knowing how to get involved in an area of pro bono that interests the individual.¹² Some lawyers also express concern about a perceived conflict of interest.¹³ All these reasons have been recognised as barriers to solicitors undertaking pro bono in England and

⁸ The Pro Bono Protocol defines pro bono as 'legal advice or representation provided by lawyers in the public interest including to individuals, charities and community groups who cannot afford to pay for that advice or representation and where public and alternative means of funding are not available.' Further, '[l]egal work is pro bono legal work only if it is free to the client, without payment to the lawyer or law firm (regardless of the outcome) and provided voluntarily either by the lawyer or his or her firm.' The Joint Pro Bono Protocol for Legal Work available at <http://www.lawsociety.org.uk/Support-services/Practice-management/Pro-bono/The-pro-bono-protocol/> (accessed 23 September 2016)

⁹ Ibid

¹⁰ Ibid

¹¹ Ibid

¹² Robert S. Gerber, 'The Top Five Excuses for Not Doing Pro Bono Work, and Why They're All Bad' San Diego Daily Transcript 4 May 2005 Available at https://www.sheppardmullin.com/media/article/324_pub388.pdf (accessed 2 December 2016)

¹³ For example, see Elisabeth Wentworth, 'Barriers to Pro Bono: Commercial Conflicts of Interest Reconsidered' (2001) 19 Law in Context: A Socio-Legal Journal 166

Wales.¹⁴ Kutik however identifies one of the biggest barriers preventing pro bono work as ‘inertia’, explaining that lawyers ‘haven’t done it, [they] don’t know how to do it, and [they] won’t make the effort to learn.’¹⁵

Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 made significant cuts to the scope of legal aid in England and Wales as of 1 April 2013. As a consequence of these cuts, the number of unrepresented individuals in the family courts has increased. The National Audit Office reports an increase of 30% of family court cases in which neither party had legal representation in 2013-14 compared with 2012-13.¹⁶ The number of litigants in person appearing before the civil courts is also likely to have increased but there is not sufficient data in relation to this.¹⁷ The Master of the Rolls, Lord Dyson, in giving evidence to the House of Commons Justice Committee summed up the issue stating:

“It is impossible to prove but it would be extraordinary, frankly, if there were not some cases that are decided adversely to a litigant in person which would have been decided the other way had that litigant in person been represented by a competent lawyer. It is inevitable.”¹⁸

¹⁴ LawWorks, ‘The Case for Pro Bono and Getting Started’ Available at <file:///C:/Users/intel/Downloads/lawworks-pro-bono-mini-guide-the-case-for-pro-bono-and-getting-started.pdf> (accessed 2 December 2016)

¹⁵ David A. Kutik, ‘Pro Bono: Why Bother’ (2005) 22:7 GPSolo 44, 46

¹⁶ National Audit Office, ‘Implementing reforms to civil legal aid’ (2014) HC 784, Session 14-15 para. 1.25 Available at <https://www.nao.org.uk/wp-content/uploads/2014/11/Implementing-reforms-to-civil-legal-aid1.pdf> (accessed 23 September 2016)

¹⁷ Ibid, para. 1.24

¹⁸ House of Commons Justice Committee, ‘Eighth Report of Session 2014-15, 4 March 2015: Impact of the changes to civil legal aid under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders

A further issue, as noted by Steven Matthews of the Magistrates' Association, was:

*"[individuals would be] put off making what may be a legitimate application because of the fact that they cannot get legal representation, have been unable to get advice and are put off by the forms and the process and so on."*¹⁹

It is difficult to quantify the numbers of individuals who decide not to pursue a legitimate legal claim because they are put off by the process. However, one Australian report estimated that not knowing what to do was cited as the reason for inaction in 30% of substantial civil legal problems not acted upon in 2008.²⁰

A depressing picture is therefore emerging that at a time when demand, or at least a need, for pro bono legal services is increasing, the percentage of solicitors providing such services is decreasing. There is perhaps a need to consider what steps can be taken to increase the provision of pro bono services by the legal profession, or indeed whether the provision of pro bono should be increased. It has been argued that increasing the provision of pro bono encourages more legal aid cuts.²¹ However, these

Act 2012', para.137 Available at <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmjust/311/31102.htm> (accessed 23 September 2016)

¹⁹ Ibid

²⁰ Productivity Commission, 'Access to Justice Arrangements' Volume 1, 133 Available at <http://www.pc.gov.au/inquiries/completed/access-justice/report/access-justice-volume1.pdf> (accessed 29 June 2017)

²¹ For example, Michael Gove MP stated that '[w]hen it comes to investing in access to justice then it is clear to me that it is fairer to ask our most successful legal professionals to contribute a little more rather than taking more rather than taking more in tax from someone on the minimum wage.' (The Rt Hon Michael Gove MP, 'What does a one nation justice policy look like? 23 June 2015 Available at <https://www.gov.uk/government/speeches/what-does-a-one-nation-justice-policy-look-like> (accessed 6 March 2017)). The Law Society of England and Wales maintains that 'pro bono is never a substitute for a properly funded system of legal aid, which needs skilled and experienced solicitors to provide

issues are beyond the scope of this article which will focus upon the provision of pro bono services by law students.

The opportunities for students to undertake pro bono work at law school in the UK is good with at least 70% of all law schools offering pro bono opportunities to their students.²² However, the evidence as to whether participation in pro bono programmes impacts upon a student's desire to undertake public service work in their future career is somewhat mixed. Some quantitative studies show little or no impact of clinical and pro bono programmes on students' desire to continue in pro bono/public service work in their future careers²³ whilst other studies suggest clinical

expert legal advice to those who need it.' (The Law Society, 'Law Society statement on 'one nation justice system' 23 June 2015 Available at <http://www.lawsociety.org.uk/news/press-releases/law-society-statement-on-one-nation-justice-system/> (accessed 6 March 2017)). See also Richard Abel, 'The Paradoxes of Pro Bono' (2010) 78:5 Fordham Law Review 2443

²² Damian Carney, Frank Dignan, Richard Grimes, Grace Kelly and Rebecca Parker, 'The LawWorks Law School Pro Bono and Clinic Report 2014' Available at <https://www.lawworks.org.uk/sites/default/files/LawWorks-student-pro-bono-report%202014.pdf> (accessed 23 September 2016). It should be noted that 'pro bono work' was defined as 'an activity organised and/or delivered by a law school that provides a legal service to an individual, group or organisation without charge'. This is a wide definition and encompasses mandatory and voluntary activities as well as credit and non-credit bearing activities. There has been discussion as to what work is included within the meaning of 'student pro bono' (for example, Dina R. Merrell, 'Pro Bono, Pro You' (2001) 29:7 Student Law. 39; Tracey Booth, 'Student Pro Bono' (2004) 29:6 Alternative L.J. 280). For a general discussion on the definition of 'pro bono' and 'clinical legal education' see Kevin Kerrigan, 'What is Clinical Legal Education and Pro Bono?' in *A Student Guide to Clinical Legal Education and Pro Bono* (Kevin Kerrigan and Victoria Murray eds. 2011)

²³ See Deborah L. Rhode, 'Pro Bono in Principle and in Practice' (2003) 53:3 Journal of Legal Education 413; Robert Granfield, 'Institutionalizing Public Service in Law School: Results on the Impact of Mandatory Pro Bono Programs' (2007) 54 Buffalo Law Review 1355; Paul McKeown, 'Law Student Attitudes towards Pro Bono and Voluntary Work: The Experience at Northumbria University' (2015) 22:1 International Journal of Clinical Legal Education [vi]

legal education and pro bono work can have a positive impact upon students and their willingness to undertake public service work.²⁴

Why Should Students do Pro Bono?

If a law student were to carry out a simple Google search asking ‘Why should students do pro bono’ it elicits pages of results from various professional bodies, universities and the wider media extolling the benefits of such work. Academic literature addressing this issue tends to encompass conceptual articles citing reasons why the authors believe students should engage in pro bono activities.²⁵ Surprisingly there has been little empirical research reporting the reasons students cite as motivating them into carrying out pro bono work.

The reasons for undertaking pro bono work can broadly be categorised as practical, tactical and ethical.²⁶ Practical reasons include enhanced legal skills, broader legal knowledge, experience, employability and increased job satisfaction. Tactical reasons include promoting the image of the individual, the organisation and the legal

²⁴ See Sally Maresh, ‘The Impact of Clinical Legal Education on Decisions of Law Students to Practice Public Interest Law’ in *Educating for Justice: Social Values and Legal Education* (Jeremy Cooper and Louise G. Trubek eds. 1997); Deborah A. Schmedemann, ‘Priming for Pro Bono Publico: The Impact of the Law School on Pro Bono Participation in Practice’, in *Private Lawyers and the Public Interest: The Evolving Role of Pro Bono in the Legal Profession* (Robert Granfield and Lynn Mather eds. 2009)

²⁵ For example, Howard Lesnick, ‘Why Pro Bono in Law Schools’ (1994) 13:1 *Law and Inequality* 25; Di Mari Ricker, ‘Pro Bono Pays’ (1997) 26:3 *Student Law* 30; Deborah L. Rhode, ‘The Pro Bono Responsibilities of Lawyers and Law Students’ (2000) 27:2 *William Mitchell Law Review* 1201; Craig Linder, ‘Student-Lawyer Partnerships for Pro Bono’ (2007) 35:7 *Student Law* 29

²⁶ Stephen Parker, ‘Why Lawyers Should Do Pro Bono Work’ (2001) 19 *Law in Context: A Socio-Legal Journal* 5

profession as a whole. From an ethical perspective, it has been argued that lawyers should undertake pro bono work because they are under a moral obligation to do so due to the privileged position the legal profession occupies in society.²⁷

Further, the motivating factors to undertake pro bono work may also be categorised as intrinsic or extrinsic. Intrinsic motivation can 'be defined as the doing an activity for its inherent satisfactions rather than for some separable consequence.'²⁸ Within the context of pro bono work, those who undertake such work due to their own 'personal characteristics, values and attitudes'²⁹ are intrinsically motivated. Extrinsic motivation 'is a construct that pertains whenever an activity is done in order to attain some separable outcome.'³⁰ If pro bono work is carried out to improve skills, enhance reputation or for some other reward, this is extrinsically motivated behaviour. Alternatively, extrinsic motivation also encompasses behaviour motivated to avoid adverse consequences such as failing a programme of study if a pro bono requirement is mandated.

Extrinsic motivation has been criticised within education as:

'the more we reward people for doing something, the more likely they are to lose interest in whatever they had to do to get the reward. Extrinsic motivation,

²⁷ See Parker n.26; Deborah Rhode, 'Cultures of Commitment: Pro Bono for Lawyers and Law Students' (1999) 67 *Fordham Law Review* 2415, 2419

²⁸ Richard M Ryan and Edward L Deci, 'Intrinsic and Extrinsic Motivations: Classic Definitions and New Directions' (2000) *Contemporary Educational Psychology* 54, 56

²⁹ Rhode, n.27, 2427

³⁰ *Ibid.* 60

in other words, is not only quite different from intrinsic motivation but actually tends to erode it.’³¹

Within clinical legal education it has been argued that extrinsic motivation is ‘less effective than, and may actually erode, intrinsic motivation.’³² However, the fundamental problem is that ‘intrinsic motivation will occur only for activities that hold intrinsic interest for an individual’³³ and therefore if a student has not previously experienced any form of voluntary work, they may hold no interest in the subject matter. If it is envisaged that law schools can instil a pro bono ethos in students then it is necessary to look beyond intrinsic and towards extrinsic motivation to attract and encourage students to participate and value the activity.

Ryan and Deci posit that ‘[t]his problem is described within [Self-Determination Theory (SDT)] in terms of fostering the *[internalisation] and integration* of values and behavioural regulations.’³⁴ [original emphasis] Organismic Integration Theory, a sub-theory of SDT, was ‘introduced to detail the different forms of extrinsic motivation and the contextual factors that either promote or hinder [internalisation] and integration of the regulation for these [behaviours].’³⁵ The OIT taxonomy can be visualised at *Fig.1* below.

³¹ Alfie Kohn, ‘How Not to Teach Values: A Critical Look at Character Education’ (1997) Phi Delta Kappan Available at <http://www.alfiekohn.org/article/teach-values/?print=pdf>

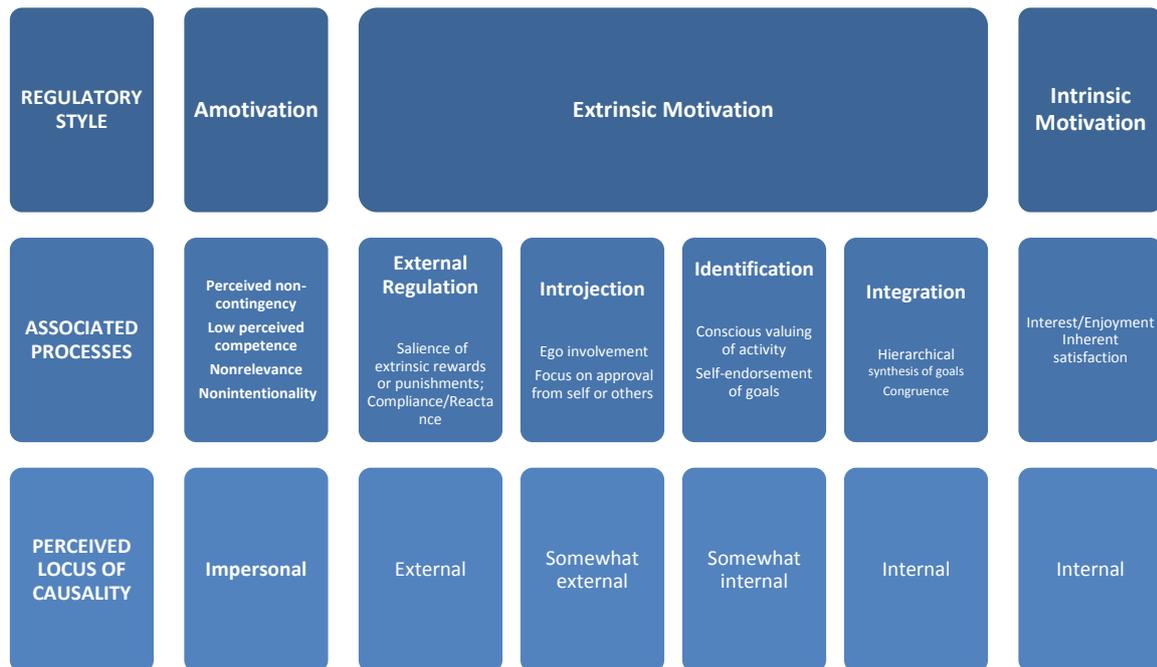
³² Donald Nicolson, ‘Education, Education, Education: Legal, Moral and Clinical’ (2008) 42:2 Law Teacher 145, 154

³³ Ryan and Deci, n.28, 59

³⁴ *Ibid*, 60

³⁵ *Ibid*, 61

Fig.1 A taxonomy of human motivations³⁶



Extrinsic motivation can be categorised as:

- *External regulation*
Action performed due to an external demand or to obtain an external reward³⁷
- *Introjected regulation*
Actions performed with a feeling of pressure in order to avoid guilt or anxiety or to attain ego-enhancements or pride³⁸
- *Identification*
Person identifies the personal importance of the regulation and therefore accepts it as their own³⁹
- *Integrated regulation*
Fully assimilate identified regulations to the self through self-examination and alignment with other values and needs⁴⁰

³⁶ Drawn from Ryan and Deci, n.28, 61

³⁷ Ryan and Deci, n.28, 61

³⁸ Ibid, 62

³⁹ Ibid

⁴⁰ Ibid

Within the context of pro bono work, as identified earlier, students may be motivated to undertake such work for a variety of reasons. If students conduct mandatory pro bono work, or if the work is performed for assessment purposes, this is an example of external regulation and therefore the behaviour is perceived as controlled and lacking autonomy. However, if students engage in pro bono work because they recognise it will enhance their legal skills and improve their employability, they will identify with the value of the activity in relation to their own career objectives. If this is taken a step further, and through reflection, the value of pro bono work is brought into congruence with the student's other values and needs, then the pro bono work becomes assimilated and extrinsically motivated actions become autonomous and self-determined. Whilst the student may originally become exposed to pro bono work because it is mandated, or they wish to achieve a good grade, they may then experience the intrinsic value of the work in itself thus shifting their own values. For example, Quigley, drawing upon the work of Mezirow, posits that educators can utilise the phenomenon known as the 'disorientating moment' where the student is exposed to a disorientating or disturbing experience to transform their 'societal and personal beliefs, values and norms.'⁴¹

There are very few reported empirical studies asking students what motivates them to conduct pro bono. Combe, with reference to the Aberdeen Law Project, reports that '[t]he highest ranking reason for joining was for experience, followed by social justice

⁴¹ Fran Quigley, 'Seizing the Disorientating Moment: Adult Learning Theory and Teaching Social Justice in Law School Clinics' (1995) 2 *Clinical Law Review* 37, 51-56

and skills development...social justice was not the primary factor in their joining the volunteer activity.⁴² Nicolson, with reference to the Law Clinic at the University of Strathclyde, reports that 'self-centred reasons' ('To gain useful skills' and 'To put into practice theoretical knowledge') ranked higher than 'altruistic reasons' ('To help others' and 'To increase access to justice') as the reason for wanting to join the clinic.⁴³ However, those students 'who successfully completed the rigorous selection process seemed far more motivated by altruism in their decision to apply for membership compared to general Clinic applicants.'⁴⁴ This is probably explained by the fact students are selected on the basis of their commitment to social justice.⁴⁵

A study by Evans and Palermo into Australian lawyers' values considered pro bono in the context of professional responsibility.⁴⁶ Respondents were fairly equally divided as to whether they would agree to pursue a hypothetical pro bono case.⁴⁷ Of those respondents who would accept the pro bono case, access to justice was ranked as the most important motivating factor for taking on the case. However, this is qualified as 'participants clearly expressed this issue in relation to personal interests

⁴² Malcolm M. Combe, 'Selling intra-curricular clinical legal education' (2014) 48:3 *The Law Teacher* 281, 290 DOI: 10.1080/03069400.2014.965950; See also 'Student Attitudes to Clinical Legal Education' Available at <https://basedrones.wordpress.com/student-attitudes-to-clinical-legal-education/> (accessed 22 September 2016)

⁴³ Donald Nicolson, 'Calling, Character and Clinical Legal Education: A Cradle to Grave Approach to Inculcating a Love for Justice' (2013) 16:1 *Legal Ethics* 36, 43

⁴⁴ *Ibid*

⁴⁵ Donald Nicolson, "'Our roots began in (South) Africa": Modelling law clinics to maximise social justice ends' (2016) 23:3 *International Journal of Clinical Legal Education* 87, 106

⁴⁶ Adrian Evans and Josephine Palermo, 'Zero Impact: Are Lawyers' Values Affected by Law School' (2005) 8:2 *Legal Ethics* 240

⁴⁷ *Ibid*, 249

and desires rather than mentioning any professional ethics'.⁴⁸ Other motivating factors determining how respondents would act include professional ambition (relating to the high profile nature of the case), employer loyalty (prioritise work for employer) and employment security (if they pursued a case against the will of their employer).⁴⁹

An interesting qualitative study was conducted by Behre into student motivations for pro bono following a tornado that devastated Tuscaloosa, Alabama in April 2011.⁵⁰

Whilst the circumstances of this study are very specific to the events at the time, the findings are useful. Behre reports that students were initially motivated through the 'need to help' and 'as a natural response to the shock of witnessing the tornado's destruction.'⁵¹ '[S]urvivor guilt' and the 'need to give back to the community' were also cited as initial motivating factors to volunteering.⁵² These motivating factors are intrinsic and 'as a direct response to witnessing a natural disaster.'⁵³ However, the student's rationale for their continued volunteer effort provides a good level of insight into student motivation. 'Meaningful volunteer experiences' such as 'personal, meaningful interaction with strangers',⁵⁴ organisation,⁵⁵ 'opportunities for students to

⁴⁸ Ibid, 250

⁴⁹ Ibid

⁵⁰ Kelly Alison Behre, 'Motivations for Law Student Pro Bono: Lessons Learned from the Tuscaloosa Tornado' (2012-2013) 31 Buffalo Public Interest Law Journal 1

⁵¹ Ibid, 28

⁵² Ibid, 29

⁵³ Ibid

⁵⁴ Ibid, 30

⁵⁵ Ibid, 31

use their professional training’,⁵⁶ and the opportunity to gain ‘new legal knowledge and skills’⁵⁷ were all cited as motivating factors. Behre however notes that ‘[s]tudents in general were more concerned about how they could help people and less concerned about how the experience would benefit them.’⁵⁸ Finally, ‘membership in the community’ was also cited as a motivating factor for volunteering and the students ‘valued the experiences they had connecting to people from diverse backgrounds.’⁵⁹

Methodology

Law students at Northumbria University were invited to enter an essay competition entitled ‘Pro Bono: What’s in it for law students?’ The writer of the winning essay was awarded £125 voucher and the publication of their essay in the *International Journal of Clinical Legal Education*.⁶⁰ A representative of the *International Journal of Clinical Legal Education* adjudicated the competition. The students were not provided with any guidance as to the definition of ‘pro bono’ and therefore the essays reflect the students’ own interpretation of this term. Further, the competition was open to all law students at Northumbria University regardless of whether they had any pro bono or clinical legal education experience. This is not a comparative study, merely a study considering the student perspective. The essays were analysed using NVivo software.

⁵⁶ Ibid, 34

⁵⁷ Ibid

⁵⁸ Ibid

⁵⁹ Ibid, 34-38

⁶⁰ The decision was also taken to publish three High Commended essays at the conclusion of the competition. The writers of these essays also received a voucher to the value of £25.

The competition was arguably subjective; no criteria was set to determine the winning essay. This was deliberate to encourage honest views as to the motivating factor for undertaking pro bono work. The decision was taken to avoid pre-defined criteria as this may have resulted in essays becoming formulaic.

What the students say:

The essays reveal that the reasons students believe they should undertake pro bono work are varied.

The article will explore the various reasons and motivations for undertaking pro bono work in more detail below. Before these reasons and motivations are considered, I will first look at the students' understanding of pro bono.

Understanding Pro Bono

As stated above, there is no settled definition of pro bono work and this article is not intended to consider what type of work should or should not be included. Further, it is beyond the scope of this article to consider whether clinical type activities fall within the definition. Pro bono is shortened from the Latin term 'pro bono publico' meaning 'for the public good'. There is no requirement, at face value, for the work to be carried out for a particular group or individual, or indeed without charge, for it to be classified as pro bono. However, it is typically expected that work will only qualify as pro bono

work if it is carried out for free and on behalf of individuals, charities and community groups who cannot afford to pay for advice and representation.⁶¹

The consensus amongst the students is that pro bono work should be carried out for low income and vulnerable members of society with statements such as:

“at its most primal level pro bono work protects those who do not have the financial means to benefit from the legal system.”⁶²

and

“[p]ro bono operates with the aim of protecting those who are most vulnerable in society, whom are in need of legal representation and cannot afford it.”⁶³

Further, it is also apparent that the students recognise pro bono work as an innate part of the legal profession stating:

“As future custodians of the legal profession, law students should embark on pro bono as it reflects the core values of justice.”⁶⁴

One student however recognised that there is a conflict within the legal profession between the Government (or the State) and the profession’s responsibility to ensure access to justice stating:

⁶¹ See for example The Law Society, The Joint Pro Bono Protocol for Legal Work Available at <http://www.lawsociety.org.uk/support-services/practice-management/pro-bono/the-pro-bono-protocol/> (accessed 15 September 2016); ⁶¹ American Bar Association, ABA Model Rule 6.1 Available at http://www.americanbar.org/groups/probono_public_service/policy/aba_model_rule_6_1.html (accessed 15 September 2016)

⁶² Essay 4

⁶³ Essay 2

⁶⁴ Essay 5

“the Government proposed that pro bono could fill the void left by the withdrawal of funding. Many in the profession attacked this notion as fanciful. However, to ignore such a notion would be ultimately unwise. It is clear there is mounting pressure on all entering the profession to complete their fair share of pro bono work.”⁶⁵

There is also explicit recognition that pro bono work is carried out for reputational advantage, in other words, for tactical reasons.

“[Pro bono] also operates to support the reputation of the profession overall. Lawyers are required to uphold public confidence in the [profession] and pro bono work works to dispel the stereotypes which plague lawyers. It promotes the idea that [lawyers] are not here to charge extortionate fees, but are actually here to provide a public service. Pro bono work shows a clear dedication to the law for the right reasons, a desire to help people and an interest in the law, regardless of the time or effort they may have to expel in the process.”⁶⁶

The essays suggest that students understand pro bono to be an important aspect of the legal profession and further, it involves working for the benefit of vulnerable and indigent clients thus supporting access to justice. The students demonstrate that whilst there are conflicts arising as to where the responsibility lies for ensuring access to justice, there is recognition that the legal profession shares that responsibility.

⁶⁵ Essay 4

⁶⁶ Essay 6

Further, the legal profession as a whole benefits from pro bono work due to the positive image it portrays.⁶⁷

Why should students undertake pro bono?

We can broadly categorise the reasons cited by the students for undertaking pro bono as:

- Public service
- Skills
- Employability
- Networking
- Experience
- Satisfaction⁶⁸

There are areas of natural overlap in the reasons cited by the student. For example, enhancing skills and experience are likely to improve employability. However, within the analysis, the focus has been on the primary motivating factor.

- *Public Service*

Public service was the only reason cited by every student as a reason to undertake pro bono work. However the weight given to public service among the essays varied

⁶⁷ Although see Gary A. Hengstler, 'Vox Populi - The Public Perception of Lawyers: ABA Poll' (1993) 79 A.B.A. Journal 60, 62 which reports that 'minorities, the unemployed, members of low-income households, and adults under 30 were the most likely to feel favourably towards lawyers'

⁶⁸ The reasons cited by the students for undertaking pro bono work accord with reasons cited by Parker. See n.26

considerably. Whilst one student devoted over half their essay to public service, other students merely acknowledges the public service ethos and instead concentrates their essay on the benefits to the individual:

“Whilst the case for the utility of pro bono for the aggrieved has been made extensively, this essay considers how the volunteers may benefit themselves in the process.”⁶⁹

The essays support the notion that law students see themselves as part of the wider community saying, for example, that:

“by participating in pro bono work, law students contribute constructively to the community around them in a most unique way.”⁷⁰

It may be questioned as to how engagement with the wider community is a benefit to the student. In response to this question, the law school is about more than teaching students’ knowledge and skills; indeed it is a ‘professional socialization experience’.⁷¹ This wider role is also recognised by The Quality Assurance Agency for Higher Education (QAA) in the United Kingdom in setting out benchmark standards to describe a law student’s skills and qualities of mind. The QAA states that a graduate of law with honours is expected to have demonstrated, amongst other things, an ‘awareness of principles and values of law and justice, and of ethics’ and a ‘knowledge and understanding of theories, concepts, values, principles and rules of public and

⁶⁹ Essay 8

⁷⁰ Essay 4

⁷¹ James L. Baillie and Judith Bernstein-Baker, ‘In the Spirit of Public Service: Model Rule 6.1, the Profession and Legal Education’ (1995) 13:1 Law & Inequality 51, 67

private laws within an institutional, social, national and global context'.⁷² Engagement with the wider community fulfils this wider role for the law school by providing the student with a 'professional socialization experience' and facilitating their understanding of the role of law within the 'institutional, social, national and global context'.

Through exposure to a wide variety of people, especially those from backgrounds that the students may not have ordinarily been exposed to, the student becomes a more rounded individual and thus develops as a professional. This is explained by one student as follows:

"Clients that students experience in [p]ro [b]ono work tend to come from a variety of social backgrounds. This helps to break down any unconscious social bias they may have, to ensure that in practice they approach each case with an open mind and with the necessary social awareness and empathy required of a lawyer. Working in [p]ro [b]ono work prior to going in[to] practice helps students to develop as lawyers whose primary concern is to help their clients rather than being purely motivated by money and career advancement."⁷³

There is further recognition within the essays that this engagement with the community can place the law into context for the student and add perspective to their aspirations as a lawyer that is unachievable in the classroom environment. For

⁷² QAA, 'Subject Benchmark Statement: Law' (2015) Available at <http://www.qaa.ac.uk/en/Publications/Documents/SBS-Law-15.pdf> (accessed 28 June 2017)

⁷³ Essay 12

example, Baillie and Bernstein-Baker considered a number of studies and concluded that merely including discussions on the need for pro bono in a classroom setting would not have an effect on student attitudes.⁷⁴ It is therefore important for students to experience pro bono so they can therefore feel the intrinsic benefit of pro bono work, a notion summarised as follows:

“It is imperative to understand that the benefits of [p]ro [b]ono are not limited to professional applications; legal involvement within the community allows one to make meaningful contributions to those in need, and in doing so allows the student to appreciate the “vital role the law plays.” Legal [s]ervice has been denoted as being “unaffordable and out of reach.” The common view held is that “one of the most perplexing facts about our perplexing legal market is its failure to provide affordable services for just about anyone but the rich and corporations.” Thus, by providing legal aid to those who lack financial stability, the student is able to experience “intrinsic morale” and self-worth, something that all lawyers must be familiar with, and something that extends beyond the walls of the classroom.”⁷⁵

The students’ also demonstrated awareness that the altruistic value of pro bono work also improved the often-tarnished reputation of lawyers and therefore whilst the work

⁷⁴ Baillie and Bernstein-Baker, n.71, 64

⁷⁵ Essay 11

is of benefit to the wider community, it is also of benefit to the legal profession as a whole.⁷⁶ This is illustrated as follows:

“Lawyers are often branded with a reputation of arrogance and elitism. However, this does not stand well when those who are in need of legal help cannot access it, when [l]egal [a]id has been cut so drastically in the last 3 years. Therefore, the English [l]egal[s]ystem relies upon [pro bono] work to not only erode this stereotype, but to show that lawyers and law students alike, can show compassion by working on cases for free.”⁷⁷

- *Skills*

Ten of the students referred to skills development within their essays as a reason to undertake pro bono work.⁷⁸ Both legal and personal skills can be developed as summarised below:

“It allows [students] to develop vital, practical legal skills (eg. advocacy, legal research, interviewing), as well as other relevant ones such as personal organisation, presentation and teamwork (useful in a legal working environment)”⁷⁹

There is also a distinct overlap between the development of skills through pro bono work and other motivating factors. Through the utilisation of lawyering skills,

⁷⁶ For example, the Australian Pro Bono Manual explicitly cites ‘reputation’ as a benefit of pro bono work. (Australian Pro Bono Centre and Victoria Law Foundation, ‘The Australian Pro Bono Manual’ (2005) 1.4)

⁷⁷ Essay 2

⁷⁸ Earlier research suggests that students valued the personal benefits of pro bono such as skills development. See McKeown, n.23, xxvii

⁷⁹ Essay 3

students are able to experience what it is like to work as a lawyer in practice,⁸⁰ to gain confidence that they have the requisite ability and provided validation for their chosen career path:

“The skills developed in [p]ro [b]ono legal practice are invaluable to the pursuit of a career as a practicing lawyer. Almost every role within the front line services of the legal profession requires basic abilities in client and case management. The focus on techniques such as interviewing, legal writing, organisation, and management of the expectations of client qualify students perfectly to move forward in their legal career. Not only does the development of such skills help undoubtedly benefit students going into practice, but in my own experience provides the confidence to embark on that course. I for one can say that prior to my experience in [p]ro [b]ono legal work [I] certainly [was not] confident in pursuing a career as a lawyer. However in developing these skills and confidence, and engaging in [first-hand] experience working as a trainee solicitor, albeit in a [p]ro [b]ono setting, verified the enjoyable and exciting nature a career as a lawyer presents.”⁸¹

It is important that we do not under-estimate the role of the supervisor within the learning process. Within the context of clinical legal education, Cozens states that the ‘supervisor is possessed with the ability to place the student’s experiences into a

⁸⁰ See also Pam Feinstein, ‘Gain Experience through Pro Bono’ (2012) 29:1 GPSolo 17; Dina R. Merrell, ‘Pro Bono, Pro You’ (2001) 29:7 Student Lawyer 39

⁸¹ Essay 12

coherent learning structure so that they make sense to the student.’⁸² There is an appreciation of this from one student who states:

“Pro bono volunteers are generally supported and supervised throughout their volunteering enabling them to receive feedback for self-development.”⁸³

This is further supported through students reflecting as an important part of this development:

“[U]ltimately it provides an opportunity for students of law to reflect upon their own weaknesses and strengths, to better their own legal skills, to engage with real clients”⁸⁴

In enabling this self-development, there must be clear boundaries as to the role of the supervisor. Cozens sets out two levels of supervisor intervention; the first is guidance thus allowing the student to act in the role of the lawyer and accept responsibility for that role; the second is direct intervention whereby the supervisor will replace the student’s control of the situation.⁸⁵ The latter intervention meant there is little educational value in the experience.⁸⁶ Whilst the supervisor is important within the student’s educational development, the student must assume responsibility for their own learning.

⁸² Michael Cozens, ‘Clinical Legal Education: A Student Perspective’ (1993) 2 Dalhousie Journal of Legal Studies 201, 226

⁸³ Essay 5

⁸⁴ Essay 9

⁸⁵ Cozens, n.82, 231-232

⁸⁶ Ibid, 233

- *Experience*

As cited earlier, a significant motivating factor to undertake pro bono work is the experience of practise.⁸⁷

“The ideals of [pro bono] give students the fundamental opportunity to experience the expectations of a prospective lawyer”⁸⁸

There is also a perception that the experience afforded by pro bono work is different to any other experience a law student may have through their university career. The students stated that the practise of law is different to how it is taught in the classroom. Further, the experience is more beneficial than work experience within a law firm as it is hands on.

“There is a definitive difference between being taught the law and practicing the law. Any opportunity in which you can use the knowledge you have been taught, and putting this in to practice, will always be beneficial. Working on a [pro bono] basis is unlike any mini-pupillage or vacation scheme. You are not pushed aside and left to shadow the lawyers that are working on the case, but you yourself are involved. You have a legal duty to your client. You are responsible for your client. Working a case on a [pro bono] basis creates a strong platform for a future legal career.”⁸⁹

⁸⁷ See n.80

⁸⁸ Essay 11

⁸⁹ Essay 2

“The bridge between the way the law is taught at an academic level and the way the law works in reality is a very important distinction for students. Pro bono provides a degree of realism that no work experience can replicate, and is arguably a better introduction than anything preceding a [t]raining [c]ontract or [p]upillage.”⁹⁰

Further, the students also perceive that pro bono work will help them stand out from the crowd.

“To the careerist, it offers necessary work experience to compliment applications for training contracts and pupillages. With attrition rates for career progression being as gruelling as ever (most notably in the case of the bar), pro bono work offers the aspiring lawyer a chance to apply their academics to real problems. In the current recruitment climate, work experience and a commitment to the legal profession has become a pre-requisite, not a bonus. Fortunately, pro bono work offers both, and is a valuable asset to any pragmatic law student.”⁹¹

On a final note regarding experience, some of the students cited personal experience of engaging in pro bono work and the effect it has had on them. For example, one student stated:

“having engaged with my [University’s] [pro bono] clinic...alongside volunteering at the Citizens Advice Bureau, the importance and value of [pro bono] work for the modern day law student cannot be stressed enough. The benefits are two-fold, first and foremost, the wealth of experience that a student can gain through practical work is incomparable

⁹⁰ Essay 6

⁹¹ Essay 8

to that of regular modular studies, secondly, engaging with [pro bono] work whether through a clinic or indeed volunteering, not only has the ability to give a law student a humbling experience, but also an appreciation for the legal sector and perhaps further motivation for the students own career.”⁹²

The student goes on to state:

“Aside from the practical experience that [pro bono] work can provide, I believe it a great way in which to instil a sense of ethics and appreciation of the client-solicitor relationship from an early stage. Both the [pro bono] clinic and the Citizens Advice Bureau allowed me to engage with those who would not normally be able to receive legal advice and as a result, I was fortunate enough to experience the appreciation projected from those that I was helping.”⁹³

It is possible that this experience can be created through the provision of a university based law clinic as summarised by another student:

“Speaking as a product of Northumbria University’s Exempting Law Degree and [having] worked in their prestigious Student Law Office the benefits of [p]ro [b]ono are benefits that I have experienced personally. My resounding support for [p]ro [b]ono legal work therefore comes from experience.”⁹⁴

⁹² Essay 9

⁹³ Essay 9

⁹⁴ Essay 10

- *Employability*

As discussed above, experience through pro bono work can also enhance employability. Students made frequent references to the opportunity to build their CV:

“Pro bono work is invaluable to the CV of any law student, and is quickly becoming a necessity rather than an addition. It is not difficult to see why. Pro bono work provides hands-on experience with real life clients, cases and legal processes. If a candidate can demonstrate a proven ability for the kind of tasks which would be assigned to them during employment, then half the battle is already won.”⁹⁵

Further, another student considered the issue of pro bono from the perspective of potential employers and satisfying their own pro bono initiatives:

“More and more law firms see the need for pro bono work and expect their lawyers to contribute. Why wait until it’s expected of you? Impress them by having made a start on your own initiative”

Whilst the students suggest that pro bono will assist them in securing employment, interestingly, graduate recruitment is also cited as a reason for law firms to have pro bono programmes. The Law Society of England and Wales report that:

‘New graduates expect much more than just a healthy remuneration package and good career prospects; many law firms report that students being interviewed for vacation

⁹⁵ Essay 1

*schemes ask detailed questions about their firm's pro bono programme and the opportunities available to them.*⁹⁶

It appears that law firms, in part, will offer a pro bono programme to attract high-calibre graduates while students will undertake pro bono opportunities to secure employment. This suggests that pro bono capacity is potentially increased by both law firms and students desire to stand out to each other.

- *Academic*

Four of the students identified enhancing a student's academic understanding of the law as a motivating factor to undertake pro bono work.⁹⁷ The theme of this motivation is that pro bono work improves their academic understanding of the law by placing it into context as shown in the quote below:

“Academics have long discussed the ramifications of graduates that are technically sound in knowledge of the law itself and the procedural steps that accompany statute, but could not begin to understand the effects on a client of the application of said statute. For example, you may understand that an application can be made under Section 33 of the Family Law Act 1996 for an Occupation Order but until you have met the client who happens to be a victim of domestic violence, who fears for the safety of her children and

⁹⁶ The Law Society of England and Wales, 'Pro Bono Manual: A practical guide and resource kit for solicitors' (2016); See also Australian Pro Bono Centre, n.76

⁹⁷ See McKeown, n.23, xxix. Students also reported benefiting from a better academic understanding of the law

understood how this application will affect this whole [family's] life you cannot truly believe yourself to be educated in that area of law.”⁹⁸

There was also an appreciation from these students that the academic law can be different to the practical law with one student stating:

“[Although] it’s easy to get lost in the intricacies of implied terms and the construction of contracts, practical law is often very different to academic law. Therefore, for the enthusiast, exposure to real cases and the ability to assist and advise both collaboratively and autonomously is an excellent learning tool and will invariably help cement essential legal principles in the context of tangible problems.”⁹⁹

- *Satisfaction*

Personal and job satisfaction is often cited as a reason to undertake pro bono work. There is an inherent satisfaction in doing a good deed and doing a good job for someone. Dinovitzer and Garth report that engaging in some pro bono work provided a sense of satisfaction for respondents although more pro bono hours significantly decreased satisfaction.¹⁰⁰ This supports the notion that doing some altruistic work is beneficial but doing too much may have a negative impact on the individual. It is

⁹⁸ Essay 10

⁹⁹ Essay 8

¹⁰⁰ Ronit Dinovitzer and Bryant G. Garth, ‘Pro Bono as an Elite Strategy in Early Lawyer Careers’ in *Private Lawyers and the Public Interest: The evolving role of pro bono in the legal profession* (Robert Granfield and Lynn Mather eds. 2009),

suggested that this negative impact may be as a result of too little paying work within the law firm or a 'lack of fit' between the pro bono and the business.¹⁰¹

Satisfaction was also cited and appeared to be a strong motivating factor by six of the students in their essays with one student saying:

*"Law students are rewarded and paid in the sense of job satisfaction. The payment is the feeling you get knowing that you have been able to help someone. Knowing that you are able to put what you have learnt in to practice. Knowing that if you can successfully handle a [pro bono] case, you can be successful when you graduate"*¹⁰²

Further, one student reflects upon the often-perceived burden of pro bono work and the hardships faced by law students stating:

*"For those that live and love the law, pro bono does not burden the volunteer with having to work; it gifts them with getting to work. It allows the long hours spent in the library, the years of debt following extortionate professional qualification fees, and the mountain of extra-curricular obligations required to succeed as a lawyer to be mere afterthoughts for the student."*¹⁰³

Whilst personal satisfaction may be a highly influential factor motivating students to undertake pro bono, the impact of the work must also be borne in mind. It must be remembered that students have other commitments, whether this be on their programme of study or outside of the university. Further, any pro bono programme

¹⁰¹ Ibid

¹⁰² Essay 2

¹⁰³ Essay 8

to complement the students' studies and thus provide a fit and therefore maintain anticipated satisfaction.

- *Networking/Professional Relationships*

Pro bono programmes will often bring students into contact with other members of the legal profession. This contact can be categorised as a benefit to the student.¹⁰⁴ This may be due to collaboration between the university and an external law firm. Alternatively, students may liaise with opposing lawyers in relation to their case. Two students highlighted that pro bono work can result in the development of professional relationships although the perception was be of personal benefit to the student. Whilst not explicit in the comment below, it is likely to mean that the student can utilise the contact to enhance future employment prospects for example:

*"[L]inks can be established with important legal organisations. As a law student, it is important to establish as many contacts as possible and pro bono work provides a fantastic opportunity to create meaningful relationships which may prove useful in the future."*¹⁰⁵

¹⁰⁴ Harry S. Margolis, 'The Elder Law Clinic' in The ElderLaw Portfolio Series Release #43 (Harry S. Margolis, Christine J. Vincent. Esq, and Daniel Waltz eds 2013) 1B-13

¹⁰⁵ Essay 1

Discussion

Limitations

As with all studies, the conclusions of this study are subject to its limitations. In particular, this was a small-scale study considering the opinions of students based at a one university. It is likely that the students who participated in the study had a predisposition to pro bono and altruistic behaviour, thus were interested in the subject matter of the study. However, the incentive of a prize may have mitigated this factor and attracted the views of those individuals who are more extrinsically motivated. However, I suggest we can learn from the students and assist in the development of future pro bono programmes.

Student Motivations

The students who participated in this study clearly demonstrated mixed motivations for undertaking pro bono work. Whilst many of the motivations were for personal benefit such as enhancing their skills, knowledge and employability, there was also recognition amongst all the students that pro bono work has wider social benefits including the promotion of access to justice and enhancing the community in which they live. One student expressed this as follows:

“Pro Bono work operates to defend the vulnerable in society...[t]his alone means pro bono is well worth the time and effort for students, regardless of the useful personal skills and confidence they will also develop in the process.”¹⁰⁶

Whilst another student stated:

“You may be able to do some good, and that will be of benefit to you as well as society: we all have to play in social responsibility”¹⁰⁷

There is a link between the students cited motivations for undertaking pro bono work and Adult Learning Theory. As such, there is a theoretical basis as to why the provision of pro bono opportunities in law schools will enhance student skills, legal knowledge and consequentially, employability. Pro bono work is therefore an educational experience for the students.

Firstly, it is necessary to engage the students in the culture of pro bono work, recognising that the motivation for each student will be different. As such, perhaps there we should not isolate individual motivators but instead recognise the holistic nature of motivation. The Andragogical Model assumes that adults, when undertaking to learn something on their own, will invest considerable time into investigating the benefits of the activity.¹⁰⁸ As educators, we can draw the student’s

¹⁰⁶ Essay 6

¹⁰⁷ Essay 7

¹⁰⁸ Malcolm S. Knowles, Elwood F. Holton and Richard A. Swanson, ‘The Adult Learner: The Definitive Classic in Adult Education and Human Resource Development’ (2012) 7th Edn Routledge Oxon 63; see also Frank S. Bloch, ‘The *Andragogical Basis of Clinical Legal Education*’ (1982) 35:2 *Vanderbilt Law Review* 321 for discussion on application of Adult Learning Theory to clinical legal education

attention to an array of benefits that they can evaluate and align with their own objectives. Further, if a student opts to undertake pro bono work, they will feel a sense of autonomy thus aligning with the notion of 'self-concept'.¹⁰⁹ Knowles et al. state that '[t]he minute adults walk into an activity labelled "education," "training," or anything synonymous, they hark back to their conditioning in their previous school experience, put on their dunce hats of dependency, fold their arms, sit back, and say "teach me."¹¹⁰ Through engagement in pro bono activity, students are engaged in self-directed learning and less likely to resent or resist the learning activity.

The pro bono experience in itself aligns with the Androgical Model as the emphasis 'is on experiential techniques – techniques that tap into the experience of the learners.'¹¹¹ Students also develop a 'readiness to learn'¹¹² because they are dealing with real life legal problems that require them to seek out and assimilate the relevant knowledge and skills.

Adults also have a life-centred orientation to learning and therefore learn 'new knowledge, understanding, skills, values and attitudes most effectively when they are presented in the context of application to real-life situations.'¹¹³ Assisting a pro bono client with a real legal problem will therefore assist student in acquiring legal

¹⁰⁹ Ibid

¹¹⁰ Ibid, 64

¹¹¹ Ibid

¹¹² Ibid, 65

¹¹³ Ibid, 66

knowledge and skill but also will influence their values and attitudes through exposure to new people and situations.¹¹⁴

Finally, the most important motivators for adult learning are ‘internal pressures’ such as a desire for increased job satisfaction and self-esteem.¹¹⁵ We can see that the students are exhibiting such motivation.¹¹⁶

The question then becomes how we capitalise on these motivations to instil a culture of pro bono and volunteering within the law school whilst providing a rewarding educational experience for the students.

Pro bono in law school

As outlined above, Adult Learning Theory means there is an educational basis for incorporating pro bono programmes in law schools. However, it is important that such programmes are well designed to engage students and achieve the desired outcomes.

Extrinsic motivation means that students are likely to engage with the programmes. The students value the skills development, the experience that they will acquire and, as a consequence the enhanced employability. The supervision of the programme and the students are important to ensure that students achieve the learning outcomes, and

¹¹⁴ For example, Behre, n.50; Maresh, n.24; Schmedemann, n.24

¹¹⁵ Knowles, n.108, 67

¹¹⁶ See n.102 and n.103

do not become merely observers but are responsible within the role of a lawyer creating an environment of autonomy and self-directed learning.

It is also important that pro bono programmes expose students to new people from different backgrounds. Intrinsically, students often value meeting strangers and this has the potential to create the 'disorientating moment'. Again, through guidance from their supervisor, students can reflect upon the situation, challenging their own perceptions of the world. Through such self-examination, students can achieve 'integration' on the 'taxonomy of human motivation' and internalise thus an extrinsically motivated experience will hold intrinsic interest.

Conclusion

We do not have the necessary evidence to draw any conclusions as to whether students will become intrinsically motivated to engage in public service after university as a longitudinal study would be required. However, on a theoretical basis, there is evidence to suggest that students can be extrinsically motivated to engage. Through mere experience, some students may experience the inherent satisfaction of pro bono activity and therefore wish to continue. Others however may 'identify' the personal importance of the activity through an appreciation of its application to their own life and career goals, thus beginning the process of internalisation. As educators we can guide our students through the reflective process, help them make sense of their experiences and integrate the pro bono experience with their sense of self. Whilst the students are still extrinsically motivated, the perceived locus of causality will

become more internalised thus, hopefully, instilling a continuing commitment to pro bono work in the future.

There are numerous reasons why students may wish to undertake pro bono work whilst at law school. Of these, experience is a highly influential factor as it not only provides a strong extrinsic motivation to participate in pro bono work initially, but the pro bono experience may also facilitate a deep intrinsic motivation to continue with the work into the future. Through experience, students can develop skills and improve their employability but they can also feel the inherent satisfaction of helping others and making a difference.

The development of pro bono initiatives in law schools benefits students personally and the students recognise this. Pro bono schemes will also benefit the community through the assistance offered by the students whilst engaging in the programme. As such, the University may also benefit from an enhanced reputation amongst the student body and the wider community.

As a consequence of providing pro bono programmes, students may reflect upon their experience and assess their own values and attitudes towards society, which may have a transformative impact upon their lives and their continuing participation in such as activity. However, to achieve this, the students must be provided with not only the experience but also the ability to reflect upon that experience.