

## **Project 1 - Houses of Justice and Law (Community legal services)**

### **Context and objective:**

This project allows students to support disenfranchised communities and to understand, in practice and in law, the structural causes and effects of the barriers to equal rights for all. The spirit of the program consists of raising students' awareness that the challenge of access to justice can concern all citizens, either temporarily or permanently. The project is the result of an agreement with the Local Council of Access to Justice (Conseil Départemental d'Accès au Droit), an umbrella which federates different organizations and institutions, financed by the Ministry of Justice and headed by the President of the Court of Paris (new name Tribunal de Paris/former TGI). Among its members the Paris Bar association, the institution in charge of legal aid, other NGOs committed to giving free legal advice and the Municipal Government of Paris.

The project gives the opportunity to students to work with the three houses of justice and law (Maisons du droit, MJD) and since 2018 in 6 Access to Justice hubs (points d'accès au droit/PAD, one at the heart of the New Tribunal of Paris). The students discover during their field work the real challenges of access to justice and participate initially in an internship during the summer or in the fall to get familiarized with all the technical advice given and all the different local stakeholders involved in the MJDs and PADs. Then they work a half day a week, assisting the local communities with legal and administrative support. The MJDs and PADs offer legal information as well as support for legal writing and reasoning. They serve as facilitators to help citizens gain agency in using the law outside representation or mediation once litigation or conflict arises. The goal of the project is to expose students to the complexity of « real life problems », often encountered by individuals and families that are disproportionately confronted to intricate legal issues and questions of administrative challenges linked to welfare benefits, employment law or housing regulations. Stemming from the students' experience in public interest law, the students can also contribute to critical research in the field of legal expertise covered. The program of Access to Justice is a holistic experience because it deals with the complexity of legal issues and their interconnection, including contract law, family law, labor law, consumer law as well as the emotional and social distress of the persons concerned.

### **Approach et methodology**

During the summer or the fall and during the weekly meetings in person or by phone, the students are confronted with the local barriers to legal enforcement and access to

justice. They must deal with highly technical immigration law, the difficult enforcement of housing law, the complex procedures in labor law often linked to dismissals, the complexity of legal aid applications, and the systemic barriers linked to access to rights for more vulnerable groups and foreigners who are faced with the language barriers and challenges in terms of writing and reasoning intrinsic to the legal field. They develop investigative skills, clarify legal issues and guide, if necessary, citizens toward the right legal expert which they can accompany. Outside of developing the knowledge and skills as future lawyers or judges, the students write small legal guides or manuals on recurring issues which are left with the MJDs and Pad after they finish their fieldwork. The students add a critical dimension to their practical guide on the tensions which underpin the issue they are focusing on and show ways to alleviate the problem or target inherent contradiction in access to justice linked to the legal issue at hand. The research done by students in this program ranges from rules on legal aid, housing law, domestic violence rules, labor law (dismissal, harassment) to consumer law, criminal law (alternative sanctions), enforcement proceedings, the ethical role of legal experts in a PAD or the importance of legal writing and takes into account theories in Law and society, critical legal studies or legal sociology.

## **Project 2 - Defender of Rights**

### **Context and objective**

This project that allows students to take part actively in the legal role of the Defender of Rights, offers a unique experience inside a national institution of constitutional rank dedicated to access to justice. The students learn to understand the different facets, powers and activities of this complex institution which has a wide scope of action.

### **Approach and methodology**

First the students collaborate with the public officers of this public institution which has constitutional powers in France and knowledge on access to justice, human rights and generally public interest law. It allows students to develop a large array of skills from awareness raising in a preventive context of promotion of rights, to techniques of mediation and traditional litigation. The students meet the public officials in charge of concrete cases and fields (violation by police officers of law enforcement rules, discrimination, infringements of childrens' or administrative rights). Then the students can get hands-on experience with representatives of the Defender of Rights which have office hours to meet citizens who directly request help from the Defender of Rights and work in MJDs. The students also learn how to screen written claims and suggest solutions to specific legal issues, guided by a legal expert of the Defender of Rights and prepare for the institution a specific confidential brief on the question at hand. The briefs drafted by the students cover such issues as due process rights for children, urban law, disability discrimination, nursing home rights, reform to simplify administrative law processes, harassment, deaths related to detention for substance abuse, racial discrimination. The research is also prospective to reflect on the Defender of Rights' powers as *amicus curiae*, his contribution to the use of the new French class action suit, judicial review and resistance to antidiscrimination law for certain issues in administrative law.

## **Project 3 - Street Law (Droit dans la rue)**

### **Context and objective**

The goal of the project is to allow students to understand how physical, temporal and spatial dimensions in the application of law constitute barriers in terms of access to justice. This experience also gives insight on how the place of residence and the location of schools can affect people's knowledge of the rule of law, biases on legal recourse and the prevention of conflict or litigation. Originally, "street law" is a program developed by students from Georgetown University in 1972 who had the ambition of raising awareness among young students from DC schools on the challenges of the legal system, criminal law, mediation and tools for democracy. In France, the standpoint is more one of urban sociology, space as power and the challenges of access to justice. The project's objective is to elaborate educational tool kits on the different areas of the law and workshops based on the expectations and desires of students in youth centers in the Paris region and multiply informal interactions with residents of Saint Ouen (in health centers, markets, poste office, parcs, cafés...) The practical aspect is to bring "the law" to people in the city (outreach) instead of getting people to come to the community legal centers or to meet the "knowledgeable people, the experts in law" (administrations, lawyers, local authorities, community legal services like the MJD or PAD).

The project of « French street law » consists of two components: one project more focused on youth in centers (closer to the traditional Street law model) and an activity sui generis based on a more general interaction with the public at large, the residents of the city (grassroots model), outside the walls, directly, literally in the street. The project Street Law at Saint Ouen is an experience in law based on a close encounter between law and legal subjects. Whereas the United States project draws from an active participation of young people, the French project is meant to be intergenerational. Law in spaces signifies that beyond the content of the law, the legal counsel, understanding law as power can be useful for citizens regardless of their place of residence, their social origin or their general level of education. The project also means convincing local stakeholders and citizens on a new meaning of law distinct from the perception of criminal law, police, detention and its repressive nature. The idea is to debias individuals who mistrust the law and open up a dialogue between citizens and local actors on legal empowerment, civil and consumer rights. This awareness or consciousness raising of residents and youth stems from students' initiatives in the spaces where people live and share information to illustrate how to interact with employers, landlords, doctors or local authorities.

### **Approach and methodology in Street Law Saint Ouen**

In 2015-2016, two students of the Clinic mapped out the local resources in terms of access to rights for young generations in Saint-Ouen. The essential needs of the town residents were identified and different branches of law targeted to elaborate a tool box of legal rights and procedures geared toward empowering the youth and local residents. This pedagogical syllabus was comprised of a general presentation of the actors of the legal system (lawyers, judges, police and local authorities), the sources of law, and the general procedure in the court system. The focus was put on the challenges of labor law, housing rights, racial profiling and social benefits. The program

was based on court simulations and sketches opposing landlord/tenants, employee/employer; with role playing to illustrate administrative and legal solutions with Q & As. The students had to write a report on their clinical experience and how geographical space can hinder access to justice for more marginalized groups who mistrust the legal system as representing their best interest and how to limit juvenile violence around the tension with local police officers.

The program in 2017-2018 mapped out Saint Ouen and led to the elaboration of power points on a general introduction to law and its sources and a presentation of basic labor law (from recruitment to dismissal). Direct interaction with residents were developed between students and the local community in all the public areas mentioned with the advice of a former local municipal elected official Hakim Hallouch in charge of youth projects. A blog was created to perpetuate each year the work of the clinic and pass on the efforts of legal empowerment through the slides on basic areas of law.

In 2018-2019, the street law project continued with a particular emphasis on young people in Saint Ouen. Within the youth center Cap'J, discussions and workshops on law were put into place. The first step was to develop trustworthy relationships between the young people and the law students and this led to the circulation of a survey to understand what law meant for them and the topics in law they were most interested in. The fascination with the trial, the judge, the sentence, justice, and the right to be represented came out from the results of the survey often associated to examples in TV series or films. The students elaborated with the students a moot court to illustrate the criminal procedure and the trial experience with role playing. Then to show another aspect of the law as power outside of criminal law, the workshops were on other useful tools and practical exercises concerning family law, labor law, discrimination law and racial profiling close to the young people's personal experiences with jobs, family issue and police carding.

Finally, to renew with the intergenerational dimension of the French version of Street law, the project will focus on institutions or places in Saint Ouen where the same workshops can involve both young people and older generations (movie theaters, municipal halls, schools or creative centers...)

Marie Mercat-Bruns, Affiliated Professor at Sciences Po Law School supervises the « *Street Law* » project in Saint-Ouen.

## **Project 4 - In prison... (Women's detention center in Fresnes, MAF)**

### **Context and objective**

Launched in 2017, the project « In prison... » is based on a partnership with the Fresnes Women's Detention center and OpenLab Campus Justice coordinated by H el ene Bellanger. The objective is to associate students from different Masters and the Clinic to implement a project on prevention and access to justice to women in the detention center (especially those who smuggle in drugs from Guyana). The project offers students the opportunity to work in the closed setting of prisons and:

1/ discover detention and concrete actions in relation with both staff, the incarcerated population and the NGO (Droits d'urgence) which delivers legal services inside the detention center;

2/ gain insight on the different issues linked to incarcerated individuals, regarding family law, immigration law, labor law, health issues and housing issues etc...) by confronting the legal problems but also the practical problems in enforcing rights ; in addition discovering what these women from Guyana who smuggle drugs face in terms of geographical, linguistic and gender discrimination...

3/ put into perspective the stakes of access to justice for individuals deprived from their liberty and the influence of public policies developed between continental France and the French territory of Guyana, the local expansion and systemic effects of international drug trafficking, the characteristics and contradictions of repression, sentencing and perspectives of rehabilitation, ...).

### **Approach and methodology**

The particularity of the project is the fact it takes place in the detention center. Yet the question of access to justice of inmates is exacerbated by their detention which constitutes a series of terminations (in terms of families ties, employment, immigration status, health care...) This separation is exacerbated in a context of overpopulated detention centers. The center of Fresnes has a capacity of 1500 and a rate of occupation of 200%. The women's detention center has more than 170 female inmates for a capacity of 102 (women awaiting their sentence or already condemned). Since women constitute minorities in the French penitentiary (3;7% of the population incarcerated), they suffer from worse conditions of detention and access to justice as compared to men (limited are the institutions which are dedicated to women, pregnant women and difference of treatment in terms of rights to employment, activities and access to health are prevalent.

In this context, detention requires an ethical reflection on the conditions of access to justice and a real in depth look at the constraints and codes on site, the language required to interact with people and clear and positive guidelines for both the staff and the inmates.

The objective for students from September 2018 to May 2019:

- Develop specific legal services (through the legal service hub, PAD) dedicated to women because the NGP Droit d'urgence that had limited resources could only focus on men's units for the last two years.
- Develop workshops and individual interviews to elaborate tools of prevention and guidelines on basic rights.

After a meeting with the director of MAF and the staff to understand the organization, the practices and constraints of incarceration, a progressive approach was adopted in 3 phases (the third one starts in April 2019):

- A phase to take stock of the available resources and summaries of work done by the preceding team (on access to justice in Guyana, detention and relations between France and Guyana) and interviews done with institutional stakeholders (police, customs, DA's office, judges, detention staff, doctors...)
- A phase of action with the launch of the legal services extended to women (mail, interviews with female inmates, managed with NGO Droit d'urgence and

workshops on communication skills for the female inmates who smuggled drugs in France.

- In April 2019, a phase of individual interviews with women who voluntarily want to explain their narrative, their challenges in terms of rights (before, during and after detention).

This last phase can foster links with researchers and practitioners already working on these issues in France and Guyana

- H el ene Bellanger supervises this project : In prison...Women's detention center in Fresnes

## **Project 5 - Sexual mutilation**

### **Context and objective:**

Despite the criminalization of sexual mutilation and the severity of the criminal sanctions in the law, the cases presented in court lead to lighter sentencing, including for parents.

These observations require to identify the practices of the court and find the reasons of this lighter sentencing against parents. This brought about a series of questions on the factors ignored in French law or which lead to aggravating circumstances in case of sentencing for excision?

### **Approach and methodology:**

In the context of a European report, the first approach of the clinical project consisted in the analysis of French criminal law on sexual mutilation and then, in practice, the evaluation of the need to sanction which leads to different critical grids of analysis explaining the scope of application of the rules.

Choralynne Dumesnil is the supervisor of the project « Sexual Mutilations».

## **Project 6 - Among the Present in link with the State Penitentiary**

### **Context and objective :**

The NGO « Among the Present » emphasizes the need to find alternatives for prison sentences in civil society. «Presents » are lay people in civil society who, with the help of students, support persons who are incarcerated for a short time by sharing an activity with them: cooking, walks, cultural visits, volunteer work, agricultural field work. The organization is now involved with persons awaiting their trial.

### **Approach and methodology:**

When the NGO is involved before sentencing, it prepares the person charged for the first time before his trial. It adds opportunities for interpersonal contact, training at the university and professional level, courses in eloquence and moot court sessions. The goal is to influence the decision of the judge by presenting a young person, conscious

of his acts and willing to take control of his future and the role he can play in society to avoid a decision of incarceration at trial. The intensive preparation of the trial is part of a pilot program starting in April 2019.

The Sciences Po students participated in the preparation of the different steps of the pilot to prepare the trial: meeting with the DA, the judge in charge monitoring the person awaiting trial, criminal lawyers. They drafted presentations to communicate with the Justice system, NGOs and social networks as well as with the person awaiting trial.

Jehanne de Fleurette supervises the project « Among the Present ».