

CLINICAL LEGAL EDUCATION: HUMAN RIGHTS, AND ARTS AND CRAFTS CAFÉS

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Abstract

This practice report provides an account of two outreach projects that enabled different community groups, members of staff at Royal Holloway, University of London, and students at Royal Holloway's Legal Advice Centre, to discuss human rights in an accessible and relatable way, which empowered the delegates, and encouraged open dialogue.

At the first event, Royal Holloway and the Afghanistan and Central Asian Association collaborated to host an online Being Human café as part of the Being Human 2020: a Festival of Humanities programme organised and set up annually by the School of Advanced Study, University of London and funded through the Arts and Humanities Research Council and the British Academy. The café "Afghan Women Small Spaces Café: Sewing Pathways to Human Rights" took place via Zoom. Meeting over Afghan

¹ Whilst the authors are not medical or clinical experts that specialise in dealing with people with autism, they have made every effort to use reliable information to discuss the matters raised in this report. The authors are grateful to Mariam Diaby, researcher, who contributed to this article and to all participants at the events described.

tea and cake, participants - from the public, generally from the Afghan diaspora community and researchers - used mixed participatory methods including artwork, sewing and conversation to explore what everyday habits and material objects tell us about ourselves and each other. Working with these, and other culturally specific lived experiences, Marshall linked her research, on human rights law's purpose of ensuring universal dignity, equality and rights, to French writer Georges Perec.

Following this style of Café, the authors created the Autism Legal Rights Café, in partnership with the Sycamore Trust U.K. At this second event, Marshall's research on everyday spaces was developed into a short talk about law, everyday spaces, objects and being human at a focused arts and crafts workshop for young women with autism. Particularly during Covid-19 lockdown, it was explored how and why our objects took on a new meaning. This talk included an analysis of *Species of Spaces* where Perec traced what is truly daily, those everyday habits and material objects of which our lives consist, what goes without saying. Perec claims, although these do not seem to pose any problems, we need to ask what they may tell us about what is important in life, what makes it worth living.

1. Integrating members of the public with research-led events

It is increasingly recognised that, within universities, there is a need to build partnerships with industry and non-academic stakeholders to support the development of new research collaborations, as well as to engage members of the community to share research-led activities. Over the years, the relationship between

research and teaching in higher education has expanded.² The benefits that have been highlighted, include being able to teach from immediate research experience, and offering students a unique insight into the research interests that have an impact on the areas that they are studying.³ Whilst some have argued that this alignment may have its own challenges, creating a hybrid by actively engaging students within the process is advantageous because their learning is relatable to real life.⁴

Taking lessons from most clinical legal education activities, these research-based events can increase civic engagement, as well as enhance our students' critical thinking and understanding of the research interests of academic staff who also teach them. Importantly, through the projects that we have worked on at Royal Holloway, our students have also developed an insight into the various social justice issues that the community groups we work with continue to face.⁵

The events that are discussed in this report have similar components to Street Law programmes. As Wallace states, "the three basic components of a successful Street

² Mary Malcolm, 'A critical evaluation of recent progress in understanding the role of the research-teaching link in higher education' (2014) 67 *Higher Education* 289.

³ Maureen Haaker and Bethany Morgan-Breet, 'Developing Research-Led Teaching: Two Cases of Practical Data Reuse in the Classroom' [2017] *Sage open journals* 1 <<https://doi.org/10.1177/2158244017701800>> accessed 4 May 2022.

⁴ Carla Pfeffer and Christabel Rogalin, 'Three Strategies for teaching research methods: A case study' (2012) 40 *Teaching Sociology* 368.

⁵ Jacqueline Weinberg, 'Preparing Students for 21st Century Practice: Enhancing Social Justice Teaching in Clinical Legal Education' (2021) 28[1] *IJCLE* <https://doi.org/10.19164/ijcle.v28i1.1127> accessed 4 May 2022.

Law program are practical content, interactive skills-based teaching strategies, and community involvement".⁶

2. Afghan Women Small Spaces Café 2020: Sewing Pathways to Human Rights

As part of Being Human 2020: a Festival of Humanities programme, organised and set up annually by the School of Advanced Study, University of London and funded through the Arts and Humanities Research Council and the British Academy, Royal Holloway, University of London, collaborated with the Afghanistan and Central Asian Association (ACAA) to host a café event. Student volunteers from Royal Holloway's Legal Advice Centre, together with staff, joined the 'Afghan Women Small Spaces Café: Sewing Pathways to Human Rights'. This event took place in ACAA's community hub and via Zoom in November 2020. The ACAA is a charity that provides support and advice for refugees and migrants in the Afghan communities based in west and south-east London. ACAA run a wide variety of events and projects, with the aim of supporting refugees and immigrants throughout the UK who feel isolated and are in need of advice and support.⁷ The ACAA has worked in the UK for twenty years. During the recent upheaval in Afghanistan, the organisation has played a pivotal role in welcoming and providing vital essential support and resources to Afghans who had to urgently evacuate their country.

⁶ Amy Wallace, 'Classroom to Cyberspace: Preserving Street Law's Interactive and Student-Centered Focus During Distance Learning' (2020) 27[4] IJCLE 83, 84 < <https://doi.org/10.19164/ijcle.v27i4.1055> accessed 4 May 2022.

⁷ The Afghanistan and Central Asian Association <https://aca.org.uk/> accessed 4 May 2022.

At the café, Marshall, through her research linking law to French writer Georges Perec's work on small spaces and everyday life, explored how law can mean something positive and important by connecting it to our own lived experiences.⁸ The aim is to understand aspects of legal theory, such as what law is and its purpose, and human rights law, through exploring everyday objects and spaces. This is a different methodology to reading texts alone, the traditional method of legal study and analysis. It seeks to show how our experience of the world around us affects the topics we are studying and examining. Particularly during Covid-19 lockdown, it was explored how and why everyday objects took on a new meaning. Our everyday habits, challenges, objects, and environments are rarely questioned. Such ordinary things tend to be taken for granted due to bigger, more dramatic events taking centre stage in supposedly informing us about the world. However, the size of an event in our lives does not always determine its value to it. How something is determined to be valuable depends on where we look as well as our own unique perspective. A deeper inquiry into these ordinary matters that are often overlooked and form the very fabric of our lives and society may provide us with new insights into our communities and ourselves.

⁸ Jill Marshall, 'Law, Everyday Spaces and Objects, and Being Human' in C Stychin (ed) *Law, Humanities and the COVID Crisis* (forthcoming University of London Press 2022). Georges Perec *Species of Spaces and Other Pieces* (Penguin Classics, Harmondsworth, 1999) especially *Species of Spaces* (1974), and *L'Infra-Ordinaire* (1989) containing numerous pieces including 'Approaches to What?' first published in *Cause Commune* 1973. Marshall also uses Xavier de Maistre *A Journey around My Room* (Alma Classics reprint 2017, first published in French in 1794).

Examining the habitual can raise awareness about our identity and social structures. Marshall's work on the place of the ordinary, everyday objects around us particularly focusing on Perec's work, and Xavier de Maistre's *A Journey around My Room* written in confinement in the 1790s, connects these to law. Marshall explains that the Covid-19 lockdown has been the catalyst. "This forced physical confinement on those of us previously free to move to different spaces and places. Illness aside, to those complying with the legal regulations, the lockdown has restricted our ability to meet, associate and assemble, with others, including with family, friends, loved ones. We stayed in those spaces and surroundings in which we were placed at time of lockdown, for most, one's own home. Being alive and living well depends on legal, social and cultural contexts or environments where our individual personalities are formed and have potential to flourish. Can a focus on the 'infra-ordinary' of the everyday, and our awareness of it, shed light on the deficiencies of the world in which we exist: a world which is shaped and regulated by law?"⁹

After Marshall's presentation on these themes, we created break out rooms on Zoom, where Afghan women, meeting over tea and cake, took part in mixed participatory methods, such as sewing, drawing and conversation. These creative forms of expression sought to encourage Afghan diaspora women and our student volunteers at the Legal Advice Centre to discuss or express everyday objects. Participants chose their own object that had some meaning to them. The artistic expressions of those

⁹ Marshall 2022 *ibid.*

objects and small spaces was linked by Marshall to the ‘small spaces’ in Eleanor Roosevelt’s analysis during the formation of the International human rights regime after the horrors of the Holocaust and the end of the Second World War in 1945.¹⁰ Roosevelt argued that for human rights to have meaning they have to begin within each person and from our own particular experience and the way we treat those immediately around us. Weinberg notes that social justice can take on different meanings.¹¹ Singo’s definition seems fitting here, namely that social justice must “attain a basic set of entitlements for all people, which at the very least must include human dignity, freedom, equality, and justice for all members of society”¹²

Our student volunteers gained an insight into the challenges and struggles those members of our café have faced and continue to face. Our students were also participants themselves as they chose their own identified spaces or everyday objects. Participating students were able to connect this to our separate research project on the effects of Covid-19 among the Afghan diaspora community and in Afghanistan in which they had played a vital role as research assistants.¹³

¹⁰ Perec’s parents both died during the War. His mother’s remains were never recovered but she was reported to have been deported to Auschwitz: see Perec above note 8. Eleanor Roosevelt’s full quotation is available at <https://unfoundation.org/> accessed 4 May 2022.

¹¹ Jacqueline Weinberg, above note 5.

¹² David Singo, ‘Clinical Legal Education and Social Justice—A Perspective from the Wits Law Clinic’ (2018) 2 Stellenbosch Law Review 295.

¹³ Nicola Antoniou, Jill Marshall, Alexander Gilder and Rabia Nasimi (2020) ‘Royal Holloway, University of London and the Afghanistan and Central Asian Association: New Partnerships and Challenges During Covid-19 in the Clinical Legal World’ (2020)27 [4] IJCLE <https://doi.org/10.19164/ijcle.v27i4.1058> accessed 4 May 2022.

This interactive and research-led workshop, bringing academics, researchers, students and the community together provided a unique opportunity for our student volunteers to see how the law, and in particular human rights, can make a difference to the social justice issues that they had researched on Afghanistan. For the remaining part of this piece, we will focus on the second event, the use of this method of exploring everyday objects for young women with autism and aspects of how autism affects young women.

3. Royal Holloway at Sycamore Trust's Romford Autism Hub: Autism in Young Women

Inspired by the effect of the Afghan small spaces café, the authors of this report successfully applied for internal funding to develop the research and organise a similar event, but this time working with a charity called the Sycamore Trust U.K. The Sycamore Trust is a charity dedicated to providing a variety of tailored services to support families, carers and individuals affected by Autistic Spectrum Disorders. Services offered by the organisation range from Parent Support Groups, Youth Clubs to a Girls' Project – a scheme designed exclusively for girls and young women with autism. In addition to these programmes, the organisation aims to raise awareness about autism.¹⁴

¹⁴ The Sycamore Trust <http://www.sycamoretrust.org.uk/> accessed 4 May 2022.

3.1. What is Autism and how does it affect girls and young women?

Before discussing the event in more detail, the authors will first consider, what is autism and what are some of the potential challenges of its diagnosis, particularly in women? Autism is a lifelong developmental disability, which affects how people communicate and interact with the world.¹⁵ As suggested in its diagnostic name ‘Autistic Spectrum Disorder’ (ASD), the condition is an umbrella term, which includes a range of diagnoses, such as Asperger’s Syndrome and Pervasive Development Disorder. As research in the field continuously evolves, the law has refrained from providing a definition of ASD.¹⁶ Although it is recognised that the characteristics of ASD can be different amongst all individuals,¹⁷ and has its own strengths, the following are three key characteristics that may be challenging to someone on the autistic spectrum: social communication (which can include verbal and non-verbal challenges), social interaction, and sensory challenges.¹⁸

Such social communication characteristics have, however, founded some misconceptions, for example, that people with autism lack a sense of humour and/or creativity. Autistic people may have an alternative sense of humour,¹⁹ and how

¹⁵ The National Autistic Society, <https://www.autism.org.uk/advice-and-guidance/what-is-autism> accessed 4 May 2022.

¹⁶ Explanatory notes to the Autism Act 2009, Commentary, Section 1, para 11.

¹⁷ Cathy Pratt, Rachel Hopf, and Kelsey Larriba-Quest, ‘Characteristics of Individuals with an Autism Spectrum Disorder (ASD)’ (2017) 21(17) The Reporter <<https://www.iidc.indiana.edu/irca/articles/characteristics-of-individuals-with-an-asd.html>> accessed 4 May 2022.

¹⁸ National Autistic Society, above note 15.

¹⁹ Shaun May, ‘Autism and comedy: using theatre workshops to explore humour with adolescents on the spectrum’ (2017) 33 (3) RIDE 436.

autistic people see the world enables their creativity to be approached in various ways.²⁰

A diagnosis is central in helping a person on the autistic spectrum as this will enable them and their families to benefit from appropriate support and services. ASD is diagnosed by assessing an individual's behaviour. This is done through diagnostic manuals, such as ICD-10²¹ and DSM-5.²² As autism presents itself differently in all individuals, having an assessment that specifically examines their daily interactions is advantageous in gaining a full picture of the condition as opposed to adopting a single inflexible test. However, the prevalent misdiagnosis in girls and young women highlights that there may be issues in the diagnosis criteria itself.

The most recent figures show that more men and boys are diagnosed compared to girls and women at a 3:1 ratio.²³ There has been an extensive and ongoing discussion amongst academics and researchers about this gender diagnosis gap which has been

²⁰ Catherine Best, Shruti Arora, Fiona Porter and Martin Doherty, 'The Relationship Between Subthreshold Autistic Traits, Ambiguous Figure Perception and Divergent Thinking' (2015) 45 *Journal of Autism and Developmental Disorders* 4064; Tracy McVeigh, 'People with autism and learning disabilities excel in creative thinking, study shows' *The Observer* (London, 22 August 2015) < <https://www.theguardian.com/society/2015/aug/22/autism-creative-thinking-study#:~:text=People%20with%20autism%20and%20learning%20disabilities%20excel%20in%20creative%20thinking%2C%20study%20shows,-This%20article%20is&text=A%20new%20study%20showing%20that,about%20people%20with%20learning%20disabilities>> accessed 4 May 2022.

²¹ World Health Organization, 'ICD-10: international statistical classification of diseases and related health problems' (tenth revision, 2nd edn, World Health Organisation 2004) < <https://apps.who.int/iris/handle/10665/42980>> accessed 4 May 2022

²² American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (5th edn Arlington VA, American Psychiatric Association 2013).

²³ National Autistic Society, 'Autistic women and girls' <https://www.autism.org.uk/advice-and-guidance/what-is-autism/autistic-women-and-girls> accessed 4 May 2022.

an obstacle for women and girls in accessing the help they need. It has been argued that in attempts to blend in with their peers, autistic girls may “mask”²⁴ their traits and therefore symptoms may not be recognised. “Masking”, also known as “social camouflaging”, is a coping mechanism adopted by autistic individuals to pretend not to be autistic.²⁵ This strategy has been described as an obligation as opposed to a choice.²⁶ A way in which an autistic person may camouflage is through mimicking other non-autistic people, such as their facial expressions, attitudes, and gestures, or their interests,²⁷ to appear more socially aligned with their peers.²⁸

The constant observation and modification of one’s behaviour can have adverse effects. The suppression of symptoms at school can result in a child having meltdowns once returning home as an outlet to release the built-up tension maintained during the school day.²⁹ This behaviour at home is also facilitated by the belief that children feel able to be “their worst selves” in their safe spaces as their families will still love and care for them.³⁰

²⁴ Will Mandy, ‘Social camouflaging in autism: is it time to lose the mask?’ (2019) 28[3] *Autism* 1879.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ Katherine Hobbs, ‘Autism in Girls: What are the Signs?’ (*Autism Parenting Magazine*, 13 April 2022) <<https://www.autismparentingmagazine.com/signs-of-autism-in-girls/>> accessed 4 May 2022.

²⁹ Beth Arky, ‘Why Are Kids Different at Home and at School?’ (*Child Mind Institute*) <<https://childmind.org/article/kids-different-home-school/>> accessed 4 May 2022.

³⁰ *Ibid.*

Imitating neurotypical behaviour and disguising their symptoms is also observed by many autistic young women. Social camouflaging is practised to find a good job as well as connect with friends.³¹ To navigate through social interactions without drawing attention to themselves, some women on the autistic spectrum have expressed that they create and rehearse scripts to share in conversations.³² The long term effect of social camouflaging can, however, lead to mental health conditions.³³ Whilst “masking” can of course be employed by both autistic men and women, it appears to be more common amongst girls and women who may not only feel the pressures to come across as neurotypical but also to conform to gender stereotypes.³⁴ However, as Pearson and Rose highlight, masking should not be linked to a “female-specific” subtype of autism because this might also lead to other people getting a diagnosis, and exclude non-binary people or those who did not fit into any of the current criteria.³⁵

ASD largely affects how an autistic person communicates and socialises and this directly affects how they process information. As some people with autism may not understand sarcasm and abstract concepts, there may be some difficulty in reading

³¹ Francine Russo, ‘The cost of camouflaging autism’ (*Spectrum*, 21 February 2018) <<https://www.spectrumnews.org/features/deep-dive/costs-camouflaging-autism/>> accessed 4 May 2022.

³² *Ibid.*

³³ Katherine Hobbs, ‘Autism in Girls: What are the Signs?’ (*Autism Parenting Magazine*, 13 April 2022) <<https://www.autismparentingmagazine.com/signs-of-autism-in-girls/>> accessed 4 May 2022; Milner, McIntosh *et al*, ‘A Qualitative Exploration of the Female Experience of Autism Spectrum Disorder (ASD)’ (2019) 46[6] *J Autism Dev Disord* 2389.

³⁴ *Ibid.*

³⁵ Amy Pearson and Kieran Rose, ‘A Conceptual Analysis of Autistic Masking: Understanding the Narrative of Stigma and the Illusion of Choice’ (2021) 3[1] *Autism in Adulthood*, 52.

others and interpreting information. It has been said that autistic individuals tend to think from the bottom up.³⁶ This seems advantageous in situations where examining details is required.³⁷ The literature on how autistic people process legal information is scarce. However, what is certain is that the law in general is renowned for being complicated and/or intimidating to non-legal people. Although under researched, it has been recognised that autistic people may be at a disadvantage at the hands of our legal systems due to difficulties relating to communication and social skills and body language.³⁸ Identifying an individual as autistic earlier on in the process can help ensure the relevant professional support is offered.³⁹

An interview between Camilla Pang, scientist and author specialising in autism with the National Autistic Society, has highlighted the difficulties in processing information during the Covid-19 outbreak.⁴⁰ The confusing and constantly changing laws and government guidance severely interrupted everyone's lives but this had a particularly distressing effect on autistic people who have a strong preference for having a routine which ensures stability. In navigating the new social norms, Pang

³⁶ Applied Behaviour Analysis, '4 Ways a Child with Autism Processes Information Differently' <https://www.appliedbehavioranalysisedu.org/4-ways-a-child-with-autism-processes-information-differently/> accessed 4 May 2022.

³⁷ *Ibid.*

³⁸ Graeme Hydari, 'Autism and the criminal justice system' (*The Law Society Gazette*, 29 November 2013) < <https://www.lawgazette.co.uk/practice/autism-and-the-criminal-justice-system/5039018.article>> accessed 4 May 2022.

³⁹ *Ibid.*

⁴⁰ National Autism Society, 'Stories from the Spectrum: Camilla Pang' < <https://www.autism.org.uk/advice-and-guidance/stories/stories-from-the-spectrum-camilla-pang>> accessed 4 May 2022.

recommended not to suppress one's anxiety but to replace that energy with something enjoyable or helpful.

3.2. The Autism Legal Rights Café

In June 2021, Sycamore Trust U.K. and legal researchers from Royal Holloway, University of London hosted an Autism Café, at the Sycamore Trust's Romford Autism Hub. The Autism Café consisted of two parts. The first part of the café involved the delivery of a legal workshop on Special Educational Needs (SEN) law, delivered via Zoom by specialist lawyers from Talem law. This workshop engaged the audience and provided an overview of SEN, Special Educational Provision, including meeting SEN in schools and the framework of Education, Health and Care plans.

The second part of the café consisted of an arts and crafts afternoon with the authors and a research assistant, Sycamore Trust personnel, and part of the young women's group at the Sycamore Trust. The experimental session was largely carried out in person, with one student attending remotely. All of us as participants explored our everyday habits, challenges, objects, and surroundings to see what they can tell us, and then to explore how they connect to the uses and problems of law. Marshall's 'everyday spaces' research was discussed with a focus on how lockdown has demonstrated our care for each other, from our intimate partners and families, to those we do not know, including certain groups of people categorised by special requirements and in need of extra assistance, for example, the infirm elderly, the

homeless, those with disabilities. As in the Afghan café, Marshall explained how a focus on the ‘infra-ordinary’ of the everyday, and our awareness of it, can help to highlight aspects of the legal system, and how our society is shaped and regulated by law.⁴¹ This sought to encourage the young women at the Autism Hub to express their experiences and thoughts about their daily lives and challenges through various creative outlets such as painting, drawing, and air-drying clay, bringing new perspectives to whose voices count in shaping the world we see and experience and in turn the laws we create in it. Exploring the unquestioned and seemingly mundane can help us discover how we perceive ourselves. It can enhance empathy and understanding of others’ perspectives and our awareness of the material world in which we live.

What was evident through the event was that the young women were able to express objects that were important to them. They explained why these had importance. Their artistic ability was evident and their vivid explanations of problems and deficiencies encountered with the legal system were shared. They told us how they perceived law, and what the law should look like, for example, in order to “protect” people, as one participant noted. This arts and crafts workshop enabled the applicants to work together to connect legal practice to law’s theory, practice and social justice. In addition, the workshop promoted both the Legal Advice Centre’s mission to empower those in society whose legal needs are often unmet. Further, it promoted public legal

⁴¹ Jill Marshall, above note 8.

education to the local community. Most importantly, the young women actively participated. Most of them openly spoke and shared their views and they all expressed, through their individual artwork, the talents and creativity they possess in abundance. This project was participatory and collaborative: an essential approach to deal with human rights, social justice, disability, and equitable knowledge exchange and production.

The main aim of this public engagement and collaboration is to enhance, in any way we can, the empowerment of those with autism and hardworking under-resourced charities working with them. This shows how universities can enrich communities and provide a platform to the charities working to improve lives. Our Law and Criminology Department's Rights and Freedoms research cluster, Marshall's research, and the Legal Advice Centre's outreach support seeks to encourage this through open dialogue, demonstrating our commitment to being part of a socially responsible university, and to making research accessible to the public, specifically those isolated in society.⁴²

4. Conclusions

The need to be creative in the way information, and in particular the law, can be disseminated was something with which the authors experimented, through the lens of Marshall's most recent research, and these Café events.

⁴² See <http://www.sycamoretrust.org.uk/latest/article/A-Royal-event%21> accessed 4 May 2022.

Practice Report

The events provided space for the clinical legal educators to collaborate with researchers and external stakeholders through an original piece of research. This event enabled Royal Holloway to disseminate research for public benefit and specifically to develop collaborative networks with a non-governmental organisation working with vulnerable diaspora communities, a disability charity and legal professionals. We linked theory to practice through knowledge production, offering alternative ways of rethinking law and risks of discriminatory treatment and law's potential to transform injustices. One future aim is to develop further research into how policy and legal documents, that are often accessed by these groups of people, can be re-written so that they are informed by their own views and more accessible to them. The lessons that can be drawn from these events are that listening to participants' original expressions and being creative with the way that research can be explained to the public, including those that may have learning or developmental disabilities, has shown that it is possible to make the law interesting and accessible.