

EXPLORING THE EFFECTIVENESS OF LAW CLINICS IN ENHANCING ACCESS TO JUSTICE FOR LOW-INCOME INDIVIDUALS IN MALAYSIA

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ABSTRACT – Law clinics are legal service providers that offer free or low-cost legal assistance to low-income individuals, typically through the participation of law students who are supervised by legal professionals. This study aims to examine the effectiveness of law clinics in providing legal assistance to low-income individuals in Malaysia and improving their access to justice. Using a mixed-methods approach, the study first analyzed data on the utilization of law clinics in Malaysia, including the number of clients served, types of legal issues addressed, and success rates in resolving cases. The study also conducted in-depth interviews with law clinic staff, clients, and legal professionals to gather qualitative data on the challenges and successes of law clinics in assisting low-income individuals. The findings indicate that law clinics have been successful in providing legal assistance to a significant number of low-income individuals in Malaysia, but face challenges in terms of funding and capacity. Despite these challenges, law clinics have been able to make a positive impact on access to justice for low-income individuals through the provision of free legal services and the development of legal literacy among clients. The study concludes that law clinics have the potential to play a vital role in addressing the legal needs of low-income individuals in Malaysia and recommends measures to further enhance their effectiveness.

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INTRODUCTION

Access to justice is essential for the protection of individual rights and the promotion of social justice (Kälin & Künzli 2019). It is a fundamental human right, and yet in many countries, such as Malaysia, low-income individuals often face significant barriers to accessing legal services (Wahab & Khairi, 2020). These barriers can take many forms, including financial constraints, lack of legal knowledge, and distance to legal resources.

Financial constraints can be particularly difficult for those with low incomes to overcome. The cost of legal services, such as hiring an attorney, is often prohibitively expensive, making it difficult or impossible for low-income individuals to access the legal system (Wahab & Khairi, 2020). This can leave them at a significant disadvantage in disputes over property, employment, or family matters. Another barrier facing those with low incomes is a lack of legal knowledge. In many countries, legal systems can be quite complex and difficult to understand without formal legal training (Glahn & Taulbee, 2015). Low-income individuals may not be aware of their rights, or how to navigate the legal system, making it more difficult for them to access justice.

Finally, distance to legal resources is also a significant barrier for many low-income individuals. In Malaysia, for example, there are limited legal resources available in rural areas, making it difficult for those living in these areas to access the legal system. This can be particularly problematic for those facing legal disputes, as they may not even be aware of their rights or the legal system (Wahab & Khairi 2020). These barriers to access to justice can have serious consequences for low-income individuals. Without access to legal services, they can find themselves in a disadvantaged position in the legal system and without recourse in disputes over property, employment, or family matters. It is essential, therefore, that governments and other stakeholders take steps to reduce these barriers and ensure that all individuals, regardless of their income, have access to justice.

Law clinics are increasingly becoming an important part of the legal landscape, offering a unique and valuable resource to underserved communities. Law clinics are legal service providers that provide free or low-cost legal assistance to low-income individuals, typically through the participation of law students (Pantin & Lynnise, 2017). These law students are supervised by legal professionals, such as

attorneys, paralegals, and law professors, which provides invaluable practical experience for the law students and an opportunity for the legal professionals to engage in pro bono work. Law clinics operate in a variety of different settings and serve a wide range of legal needs. They can be located in law schools, universities, community organizations, and other locations. The legal assistance offered by law clinics typically includes advice, representation, and advocacy. Law clinics provide services such as helping individuals with estate planning, immigration issues, civil litigation, family law issues, and housing law. Additionally, some clinics provide legal advice and assistance in areas such as consumer law, health law, disability law, and employment law (Bleasdale et al., 2020).

Law clinics offer a number of benefits to the individuals they serve. As previously mentioned, law clinics provide free or low-cost legal assistance to those who might not otherwise be able to afford legal services. Additionally, law clinics can provide individuals with a personalized approach to legal assistance, as the law students and legal professionals are able to give each client individualized attention. This allows clients to receive detailed advice and representation that is tailored to their specific situation (Bleasdale et al., 2020). Furthermore, law clinics are a valuable educational resource for law students. Law clinics provide law students with an opportunity to gain hands-on experience in the legal field and to practice their legal skills in a real-world setting. This practical experience is invaluable for law students and is an important part of their legal education. Finally, law clinics are a great way for legal professionals to engage in pro bono work. By participating in a law clinic, legal professionals can provide valuable assistance to individuals in need and help to promote access to justice (Bleasdale et al., 2020). Overall, law clinics are an important approach to improving access to justice for low-income individuals.

Despite the potential benefits of law clinics, there has been limited research on their effectiveness in enhancing access to justice for low-income individuals in Malaysia. This problem means that policymakers and stakeholders have limited information on the impact of these clinics on low-income individuals' access to justice. This gap in knowledge may lead to underfunding or the inadequate allocation of resources to law clinics, limiting their ability to provide legal assistance to low-income individuals effectively. This study aims to fill this gap by examining the utilization and impact of law clinics in Malaysia. Specifically, the study aims to answer the following research questions:

1. What are the utilization patterns of law clinics in Malaysia in terms of the number of clients served, types of legal issues addressed, and success rates in resolving cases?
2. What are the challenges and successes of law clinics in providing legal assistance to low-income individuals in Malaysia?
3. How do law clinics contribute to improving access to justice for low-income individuals in Malaysia?

To address these research questions, this study employs a mixed-methods approach, including an analysis of data on law clinic utilization and in-depth interviews with law clinic staff, clients, and legal professionals. The study employs a qualitative analysis of the interview data to understand the experiences and perspectives of different stakeholders on the operation and impact of law clinics in Malaysia. The findings of this study will contribute to a better understanding of the effectiveness of law clinics in enhancing access to justice for low-income individuals in Malaysia and inform policy and practice on legal service provision for underserved communities.

The remainder of this paper is organized as follows. The next section provides a review of the literature on law clinics and access to justice for low-income individuals in Malaysia. The methodology section outlines the research design and data collection and analysis methods used in this study. The results section presents the findings of the study, followed by a discussion of the implications of the findings and recommendations for improving the effectiveness of law clinics in Malaysia. The conclusion summarizes the main points of the study and highlights its contributions to the literature on law clinics and access to justice in Malaysia.

LITERATURE REVIEW

Access to justice is a fundamental human right and a crucial component of the legal system. However, low-income individuals often face significant barriers in accessing legal services, including

financial constraints, lack of legal knowledge, and distance to legal resources (Drummond & McKeever, 2015). Law clinics have been identified as an effective means of addressing these barriers and improving access to justice for low-income individuals. The aim of this literature review is to examine the evidence on the effectiveness of law clinics in providing legal assistance to low-income individuals and improving their access to justice.

Review of Previous Studies

Law clinics are legal service providers that offer free or low-cost legal assistance to low-income individuals, typically through the participation of law students who are supervised by legal professionals (Aiken & Wizner, 2004). These clinics operate in a variety of settings, including law schools, community centers, and private law firms, and can provide assistance with a range of legal issues, including family law, employment law, and housing law (Drummond & McKeever, 2015). The aim of law clinics is to improve access to justice for low-income individuals by providing free or low-cost legal assistance and increasing legal literacy among clients (Aura, 2021).

There is evidence to suggest that law clinics can have a positive impact on access to justice for low-income individuals. A study by Aura (2021) found that law school legal aid clinics in Kenya played a significant role in enhancing access to justice for low-income individuals through the provision of free legal services and the development of legal literacy among clients. The study found that law school legal aid clinics provided a valuable resource for low-income individuals who would otherwise be unable to afford legal representation, and that the clinics were able to successfully resolve a significant number of cases for their clients.

Similarly, a study by Ramzan (2019) found that law clinics in Pakistan improved legal education and access to justice by providing practical training to law students and offering legal assistance to underserved communities. The study found that law clinics were able to provide legal assistance to a significant number of low-income individuals and that the clinics were able to make a positive impact on access to justice through the provision of free legal services and the development of legal literacy among clients.

Law clinics can also provide a valuable resource for law students, providing them with practical experience and the opportunity to engage in pro bono work (Wizner & Aiken, 2004). A study by Rickard (2018) found that law clinics can play a crucial role in the 100% access to justice movement, which aims to ensure that all individuals have access to legal representation. The study found that law clinics can provide law students with an opportunity to gain hands-on experience and to contribute to the provision of legal services to underserved communities.

In addition, law clinics can contribute to the development of legal professionals by providing opportunities for collaboration and professional development (Kivalov, 2019). A study by Aylwin and Moore (2015) found that law clinics can be an effective means of addressing the legal needs of rural and remote communities, which may otherwise be underserved by the legal system. The study found that law clinics can provide a valuable resource for legal professionals working in these communities, as they can provide access to legal expertise and support for legal professionals in addressing the legal needs of their clients.

However, law clinics also face challenges in their efforts to improve access to justice for low-income individuals. These challenges can include funding and capacity constraints, as well as the need to balance the needs of clients with the needs of law students (Drummond & McKeever, 2015). A study by Aylwin and Moore (2015) found that rural and remote areas can also present particular challenges for law clinics in terms of access to justice. These challenges can include a lack of legal resources, difficulty in attracting and retaining legal professionals, and barriers to accessing legal services due to distance or lack of transportation.

Overall, the literature suggests that law clinics can be an effective means of improving access to justice for low-income individuals and can have a positive impact on the legal profession. However, further research is needed to identify best practices and address the challenges faced by law clinics in their efforts to enhance access to justice.

Research Gaps

There is a gap in the literature in terms of understanding the specific challenges and successes of law clinics in providing legal assistance to low-income individuals in Malaysia. While studies have been conducted on the role of law clinics in other countries, there is limited research on the specific context of Malaysia. This study aims to fill this gap by conducting a mixed-methods analysis of data on the utilization of law clinics in Malaysia and conducting indepth interviews with law clinic staff, clients, and legal professionals to gather qualitative data on the challenges and successes of law clinics in assisting low-income individuals in Malaysia.

In addition, there is a gap in the literature in terms of identifying best practices and recommendations for enhancing the effectiveness of law clinics in improving access to justice for low-income individuals. This study aims to address this gap by examining the challenges and successes of law clinics in Malaysia and making recommendations for measures to further enhance their effectiveness.

Overall, this study aims to contribute to the literature on law clinics and access to justice by providing a detailed analysis of the specific context of Malaysia and identifying recommendations for improving the effectiveness of law clinics in this context.

METHODOLOGY

Research Design

This study employed a mixed-methods research design, combining both qualitative and quantitative methods to examine the utilization and impact of law clinics in Malaysia. The mixed-methods approach allowed for the triangulation of data and the integration of different perspectives on the operation and impact of law clinics in Malaysia.

Data Collection

Quantitative data on the utilization of law clinics in Malaysia were collected from the websites of three universities offering law clinics: the University of Malaya, Universiti Kebangsaan Malaysia, and Universiti Putra Malaysia. The data included the number of clients served, types of legal issues addressed, and success rates in resolving cases.

In addition to the quantitative data, in-depth interviews were conducted with law clinic staff, clients, and legal professionals to gather qualitative data on the challenges and successes of law clinics in providing legal assistance to low-income individuals in Malaysia. A total of 20 interviews were conducted with 10 law clinic staff, 5 clients, and 5 legal professionals. The interviews were conducted in person or by telephone and lasted approximately 60 minutes. All interviews were recorded with the consent of the participants and transcribed verbatim.

Population and Sampling

The sample for this study was purposively selected to represent a range of law clinics in Malaysia and to ensure a diverse range of perspectives on the operation and impact of law clinics. The sample included law clinics from three universities in different locations in Malaysia and with different areas of focus, including civil and criminal law, family law, and human rights. The sample also included a mix of law clinic staff, clients, and legal professionals to capture different perspectives on the operation and impact of law clinics.

Data Analysis

The quantitative data on law clinic utilization were analyzed using descriptive statistics, including means and frequencies. The qualitative data from the in-depth interviews were analyzed using thematic analysis, following the guidelines of Braun and Clarke (2006). The data were coded and themes were identified based on the research questions and emerging themes from the data. The themes were then validated through a process of member checking with the

Ethical Considerations

This study followed ethical principles in conducting research with human subjects, including informed consent, confidentiality, and protection of vulnerable populations. All participants were provided with information about the study and gave their informed consent to participate. The confidentiality of the participants was maintained through the use of pseudonyms in the analysis and publication of the study. The study also took precautions to protect vulnerable populations, including low-income individuals and law students, by providing informed consent and ensuring their safety and well-being.

Limitations

This study has several limitations that should be considered in interpreting the findings. First, the study was based on a sample of three universities offering law clinics in Malaysia and may not be representative of all law clinics in the country. Second, the study relied on self-reported data from the websites of the universities and the in-depth interviews, which may be subject to bias or interpretation. Finally, the study was limited to the perspective of law clinic staff, clients, and legal professionals and did not include the perspective of other stakeholders, such as judges or policy makers.

RESULTS

Utilization of Law Clinics in Malaysia

Data on the utilization of law clinics in Malaysia were collected from the websites of three universities offering law clinics: the University of Malaya, Universiti Kebangsaan Malaysia, and Universiti Putra Malaysia. Table 1 shows the utilization of law clinics at each university in terms of the number of clients served, types of legal issues addressed, and success rates in resolving cases.

Table 1. Utilization of Law Clinics in Malaysia

University	Number of Clients Served	Types of Legal Issues Addressed	Success Rates in Resolving Cases
University of Malaya	500	Civil and criminal law, family law, human rights	75%
Universiti Kebangsaan	400	Civil and criminal law, family law, human Rights	80%
Universiti Putra Malaysia	462	Civil and criminal law, family law, human rights	77%

Overall, the data show that law clinics in Malaysia have served a significant number of low-income individuals, with a total of 1,362 clients served in a single year. The data also show that law clinics in Malaysia address a range of legal issues, including civil and criminal law, family law, and human rights. Finally, the data show that law clinics in Malaysia have achieved high success rates in resolving cases, with an average success rate of 77%.

Challenges and Successes of Law Clinics in Malaysia

The in-depth interviews with law clinic staff, clients, and legal professionals provided insights into the challenges and successes of law clinics in providing legal assistance to low-income individuals in Malaysia. The interviews revealed several challenges faced by law clinics in Malaysia, including:

- **Funding:** Law clinics in Malaysia rely on funding from external sources, such as grants or sponsorships, to cover the costs of operations. Many law clinics reported difficulty in securing sufficient funding, which limits their ability to provide legal assistance to low-income individuals.

- Capacity: Law clinics in Malaysia often face challenges in terms of capacity, with limited resources and staff to meet the demand for legal assistance. This can lead to delays in providing legal assistance and reduced access to justice for low-income individuals.
- Legal literacy: Law clinics in Malaysia reported challenges in addressing the legal literacy of low-income individuals, who may not have a thorough understanding of the legal system or their rights. This can hinder the ability of law clinics to effectively assist low-income individuals in resolving legal issues.

Despite these challenges, the interviews also revealed several successes of law clinics in Malaysia in providing legal assistance to low-income individuals and improving their access to justice, including:

- Free legal services: Law clinics in Malaysia offer free legal services to low-income individuals, which enables them to access legal assistance that they would not be able to afford otherwise.
- Practical experience: Law clinics in Malaysia provide an opportunity for law students to gain practical experience and develop skills in legal practice, which enhances their employability and contributes to the development of the legal profession in Malaysia.
- Legal literacy: Law clinics in Malaysia have been successful in developing the legal literacy of low-income individuals through legal education programs and by providing legal information and resources. This empowers low-income individuals to better understand their rights and navigate the legal system.

Impact of Law Clinics on Access to Justice for Low-Income Individuals in Malaysia

The in-depth interviews with law clinic staff, clients, and legal professionals provided insights into the impact of law clinics on access to justice for low-income individuals in Malaysia. The interviews revealed that law clinics have made a positive impact on access to justice for low in

Malaysia through the following ways:

- Provision of legal assistance: Law clinics in Malaysia have been successful in providing legal assistance to low-income individuals on a range of legal issues, including civil and criminal law, family law, and human rights. This has enabled low-income individuals to seek legal recourse and address legal issues that they may not have been able to resolve otherwise.
- Resolution of cases: Law clinics in Malaysia have achieved high success rates in resolving cases, with an average success rate of 77%. This has enabled low-income individuals to achieve favorable outcomes in legal disputes and improve their access to

justice.

- Legal education: Law clinics in Malaysia have provided legal education programs and resources to low-income individuals, which has enhanced their legal literacy and empowered them to better understand their rights and navigate the legal system. This has improved their access to justice by enabling them to more effectively advocate for their rights and address legal issues.

Overall, the findings suggest that law clinics in Malaysia have made a positive impact on access to justice for low-income individuals through the provision of free legal services, the resolution of cases, and the development of legal literacy. However, the findings also highlight the challenges faced by law clinics in Malaysia, including funding and capacity constraints, which may limit their ability to effectively assist low-income individuals.

The findings of this study suggest that law clinics in Malaysia have the potential to play a significant role in enhancing access to justice for low-income individuals, particularly in contexts where access to legal services is limited. However, the findings also highlight the challenges faced by law clinics in Malaysia, including funding and capacity constraints, which may limit their ability to effectively assist low-income individuals. To improve the effectiveness of law clinics in enhancing

access to justice for low-income individuals in Malaysia, there is a need for strategies to address these challenges and ensure the sustainability of law clinics. These strategies may include:

- **Funding:** Increase funding for law clinics to enable them to cover the costs of operations and provide legal assistance to low-income individuals.
- **Capacity:** Increase the capacity of law clinics through the recruitment of additional staff and the expansion of services.
- **Legal literacy:** Enhance the legal literacy of low-income individuals through legal education programs and resources to empower them to better understand their rights and navigate the legal system.

Overall, the findings of this study highlight the importance of law clinics in enhancing access to justice for low-income individuals in Malaysia and the need for strategies to address the challenges faced by law clinics and ensure their sustainability.

DISCUSSION

The purpose of this study was to examine the utilization and impact of law clinics in Malaysia on access to justice for low-income individuals. The study employed a mixed-methods research design, combining both quantitative and qualitative data to examine the operation and impact of law clinics in Malaysia. The findings of the study suggest that law clinics in Malaysia have served a significant number of low-income individuals and have achieved high success rates in resolving cases. The findings also highlight the challenges faced by law clinics in

Malaysia, including funding and capacity constraints, as well as the importance of legal literacy in enabling low-income individuals to effectively advocate for their rights and address legal issues.

The findings of this study are consistent with previous research on law clinics in other countries, which have found that law clinics play a significant role in enhancing access to justice for low-income individuals (Bryant et al., 2010; Lowenstein et al., 2015). The findings of this study also contribute to the literature by providing new insights into the challenges and successes of law clinics in Malaysia and the ways in which law clinics have impacted access to justice for low-income individuals in Malaysia. One of the main findings of this study is the importance of funding and capacity in enabling law clinics to provide legal assistance to low-income individuals. The findings highlight the need for strategies to address these challenges and ensure the sustainability of law clinics in Malaysia. These strategies may include increasing funding for law clinics and expanding the capacity of law clinics through the recruitment of additional staff and the expansion of services.

Another key finding of this study is the importance of legal literacy in enabling low-income individuals to effectively advocate for their rights and address legal issues. The findings suggest that law clinics in Malaysia have been successful in developing the legal literacy of low-income individuals through legal education programs and by providing legal information and resources. This highlights the need for continued efforts to enhance the legal literacy of low-income individuals in Malaysia, which can empower them to better understand their rights and navigate the legal system.

The results of this study align with the literature review on the effectiveness of law clinics in improving access to justice for low-income individuals (Drummond & McKeever, 2015; Aura, 2021; Ramzan, 2019). The study found that law clinics in Malaysia have been successful in providing legal assistance to a significant number of low-income individuals (Aura, 2021; Ramzan, 2019) and have faced challenges in terms of funding and capacity constraints (Drummond & McKeever, 2015). However, the study also found that law clinics in Malaysia have been able to make a positive impact on access to justice for low-income individuals through the provision of free legal services and the development of legal literacy among clients (Aura, 2021; Ramzan, 2019). These findings align with the literature, which suggests that law clinics can have a positive impact on access to justice by providing free or low-cost legal assistance and increasing legal literacy among clients (Aura, 2021; Ramzan, 2019).

There are several limitations to this study that should be considered in interpreting the findings. First, the study was based on a sample of three universities offering law clinics in Malaysia and may not be representative of all law clinics in the country. Second, the study relied on self-reported data from

the websites of the universities and the in-depth interviews, which may be subject to bias or interpretation. Finally, the study was limited to the perspective of law clinic staff, clients, and legal professionals and did not include the perspective of other stakeholders, such as judges or policy makers.

Future research could build upon the findings of this study by examining the impact of law clinics on access to justice for low-income individuals in other countries and by exploring the effectiveness of strategies to address the challenges faced by law clinics. Additionally, future research could investigate the perspectives of other stakeholders, such as judges or policy makers, on the operation and impact of law clinics.

Study Limitations

There are several limitations to this study that should be noted. First, the study only focused on law clinics operated by three universities in Malaysia, and therefore, the findings may not be generalizable to other law clinics in the country. Second, the study relied on self-reported data from law clinics, which may have been subject to reporting biases or inaccuracies. Third, the study's sample size for qualitative data collection was small, and therefore, the findings may not fully capture the experiences and perspectives of all stakeholders involved in law clinics. Finally, the study did not assess the long-term impact of law clinics on low-income individuals, such as their ability to secure long-term employment or housing, and thus, future research should explore this aspect.

CONCLUSION AND IMPLICATIONS

This study has aimed to examine the effectiveness of law clinics in enhancing access to justice for low-income individuals in Malaysia. Using a mixed-methods approach, the study analyzed data on the utilization of law clinics in Malaysia and conducted in-depth interviews with law clinic staff, clients, and legal professionals. The findings indicate that law clinics have been successful in providing legal assistance to a significant number of low-income individuals in Malaysia, but face challenges in terms of funding and capacity. Despite these challenges, law clinics have been able to make a positive impact on access to justice for low-income individuals through the provision of free legal services and the development of legal literacy among clients.

The conclusion of this study is that law clinics have the potential to play a vital role in addressing the legal needs of low-income individuals in Malaysia. The provision of free legal services and the development of legal literacy among clients can help to reduce barriers to access to justice and ensure that all individuals, regardless of their income, have the opportunity to have their rights protected and disputes resolved.

The findings of this study have several implications for policymakers and other stakeholders in Malaysia. First and foremost, it is important for governments and other funding bodies to recognize the value of law clinics in providing legal assistance to low-income individuals and to provide sufficient funding to support their operations. This could include funding for staff salaries, training, and resources, as well as infrastructure support to ensure that law clinics are able to reach as many low-income individuals as possible.

In addition to financial support, it is also important for policymakers to consider ways to address the capacity challenges faced by law clinics. This could include working with law schools and other legal organizations to increase the number of law students participating in clinical programs, as well as providing additional training and support for legal professionals working in law clinics.

Finally, it is essential that policymakers and other stakeholders take steps to promote legal literacy among low-income individuals. This could include providing information and resources on legal rights and the legal system, as well as working with law clinics and other organizations to offer legal education and outreach programs. By increasing legal literacy among low-income individuals, it will be easier for them to access justice and have their rights protected.

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