MAKERERE BUSINESS LAW CLINIC

STUDENTS' REFLECTIVE JOURNAL REPORT

(September 2019 – August 2020)

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BUSINESS LAW CLINIC
DEPARTMENT OF COMMERCIAL LAW
SCHOOL OF LAW MAKERERE UNIVERSITY

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(September 2019 – August 2020)

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Acronyms Used

BLC	Business Law Clinic
CGPA	Cumulative Grade Point Average
KCCA	Kampala Capital City Authority
MSME's	Micro, Small, and Medium Enterprises
NGO	Non-Governmental Organisation
PILAC	Public Interest Law Clinic (Makerere University School of Law)
PLAVU	Platform for Vendors in Uganda
SDG's	Sustainable Development Goals
SEATINI	Southern and Eastern Africa Trade Information and Negotiations Institute
SINA	Social Innovation Academy (Mpigi, Uganda)
UBLAC	University-Based Legal Aid Clinic
USV	United Social Ventures

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Executive Summary

In the course of its inaugural year, the Business Law Clinic of the Department of Commercial Law at Makerere University School of Law, has engaged, instructed and trained a pioneer team of 12 student volunteers. This is in keeping with the aims of the Clinic to, among others, use clinical methods of instruction to train law students on corporate and commercial areas of law as well as provide commercial legal services to small businesses, start-up's, the indigent, vulnerable entrepreneurs, and other disadvantaged groups. This way, it is hoped that the Clinic contributes to sustainable socio-economic development in Uganda.

This Report analyses the experiences, accomplishments and suggestions recorded by the students in their reflective journals submitted to the Clinic as well as during interviews conducted with them. The analysis is intended to provide an assessment of the achievements of the Clinic thus far, as well as to guide future activities.

On the whole, the Report notes that majority of the student volunteers reported to have had positive experiences and that they met their expectations of the Clinic. Upon this premise, the report concludes that the Clinic achieved the targets of the training programme including equipping the students with the requisite knowledge and skills for social justice lawyering in commercial legal practice. The students were trained on Commercial Law subjects including Employment Law, Intellectual Property and related issues such as incorporation of companies and registration of NGOs. The students also benefited from exposure to emerging laws and the intersection between legal justice and technology and had Clinic-facilitated career guidance on aspects such as legal drafting, client-interviewing and advice, public presentation and team work. The students commended the effective mode of teaching adapted by the Clinic including during the prevalence of the threat of, and containment measures for, the COVID-19 pandemic.

To maneuver around the newer dynamics presented by COVID-19 ─ including limitations on movements and physical meetings ─ the Clinic resorted to virtual platforms for workshops, knowledge sharing sessions, peer-to-peer learning sessions as well as meetings with clients.

However, the Report also highlights some challenges reported by the students including: some of the Clinic's activities conflicting with the official School of Law timetable as a result of which some of the students missed out on Clinic activities; a feeling that some of the activities were accorded limited time; stu-

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dents' initial lack of substantive knowledge of certain core Commercial Law subjects, many of which are taught in the students' fourth year of study; language barrier in the course of engagements with non-English speaking clients; unstable internet connection during virtually held activities; among others. In view of these insights, the report offers recommendations to the Clinic, in light of the findings made.

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Introduction 1

1.1 Synopsis

The Business Law Clinic (BLC) is a pioneer commercial/transactional University-Based Legal Aid Clinic (UBLAC) in Uganda which was established under the Department of Commercial Law at Makerere University's School of Law in September 2019. Notably, in Uganda Legal Aid Clinics or entities have mostly been focused on non-commercial legal dimensions of justice such as family and domestic affairs, sexual and gender-based violence, criminal justice, land justice, and the promotion of civil liberties. To bridge this gap, the BLC adopted clinical teaching methods to impart practical social justice lawyering skills onto its law-student volunteers who will in turn champion the provision of commercial/transactional legal aid to BLC clientele of indigent communities, small businesses, start-up's, and vulnerable entrepreneurs such as street/market vendors.

In September 2019, the BLC admitted a pioneer cohort of 12 student volunteers for a one year apprenticeship programme that ended in August 2020. These students were selected through a rigorous merit-based criteria. As part of their assignments, the students were required to prepare reflective journals on their experiences. The journals were regularly submitted to the Clinic's instructors by way of email.

This Report emerged out of a synthesis and analysis of the experiences, achievements, challenges, suggestions, and other views formed and captured by the BLC student volunteers in their reflective journals as well as during the interviews conducted at the end of the programme. It is hoped that these findings will enable the BLC to assess the growth in learning and experiences of its pioneer students in addition to guiding its future activities with the incoming and future cohorts of volunteers. The Report is also an avenue for sharing learning and experiences for other players that have an interest in UBLACs.

The Report proceeds in Section 1.2 below with a brief account of the significance of reflective journaling as a teaching and learning tool, followed by Section 1.3 which provides an overview of the major BLC activities undertaken in the pioneer year. Following this is Section 1.4 which briefly descries the methodology used in the review. On its part, Section 2 contains brief profiles

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of each individual student, taking note of their unique views and experiences, while Section 3 highlights the structured compilation and general analysis of the experiences of all the 12 students as gathered from their reflective journal writings and interviews, taking note of their achievements, suggestions, and the challenges that they faced. This general analysis of the students' experiences, specifically contained within Section 3.1, is done on the basis of 13 cross-cutting themes. Section 3.2 then discusses the different challenges that were faced by the students while Section 3.3 makes some additional observations on the students' reflective journal writings. The Report then highlights a set of recommendations made to the Clinic in Section 4 and finally a generalised conclusion in Section 5.

1.2 A note on Reflective Journaling in Education

In education, reflective journaling serves as an experiential teaching and learning tool that cultivates students' introspection and critical thinking about their course content and learning experiences for improved learning outcomes. This makes it an indispensable tool in clinical legal education where students are trained to apply the law in context, and to real and changing problems.

Through reflective journaling, students regularly record their thoughts on, and analyses of their learning journey, what they have been taught, important events, and other experiences — all in a carefully contemplative way. This metacognitive process has a positive effect on understanding, memorisation, and flexible application of acquired knowledge to new and practical situations.

Reflective Journaling has many purposes and benefits including: an improvement in students' critical thinking abilities; greater achievement of learning outcomes; the possibility of effectively tracking real growth in students' learning; an increase in attention, concentration, and retention of taught knowledge; promotion of self-discovery by connecting students' beliefs, feelings, intuition, and course content; enabling students to take responsibility for their learning under guidance; enabling students to understand, critique, and apply the law in context; and sharpening the clarity of students' thought processes and expressive abilities.

On the other hand, reflective journaling also enables instructors to monitor their students' learning experiences and progress, and to therefore devise better and more effective teaching strategies so as to maximise learning outcomes.

Thus, reflective journaling is a vital teaching/learning tool, especially in a clinic setting such as the BLC's.

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1.3 An Overview of BLC Activities (September, 2019 to August, 2020)

During its first year of operation (September 2019 and August 2020), the BLC conducted a range of activities categorized as follows:

1. Knowledge sessions;
2. Community outreaches;
3. Guest lectures;
4. Virtual workshops;
5. Peer-to-Peer learning sessions;
6. Locus/learning visits to places and entities of interest; and
7. Client meetings/interviews.

All the above activities involved active participation of the students under the guidance of the BLC instructors and partners. Each main activity was concluded with a de-brief session where reflections were made on the different aspects thereof. In addition, students periodically authored reflective reports on their experiences.

Knowledge sessions

The knowledge sessions were intended to augment the students' mastery of distinct branches and aspects of the law including Employment Law, the registration of NGOs, the incorporation of companies, Intellectual Property, and other topics.

Community outreaches and locus visits

On their part, the community outreaches were conducted in places such as Wandegeya Market where the BLC students and advocates provided legal advice and guidance to the market and street vendors. A series of locus visits were also conducted to places and entities of interest such as the Social Innovations Academy (SINA) in Mpigi District, the Innovation Village at Ntinda in Kampala, and JW Advocates in Kampala. Through these site visits, the students had an opportunity to interview clients in order to appreciate their activities and provide them with practical legal advice under the guidance of a practicing advocate. The process also enabled the students to build partnerships with business and legal practice communities.

Coping with the COVID-19 pandemic

In the face of the newer dynamics presented by the outbreak of COVID-19, including a mandatory lockdown on transport and traditional service provision, the BLC resorted to virtual online platforms to implement its activities for ex-

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ample workshops and learning sessions on the laws governing business start-up's, micro-insurance, refugees and entrepreneurship.

Guest lectures

Guest lectures were conducted on diverse topics such as the effect of the COVID-19 pandemic on the law of the sale of goods and supply of services, as well as other issues such as access to credit for small businesses, the legal regime governing registration of companies juxtaposed with the level of illiteracy in Uganda, and on the role of technology in enhancing access to justice.

Peer to peer leaning

The students made informative presentations on pertinent areas of corporate and commercial practice, such as the impact of the COVID-19 pandemic on the landlord-tenant relationships, and employment relations. These presentations happened through several peer-to-peer learning sessions overseen by the BLC instructors.

A combination of these and many other activities made the pioneer BLC programme very interesting and engaging for the students.

1.4 Report Methodology

The findings of this Report were made after careful analysis of 35 written reflective memoranda/reports authored by 11 of the 12 students during the course of their clinic experience, and as supplemented by one-on-one interviews conducted with each of the 12 students. The methodology employed was therefore qualitative.

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Highlight of the Students' Profiles

2

This section provides a brief profile of each of the BLC's pioneer students as viewed through their reflective journals and interview responses. Thereafter, Section 3.0 makes general observations and conclusions on the basis of 13 cross-cutting themes discerned from these accounts.

2.1 Alesi Norah Samantha (LL.B III)

The meeting with PLAVU on the proposed KCCA Market Ordinance was an eye-opener for me. It taught me the importance of pragmatism and setting realistic goals. In my analysis, I had to account for the Government's own views, challenges, and the fact that it has to merge many competing interests. This made me think about what targets were achievable in the circumstances and focus on those. – (Second Reflective Memo)

The first set of journal and interview we present is that of Ms. Alesi Norah Samantha, a law student in her third year of law school. A review of her accounts reveals that Alesi's experience with the BLC was one of growth and many firsts. She speaks, for instance, about how she was inspired and humbled by a locus visit to the Social Innovations Academy (SINA) in Mpigi District, where she witnessed the help accorded to, and work done by the marginalized groups that have found refuge and hope there.

In the above quotation, Alesi describes her experience while reviewing the Kampala Capital City Authority (KCCA) Market Ordinance which required her to address the problem of her client, Platform for Vendors in Uganda (PLAVU), with a pragmatic approach that also takes into account the realities faced by Government. She also appreciated the importance of setting realistic goals for the benefit of PLAVU and its members. To this end, she focused more on an attempt to lower the taxes payable by hawkers, one of PLAVU's main beneficiaries.

Alesi was also part of the team that drafted a Dynamic Equity Agreement for SINA, and participated in advising United Social Ventures (USV) regarding its

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status as a foreign NGO. This is in addition to making peer-to-peer presentations on tax law and policy, based on a tax debate that she had previously attended with the Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) and ACTIONAID.

In terms of her experiences with the knowledge sessions, Alesi cites the the session on the art of negotiation which she says enabled her to appreciate the importance of reasonable compromise in the course of negotiations.

> *We had an exercise where we were divided into two divergent teams, given terms, and asked to negotiate. The role playing was so interesting; and I learned to always ask myself why the other party/side wants what it is asking for, and to reasonably compromise and not be too stubborn by sticking to terms that I could in fact easily do without. (Third Reflective Memo)*

This positive experience was attributed to the practical and engaging nature of these sessions which involved techniques such as role plays.

Furthermore, Alesi expressed satisfaction with the choice of guest lecturers on different subjects. She cited, in this regard, an example of Ms. Hadijah Namyalo, whom she appreciated for the extensive use of rich and contemporary examples in the lecture on the effect of the COVID-19 pandemic on the sale of goods and supply of services. Equally interesting for her was the guest lecture on Intellectual Property which was facilitated by Mr. Bernard Mukasa. She noted, in this regard, that this lecture

> *...was very interesting, and I appreciated the importance of promoting the law on Intellectual Property for the progress and well-being of humanity, the furthering of innovation, and the spurring of economic growth as well. All my inquiries were addressed and my understanding of Intellectual Property, a subject I had not yet formally studied in school, was greatly enhanced.*

Also memorable was the session facilitated by Ms. Nona Tamale, which she says prompted her reflection on her career goals, passion and working towards a clear vision. That is;

> *Our session with Ms. Nona Tamale was very interactive. The main take-home for me was being able to look at my areas of interest and try to integrate them; writing my goals and dreams down and asking myself where I see myself in five years more frequently; and to keep progressively moving forward every day. All this had me returning to my vision-drawing board.*

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During an interview with her upon completion of the programme, Alesi reiterated her praises for the BLC's teaching methodology thus:

> *I think the sessions with BLC were interesting and great because they were interactive. It was like a roundtable where you not only get to sit and listen, but also get to participate actively.*

Alesi also reported to have learnt some lifelong lessons from the actual student led presentations before the BLC's target beneficiaries. She recalled, for example, how the quality of feedback to a presentation on the legal aspects of and opportunities for business start-ups in Uganda ─ which she made during a virtual workshop co-organised by the BLC and the Legal Innovation Hub ─ not only provoked her deeper reflection on the subject, but also fundamentally changed her attitude towards the audience. She confessed to have been both surprised and impressed to note that a people whom she had thought were untrained were so deeply informed about the subject she was discussing.

Relatedly, Alesi learnt how to communicate with clients in a more user-friendly manner which is distinct from confusing them with legalese. Other benefits included: attaining an appreciation of the value of teamwork; mentorship by BLC instructors on how execution of novel tasks such as the drafting of the Dynamic Equity Agreement with SINA; receiving supplementary material for the proper appreciation of law and practice; the guidance of fellow volunteers who were in their fourth year of study; as well as appreciation of the value of keeping a reflective journal which, she noted, enables one to become more expressive.

Even as the journey was generally successful, Alesi highlighted a difficulty she faced in communicating with some of the clients who were predominantly Luganda speakers, in which language she can barely communicate effectively.

On the whole, she expressed gratitude for the opportunity to learn and grow with the BLC which also facilitated networking. She said; "I have made new friends and gotten to interact with lots of exciting people whom I never would have gotten the chance to talk to and learn from. A lot of good has come from this."

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2.2 Allena Ayesigye (LL.B III)

> *All good things must come to an end, and so it is with my time as a BLC volunteer. But in another way, this is also the beginning of a new journey. I plan on putting my BLC experience to good use in furthering the cause for social justice and inclusivity. In particular, I intend to assist small businesses, the indigent, start-up's, and other disadvantaged entities. – Final Report.*

On her part, Ms. Allena Ayesigye describes her experience with the BLC as "an adventure" and "a journey to the world outside legal theories." She cites training in a number of areas in which she acquired a unique form of training currently not provided under the mainstream School of law curriculum. These include: drafting and execution of key legal documents such as contracts, memoranda and articles of association, constitutions for institutions as was the case with the Holocracy constitution for SINA, as well as drafting of partnership and membership agreements as was the case for USV. Additionally, she assisted in providing advice to Safe Bangle Technology, a MasterCard Students' start-up, on its registration.

The BLC experience also introduced Allena to a wide range of commercial branches of law that she had not yet encountered in the mainstream LLB class. She was also able to connect with, and serve 'real clients', which experience taught her "…a lot about communication with a client; what to ask and what not to ask, and how to precisely identify a client's legal problems." She also learnt how to create a client profile memorandum.

But most importantly, she learnt how to effectively do social justice lawyering through strategies such as lobbying for legislative reforms. She particularly witnessed this when she advised on the expansion of the definition of "market vendor" within the proposed KCCA Market Ordinance, and on the repeal of certain other undesirable legal provisions. She notes,

> *This journey was very fruitful. It gave me an insight on the laws governing markets, the problems facing market vendors, labour laws, how laws are made and further strengthened the spirit of teamwork within me.*

Furthermore, Allena now appreciates the value of teamwork, and has been able to hone her research skills especially through the materials availed by clinic instructors.

Equally enlightening for her were the guest lecture series. From Ms. Linda Alinda's guest lecture, for instance, Allena was able to appreciate the value of tech-

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nological innovation in promoting social justice. She comments on this lecture as follows:

> *From our session with Ms. Alinda, I learned that technology is becoming a vital tool for the attainment of justice needs for all. Countries like India and the United States of America are using technology to facilitate convenient access to essential legal services. I also learned that in using technology to further social justice, it is important for one to understand the end-user; merely having a software application is not enough in itself.*

Equally useful for her was the session on ethics by Ms. Nona Tamale, in which the latter shared on aspects such as how women lawyers can navigate around the challenges presented by and in the course of the field of legal practice, as well as reconciling the passion for social justice lawyering and the need to make a lucrative career. She notes, in this regard, that

> *I got to learn that I can merge my passion for human rights and my desire for commercial law. We were encouraged to follow our interests and instincts and told that there is always room for trial and error.*

From the knowledge session on Employment Law, Allena appreciated the importance of incorporating anti-discrimination and anti-sexual harassment provisions within a Human Resource Policy. She noted that while the law places a burden on employers to reasonably accommodate Persons with Disabilities, it does not sufficiently address issues of sexual harassment for instance complaints of same-sex harassment. She thus highlights the importance of conducting independent investigations within the workplace, on complaints of sexual harassment. Equally informative was the session with Prof. Deborah Burand and members of other Business law clinics around the world, which she said enabled her to relate with the experiences within other Business law clinics and to make improvements on their part.

The other aspect of the BLC program on which Allena reflects is the community outreach/ educative sessions. For instance, she went for an interactive session with PLAVU's street vendors which session focused on the importance of paying taxes, license fees, and belonging to a trade union. Her reflections in this regard were as quoted below:

> *This was a very informative session for me. I got to appreciate the problems faced by street and market vendors. ... The vendors had lots of questions which we could not exhaustively address given the time. I did notice, though,*

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that the vendors have limited knowledge on their rights and the laws that govern them; and are often extorted by those in power. More sessions with the vendors such as this one, especially sessions on tax-related issues, are needed.

This is revealing of the value of the education/community outreach sessions both in the teaching of commercial subjects at the school of law, as well as sensitizing communities about basic aspects of commercial relations and transactions. Other sessions in which she participated include: a session on smart contracts which was held at the Innovation Village in Ntinda-Kampala, as well as a session with refugee communities on aspects of entrepreneurship including registration of companies, creation of partnerships and intellectual property rights.

Allena's reflection also stretches to other aspects of the program. Among these are role-plays which were conducted for instance during the knowledge session on the art of negotiation. According to her, such sessions were not only informative for example on the importance and impact of power dynamics in the course of negotiations, but also fun. She also praised the peer learning session presentation on micro-insurance.

Speaking to the challenges faced during the course of the program, Allena reports that she had limited knowledge of the substantive laws applicable to the various Clinic tasks. She attributed this to the fact that she had not yet studied those laws in class. Secondly, she noted that owing to the competition from assignments under the LLB program, the students always had limited time to execute tasks under the BLC program. That is;

Time constraints…caused us to lag behind on most assignments such as those relating to SINA, because of parallel school activities like coursework week. Given that the activities of the Business law clinic Education are not part of the official Law School curriculum, it was difficult to incorporate them into our usual schedules.

Even then, she notes, the BLC administrators and instructors were accommodative of the main school schedule of the students by allowing for some level of flexibility.

Other challenges she highlighted included a communication gap created by language barrier since some of the students could not comprehend some of the languages spoken by the beneficiaries of their services. Added to this was the fact that some activities such as engagements with the vendors were allocated limited time which affected the depth of engagements on all issues. Also noted

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was the outbreak of the COVID-19 pandemic which, for instance, interrupted implementation of field-based activities of the BLC program.

Yet, these challenges did not prevent Allena from concluding her reflections with an expression of gratitude. That is;

> *BLC activities were very informative, and I believe that I was able to gain various skills that are critical for use in the fight for social and economic justice in our society.*
>
> *Through the Clinic's activities, I was able to learn about: business registration, labour-law-related interventions, the drafting and reviewing of contracts and tenancy agreements, negotiation of contracts, how to create legal awareness through community outreaches and sensitisations, advocacy for improved legal regimes, formation of non-profit organisation, processing of permits and licences, and a myriad of other transactional services.*
>
> *My knowledge on Company law, Intellectual Property Law, Refugee Law, Contract law, Labour Law, Taxation Law, and Corporate Governance amongst others, was also expanded and I am forever thankful.*

2.3 Ivan Egesa (LL.B III)

> *I had always found Commercial Law, as taught within the Law School classroom, to be dull and for that reason quite difficult. I, in fact, failed to offer the Law of Banking as an elective course because I had been told that it is difficult.*
>
> *But joining the BLC as a volunteer completely changed my position on this. With its practical and engaging methods of teaching Commercial Law, the BLC redefined my perception of business law, and greatly improved both my understanding of and interest in it. – Final Reflective Report.*

In this quotation, Ivan Egesa speaks to a significant attitudinal transformation occasioned by the BLC program. This is a fact evident in his own admission that prior to engaging in the BLC activities, he found Commercial Law to be uninteresting and difficult. Yet, following his interface with the program's activities and teaching methods, his interest in Commercial Law has spiked. He now has the confidence to pursue a range of elective Commercial courses offered to fourth-year-students by the School of Law. He also believes that he has a sufficient ground to enable him excel at them.

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Particularly, Ivan was impressed by the effectiveness of interactive learning sessions, the division of roles within group clusters, client interviews, and the numerous guest lectures. He notes:

> *The different teaching methods employed by the BLC provide numerous avenues for one to actively participate in the learning process. Additionally, client interviews provide students with hands-on experience. This uncommon mode of teaching is both effective and inclusive for all students, ensuring that none is left behind. (Final Report)*

Ivan also acknowledges the benefit of having fourth year students as part of the team of student volunteers. In this regard, he says that,

> *The selection of students from both third and fourth year bridges the interaction gap and creates room for inter-student consultation and collaboration. This system also allows for knowledge sharing and builds both confidence and teamwork amongst the students.*

Reflecting on the BLC's interest in harmonizing law and technology, Ivan notes that the use of online platforms during the COVID-19-induced lockdown was a welcome innovation. He notes that as a result, he also had to adapt and become adept at using email as a form of communication in line with the BLC's modus operandi.

In the course of his tenure, Ivan participated in a number of practical activities of the BLC program. For instance, he took part in locus visits for example to SINA in Mpigi District where he witnessed the creativity of SINA's members and the positive social impact their activities have on vulnerable groups. Commenting on this experience, Ivan shared thus:

> *At SINA, we were shown several projects and how they impact upon the local community. For example, we saw a straw-making project, a fashion project, and were introduced to the Gejja Women Foundation that makes sanitary pads.*
>
> *The level of creativity displayed by the fashion project was simply amazing; the project implementers were using waste material such as used sachets of milk and empty sugar sacks to make garments and bags.*
>
> *The other special aspects of these different projects were the involvement of persons living with disabilities and the way that they rehabilitate and empower persons that were previously engaged in sex work.*
>
> *My favorite project was the one by the Gejja Women Foundation, which*

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promotes menstrual hygiene in schools and communities by facilitating the making of reusable sanitary pads. (Second Reflective Journal)

He was also part of a team that reviewed a distribution agreement between Uganics Repellants Limited and Uganics Life, Austria, for the distribution of repellant soap. While working on this assignment, Ivan reports to have appreciated the value of teamwork which proved to be instrumental in their diligent execution of the task by his team. He also participated in the review of KCCA's Market Ordinance, on behalf of PLAVU, to highlight loopholes and making appropriate recommendations for reform. To this are added advising Safe Bangle Technology on their pending incorporation as a company and the drafting of both an employment contract and an anti-sexual harassment policy.

From the activities that he was involved in, Ivan highlights some takeaways that he noted. From legislative drafting related assignments, for instance, he now understands that laws have to be drafted in clear and unambiguous language. This is as good as understanding a client's problem, wishes, and expectations in the course of interviewing clients. Reflecting on the guest lecture by Ms. Linda Alinda on social justice and technology, he noted the importance of creating innovative solutions to enable vulnerable persons access justice.

Ivan has not only improved knowledge through the BLC activities, but also acquired newer life skills. For instance, through the frequent peer-to-peer learning sessions, he has had a tremendous improvement in his presentation skills. To these are added the career guidance sessions he benefited from under a practicing advocate, Mr. Francis Karoro of JW Advocates.

In terms of the recommendations, Ivan noted that BLC activities should be elevated to a course that attracts an award of a grade point for purposes of computing a participating student's grade point average (GPA) or other grade-based contribution with regard to their Law School performance in the semesters when they are involved. This is hinged on the time commitment of the students and the amount of learning thereby generated.

Regarding challenges faced, Ivan observed that some BLC activities appeared to have been planned and/or scheduled on short notice, which at times affected the students' planning for them. Yet, like the rest of the students, Ivan believes that his BLC experience was generally productive and worthwhile.

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2.4 Andrew Gaberenge (LL.B III)

Being a BLC volunteer has challenged me to approach legal tasks in a holistic way, by reviewing and incorporating all relevant legal areas – including those not formally covered in class – toward creatively solving legal problems. For instance, in drafting a Holacracy Constitution for Our Roots Africa, my colleagues and I sought guidance from and made reference to the American-draft Constitution on Holacracy. – (Second Reflective Journal entry.)

On his part, Andrew Gaberenge's reflective journal shows that the BLC program challenged him to be versatile in applying the law toward solving client problems since many of these laws require out-of-the-box thinking and expansive research.

Like the above students, Andrew shared some of the most memorable specific experiences he had had on the program. Among these is the guest lecture on using technology to enhance access to justice following which he was challenged "…to rethink about how [to]modify the Conventional ways of legal practice to suit the current era of technology (the information age)" (3rd Reflective Journal entry). Emphasis added.

Andrew also participated in the review of the KCCA Market Ordinance on behalf of PLAVU, a BLC Client dedicated to furthering the rights and interests of groups such as street vendors. At the time of writing, he was still looking forward to the results of his and his team's efforts on this activity. Furthermore, He participated in the drafting of a number of legal documents including: a Holacracy Agreement for Our Roots Africa, a Human Resource Policy Manual, and Membership, Partnership, and Accelerator Agreements.

He further positively reflects on the benefits of teamwork, which he was able to harness by collaborating with his fellow volunteers on several novel legal problems. Furthermore, he benefited from mentorship by fourth year students throughout the clinic-experience.

Andrew however sadly noted to have missed out on participating in some of the activities where he would have desired to engage, on account of a clash with his LLB class timetable. He reported to have instead resorted to getting briefs on these activities from his peers who would have attended.

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2.5 Blair Kalivayo (LL.B IV)

> *The dilemma of sometimes having to choose between participating in Clinic activities or attending compulsory class lectures and preparing for exams, is the biggest challenge for BLC volunteers. It is a problem that persists despite the fact that some Clinic activities are pushed over to the weekends. Hopefully, a solution will be found to this problem in due time.*

Although he generally describes his BLC experience as having been "tremendous" and one which met most of his expectations such as attaining an improvement in research, legal writing, and oratory skills, Blair's reflection highlights a challenge that requires response of the BLC administrators. In the quote above, he presents the question of time and incompatibility between the Law School and Clinic schedules, as a major conflict that they as students found trouble contending with. He describes this conflict as a dilemma in which they had to choose between two important parallels. He notes, for instance, that during the examination period, students' participation in BLC activities was minimal.

Relatedly, he notes that the students often did not have sufficient time to execute a client-task or even to proof read their work. In this regard, the following observation is instructive,

> *The first assignment came in very fast, and we also had a short period of time to execute it. We therefore did not get enough time to review the work we had done, hence it had a few mistakes. However, this effect of having limited time to execute tasks was eventually resolved by dividing the work and assigning its different parts to different groups.*

Additionally, Blair notes other challenges such as difficulties in mobilizing group members to physically attend group meetings intended to execute tasks. However, this problem was eventually addressed when the members agreed to collaborate virtually using the internet.

Yet, in spite of these challenges, Blair's feedback reveals that he still regards his participation in the BLC activities as a worthwhile undertaking. He particularly mentions having participated in: authoring a legal memorandum and making a presentation for USV on corporate governance and Intellectual Property Law; drafting of a Holacracy Constitution for SINA; drafting of a Human Resource Manual, drafting of Membership, Partnership, and Accelerator Agreements for USV; advising USV on the propriety of changing its status and becoming a local NGO; and participating in the community outreach at Wandegeya Market with traders and vendors. To exemplify the amount of work that had to be in put

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into these assignments, Blair recalled how his team which prepared the Human Resource Manual for the USV, had to develop as many as three drafts before it could be admitted by the Instructors as satisfactory. Since the drafts were developed under the guidance of the BLC instructors, Blair noted that by the end of the exercise, the students had not only developed an intelligible output, but also had their drafting skill set sharpened.

Also educative for Blair were the client interviews in which he participated. According to him, the main take away from that process was an appreciation of the main significance of the client interview which, according to him, is *"to get to know the tasks that the client wants you to perform for him/her and then to decide whether one is able and willing to accept and execute the client's instructions or not."*

Also notable are the peer-to-peer learning sessions conducted by the BLC, in respect of which he reports that the students *"learnt a lot from each other as the other members of the group made contributions to the presentations we made, hence improving upon our work."* He further observes that in addition to improving the work being presented, the students' presentation skills greatly improved over the course of the clinic-experience.

Blair also makes mention of the fact that the BLC organised many helpful knowledge sessions that gave the volunteers a lot of necessary information for use in executing pending Client-tasks. In this regard, he cites the session on formation of NGO's, which later came in handy when advising USV on its status as a foreign NGO desiring to register as a local NGO. Also useful was a knowledge session on the drafting of documents for the incorporation of a company. From the session on the art of negotiation, Blair learnt "the need to be patient and to have self-control" in the context of a negotiation. Through the guest lecture on social justice and technology which was conducted by Ms. Linda Alinda, Blair reported that he appreciated the magnitude of unmet justice needs in Uganda and around the world, and the role that technological innovation can play in meeting these needs.

He was however disappointed by the fact that due to the COVID-19 pandemic the student volunteers were only able to make one in-person law-firm locus visit to JW Advocates. Even then, the facilitator there Mr. Francis Karoro, was able to inspire the students to aim for mastery of all major legal principles and to excel at the Bar Course.

On the whole, Blair is believes that his cohort of pioneers performed well in harnessing the opportunities provided by the BLC volunteer scheme and is confident that the future cohorts will equally benefit.

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Notably, Blair also commented on the role of regular oral debriefs, which he said enabled the students to learn from each other's experiences and perceptions gathered from Clinic activities. He observed: *"It should be noted that it is no possible for us to all have the same lessons form an experience, thus making it important for us to hear and learn from each other."* – **(Third Reflective Journal)**

As to how the program could be improved, he recommended that the Clinic should dictate groupings of students into small clusters rather than leaving it up to the students themselves to choose which groups to belong to as happened toward the end of the pilot project year.

2.6 Jolly Kibalama (LL.B III)

If I had to choose three words to describe my BLC journey, they would be; experiential, fulfilling, and enlightening. It has been a journey of unprecedented self-discovery and personal growth.

I have acquired a wide range of skills in drafting legal documents, negotiation, legal writing and research, client interviewing, communication and interpersonal skills, time management, and organizational skills. I have also developed a deeper understanding and respect for social justice.

While it has not been smooth the entire way, I can confidently say that in every challenge lay a valuable lesson. (Final Reflective Report)

When Jolly joined the Clinic, he had a number of expectations. He expected among others: to have a practical interaction with, and better understanding of, the law; to contribute toward the cause for social justice; and to exercise his passion for corporate and commercial law. He attests that these expectations were all met. He reflects upon how hard he had worked on his Expression of Interest and Curriculum Vitae in the preliminary stages of selection of volunteers, and how this hard work paid off when he was chosen as one of the 12 pioneer students.

Jolly was part of a two-person team that presented a legal memorandum and PowerPoint Presentation to USV on corporate governance and Intellectual Property Law. He was also part of the team that drafted a Holacracy Constitution for SINA, and Membership, Partnership, and Accelerator Agreements, through which he improved on his research and drafting skills. He notes as follows in relation to this exposure; *"The process of drafting the Holacracy Constitution was a bit tedious and sophisticated, but the final product was uniquely*

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satisfying and the skills attained permanent." Importantly, this student credits the Clinic instructors for extensively training and guiding the students on the drafting of these and other Agreements and legal documents, and on how to incorporate Client wants, needs, and expectations in the process. To put this support role into context, Jolly explains that, *"Because of the complexity of most of the projects we did and the fact that we were producing work for sophisticated clientele, the clinic always ensured that we possessed sufficient knowledge to handle the numerous assignments."*

Thanks to the small size of the BLC class, the instructors always devoted considerable attention to each student, which made their engagements much more effective and richer than the ordinary Law School experience. He also appreciated the like effectiveness of some of the Clinic's teaching methods, such as the mock negotiation or role play conducted during the knowledge session on the art of negotiation. He states, in this regard, that:

> *The unique aspect about these knowledge sessions was their practicability, which facilitated easy and adequate understanding of the principles. For example, in the class on negotiations, our facilitator – Ms. Edline – divided us into two groups to simulate an actual negotiation exercise by pitting one team against the other in a mock negotiation meeting. It was interesting to observe and partake in, so much so that we forgot about the lapse of time for the exercise. The experience created vivid lessons for us all.*

Jolly refers to other activities in which he participated including the locus visit to the Innovation Village at Ntinda, the locus visit to JW Advocates, and the community outreach to Wandegeya Market. In specific reference to Wandegeya market, Jolly reports to have attained a better understanding of the unique challenges faced by market vendors and traders such as the lack of information on many key business operational requirements and legal services. Atop that awareness was a heightened interest to empower such communities. In his own words, Jolly recalls, in respect of such sessions, that *"It was quite satisfying to dispense legal advice to these often marginalized and indigent members of the community."*

He also co-facilitated a workshop for MasterCard students on company registration, corporate governance, and Intellectual Property Law. He notes that in the course of his preparations for this and other engagements, he benefited from extensive guidance of the Clinic's instructors, which enabled improve on his presentation and communications skills. The clinic also trained him on how to conduct proper client interviews, and an opportunity to test these skills for example when he interviewed PLAVU members in order to ascertain the association's legal needs and expectations. That engagement also resulted into a legal

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memorandum of proposals of deserving amendments to the draft KCCA Market Ordinance. Resultantly, he acquired better skills in legal and critical analysis and was as well exposed to the law-making process.

Furthermore, Jolly praised the virtually held activities conducted by the BLC for its student volunteers and clients during the COVID-19-induced lockdown, which he said helped to both keep him meaningfully engaged during such a trying time, as well as grow his knowledge and understanding of several laws and their application. Also praised as highly educative and interactive were the peer-to-peer learning sessions, pre-activity planning sessions as well as post activity debrief meetings which he notes were valuable in enabling the students to optimise the benefits from the program activities. Notably, engagement on these assignments also exposed Jolly to the role and importance of teamwork in achieving efficient execution of tasks.

He is therefore confident that as he proceeds to his fourth year of study, the skills and knowledge he has gained from Clinic activities will be an indispensable asset that will propel him to excel. Importantly, he notes that the BLC journey has enabled him to understand and better define his career interests.

It appears that Jolly's only concern was the apparent absence of a reconciled program guide for the BLC's activities which he said were at times "quite abrupt" and, as a result, many students were unable to respond to the short notices.

2.7 Abbas Luyombo (LL.B III)

Being a part of the BLC has reignited my interest in a legal career, an interest that had dwindled over time owing to the monotony of ordinary Law School activities. Unlike the latter, BLC activities were practical and exciting. My expectations have been surpassed, and my experience will be unforgettable.

Mr. Abbas Luyombo basically credits the BLC for greatly enhancing his legal drafting and negotiation skills. He cites, as example, his participation in the drafting of a Holacracy Constitution for SINA and the drafting of a Distribution Agreement for Uganics Repellants Limited. He credits the Clinic's knowledge sessions and other activities for enabling him to able to amass new knowledge on advanced courses such as Employment Law and the Law of Taxation. Not only did he thereby appreciate the substantive and procedural laws, but also how to apply them to real problems and real clients. Basing on this experience, he wished that the Clinic will be able to expand its intake so that many other students can get the same opportunity as he has.

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Regarding challenges faced, Abbas notes that the Clinic seemed to have had quite a lot of work on its hands and yet there was only limited time for execution. Resultantly, the students were operating under pressure which he advises could be relaxed by the program allocating more time to activities and increasing on the number of students recruited in order to spread the load. He also proposes that volunteering with the BLC to attract some academic grade points.

More fundamentally, Abbas confessed that being a part of the BLC instilled in him a spirit of social justice lawyering in the commercial dimension. He stated that while he used to regard legal practice as one dedicated to meeting the needs of the advantaged, now — after going through the BLC program — sees and appreciates the role of legal practice in furthering justice in the commercial arena especially for small scale entrepreneurs and other vulnerable groups.

2.8 Margaret Nakakande (LL.B IV)

Being a part of the BLC has reignited my interest in a legal career, an interest that had dwindled over time owing to the monotony of ordinary Law School activities. Unlike the latter, BLC activities were practical and exciting. My expectations have been surpassed, and my experience will be unforgettable.

In the above quotation, Margaret confesses to have resurrected her passion and interest in the legal profession after participating in the BLC program. She shares how the curiosity and excitement she had joined the law school with had quickly died out due to a repetitive and disengaged cycle of monotonous reading that characterises the traditional form of teaching the law. She contracts this with the BLC's clinical methods involving practical, engaging, and exciting application of the law. The effectiveness of the latter approaches is evidenced by the fact that Margret has since had her interest in a legal career rekindled.

Among the many activities that Margaret participated in was the drafting of the International Volunteer and International Fellowship Agreements for USV in the course of which she was able to improve on her legal research and drafting skills. She also improved on her communication skills.

By participating in providing legal services to the BLC's diverse clientele, Margaret attained an appreciation of the different legal problems commonly faced by communities particularly the vulnerable ones. Importantly, she developed an interest in employing her legal knowledge and skills to empowering the disadvantaged. Such was the case following a visit to SINA in Mpigi district which she regards as her most memorable experience. That is;

My most memorable experience is our trip to SINA in Mpigi District. At

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SINA, we witnessed different groups of vulnerable persons such as refugees and persons living with disabilities, all of whom were engaged in different creative pursuits that exhibit and contribute to the realization of their full potential. This experience made me more open-minded and also showed me the beauty in using my legal knowledge and skills to empower people. I was able to see how Commercial Law can be used as a tool to further social justice

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This interest is further grounded by trainings such as a guest lecture on furthering social justice using technology, which was facilitated by Ms. Linda Alinda. According to Margaret, that lecture enlightened her on *"how technology can be used as a tool to promote access to justice in Uganda; an uncommon solution to the glaring problem of unmet justice needs."*

On the COVID-19 pandemic and its interruption of ordinary BLC activities, Margaret states that the resort to virtually held activities was an effective solution seeing that the students easily adapted. She notes, in this regard, that they

...had to learn to orchestrate our presentations without physically meeting and to ensure that the work we were to present was adequate. This required considerable mutual trust. We each also had to be ready to fill in for our colleagues in the event that they were having connectivity problems or could not, for any other reason, participate in the online session.

The online sessions further contributed toward the growth in her public presentation and communication skills.

She also reflects on the benefits of teamwork and collaboration, noting that it enabled her and her colleagues to execute what would otherwise have been monumental tasks. That is, *"The assignments sometimes seemed herculean. However, collaboration with fellow students made it easy to tackle these difficult tasks."* This teamwork was valuable during the execution of tasks such as the drafting of a Holacracy Constitution and a Dynamic Equity Agreement.

In terms of the challenges faced, Margaret points to limited time being allocated to some activities such as locus visits, the problem of language barrier as regards communication with some clients, and poor internet connectivity which affects optimal participation in online activities. Yet, in spite of these challenges, the BLC program remains one of her best experiences at law school:

All in all, the clinic has been a very progressive place and the best learning

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environment I have experienced at Law School. The instructors of the clinic have been very approachable and engaging and have worked to provide a holistic learning experience for us while still being mindful of our other classes. I am truly grateful to the Clinic for having selected me as a volunteer.

2.9 Patricia Mworozi (LL.B III)

pushed me out of my comfort zone. It gave my colleagues and I the freedom to learn from our mistakes and make progressive improvements. Our creativity in finding business-legal solutions to Clients' problems was never stifled, and because of that, our confidence exponentially grew.

The Clinic showed me that while I have not yet graduated from Law School, I still have a lot to offer to the community and to contribute toward the attainment of social justice.

Therefore, I will ensure that my voluntary work does not end with this pilot project; I intend to utilize the skills that I have acquired to help more people who have unmet justice needs…

Patricia Mworozi's passion is in Human Rights Law. She notes that it is actually the BLC's focus on the intersection of Business Law and Human Rights (social justice) inspired her to apply for a volunteer position, and that her expectations were met and surpassed.

She diligently discusses the extensive range of legal branches that she was introduced to and grounded in in the course of her clinic experience, including Tax Law, Employment Law, Refugee Law, Intellectual Property, and Company Law. She also expresses her gratitude to, and for the work she was able to do for BLC clients such as PLAVU.

Patricia's reflections also show a strong appreciation of the social justice lawyering aspect of BLC activities. She says, *"The Clinic has showed me the value of pro bono work and efforts to give back to our communities, and I will always be grateful for the opportunity."* She further states that she intends to use her acquired skills and competencies to continue contributing toward social justice for the disadvantaged.

She gives a detailed account of the various BLC activities in which she was involved, wherein she indicates to have attained a mastery of the relevant substantive laws and their application, and having had an opportunity to engage in these sessions at a level of excellence. She mentions to have actively participated in

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the drafting of a number of legal documents including a Partner Memorandum of Understanding for United Social Ventures, a Human Resource Manual, and a workplace manual for Persons with Disabilities.

Through this exposure to novel branches of law, Patricia was encouraged to challenge herself further to take on new tasks and to excel at them, even without prior experience. For instance in the wake of the COVID-19 pandemic, she was tasked to draft a statement on behalf of PLAVU, calling upon the Government to implement programs to cushion informal sector workers, displaced workers, seasonal workers, and the underemployed, from the effects of the lockdown the pandemic had induced. In doing so, she benchmarked the response of other countries wherein she identified strategies that could be harnessed by Uganda in order to arrive at optimal solutions.

She elaborately explains the different conclusions reached at the end of the virtual workshop on Business Law for start-up's, and on specialized issues such as the effect of the COVID-19 pandemic on the landlord tenant relationship, employment relations, and on tax-payers. The technical components of the different guest lectures for example on the sale of goods and supply of services, incorporation of companies, access to credit for small enterprises among others are also stuck deep in her memory.

Among the lessons she learned is the value of team work which she acknowledges to have enabled the students to tackle new tasks that would otherwise have been challenging. To this is added the ability and importance of balancing time between BLC activities and ordinary Law School activities through which she has since improved her ability to multitask without compromising the quality of work done across the various tasks.

Reflecting upon the guest lecture by Ms. Linda Alinda on the role of technology on enhancing access to justice for all, Patricia observed as follows:

> *This session taught me that legal services need to be scalable to ensure that everyone has access to them. The law needs to be a general commodity because if the majority of people do not rely on the law to resolve their issues, then the law will become obsolete in the long run. Therefore, lawyers need to find a way of preventing socio-economic problems from becoming legal problems by making justice more accessible. However, the legal profession has remained backward in that regard, by remaining shrouded in mystery. There is a need for lawyers to become more innovative to improve upon the provision of legal services.*

In respect of the knowledge session on the art of negotiation, she states that she learnt *"…the importance of knowing the party with whom you are negotiating because of the power dynamics involved in such matters, and how this affects the outcome of negotiations."*

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In an interview with her, Patricia acknowledged the importance of regular reflective memos. She stated that keeping regular written notes enabled her to recall those said crucial aspects for her periodical reflections which would not have been possible after long periods of time.

By way of a recommendation, she hoped that in the future, the Law School and BLC timetables will be harmonized so as to enable student volunteers to adhere to both schedules without conflict.

2.10 Amina Sarah Nampomba (LL.B IV)

The BLC Community Outreach to Wandegeya market was touching. It made me reflect upon the different ways in which the vulnerable market and street traders and vendors may be assisted and protected from extortion and mistreatment.

I believe that passing a bye-law is necessary to streamline their activities and clearly state the exhaustive fees payable by them such that they are protected from arbitrariness and exploitation.

Ms. Amina S. Nampomba was a part of the different teams that prepared a legal memorandum and PowerPoint presentation for USV on Intellectual Property, drafted a Memorandum of Understanding for USV, and advised *Refugee Now Kampala* on the requirements for a refugee to register a company in Uganda.

In her reflections, Amina notes that participating in the activities of the BLC enabled her to hone her skills in client-interviewing, making of public presentations, legal drafting, working under pressure and being able to meet strict deadlines. This is in addition to acquiring new knowledge on different areas including: contract drafting, employment law, smart contracts, and the use of technology to enhance universal access to justice.

Her involvement in these activities taught her a number of lessons. For instance, by participating in drafting of contracts, she appreciated the need for precision and clarity of expression and the use of minimal legalese. She also attained new knowledge following a workshop on smart contracts which inspired her to undertake an in-depth reading about this emerging area of law and commerce. On its part, the guest lecture on the use of technology to promote access to justice for all, which was given by Ms. Linda Alinda, exposed her to among others the continuing need of technology in enhancing delivery of justice services. That is;

The lecture highlighted the enormous opportunities in using technology to

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solve legal problems and thereby improve access to justice. Ms. Alinda encouraged us to use technology to make the law a general commodity that is accessible to all people. She also reminded us that since a transactional lawyer's aim is to prevent legal problems, innovation is indispensable to them. The lecturer also encouraged us to be diverse.

The program also taught her how to interview clients and obtain relevant information from them, and importantly how to communicate complex information to them in an appropriate manner. She was also always challenged to think outside of the box in order to derive creative solutions to clients' problems.

Concerning the challenges faced, Amina highlights poor coordination amongst the BLC students which, she noted, affected their ability to seamlessly execute tasks. Quite uniquely, she highlights, in one of her reflective memoranda, an incident of delayed feedback by the BLC instructors on the work done by her team. She also reiterated the issue of limited time allocated to activities for example the locus visit to SINA, as well as the problem of a clash between the BLC activities and ordinary Law School class activities as a result of which she was unable to attend some of the Clinic meetings.

Like Patricia, Amina also stressed the value of preparing frequent reflective journal entries which she noted guards students against forgetting key experiences.

2.11 Joel Otelu Omiat (LL.B III)

As a BLC student volunteer, Joel O. Omiat was able to participate in the drafting of an International Volunteer Agreement and to co-facilitate a presentation on how refugees may incorporate companies in Uganda. He also participated in a peer-to-peer learning session on micro-insurance in Uganda.

Her reflections highlights, as challenges he faced or observed during the course of the BLC program, a limitation in the amount of time allocated for activities, a conflict between the BLC schedule and the official Law School timetable as well as breaks in and the cost of internet connection in order to attend the BLC's virtual activities following the outbreak of COVID-19 pandemic and its associated newer ways of working.

2.12 Martin Ssekatawa (LL.B IV)

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Being a BLC volunteer exposed me to various extra-ordinary experiences. For example, I got to work on a unique legal arrangement for SINA, called a 'Dynamic Equity Agreement'. Because dynamic equity arrangements are uncommon in Uganda and not envisaged by its legal regime, this was a challenging task as there were barely any forms and precedents to work with. Nevertheless, we did succeed in drafting it, with extra research and the assistance of our Clinic instructors.

The uniqueness of this Dynamic Equity Agreement made me appreciate the fact that clients' problems and needs are not identical or generic, but differ depending on a particular client's unique circumstances. As a legal service provider, one therefore has to think and act creatively, flexibly, and practically.

Finally are the reflections of Mr. Martin Ssekatawa, whose experience is not very different from that of his colleagues profiled above. He mentions that the BLC exposed him to novel experiences and applications of the law, and inspired him to be open-minded, creative, flexible, and practical in his approach to solving problems. He believes that he now has the basic skills necessary for conducting proper client interviews and undertaking a basic negotiation. He also learned the need to apply the law in context and to be aware of Government plans and policies, especially budgetary estimates, so as to enrich his analysis of socio-legal-economic issues.

Martin recounts the many activities that he participated in including negotiations, client interviews, legal drafting, public presentations, peer-to-peer learning sessions, knowledge sessions, and others. In the above quotation, he describes his and his colleagues' work on a Dynamic Equity Agreement for SINA. Furthermore, he was part of the team that drafted both an International Volunteer and an International Fellowship Agreement for USV. He credits this and other activities for enabling him groom his legal drafting skills.

In acting for and on behalf of Clinic clients such as PLAVU, Martin says he was able to appreciate the value of pro bono legal services. He notes that *"These activities helped me realise the importance of Public Interest Litigation and the unique position of lawyers within society. I also appreciated the importance of being widely knowledgeable in the different aspects of the law so as to pursue social justice for the disadvantaged through all possible and available means."*

Notably, the work done by the students was not just for the sake, seeing that it resulted into substantive deliverables that were not only welcomed, but also often adopted by the clients. He cites, in this regard, the example of the advice his team gave to USV to renew its permit as a foreign NGO and postpone the intention of transforming into a local NGO, which was met with positive feed-

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back from the client.

He mentions to have been inspired following an interaction with a practicing advocate, Mr. Francis Karoro of JW Advocates, who emphasized the importance of knowing all the major principles of law and applying them correctly, and the importance of preparation. He also regards as effective and informative, the peer-to-peer learning sessions for example the one on the effect of the COVID-19 pandemic on landlord-tenant relationships which he made with another student. He notes that during these sessions, the students gave constructive criticism to each other thereby improving on the quality of their work.

Martin is grateful for the numerous knowledge sessions conducted by the BLC. Reflecting particularly on the session on access to justice and technology which was facilitated by Ms. Linda Alinda, he notes:

> *This discussion taught me how technology can be used as a tool for promoting access of justice in Uganda. I also learnt about the concept of design thinking, which basically means making a product that can work for and support all users. Another take-home for me was that innovation is about much more than merely having a software application; the innovator has to understand the user and customize their experience. We also discussed the challenge that lies in Uganda's legal framework being reactionary to rather than accommodative of emergent innovations.*

Equally inspiring for him was a guest lecture by Ms. Nona Tamale, in which he and his colleagues were encouraged to follow and cultivate their specific career interests. He says, *"From her session, my take-home was that I should always choose courage over comfort, listen to my intuition, and to prepare and apply myself."* He reveals that he is now fortified in pursing his interests in Banking and Finance, Project Planning, and Mergers and Acquisitions.

On its part, the session with Prof. Deborah Burand enabled him to appreciate some of the principal aims and roles of Business law clinics, including the goal of improving livelihoods within their communities and doing good by providing assistance to emerging businesses. He also appreciated that Business law clinics aim at preventing litigation by proactively advising clients right from the start of their endeavors.

From Mr. Ivan Engoru's session on the effect of memoranda and articles of association, on small businesses, Martin learned that the procedure for forming a company in Uganda lacks elements of protection of illiterates, and is still tied to an impractical colonial mode of operation.

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He also emphasised the value of debrief sessions convened every after major activities, noting that they were inspirational and enabled him to learn from other speakers.

Martin notes that while the COVID-19-induced lockdown was a challenge, online sessions organised by the BLC were able to provide a remedy. Nevertheless, these online sessions were partially affected by poor internet connectivity, and disruptions from having to work from home. He further notes that the lack of harmony between the BLC and official Law School timetables was a significant problem that affected attendance.

Like his colleagues Martin is appreciative of the opportunity to participate in the pioneer BLC volunteer program.

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Students' Reflective Journal Report Findings

3

This Section analyses the pioneer students' growth in learning experiences and the challenges that they faced, based on their reflective writings and interviews conducted with them. The discussion is done on the basis of 13 major themes identified as cross-cutting to all, or most students' reflections namely: i) Mastery of substantive Corporate and Commercial Law; ii) Appreciation of procedural Corporate and Commercial Law; iii) Client advocacy skills; iv) Emerging law and technology; v) Applying the law in context; vi) Inculcation of the spirit of social justice lawyering in the economic context; vii) Legal drafting skills; viii) Reflective analysis and writing; ix) Public presentation skills; x) Teamwork and collaboration; xi) Efficacy of BLC teaching methods; xii) Career guidance; and xiii) Coping with COVID-19.

3.1 Overall thematic analysis of the students' learning experiences

i. Mastery of Substantive Corporate and Commercial Law

It is evident that the BLC students have been trained in, and guided on an expansive range of corporate and commercial subjects of law including but not limited to: Contract Law, Intellectual Property, Company Law, Employment Law, the law on sale of goods and supply of services, Tax Law, and the law governing micro-insurance.

This was achieved through the numerous knowledge sessions, peer-to-peer learning sessions, workshops, and in the course of providing advice to various clients of the Clinic. In their reflections, the students indeed variously refer to the knowledge augmented and acquired on, among others: key contractual terms, the incorporation of companies, the registration of NGO's, labour law protections, and Uganda's taxation and trade/business licensing regime. Importantly, their foundational knowledge of Contract Law, acquired from their first year of study, was amplified through practical application in concert with other core subjects such as Company and Employment Law.

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Importantly, the above legal subjects are the core corporate and commercial subjects, and this therefore demonstrates that the students were exposed to a substantial set of laws relevant to the Clinic's area expertise.

While many of the Students had not yet studied some of these laws under the ordinary Law School curriculum, they were ably guided by the Clinic's instructors and guest lecturers, and succeeded in grasping and effectively applying them.

To this end, in can be concluded that the Clinic succeeded in imparting substantive corporate and commercial legal knowledge onto its student volunteers.

ii. Appreciation of procedural Corporate and Commercial Law

In addition to appreciating substantive Corporate and Commercial Law, the BLC students were also grounded in the procedural aspects necessary to implement that substantive law in practice. They were, for example, guided on how to go about filing documentation required for the incorporation and subsequent management of a company; on how to register Non-Governmental Organisations; and on how to register trademarks.

Knowledge of these procedural practices enables the students to achieve tangible outcomes for clients by effectively implementing substantive knowledge. Without knowledge of procedure, the said outcomes would not be achievable and the substantive knowledge attained would not be practically utilised. The pioneer BLC students therefore benefited from guidance on procedural Corporate and Commercial law, for an all-round legal training.

iii. Client advocacy skills

Across the board, the pioneer BLC students demonstrate that they learned how to conduct proper client interviews, and how to effectively use those interview sessions to precisely determine their clients' legal problems and expectations. They also stated to have appreciated the value of creative thinking in devising solutions to their clients' problems, as well as being pragmatic.

The students further note having learnt that their role as transactional advisors also involves proactively preventing future litigation by providing comprehensive advice at the inception stage when legal-business relations are being formed. This is a core client-advocacy skill.

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It is, therefore, safe to say that the Clinic equipped the students with basic client advocacy skills, especially those suitable to transactional advice.

iv. Emerging Law and Technology

In the course of their clinic experience, the students were exposed to several areas of emerging law and practice, which was an extraordinary and exciting experience for them. For example, they attended a workshop on Smart Contracts and cryptocurrencies at the Innovation Village in Ntinda. This is in addition to being introduced to unique business-legal arrangements such as the 'Holacracy' form of management, and Dynamic Equity arrangements.

Regarding law and technology, the students greatly benefited from the guest lecture conducted by Ms. Linda Alinda, an advocate, bar course instructor and innovator of the *Nkola App,* in which she impressed upon them the need to leverage technology to enhance access to justice and on the need to capitalize on user experience and convenience when doing so.

In the wake of the COVID-19 pandemic, the students were also able to leverage technology and attend/co-facilitate meetings and virtual workshops on business-legal issues.

This exposed the BLC students to emerging law and aspects relating to the interaction between law, technology and justice, thereby enriching their learning experience.

v. Applying the law in context

Participating in BLC activities provided the pioneer students with the opportunity and skills to contemplate and apply the law in context. Not only did they advise and service real clients with real and contemporary problems — a task that required them to bring their theoretical knowledge to bear upon practical problems in search of practical solutions — they also attended and participated in discussions of the effects of the law on changing circumstances amidst the COVID-19 pandemic and its extensive consequences on, among others, employment relationships, landlord-tenant relationships, and the sale of goods and supply of services.

Some of the students also state that they are now much more alert and responsive to contemporary governance affairs such as national and

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subnational government budgeting – which aspects have a bearing on the advice that clients may require.

Still on the application of the law in context, one student reflected upon the need to be pragmatic in seeking a solution to one's client's needs. She reflected upon the broader competing interests that tended to affect her client's (PLAVU's) attainment of its desires, and decided to pursue the achievable ones. This demonstrated an important lesson on application of the law in context.

Thus, the students have definitely become more practical in their appreciation and application of the law in context.

vi. Inculcation of the spirit of Social Justice Lawyering in the Economic Context

One of the Clinic's principal goals is to impart onto its student volunteers a spirit of social justice lawyering from a commercial law perspective. In so doing, the Clinic is also able to make a concrete and fundamental contribution toward Uganda's development by promoting social justice and access to business-legal advice in the economic context.

The clinic's activities ─ which are commercial in nature and directed toward the assistance of MSME's, start-up's, and vulnerable entrepreneurs ─ are both direct enablers for social justice in the economic sector and important contributors toward development. This is in keeping with both the United Nation's Sustainable Development Goals (Agenda 2030) and Uganda's Third National Development Plan (NDP III, 2020/21-2024/25) which underscore the importance of promoting access to justice, and making it easier for MSME's to commence operations and transact business.

In the course of their clinic experience, the students provided legal advice to small businesses and start-up's, market and street vendors, and other vulnerable groups such as refugees and persons with disabilities (such as those working within the SINA umbrella). They were therefore directly engaged in social justice lawyering.

Through various learning sessions such as the guest lecture on the use of technology to enhance access to justice, and the guest lecture on the impact of Uganda's company-incorporation laws on the illiterate, the students were able to appreciate the need for commercial-based social justice lawyering and their role in helping the disadvantaged. Several students indicated that they had been inspired to

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do good with their legal knowledge and skills, and some undertook to continue doing so even after their stay with the Clinic.

The students were also able to appreciate the different forms that social justice lawyering may take, ranging from lobbying for legislative reform to direct sensitisation as exemplified by the Community Outreaches, and even to the provision of free legal services such as legal drafting.

It is thus no wonder that in all the reflective-journals and interview responses, the BLC students report to have appreciated the value of social justice lawyering and the provision of pro bono legal services, particularly in the economic context.

vii. Legal Drafting Skills

BLC students have been successfully trained in drafting a wide range of legal documents including: Memoranda and Articles of Association; Human Resource Manuals; Workplace policies on anti-sexual harassment and on accommodation of persons with disabilities; Membership Agreements; Partnership Agreements; Accelerator Agreements; Volunteer Agreements; Fellowship Agreements; Legal memoranda; Holacracy Constitutions among others.

They are therefore well-versed with the key clauses common to all major legal documents, and appreciate the value of precision and clarity of expression, as well as careful consideration of all terms. They also recognise that their additional role in drafting these documents is to pre-empt and prevent or minimise future litigation.

Exposure to these aspects constitutes a firm foundation which the students can and should be able to continue developing their legal drafting abilities.

viii. Reflective analysis and writing

Reflective analysis is an integral part of BLC activities. After all major activities, students participated in debrief or oral reflection sessions in which their assessments of the concluded activities were shared and discussed. In addition to these, frequent written reflections were submitted. This practice is laudable.

The students stated variously that debriefs and oral reflections enabled them to learn from each other's experiences and unique perceptions of concluded activities. Similarly, the reflective writings were by and large effective, involving descriptions of their experiences,

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achievements, and challenges. They also appeared to progressively improve over time.

A few of the reflective writings, however, had the shortcoming of being written as descriptive quasi-essays of the technical laws taught to the students rather than as analytical reflections upon those laws and the students' learning experiences. As noted in Section 3.3 below, this may have stemmed from a remediable failure to understand the purpose and nature of reflective journaling.

For the most part, however, the Clinic and its students were able to regularly and efficiently engage in reflective analyses, which enabled them to make the most of their activities and benefit from the advantages of reflection enumerated within Section 1.2 above. Those reflections have further made the instant assessment possible.

ix. Public presentation skills

Through frequent peer-to-peer learning sessions and student co-facilitated workshops and outreaches, BLC students were able to learn the art of making public presentations both physically and through virtual platforms. The guidance and feedback they obtained in the course of these presentations further imbued them with increased confidence.

Some of the students however noted that language barrier was a challenge when communicating with some clients using local languages such as Luganda. Nevertheless, the presence of multiple students and Clinic instructors allowed for those who were fluent in a particular language to guide discussions with those specific clients.

All in all, the students became more confident, expressive, and able to make proper public presentations on complex matters.

x. Teamwork and collaboration

All the students acknowledge that teamwork and collaboration were indispensable in tackling their tasks, most of which involved the appreciation and application of advanced or novel branches of law and legal issues. Working together in groups and according to a careful division of tasks enabled the students to accomplish tasks within set deadlines and with improved quality.

The students in their third year of law school mentioned to have benefited from guidance by their counterparts in fourth year and that this was helpful. However, some of the students noted that in some cases

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the collaboration was not seamless. Aside from the peer-to-peer collaboration, the students also benefited from regular assistance by the Clinic instructors.

Collectively therefore, the Clinic succeeded in instilling a spirit of teamwork and an appreciation of the importance of both collaboration and division of roles.

xi. Efficacy of BLC teaching methods

The BLC students were all appreciative of the practical teaching methods employed by the Clinic, and commonly praised the "hands-on" approach used. They also uniformly credited the role plays or mock negotiation exercises used during a knowledge session on the art of negotiation, as both "fun" and effectively educative.

The students generally appreciated that each teaching method was beneficial; that is to say, that the peer-to-peer learning sessions improved their presentation skills, that the guest lectures gave them access to the wisdom and guidance of seasoned experts, and that the locus visits and client interviews enabled them to exercise a practical application of their knowledge and skills. Also cited as a contributing factor to their success was the small student-instructor ratio.

xii. Career guidance

The students' reflections vividly show that the program provided students with extensive career guidance in the course of their clinic experience. A few of them go as far as stating that they are now fortified in their career interests and others are confident in exploring new interests and pursuits.

Particularly, the locus visit to JW Advocates, at which Advocate Francis Karoro emphasized to the students the importance of knowing all the major principles of law so as to ably provide advice to clients on short notice, and the importance of passing the bar course at the Law Development Centre, inspired some of the students to work hard toward becoming practicing advocates.

Ms. Nona Tamale is also credited for emphasizing the value of ethical conduct, mutual respect, and for guiding the female students on how to handle the problems commonly faced by women in the field of work.

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One student also intimated that the Clinic had rekindled her interest in the legal profession as a career choice, an interest that she had lost to the monotony of the ordinary Law School curriculum.

The Clinic therefore facilitated valuable career guidance and for igniting the students' passions.

xiii. Coping with COVID-19

The BLC, its clients, and all its student volunteers were affected by the COVID-19 pandemic and its induced lockdown. Nevertheless, the Clinic and its students were able to adapt and utilise online sessions for the holding of knowledge sessions, guest lectures, virtual workshops, and peer-to-peer learning sessions.

The students acknowledge that this kept them busy and engaged, and continued to grow their knowledge and various skills. Even then, there were problems associated with these online activities, including poor internet connectivity and disruptions while working at their homes. They, however, collaborated efficiently and were able to assist each other to sustain the online activities. It is worth mentioning that the interviews of students as part of the data collection for this Report were conducted over the internet.

Importantly, the Clinic and its students were able to extensively analyse commercial law through the distorting lens of COVID-19, examining such issues as whether COVID-19 has had any effect on employment and landlord-tenant relations.

Therefore, the Clinic and its students must be lauded for making the most of a disruptive situation, and still executing their core mission.

3.2 Challenges faced by the students

The students raised a few common challenges that they encountered in the course of the year. The most predominant and cross cutting challenge was that of time, and the absence of harmony between the ordinary law school timetable on the one hand, and the BLC timetable on the other.

Other challenges raised were poor coordination amongst the student volunteers themselves, language barrier during sessions with some clients, and the lack of substantive legal knowledge on certain advanced branches of corporate and commercial law. The lack of a dedicated physical meeting workspace and, for a few students, difficulty in keeping a reflective journal, were also highlighted. Regarding online BLC activities, the students complained about network con-

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nectivity shortcomings and home-based interruptions. Each challenge/problem is briefly discussed below.

i. Limitations of Time

The challenge of time constraints manifested in three ways. First, almost all students decried the frequent incompatibility of the BLC timetable and the official Law School timetable. This clash placed BLC students in the difficult position of often having to choose between their LLB class assignments and those of the Clinic. They all suggested, or at least hoped, that a solution would be devised for the benefit of future cohorts. Nevertheless, the students expressed their gratitude to the Clinic for trying to alleviate situations of those clashes and for being accommodative of the students' class schedules.

The second facet was the limited time accorded to particular activities such as community outreaches and locus visits. The students expressed the view that the time allocated to activities such as the visit to SINA was inadequate and did not allow for them to exhaustively tap into all that there was to offer.

Thirdly, a number of students stated that some BLC activities were scheduled in an abrupt manner or on short notice which affected their ability to meaningfully participate even as they always endeavored to be present.

ii. Poor coordination amongst the students

A couple of students indicated that collaboration amongst themselves, in their various groups, was not optimal and that this affected how fast and how well they could execute tasks as a team.

iii. Language barrier

Some students noted that they were unable to effectively communicate with some of the Clinic's clients due to 'language barrier'. For example, students who are not fluent in Luganda were unable to communicate with the market or street vendors during the community outreach in Wandegeya. In such circumstances, the students and clinic instructors fluent who understand the language took the lead while the rest of the team supported the outreach in other ways such as doing background research.

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iv. Lack of substantive knowledge on certain advanced branches of Commercial Law

Majority of the students volunteers were in their third year, yet majority of corporate and commercial branches of law that the Clinic applies in its activities are taught to fourth year students. This means that most of the students taken on as BLC volunteers join the Clinic without prior knowledge of those core commercial law courses and have to become familiar with them on the job.

This knowledge gap is a challenge for the students, who nevertheless do their best to familiarize themselves with the relevant principles and then seek to execute the Clinic's tasks. In this endeavor, they have been greatly assisted by Clinic instructors who not only arrange for informative knowledge sessions but also provide requisite materials for consultation.

Notably however, all students join the Clinic with substantive knowledge of Contract Law acquired from their first year of study. This foundational knowledge is an important building block for other Commercial Law subjects, many of which have contractual aspects. This makes it easier for the students to be introduced to and appreciate advanced Commercial Law subjects. Furthermore, the legal reasoning skills acquired from their formative years at the School of Law enable the students to quickly learn and appreciate new branches of law by applying those skills to the examination of new but structurally familiar legal sources.

v. The lack of a dedicated physical meeting workspace

A few students highlighted a difficulty in finding a central meeting facility or workspace within which to execute group work. They, however, resolved to use internet-based tools such as Google Drive and Google Docs to collaborate on work projects without having to meet physically. In the aftermath of the COVID-19-induced lockdown, it is also likely that the students will continue to rely on internet-based platforms to communicate and collaborate in executing tasks. Nevertheless, an official and permanently available workspace or meeting facility would be helpful to future cohorts in due course.

vi. Difficulty in keeping a reflective journal

In respect of the keeping a reflective journal, most of the students seemed to not have faced significant challenges in its preparation apart from a few found it difficult to make reflective entries on past

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activities after a lengthy period of time has passed. They stated that they sometimes forgot about little and yet crucial experiences because of this. In general, they all preferred to regularly type and email their reflections rather than keep physical log-books.

vii. Challenges faced with regard to online activities

Regarding online activities such as those conducted via Zoom, the students noted that unstable network connections and interruptions at home affected their full participation in activities. They however indicated that they efficiently collaborated and were able to fill in for their colleagues whenever network problems prevented them from making a presentation.

3.3 Additional observations made regarding the students' reflective journals

It was observed that a few students used their reflective memoranda to write detailed descriptive notes of the technical knowledge they had acquired through BLC activities. This was a deviation from the nature of reflective journaling, which does not require descriptive summaries of course-content and experiences per se, but instead encourages analytical reflections about that content and one's learning experiences. This remediable shortcoming most probably stemmed from a failure to appreciate exactly what reflective journaling entails, but could also arise from limitations to critical thinking and reflective writing skills.

Furthermore, a few students submitted less reflective memos than were required, which meant that there were aspects of their experiences that they did not communicate to the Clinic. The accuracy of the Clinic's assessment of its students' experiences partly depends on adherence to reflective writing requirements. Because reflective journaling is an integral and beneficial component of the Clinic's teaching and learning methods, students should be briefed on its merits and the fact that it is mandatory.

On the basis of the foregoing, it can be concluded that in spite of the challenges, overall the Clinic was able to provide its students with laudable and effective learning experiences.

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Recommendations 4

In light of the findings discussed within Section 3 above, the following recommendations are hereby made:

i. Regarding the keeping of reflective journals

First, it is recommended that in the course of their orientation or at a similarly opportune time, the BLC student volunteers should be guided on the purpose, nature, benefits, and proper ways of reflective journaling. This will enable them to appreciate its importance and place in the Clinic's mode of operation, and to properly perform it from the start of their Clinic experience. Concurrently, the students should also be guided on the fundamentals of critical thinking and writing which will be useful to them as they go about the process of journaling.

It is further recommended that the Clinic retains the current mode of operation by which students submit their typed reflective journal entries by way of email, subject to the following changes:

1. Brief weekly Reflective Memo's, of not more than 2 pages, should be submitted;
2. Quarterly reflective reports, of not more than 8 pages, should be submitted every four months;
3. Students should be provided with notebooks that they may use to record their observations and reflections pending the typing of weekly Reflective Memo's and Quarterly Reflective Reports, so that they are able to retain all pertinent details that they may wish to reflect upon and communicate.

Note: A separate set of Guidelines on the proper maintenance and submission of periodic Reflective Reports by BLC students has been submitted together with the instant Report.

ii. Regarding the other challenges faced by the students

1. The Clinic should further discussions with the general administration of the School of Law in order to see how best to harmonise the BLC and main school timetables. A possible temporary solution, could be temporarily switching all BLC volunteers to the evening program in order to create more space for them to attend Clinic activities during day, on weekdays.

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2. To alleviate the problem of lack of substantive knowledge on some of the core commercial courses, the Clinic is advised to commission the creation of a BLC Commercial Law Manual, which would contain condensed introductions and overviews of all the main commercial law subjects. Student volunteers would then be required to make use of the manual to form a more-than-basic understanding of the advanced core commercial texts, which they may be unfamiliar with, prior to the effective commencement of their Clinic experience.
3. Where possible, the Clinic should endeavor to provide students with sufficient advance notice of scheduled activities so that they may be able to properly plan for them.
4. The Clinic may consider hiring a language expert to briefly speak with the students regarding effective communication in local dialect. It is possible that some of the students are familiar with the local dialects, but do not know how to effectively employ them in formal communication with clients. This will help in further alleviating the language barrier problem.
5. Group allocations of student volunteers should be dictated by instructors and regularly shuffled, for optimum functionality—albeit with some degree of flexibility that takes into account the students' considerations.
6. Students should be warned that non-cooperation on group tasks will attract sanctions. This will minimise incidents of poor coordination, if any.
7. The Clinic should continue to encourage use of technologically innovative solutions to facilitate online meetings and collaboration on tasks, pending the acquisition of dedicated/permanent physical workspaces.
8. The Clinic should continue to use its chosen practical methods of instruction, which are effective.

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Conclusion

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In conclusion, it is clear that the pioneer BLC student volunteers experienced tremendous growth in their learning, and had most of their expectations fulfilled, and that the Clinic succeeded in imparting the skills, knowledge, and qualities that it sought to impart at the commencement of this pilot project. Therefore, this inaugural Clinic year is indeed a creditable success. This result is encouraging and supports the view that the future cohorts of students will equally benefit from the Clinic's activities.

The challenge regarding time, highlighted in Section 3.2(i) above, however, requires urgent attention in order to avoid retrogression. Furthermore, the Clinic's reflective practices, including reflective journaling, should be continued and progressively improved.

Lastly, credit is due to the Clinic and its students for adapting to the COVID-19 pandemic to continue learning sessions and to contribute toward the resolution of pertinent commercial-law problems associated with the effects of the pandemic.

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