

ANDREW WILLIAMS – REINVENTION FELLOWSHIP

PROJECT REPORT

1. Project Title:

Experiencing Human Rights: Learning through Research

2. Keywords:

Human Rights; Law; Experiential learning

3. Summary:

The underlying rationale of this Project was to provide opportunities for students to achieve a better understanding of human rights, in all their complexity and variety, through experiential research and practice in the community, whether that be local to the University or beyond. Activities on the Project were focused around first, projects involving cooperation with external agencies and second, the development of a module on the Law School LLB curriculum. The main outcome was the establishment of a Centre for Human Rights in Practice (“the Centre”) to coordinate all these student activities and to provide a sustainable focal point for future work by students and staff alike. Although the Fellowship related to activity between January 2006 and January 2008, the Centre has become a permanent fixture in the Law School and recognised by the outside world as an important contribution to the development of human rights practice and learning. This is the most significant achievement of the Fellowship.

4. Activities:

The activities engaged in during the two year life span of the project fell within a number of different sections:

1. student projects
2. curriculum development
3. relationships with outside agencies
4. research
5. construction and promotion of the Centre

1. Student Projects

The most significant achievements during the project term were obtained through the engagement of undergraduate and postgraduate students in the development of human rights programmes in the community. Some of these were more successful than others but all demonstrated the extraordinary enthusiasm and commitment that students brought to their involvement.

The particular initiatives were as follows:

- **Death Penalty Internships**

From the beginning of 2006 until the end of the Project, a network of internships throughout the USA has been established enabling a large number of students to engage in an extraordinary experience. In California, Mississippi, Texas, and Virginia, students have undertaken summer placements with Capital Defenders Officers involved in the defence of those threatened with the death penalty. The project is premised on an anti-death penalty ethos founded on an appreciation of an inviolable right to life. Students are placed for two months in these locations and experience the day-to-day working of an attorney’s office at the forefront of human rights work in the US criminal justice system. They carry out investigations, attend trials, interview jurors, victims, witnesses and perpetrators and undertake legal and social research in the preparation of a client’s defence. An indication of the work and its

impact is reflected in a report by one of the US attorneys regarding Sarah Hishan and her internship in Austin, Texas:

Perhaps the most impressive project Sarah contributed to involved her traveling to a small town in the Panhandle region of Texas to interview 11 of the 12 jurors who had sentenced a man to death. Sarah, along with one other intern, presented new mitigating information to the jurors regarding the man's mental illness and his childhood that the jurors had not heard about in trial. She also obtained information from the jurors regarding their experience at the trial as well as their thoughts on the defendant, the defense counsel, the prosecutor, and the evidence presented. After interviewing these jurors and presenting them with information that had it come out at trial, may have spared the man his life, Sarah obtained sworn affidavits from six jurors stating that had these key pieces of mitigation information been made aware to them during the sentencing phase of the trial, their deliberations of life or death would have been significantly altered.

Kristi Couvillon
Texas Defender Service
October 2007

In all 45 students have been placed during the life of the project. They maintain diaries during their stay, which provide another indication of their experiences. Some extracts are:

Tuesday 10 July 2007 Sarah Hishan (from Austin)

"Most important of all, I am truly enjoying the work here, it really feels like being thrown in the deep end and I love having to learn things as I go along....been to the University of Texas to conduct research and in a few weekends I'm going to do jury interviews in another city, which is pretty cool. As of now, I'm drafting a motion for the discovery of grand jury transcripts all on my own, which I am terribly excited about and I'm also working on a case from Houston, Jimmy Hoang Le, about to go to trial, so i'm investigating and researching various aspects of the case, medical and social/ cultural effects on the defendant."

Thursday 25 July 2007 Gordon McAlister (from Jackson):

"So far have been investigating in the north of the state, interviewing a client at the jail, and his relatives, which was an amazing first day. Tuesday was spent learning about the job of an investigator in the office, and yesterday we were given the day off to check out the state fair, which is over 100 years old. Was fantastic to see everything, although we ended up at what we thought was a friendly bbq, only to discover it was a political rally for a, by our standards, very right wing politician, whose questions we avoided well, but which made for an uncomfortable stay."

Sunday 23 September 2007 Eve Johnson (from Christiansberg):

"I got to see a jury selection this week. Although our office didn't get the case due to conflict of interest (one of the attorney's brother's is the prosecutor), we all went along to watch. It was really interesting to see them question the potential jurors, as I have seen jury selection in England and it was totally different. It was also really interesting to see how many potential jurors were somehow connected to the case - out of 70 potentials, 45 knew the victims through church, work, family or friends, etc and so obviously were struck off for risk of prejudice. It just shows what a small community this is, and so a case involving the murder of 2 cops is absolutely huge news over here. In the end, the judge decided that an unbiased jury cannot be empanelled, and so there has been a change of venue. I went to see John Ray again - interesting as usual - he's a very interesting character."

The experiences during the internship frequently do not end with the placement term. For instance, the Virginia office maintains contact with all its past interns and enlists their support wherever possible. One ex-intern, Sarah Stirk, has now qualified at the American Bar and is

engaged as a criminal defence attorney in Norfolk, Virginia. She continues to maintain links to the project by assisting new interns settling in to the office there.

Several of the interns have used their internships as a platform for undertaking academic research into the death penalty and its abolition in the USA. In the past two academic years three dissertations have been written as part of their LLB. One of these, 'The Absence of Mercy', was published by Hayley Knight in the first issue of the Reinvention: Journal of Undergraduate Research (2007)

(<http://www2.warwick.ac.uk/fac/soc/sociology/research/cetl/ejournal/currentissue/paper3/>)

- **Anti-discrimination Project**

This Project was designed initially to engage student volunteers, in partnership with the Coventry Law Centre, to reach out to the local community and improve the public's access to information regarding discrimination. A postgraduate student, Laura Jane Benoit (a lawyer from Canada completing her articles of training under the Fellow), was employed to coordinate the project in the autumn of 2006. Originally, the vision was two-fold: first to have students giving presentations in the local community on rights and protection from discrimination and second, to attend advice sessions with the Coventry Law Centre solicitors and participate in dispensing advice to the individual members of the public. As it transpired, only the second element developed.

The project sparked a considerable amount of interest. More than 50 students applied to join and 11 were chosen. Initial training was provided in interviewing techniques, in the appropriate law and in the ethical issues involved in such community based work. Warwick Volunteers was enlisted to provide support by advising students on the need to obtain criminal records checks. Coventry Law Centre staff also delivered workshops on discrimination law and practice.

The students then, working in pairs, were tasked with interviewing drop-in clients at the Law Centre and other locations in Coventry (Citizens Advice Bureau, the Sahill Project, WATCH, and Connexions). They were responsible for collecting all of the initial information on the client's problem, liaising with a qualified solicitor regarding the law and then informing the client about future handling of their case. This work was of significant value to these organisations as it enabled members of the public to gain access to advice services that might otherwise have been unable to respond.

The project entered its second year in September 2007 with a new student coordinator, Hannah Hunter. The philosophy of the project is that students acquire and maintain ownership and engage in all aspects of its administration. Consequently, students manage the relationship with the external organisations and are fully engaged in decision-making concerning its development. Continuity is maintained by ensuring that a number of second year students are brought into the project. It is also intended to introduce a system of shadowing, whereby 1st year students, who might otherwise be unqualified to be part of the project delivery, can become members of the project. Their involvement can then be developed over their time at the Law School.

As part of their activities, the students have designed a website with the function to introduce the Project and its student participants to the general public; and to provide a central location for all internal information pertaining to the Project, including training materials, time tables for sessions and a forum for students to express their opinions and experiences regarding the Project. This can be accessed at <http://www2.warwick.ac.uk/fac/soc/law/chrp/projects/anti-discrimination/>

The Project website is an ongoing endeavour and improvements are being made constantly to improve its accessibility and to keep it up to date. The website will be the key focus for communicating with the student participants and for storing all Project related materials.

2. Curriculum Development

In conjunction with the students projects mentioned above, the fellowship was designed to support the introduction and development of research-led teaching in the Law School. This has been achieved through two modules currently offered at undergraduate level:

- Human Rights in Practice:

This module was introduced in October 2007 to give effect to the ethos lying behind the fellowship project. It is a full module and combines academic study of human rights *and* a practical project that exposes students to the notion of applied human rights. The introduction to the module is annexed (Annex 3) to this report and shows how students are organised in groups so as to pursue projects in the community. This year three projects have been run involving 30 students: (a) the exploration of the meaning and significance of the right to protest in the UK, (b) the study of an international law for peace; and (c) research into access to justice within Coventry.

The first two of these projects have coincided with the UK government's call for consultation. Students have undertaken research so as to respond to these calls as well as to raise awareness about their findings. They are currently engaged in delivering other outputs including school seminars, public meetings, and dramatic performances. The third project has entailed working with organisations in the community to explore the barriers placed in people's access to legal advice in Coventry. Coventry Law Centre and Watch have both cooperated with students in their research.

- Law in Practice 2

This module is used in conjunction with the death penalty project by encouraging students to engage in research into relevant issues informed by their internships and further library research in the University. In 2007 Hayley Knight produced a dissertation that was rated as first class and was also published by the Reinvention Journal in its inaugural issue.

3. Relationships with Outside Agencies

The success of many projects and activities depends on well-developed relationships with organisations willing to support and include students in their work. The key relationships that have been developed during the life of the project have been (a) with Capital Defenders offices in the US and (b) Coventry Law Centre. Other associations have been forged but not with as much success.

However, as regards both of the main networks established a great deal of time has been required to ensure that any association protects the interests of the students as well as ensures that any cooperative venture provides a good learning experience. It has entailed the fellow travelling to the US in 2007 to visit those offices prepared to take students as interns. This was an essential experience as it forged personal contacts and enabled the fellow to appreciate the needs of the US offices and the conditions under which students would undertake their work.

At a more local level, the relationship with the Coventry Law Centre has borne fruit in that positive experience with the students on the anti-discrimination project has led to further avenues for student work. Support by the Centre for Human Rights in Practice for a lottery bid by the Law Centre, in order to organise, in part, volunteer students engaged in research on the availability of advice throughout Coventry was successful. Similarly, applications have been made on the same basis to the Equality and Human Rights Commission. Students have therefore been exposed to the national institutional processes of funding that affect research.

4. Research

The personal research of the fellow focused on an examination of the relationship between human rights and law through the prism of practice. This led to the publication of an article in

the leading law journal of the UK and was highlighted in the recent RAE submission. The article was 'Human Rights and Law: Between Sufferance and the Insufferable' (2007) *Law Quarterly Review*. This article is now being used to continue the research into the theoretical underpinnings of the project as it is designed to develop and has been used as a key text in the Human Rights in Practice module referred to above.

5. Construction and Promotion of the Centre

A significant amount of time under the fellowship has been undertaken with a view to establishing a viable centre that will be able to sustain the above operations beyond the life of the project. The success of the above activities has ensured that support from the Law School for the venture continues. It is used as a showcase topic on open days to demonstrate the unique methods for legal education adopted in the School.

The centre has also been promoted through the attraction of leading human rights practitioners to give student talks. The most recent of these are identified on the Centre's web site.

5. Outcomes:

The outcomes of the project are included in the logical framework analysis that was used to assess the planning of the project and now provides a basis for final evaluation. This is annexed as Annex 1.

Also annexed (Annex 2) is the students' self assessment for the anti-discrimination project (end of year report 2007)

6. Implications:

The wider questions that have arisen as a result of the experiences on this project are:

- How sustainable are such initiatives when pressure on time and costs remain key in the Law School?
- Is it viable for anything more than a showcase of projects (rather than deep curriculum change) to be achieved with such ventures?
- How dependent are such projects on the enthusiasm of a small number (only 1 in this case to date) of permanent staff?
- How are such ventures to be funded in the long term particularly if there is a desire to extend the reach of the project?
- Is there a real pedagogical advantage to such initiatives or is such advantage assumed?

These questions remain unanswered by the project and would indeed require considerable research in their own right.

7. Resources:

The only resources that appear particularly relevant are those attached to this report and included in the website of the Centre for Human Rights in Practice.

8. Contact Details

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ANNEX 1: LOGICAL FRAMEWORK ANALYSIS – HUMAN RIGHTS PROJECT

	Description	Indicators of Achievement	Sources of verification	Assumptions
Overall Objectives	To construct a student experiential learning project related to issues of human rights	<ol style="list-style-type: none"> 1. law school staff identified with specific responsibilities 2. students enlisted 3. established relationship with outside agencies 	<ol style="list-style-type: none"> 1. staff confirm responsibilities 2. students identified 3. protocols with outside agencies signed 	Law School and University approval obtained or unnecessary
Immediate Objective	<ul style="list-style-type: none"> • To construct the infrastructure of the Project • To engage law students in Project design and implementation 	<ol style="list-style-type: none"> 1. management Documents in place 2. arrangements for work agreed 3. public talks held 4. work undertaken 	<ol style="list-style-type: none"> 1. web site 2. manual for Project available 3. feedback reports/journals from students on work 	<ol style="list-style-type: none"> 1. Outside agencies engaged by Sept 2006 2. Students engaged 3. Referrals for Project work provided 4. access to web site agreed
Outcomes	<ol style="list-style-type: none"> 1. web site launched 2. Project management in place 3. Project work commenced 4. Student learning enhanced 5. relationship with outside agencies established 	<ol style="list-style-type: none"> 1. Web site in place 2. documents produced 3. case/project referred 4. Student reports provided 5. Protocol with outside agencies in place 	<ol style="list-style-type: none"> 1. active web page 2. manual of documents available 3. Protocols signed 4. letters of instruction from outside agencies 5. review of student feedback 	<ol style="list-style-type: none"> 1. web page maintained at Law School 2. students available for project feedback 3. Protocol can be agreed with outside agencies

ANNEX 2

End of Year Report 2006-2007 for the Community Awareness Project

Written by Laura-Jane Benoit for the Community Awareness Project (Centre for Human Rights in Practice)

September 2007

This report was designed to give a summary of the inaugural year of the Community Awareness Project. Using this summary, and in consultation with the coordinator of the Project for 2007-2008, immediate goals are laid out as well as long-term plans for the future of the Project.

Background on the Community Awareness Project

The Project began with the idea of using student volunteers to reach out to the local community and improve the public's access to information regarding discrimination. In the autumn of 2006, the Project, created by the Centre for Human Rights in Practice (CHRP) at the University of Warwick, began with the hiring of a student coordinator and the application process for students. Originally, the vision of the Project was two-fold: first to have students giving presentations in the local community on rights and protection from discrimination. Second, the students were to attend advice sessions with the Coventry Law Centre (CLC) solicitors and participate in dispensing advice to the public in one on one sessions.

In November of 2006, an open meeting was held to gauge the interest of students and to inform them about the Project. The deadline for applications for the Project was set in the second week of November 2006 and twenty candidates were selected for group interviews on 22 November 2006. The Project was then halted for the 2006 Christmas break.

On 17 January 2007, the eleven successful candidates, Dr. Andrew Williams and Laura-Jane Benoit (coordinator for 2006-2007) took part in the first training session for the students. This session focused on confidentiality, the student commitment to the Project and interviewing skills. Students were obligated to sign a student contract affirming their commitment and responsibility to the Project. On 24 January 2007, Elayne Hill from the Coventry Law Centre participated in the second training session, which predominantly covered the various forms of legislation used to prevent and punish acts of discrimination. During the month of January, the Project sent as many students as possible to observe advice sessions at the Coventry Law Centre as part of their training.

By the time the students were trained in discrimination law and in interviewing, the Project had changed forms from its initial concept. As of February 2007, it was decided that students would accompany solicitors to act in an "intake" role at sessions held at satellite locations in Coventry and those held at CLC, and the presentation angle of the Project would be temporarily shelved. Working in pairs, the students were responsible for collecting all of the initial information on the client's problem. This information would be recorded on the CLC Employment "Pink Sheets", and returned to the CLC for revision. The students would then speak with the solicitor overseeing the session. The solicitor would either give the information to the students to relay to the client, or make the decision to book the client an appointment if their problem was of an urgent or complicated nature. The first session was held on 14 February 2007 at the CLC with four students participating and one solicitor overseeing.

Sessions continued to run bi-weekly at four satellite locations (locations outside of the CLC office) and at the CLC. The sessions at Sahil Project were cancelled after a few months, due to poor client turnout. Likewise, sessions geared towards young workers at Connexions were cancelled after a few months again due to poor turnout. The sessions at Citizens Advice Bureau were initially quite slow with few clients, but have been steadily picking up towards the end of the Project year. In April of 2007, CLC added WATCH as a satellite location, and sessions have had a steady turnout since its inaugural session. The CLC's own employment open days are incredibly popular and have required the participation of a minimum of four students for the four hour session.

Despite losing all of its undergraduate students in June of 2007 (end of school year), the Project continued to staff sessions with students for the summer months, relying on its mature and postgraduate student participation. This was aided by the fact that the summer sessions were scaled back to approximately one session every three weeks.

The Project Website

The inaugural year of the Project also saw the creation of its website, housed on the University of Warwick (School of Law) Centre for Human Rights in Practice Page. The website serves two functions:

- 1) to introduce the Project and its student participants to the general public; and

- 2) to provide a central location for all internal information pertaining to the Project, including training materials, time tables for sessions and a forum for students to express their opinions and experiences regarding the Project.

The Project website is an ongoing endeavour and improvements are being made constantly to improve its accessibility and to keep it up to date. The website will be the key focus for communicating with the student participants and for storing all Project related materials.

Student Recommendations

The nine students participants were asked to give detailed feedback on their experience and recommendations for the Project. The following are suggestions that are being considered for 2007-2008 and for the future.

Mentor Mentee Scheme

Julia Tang gave the excellent suggestion of a mentor-mentee scheme, using the 2006-2007 participants in a mentoring role for the new students being brought on board in 2007-2008. She stated that “the ‘older’ volunteers can share their opinions and experiences with the incoming volunteers. This can help create a seamless web in the transition of new volunteers joining the Project.” It will also help the Project kick off sooner in terms of students attending sessions, as each new student participant will be paired with a veteran participant allowing an earlier start to the practice aspect of the Project.

Earlier start to the Project Year

Suggestions were made by many of the 2006-2007 participants to have the Project organized earlier in the year. Mathew McDermott suggested that more is made “of the first term, which will be far easier seeing as the Project is up and running this time. This will shift the workload off the third term, as well as ensuring the new members of the group next year have more time for training ...”

More focus on Interviewing Skills

Nohmana Amanat suggested that training sessions place a stronger focus on interviewing skills, including “more training ... on interview techniques, such as a structured question plan in order to assist new volunteers, as well as practise interview questioning.” Simon Mwangi suggested that the training sessions should included “more simulated [interview] sessions and be properly structured to enable more time for learning. These simulates situations would enable the students to develop confidence required in dealing with clients in the field.”

Organizational Adjustments

The 2006-2007 student participants made a number of suggestions regarding the organization of the Project. Many students suggested that the number of participants be expanded. Binda Magar suggested that the forms used for the intake of client information be collected “in advance or distribute [them] at the end of the training day so [the students] don’t have to visit the Law Centre twice when they have to attend the advice session apart from the Law Centre.” She also suggested that an orientation meeting take place at the Coventry Law Centre at the beginning of the Project year, introducing the students to the CLC staff and facilities.

Gemma Wilson made the suggestion of increasing the frequency of the meetings between the Project coordinator and the student participants. Additionally, she has also requested that student participants be updated on the status of the cases that they reported on.

Presentations

Many of the students indicated an interest in reviving the original plan of the students making presentations to local community members and groups. The original idea was to advise and present the public with information on discrimination and their rights. However, seeing as the parameters of the Project has expanded to Employment Law, it would seem likely that students would also make presentations on this area of law as well. Hannah

Hunter stated that she “would like to see the project develop by promoting awareness of the discrimination law generally as well as interviewing individual clients. Key to knowing you need to discuss your rights with someone is knowing you have a right in the first place... I believe there are organisations in Coventry who have access to groups of people to whom we could deliver awareness sessions.”

Increased Social Activities

With an intention of creating a stronger bond between the student participants, Laura-Jane Benoit proposed increasing the social activities of the group. “Whether it is grabbing a drink at one of the on campus pub, or dinner off-campus, more needs to be done to encourage socializing within the group. Particularly with such a small group, there needs to a group dynamic where everyone feels comfortable with one another.”

Changes for 2007-2008

Following on the many recommendations from the 2006-2007 student participants, the Project will kick off sooner in 2007 than the previous year. Recruitment and selection of student candidates will be completed by the end of October 2007, and students will be trained to begin intake at advice sessions by the end of November 2007.

In the area of improving the student learning experience, this year will also see the installation of a mentor-mentee programme to be established between last year’s student participants and the new recruits.

Regarding the structure of the project, this year will see increase to a recruitment goal of 15 student participants for 2007-2008, reflecting the fact that the attrition rate of student participants in the 2006-2007 Project was less than 10%. While the recruitment for participants will again include recruitment of postgraduates in order to cover the summer months, there will be also be a demand for undergraduates to continue their commitment to the Project in Term 3. While exam period is a stressful time for students, it must be recognized that this is a three term commitment for undergraduates and a full year commitment for post-graduates.

There will be a short weekly debrief meeting with the coordinator for the participating students. The suggested time for the meeting is Wednesdays, 14:15 to 15:00. This meeting is intended to increase the feedback the students are receiving and to create more of a social outlet for the group.

One other proposed change in terms of the structure of the Project is to move from having the CLC solicitor onsite at the satellite sessions (i.e. sessions not held at CLC) to having them available by telephone. It is believed that this would aid the CLC, as the solicitors would be free to continue working in their office environment while still providing increase access to legal services to the community via the students.

In terms of organization, there will be a number of changes made. Reflecting the suggestions of the student participants, an orientation session with the staff of the Coventry Law Centre is planned for the fall of 2007 in order to better integrate the student participants with the Centre. In an effort to increase the visibility of the relationship between the Project and CLC, members of the CLC will be encouraged to attend the information session and follow-up training sessions. Additionally, one proposed change is for the solicitors to participate in a short (10 minute) debriefing with the students at the end of each advice session. This will allow for more feedback for the students, and an opportunity for the solicitors to address any immediate issues with the cases handled at that session. Likewise, there will also be a request for increased feedback on the note-taking and interviewing techniques of the students from the CLC staff. This feedback can be emailed to the coordinator at the solicitors’ convenience and will be given to the student in the weekly debrief meetings.

Changes to the website will include uploading all of the training materials prepared for 2006-2007, reducing the need for new materials. There will also be an increase in the visual presentation of the website, including more media on the web pages and a page for student testimonials.

Schedule for Project for 2007-2008

Date	Week of Term	Action
Oct. 1 – 7	1	Post Summary of Project to email via Law School News Board, Website and Email Call students to Open meeting to discuss the Project
Oct. 8- 14	2	Open meeting to discuss the Project, call for applications by October 15, 2007
Oct. 15- 21	3	Interviews, selection and notification of (successful) candidates Schedule orientation meeting for student participants at Coventry Law Centre
Oct. 22-27	4	Students are sent on sessions in an observing capacity First training session takes place, focusing on interviewing and student contract.
Oct. 29-Nov. 4	5	Second training session takes place on ethics, confidentiality and employment law
Nov. 5 – 11	6	Students are on mid-term break
Nov. 12 – 18	7	Final training session for 2007
Nov. 19 – 25	8	Students begin attending sessions (paired with experienced students from 2006-2007)
Nov. 26 – Dec. 2	9	Students begin attending sessions (paired with experienced students from 2006-2007)
Dec. 3 – Dec.8	10	Students begin attending sessions (paired with experienced students from 2006-2007) Christmas break begins and Project halts until 2007

Conclusion – Future Direction of the Project

The future scope of this project is limitless. There is room to branch out into different areas of law, different target groups (such as community care) and different approaches (presentations, preparation of literature for public dissemination, etc.) The only restrictions are those the CLC and the Centre for Human Rights in Practice (CHRP) place on the project.

One future goal that could see fruition in the near future is that of presentations to the community. With community contacts being established on a regular basis, there is room for the students to do presentations on the law and how it affects different communities. Such presentations could be tailored for each community group and a brief advice intake suggestion could take place following the presentation. There is a need to increase awareness of the CLC and its services. Using the Project to make presentations to the general public is one way of increasing the visibility of the CLC without increasing the demands on its staff.

This year will also see the drafting of an updated description and mandate of the Project. As the Project shifts form and objectives, so too must its base description and guiding principles. Upon completion of this update, the new description and mandate will be uploaded to the public website.

What started out as a small idea has blossomed into a mid-sized project with enormous potential. The inaugural year of the Project saw many successes and a few areas for improvement. Last year's student participants have made their interest in returning to the Project clear, thereby signifying student satisfaction with the Project. The challenges of the future will include controlling the urge to expand the Project too rapidly and continuing to streamline organization despite limited administrative resources. While the structure of the Project may shift over time, its initiating principle – giving practical education to students while contributing to the local community – will remain its foundation.

ANNEX 3

HUMAN RIGHTS IN PRACTICE

COURSE OUTLINE

2007-2008

A. General guidance

1. Overview of the course

Human Rights in Practice is a full course module that explores the role of human rights addressing real problems and abuses in the community. It consists of two elements. The first is devoted to (a) considering the legal framework of human rights in both the UK and internationally and (b) the practical and social contexts within which HR are invoked. The second builds upon this knowledge by exposing you to some practical human rights related activity. This may include advising, teaching, researching or supporting community groups or individuals.

Throughout the course you may well work within a Project group. Various professional skills will therefore need to be acquired and demonstrated. It is an experiential learning module, in which you will discover both the potential that human rights holds for addressing social issues and understand the limits of legal and community action in upholding particular rights.

2. Module team

The tutors on this module will be Andrew Williams and James Harrison.

3. Module aims

HR in Practice is directed towards understanding the legal framework of human rights in the UK and beyond and the appreciation of their relevance and practical implications for identified communities, such as school children, the elderly, prisoners, asylum seekers, the homeless etc. An explicit objective of the module is the undertaking of a practical project to promote awareness, understanding and/or evaluation of specific rights in a local community context.

4. Module delivery

There will generally be a two-hour class each week [*times to be decided*]. There will also be weekly seminars which will focus on the practical and project elements of the module. You will also be expected to undertake work in the community which will, of necessity, take place at various times throughout the year. Each student will have a programme constructed for them so that their individual commitments can be taken into account. Often seminars or lectures may be replaced by such community work. The schedule will only be finalised once all students have been placed with suitable projects.

A fuller description for the programme for Term 1 and 2 follows below.

5. Assessment Methods

There are two elements of the assessment

(a) A written test at the end of Term 1 or beginning of Term 2 worth 20% in total. This will be an open book exam and full guidance about what is to be expected will be provided.

(b) A Portfolio of work to be submitted at the beginning of Term 3 worth 80%

The requirements of the Written Test will be distributed before Reading Week in Term 1. The details of the Portfolio are explained further in *Appendix 3*.

6. Assessment criteria

Written test

1. General understanding of legal HR framework
2. Detailed understanding of legal and HR framework in assigned field
3. Evaluation of role, context, efficacy and challenges affecting HR in assigned field
4. Appreciation of theoretical approaches in HR discourse and critical evaluation of HR in practice
5. Coherence, structure, style and presentation of argument

Project portfolio – please see Appendix 3 for further details

1. Evidence of analytical approach, strategic development and objective evaluation
2. Examples of imagination and creativity in project delivery
3. Evidence of learning development, sensitivity to partners and reflection
4. Understanding of project objectives, context and constraints
5. Ability to learn from and support others and to work effectively as an individual and within a group

7. Learning outcomes

See **Appendix 1**.

8. Groupworking

From the outset you will be assigned to a group of 3 or 4 colleagues with whom you will work throughout the year. Whilst we hope you will grow to appreciate the contribution of other group members, there is no imperative that we should like each other. In the real world you will be called upon to work with a wide variety of personalities. One of the specified learning outcomes, and one which we will emphasise, is understanding how to work with others.

9. Reading List

A full reading list is set out in **Appendix 2**. Some materials will be provided either through hard copies or on the module's web site. Often, however, you will be undertaking your own research into specific human rights area. You will find, therefore, that you will be building up your own bibliography.

10. Web Site

The module is very much associated with the *Centre for Human Rights in Practice*. This has a web site which you can access at <http://www2.warwick.ac.uk/fac/soc/law/chrp/>

Many of the projects you will be involved in will be included in the Centre's work. Also if your written work is of a suitable quality we will seek your permission to publish it on this web site under the 'Articles' section.

B. Detailed Course Outline

1. Introduction

The two elements of the course are focused around (a) the discourse human rights as it appears in texts and (b) the practice of human rights. Both elements shall be the subject of classroom teaching and experiential projects. Overall our aim will be to understand the legal, social and political framework, as it operates in practice, within which the language of human rights acts as a discourse for addressing social ills and human outrages.

We will examine the topic through three broad and inter-linked experiences:

The Victims' Experience:

This will explore the experiences of those whom have suffered abuse and how human rights language has been used as a means of articulating and co-ordinating senses of injustice. In particular, we will look at the notion of self-advocacy. We will also examine the link between the voices of suffering and the formation of international human rights law.

The Activists' Experience:

We will explore the role of Non-Governmental Organisations (NGO) and campaigning activists in promoting and realising human rights through public and political pressure. The nature of their work and the means by which they operate will form the focus of our enquiries.

The Legal Experience:

We will consider how law captures human rights claims and copes with their pursuit. In this respect we will examine the means of investigation, the classification of claims, the sources of law (national, regional and international), and the role of lawyers and public interest litigation in general in realising human rights.

2. Objectives

With the above in mind, we have identified a series of broad objectives for the course:

- to acquaint you with the legal texts and charters within which human rights principles and norms are to be found
- to explore the efforts that others are making in a particular field of human rights concern
- to enquire into the efficacy and practice of a human rights strategy to address a specific infringement or abuse
- to consider the range of individual, social, institutional and legal responses to human rights violations

As you will see from the *Appendix 1* you should expect to achieve the following during the course:

- understand the basic concepts, theoretical debates and individual/social significance of human rights in the UK, Europe and internationally
- understand the legal and constitutional framework within which human rights in the UK are defined, adjudicated and implemented
- appreciate the relevance of specific rights to particular communities and individuals
- develop written and oral advocacy skills in the analysis, preparation and presentation of a human rights project on behalf of an external agency, group or interest.
- experience and practice the planning, negotiation and delivery of a human rights project on behalf of a local community interest or group
- use a variety of information technology media in researching, drafting and presenting their projects for a specific audience
- work effectively with others and to organise collective responses to identified human rights problems or issues; and to understand the significance of developing appropriate team-working practices and behaviours.
- research the legal basis for specific rights and to investigate the legal problems and implications of particular human rights for identified interests or constituencies
- understand the contextual operation and implementation of specific rights and the practical opportunities, processes, requirements and constraints affecting the pursuit and promotion of specific rights
- evaluate and analyse the value and significance of a practical human rights problem or project
- reflect upon your experience and develop alternative and improved responses to your project/problem where necessary
- participate in at least one example of oral advocacy in an external community context
- observe the professional and ethical responsibilities of a law student working with members of an external community
- perform your role and fulfil your responsibilities in a manner which reflects your appreciation of and support for the values underlying human rights and their promotion

3. Programme

The two terms will concentrate upon key issues in human rights practice including the limits to HR discourse, the various portrayals and popular images of HR and their implications for lawyers. The theory of human rights in practice will therefore be covered through addressing the following topics:

Theory Topics

1	Introduction:
	<ul style="list-style-type: none"> - human rights and the public - human rights and law - human rights and you
2	Human Rights and Law
	<ul style="list-style-type: none"> - Human Rights and the HRA 1998 - ECHR and Europe - International dimension
3	The Victim and Human Rights (1)
	<ul style="list-style-type: none"> - voices of suffering - translating into human rights language - the limits of human rights law as a response to suffering - notions of universalism vs. relativism
4	The Victim and Human Rights (2)
	<ul style="list-style-type: none"> - who can speak for the abused? - notions of advocacy - the potential of self-advocacy
5	The Activist and Human Rights (1)
	<ul style="list-style-type: none"> - the world of the NGO - investigating human rights violations
6	The Activist and Human Rights (2)
	<ul style="list-style-type: none"> - campaigning strategies and techniques - international networks for human rights <p>use of new technologies</p>
7	The Lawyer and Human Rights (1)
	<ul style="list-style-type: none"> - the role of the lawyer - sources of law - translating human rights into law: methods and tactics
8	The Lawyer and Human Rights (2)
	<ul style="list-style-type: none"> - public interest litigation - community activism

In each case we will engage in practical exercises designed to focus on the practical aspects of these topics.

In addition to the above schedule we will also introduce you to the Project on which you will be working and the requirements that will be placed on you in this respect. Details of the Projects are set out in *Appendix 4*.

However, the matters we will be addressing in class will include:

Project Topic	
1	<p>Introduction: planning a human rights project</p> <ul style="list-style-type: none"> - setting objectives - assessing needs
2	<p>The Importance of Research</p> <ul style="list-style-type: none"> - research methods - conducting research in the community - needs assessment - ethics
3	<p>Designing the Project</p> <ul style="list-style-type: none"> - logical frameworks - participation of the community
4	<p>Delivering the Project</p> <ul style="list-style-type: none"> - practical restraints
5	<p>Evaluating the Project</p> <ul style="list-style-type: none"> - methods of assessment

You will work in teams of two, three or four (depending on numbers taking the course). Therefore you will need to assign tasks amongst you whilst all ensuring that you are aware of each aspect of the project. You will be closely supervised in this distribution to ensure that no one takes on too much or too little of the responsibilities for the project.

4. Ethics and Responsibility

The exact nature of the responsibilities and related ethical issues will be dependent on the nature of the project work as it develops. However, you should bear in mind the possible ethical implications of everything you do. You are likely to face real ethical issues in which case you must think about matters such as confidentiality, conflict of interest, providing a service of quality etc at all times.

Equally, the responsibilities associated with conducting a project that will bring you into contact with members of the public must be considered. We will discuss these obligations in detail. You will also need to be aware of your responsibilities to your colleagues and the integrity of the project as a whole. It is therefore vital that any problems you may experience are dealt with as soon as possible. Make sure that Andrew or James is made aware of any difficulty immediately so that it can be resolved for everyone's benefit.

Appendix 1

LEARNING OUTCOMES

By the end of the module the student should be able to....

Outcome	Which teaching and learning methods enable students to achieve this learning outcome?	Which assessment methods will measure the achievement of this learning outcome?
<p>a) <u>Subject knowledge and understanding</u></p> <p>To understand the basic concepts, theoretical debates and individual/social significance of human rights in the UK, Europe and internationally</p> <p>To understand the legal and constitutional framework within which human rights in the UK are defined, adjudicated and implemented</p> <p>To appreciate the relevance of specific rights to particular communities and individuals</p>	<p>Tutor led explanation, discussion and demonstration where appropriate.</p> <p>Directed personal study and research</p> <p>Study and seminar style discussion of selected core materials</p> <p>Occasional visiting speaker address</p> <p>Practical engagement with a selected human rights problem/project will be utilised as a problem based learning experience</p>	<p>Assessment of final written project report (50%)</p> <p>Assessment of ongoing course contribution and performance in group problem solving project (50%)</p> <p>Peer and self review (formative)</p> <p>Periodic tutor feedback (formative)</p>
<p>(b) <u>Key Skills</u></p> <p>To develop written and oral advocacy skills in the analysis, preparation and presentation of a human rights project on behalf of an external agency, group or interest.</p> <p>To experience and practice the planning, negotiation and delivery of a human rights project on behalf of a local community interest or group</p> <p>To use a variety of information technology media in researching, drafting and presenting their projects for a specific audience</p> <p>To work effectively with others and to organise collective responses to identified human rights problems or issues; and</p>	<p>Role plays and exercises</p> <p>Participation in group project to resolve a specific human rights problem/challenge</p> <p>Use of course intranet for group work; word processing for communications and projects; use of visual aids as required for project presentations</p> <p>Problem solving in teams of 3 or 4 and organisation</p>	<p>Assessment of final written project report (50%)</p> <p>Assessment of ongoing course contribution and performance in group problem solving project (50%)</p> <p>Peer and self review (formative)</p> <p>Periodic tutor feedback (formative)</p>

<p>to understand the significance of developing appropriate team-working practices and behaviours.</p>	<p>and delivery of collective presentation before selected group</p>	
<p>(c) <u>Cognitive Skills</u></p> <p>To research the legal basis for specific rights and to investigate the legal problems and implications of particular human rights for identified interests or constituencies</p> <p>To understand the contextual operation and implementation of specific rights and the practical opportunities, processes, requirements and constraints affecting the pursuit and promotion of specific rights</p> <p>To evaluate and analyse the value and significance of a practical human rights problem or project</p> <p>To reflect upon their experience and develop alternative and improved responses to their project/problem where necessary</p>	<p>A problem based learning methodology will be adopted posing specific human rights issues/needs for resolution by students working with colleagues in small groups</p> <p>Student participation in practical projects will observe experiential learning practices including group preparation and participation; performance observation and review; and post performance analysis and further planning refinement</p> <p>Directed private and group study to develop research and writing skills.</p> <p>Tutor led explanation, discussion and demonstration where appropriate.</p>	<p>Assessment of final written project report (50%)</p> <p>Assessment of ongoing course contribution and performance in group problem solving project (50%)</p> <p>Peer and self review (formative)</p> <p>Periodic tutor feedback (formative)</p>
<p>(d) <u>Subject-Specific/Professional Skills</u></p> <p>To participate in at least one example of oral advocacy in an external community context</p> <p>To observe the professional and ethical responsibilities of a law student working with members of an external community</p> <p>To perform their role and fulfil their responsibilities in a manner which reflects their appreciation of and support for the values underlying human rights and their promotion</p>	<p>Participation in group project to resolve a specific human rights problem/challenge</p> <p>Study and seminar style discussion of selected core materials</p> <p>Problem solving in teams of 3 or 4 and organisation and delivery of collective presentation before selected group</p>	<p>Assessment of final written project report (50%)</p> <p>Assessment of ongoing course contribution and performance in group problem solving project (50%)</p> <p>Peer and self review (formative)</p> <p>Periodic tutor feedback (formative)</p>

Appendix 2

READING and WEBSITE LIST

1. Key Texts

Two important textbooks will be kept in the SRC. They are:

Richard Clayton and Hugh Tomlinson, 'The Law of Human Rights' (OUP 2000 or 2002)
KM 201.C5

and

John Wadham and Helen Mountfield, 'Blackstone's Guide to the Human Rights Act 1998' (Blackstone 2000) KM 201.W2

2. Course materials

You will be provided with some core materials that will help draw your attention to questions in the subjects we will cover. These materials change year by year and last year included the following:

Gitta Sereny, 'Racism Within' in Nicholas Owen (ed) *Human Rights, Human Wrongs* (OUP 2002)

Rhoda Howard, 'Dignity, Community, and Human Rights in A.A. An-Na'im, *Human Rights in Cross-Cultural Perspectives* (Uni. of Penn 1992)

Mitchell Levitz, 'Voices of Self-Advocacy' in Stanley Herr *et al* (eds.) *The Human Rights of Persons with Intellectual Disabilities* (OUP 2003)

Shulamith Koenig, 'Human Rights Education for Social Transformation' in David Barnhizer (ed.) *Effective Strategies for Protecting Human Rights* (Ashgate 2001)

Michael Ignatieff, 'Human Rights as Politics' in M. Ignatieff, *Human Rights* (Princeton 2001)

Richard Wilson, 'Representing Human Rights Violations' in R. Wilson (ed.) *Human Rights: Culture and Context* (Pluto 1997)

Thomas Harding, 'The Strategy of Video Activism' in *The Video Activist Handbook* (Pluto 1997)

Upendra Baxi, 'Human Rights Education' in George Andreopoulos and R.P.Claude (eds.) *Human Rights Education for the 21st Century* (Uni. of Penn 1997)

Helen Allison, 'Self Advocacy' web material.

Although some of these may be used this year, and remain relevant to the course, we will distribute new materials this academic year.

3. Additional reading

There is a wealth of material available on human rights in general, specific HR concerns and increasingly upon HR and education. The following provide some examples of these as well as material relating to legal action in the community. The list is only illustrative however and YOU ARE STRONGLY ENCOURAGED TO COMPILE YOUR OWN LIBRARY OF SOURCES INCLUDING JOURNAL AND MAGAZINE ARTICLES, PRESS CUTTINGS, TV REFERENCES AND INTERNET SITES. They may, however, assist in your preparation of the teaching project that will take place in Term 2:

United Nations, *Decade for Human Rights Education* (1995), Draft Plan of Action of the United Nations, New York.

Andreopolous, Pierre Claude, (eds.), *Human Rights Education for the 21st Century*, (1997), University of Pennsylvania

Anthony Alfieri, 'The Antinomies of Poverty Law and a Theory of Dialogic Empowerment' (1987/1988) 16 *New York University Review of Law and Social Change* p659

UNESCO World Plan of Action on Education (1993), (the Montreal Declaration) UNESCO.

Beck C, *Morality and Citizenship in Education*, (1998) Cassell Education

Bell C. et al (eds.) *Teaching Human Rights*, (1999). NCLE publications

Morwenna Griffiths, *Action for Social Justice in Education*, (2000?), Open University Press

Mark Lattimer, *The Campaigning Handbook* (1994) Directory of Social Change

K. Loewy 'Lawyering for Social Change' (2000) *Fordham Urban Law Journal* p1869

D. Shah, 'Lawyering for Empowerment: Community Development and Social Change' (1999) *Clinical Law Review* Vol 6 pp1217-257

Lucie White, "Collaborative Lawyering in the Field? On Mapping the Paths from Rhetoric to Practice" (1994) *Clinical Law Review* Vol 1) pp157-171

Andrew Williams, 'The Human Rights Act and the UK Law School', *Effective Learning and Teaching in Law*, BurrIDGE, Hinett, Paliwala and Varnava (eds.) (2001), Kogan Page

R. Wilson (ed.) *Human Rights, Culture and Context* (1997 Pluto Press ISBN 0 7453 1143 1) pp134-160

4. Further research

You will also be expected to conduct your own research particularly on the internet. There are a number of sites related to human rights, human rights education, and human rights in practice that you should explore. Occasionally we will refer to a particular web site from which information may be downloaded if required. However, the following provide a representative sample:

<http://www.pdhre.org/>

Provides a useful store of materials on human rights education including tools for teaching as well as analytical essays etc

<http://www.streetlaw.org/>

An American site but some materials of street law projects may be useful

<http://www.liberty-human-rights.org.uk/>

This is the site of Liberty, one of the foremost campaigning organisations for human rights in the UK. Good links to various issues we will be covering.

<http://www.beagle.org.uk/hra/newindex.htm>

Good site for up-to-date case information on the Human Rights Act 1998.

<http://www1.umn.edu/humanrts/links/education.html>

Provides a gateway to a huge array of web based international human rights information:
USE IT

http://muse.jhu.edu/journals/human_rights_quarterly/

Takes you to the Human Rights Quarterly Journal: useful for articles etc.

<http://www.humanrights.britishcouncil.org/newsite2/SuggestFrame.asp?newURL='http://www.britishcouncil.org/>

Provides important links to human rights issues in the UK

Appendix 3

GUIDELINES FOR TERM 2 PORTFOLIOS

In summary, your portfolio will need to include the following:

1. Brief description of your understanding of the project and the work you have undertaken and analysis of the problems associated with all aspects of the project and how these problems were (or were not) overcome
2. Results and achievements of the project both in its own terms and the course objectives, in other words, an evaluation of the project as delivered by you.
3. Personal reflection and analysis on the project and human rights.
4. Any other evidence of your work, including video tape of your school presentations, material employed etc.

These are considered in turn below:

1. You should briefly outline how you prepared for the presentations you gave and how you decided upon their form and content. As a guide you can refer to the main stages of your project work identified in the Term 2 Outline as follows:
 - Setting objectives
 - Assessing needs
 - Planning the project
 - Conducting research
 - Designing the project
 - Preparing for teaching
 - Delivering the projectPlease indicate what you did in each respect both as an individual and a group.
2. For your evaluation of your project you should again consider the objectives referred to in the Term 2 Outline. These were:
 - To build on your experiences and knowledge of human rights in practice
 - To develop project planning and advocacy skills associated with human rights issues
 - To develop your understanding of human rights education and the use of human rights law in the resolution or expression of social problems
 - To improve those other skills relevant to advocacy and legal practice including research, report writing, opinion drafting, interviewing, oral and written communication and teamwork.

Consider how you met or did not meet these objectives. Your evaluation should also consider the effectiveness of the workshops you delivered.

3. Finally, you should write about your reflections and analysis of the Term 2 project as a whole. In this respect you may have a number of ideas concerning the nature of human rights,

the difficulties and/or importance of human rights education, the effectiveness and methods of teaching human rights in schools, your position as an educator of human rights, and the impact and application of human rights for the benefit of both society and individuals. You should also consider referring to Term 1's experiences with regard to their relevance to the teaching project. However, these are just suggestions. Any other insights you may have will also be very welcome. But remember, in writing this section you should apply the normal academic conventions. In other words you should draw on any relevant sources to support your observations and assertions and reference them correctly. This may require some research depending on the points that you wish to make.

4. You should attempt to video tape your school presentations. This will be for your benefit and for the benefit of the examiners. You may also use them to analyse your performances and the work you have conducted.

General

The body of the portfolio (i.e. that which relates to paragraphs 1 to 3 above) should be **no more than** 5000 words. You may annex any journal (this could be written or on video) that you have kept merely as background information and this will not count towards the word count. You are **not** obliged to have produced such a journal.

The portfolio should be presented as you would any other written piece of work. However, the presentation will be taken into account to demonstrate your ability to communicate your work to others. It is to be handed in during **May 2006**.