

Queen's Law Virtual Symposium, Session 8, 24 June 2026
Reflective Practice: Empowering Justice & Encouraging Systemic Change

(David Wiseman, Moderator) Derk is an academic, lawyer and philosopher, and Iwan is a Senior Lecturer in the academic teacher training programme for primary education at the Open Universiteit in the Netherlands. Their presentation is titled "*Repairing the Legal Dialogue by Reflective Practice: A Constructive Response to the Dutch Childcare Benefits Scandal*." So Derk and Iwan, take it away.

0:25 (Derk Venema)

Yes. Thank you, David. Did I successfully share my PowerPoint? Excellent. Thank you. So, before presenting the example of the Dutch childcare benefits scandal, and the way in which reflective practice did or did not play a role in that, and the lessons learned from it, Iwan will first present the concept of reflection and reflective practice that we use in analysing this case in our paper, of which this is a very brief presentation. So, Iwan, over to you.

(Iwan Wopereis) Yes. Thank you very much. We did an extensive review study on the concept of reflection and reflective practice. So, I will briefly go into that. It's probably very familiar to you, but maybe there's also some new information for you. It stems from the Latin *reflectere*, to bend or turn back. And there are many, many definitions of reflection. And one of the most cited probably is of the philosopher and educationalist John Dewey, who says that it is a highly professional process, cognitive, making connections to experience. And what's important, these biases are influencing this whole process.

What we saw in the literature is that it is often characterised as a cognitive process, but sometimes also as an affective process. So, for instance, focusing on rumination and the negative side of reflection. We saw also a lot of studies on collective reflection, so not only on individual reflection. And that I will emphasise, and we will emphasise, also in this paper. You can classify it according to timing. Before the action, during the action, after the action. Before is sometimes also called reflection for action. During action is reflection-in-action, and –on-action. These are concepts of Donald Schön, whose work you all already know, of course. You can classify it according to cognitive effort. If you have to do a lot of effort and do it very thoroughly, then there's this critical reflection. And there are also all kinds of studies which distinguish levels of reflection. The focus of reflection is also different in many studies. So, some focus on self-awareness, some on self-interest, introspection. And a lot of studies focus on self-inquiry. And self-inquiry is, in our study, in our presentation, the main focus. I think most of the studies are more or less self-inquiry.

If you look at reflective practice, well, the same happens. There is also some confusion about what it exactly is. But if you focus on the core, then it is, well, this is one example, creating a habit, structure, routine around examining experience. So it's a kind of procedure, a kind of routine. What happens? So, for instance, Moon discusses the procedure. But there are also a lot of scholars, like Leering, who says reflective practice is a competence. And there are also scholars who say it is a way of being, just a way. So that also says, well, there is some variety regarding the concept of reflective practice. But what we all know and also see from the literature review that is behind this conference - if you look at law, there are some foci, and some of these are presented in the call for papers. Learn from experience, critically examine law, develop self-awareness, what I already mentioned, engage in collaborative reflection, and translate your reflection into action, which means that it should be a kind of praxis. And that is what we all actually aim at in reflective practice.

So if we focus on this reflective practice, of course there are a lot of benefits. And if you focus on the benefits for the individual, then it is often said, learning. So learning is important, or development, expertise development. So this is what we also call a more instrumental focus. If you look at a more team or organisational level, the focus can also be change or innovation. And that's actually more interesting. And this is also what was important in our study, in our case. What is very important in the process of reflective practice is dialogue, and it should be constructive. And reflective practice actually enhances this constructive dialogue, when you do it properly and well. But, however, there are challenges, especially when you evaluate, monitor and so forth. You have problems with reliability of the whole process of recording it and also analysing it. So reliability and validity were aspects we found in studies which are very difficult to handle, and which you should focus on if you create all kinds of reflective programs. And what is also a challenge is if you create some kind of sustainable praxis. Because that is important. Dialogue is important. And if you have the opportunity to create this sustainable praxis, then it will also

be an invitation to slow down. So constructive dialogue will slow down the process, but the whole process of reflection will also create time, and needs time, in order to be a very well-developed praxis.

(Derk Venema) Thank you, Iwan. And now for a very brief application of reflective practice to what went wrong in the childcare benefits scandal.

You might characterise law, the whole practice of law, as one big reflective dialogue, a societal dialogue, mainly institutional but also societal, consisting of the professional interactions between courts on the one hand and other branches of government, which is called constitutional dialogue by many legal theorists. But it also, of course, encompasses all communications between courts and parties to cases, and between courts and the public at large. And of course this dialogue, Iwan already mentioned this, presupposes and also enhances reflexive attitudes, if done properly.

Now, the Dutch childcare benefits scandal took place from around 2010 - it's not even clear when it exactly started - to 2019. What happened was this. Parents had to provide an account of their childcare use and the co-payments that they also had to make, additional to the benefits they received, for the past year. Then the tax authority might find inaccuracies in that account, for example the postal code of the childcare institution, or a deficiency in co-payments, for example a couple of hundred euros on the total of, say, 10 or 15,000. And then, in many cases, the tax authority more or less automatically filed these cases under fraud, because they were very adamant to find and to come down hard on fraud. And then they reclaimed all benefits from those parents from the past year, which of course the parents couldn't pay, because if they could, they wouldn't have needed the benefits in the first place. Which led to thousands of parents getting into really very dire financial straits.

And the big part of the problem was that the highest administrative court, for the parents who eventually arrived at that instance, supported this procedure and this policy from the tax authority, with what turned out to be actually just faulty legal reasoning that, according to one legal scholar, should have been corrected by any second-year law student. I think he was correct in saying that. What you might say is that the legal dialogue by this highest court was broken, due to their unreflective and unresponsive attitude. Two main features of this were that judgements were not adequately reasoned. In fact, another Dutch court has assessed this reasoning and found that it was a breach of the fair trial criteria from the European Convention on Human Rights. Unfortunately, this case was not taken to the Dutch Supreme Court, which would have been very interesting. And secondly, there was a grave unresponsiveness by the High Administrative Court to any communication by the lower courts, as to decisions, but also letters were sent. There were even informal conferences with members of the lower court, the Rotterdam court, with members of the High Administrative Court, but this all was to no avail. Then, after it all came out in 2019, the High Administrative Court decided to change their case law, and have a big reflection program, which did yield some results, namely, well, maybe I should say promises instead of results. They promised to train their members better in all kinds of communicative skills, to adapt their work methods, to organise more discussion and different perspectives systematically in their decision making. Dialogue with the outside world would be enhanced, which actually it did, because they have more discussions with, for example, academia and other courts. So, this seems to have been improved. And cooperation in all kinds of ways with other instances, even also the National Ombudsman, has been promised and partly also realised.

Next slide, please. Yes, exactly. Excellent. Thank you.

Now, this reflection program that they set up had an external supervisor, but this external supervisor complained in the report itself that he was largely shut out from all kinds of organisational decisions, and decisions on the selection of quotes and notes to report in the final report itself. So that was not very open and reflective after all. A lesson which was also not learned was the recognition of their own role and their faulty legal reasoning. Still, it's not recognised. And which was also not implemented in any of the reports or the other practices is a real openness of reflection, and openness about the implementation of the lessons supposedly learned from the reflection reports. So the assessment of reliability and validity that Iwan mentioned, well, it's hardly possible.

Then just very briefly, some implications for legal education. I myself teach professional ethics in the judges' training program, which is a compulsory part in that. So, I think that reflective practice should not only be a part of the initial training for judges, but also for legal education from the start, from the first year in university, as well as in all professional legal training for all legal professions. And also, it should be repeated every five years or so, to

really maintain that open reflective mindset and practice, which is so essential for a well working legal, societal, reflective dialogue. Thank you.

(David Wiseman) Thanks very much, Derk and Iwan. And someone's mentioned in the chat that there are perhaps echoes or parallels here to the Motherisk inquiry in Canada. And Australians will be thinking of the Robodebt issues down there. So, thanks very much.

Let's move to our next speaker then. Alpita Shah, who is Senior Counsel, Institutional Affairs Division, in the World Bank Legal Vice-Presidency. And her presentation is entitled "*From Attention to Action in an AI Era: MEVA seva as Reflective Praxis for the Justice-Facing Lawyer.*" Alpita, over to you.

15:18 (Alpita Shah)

Okay, well, thank you very much. Let me see if I can share my presentation here. As I'm doing this, I want to say thank you to the organisers of this. Thank you very much to the organisers, Michele, Sharry, and all the others behind the scenes, David and fellow panelists. I am a practising lawyer. I am one of the non-academics presenting in this conference, and so I feel a little bit like an imposter. But I have mentored law students for decades, and they've encouraged me to teach, and particularly more practical skills. So here I am. And I'm also a meditation teacher and facilitator. So, this is all in my personal capacity.

So, one of my meditation teachers used to say to us, water the root, enjoy the fruit, right? And what he meant was, focus on the practice and don't go chasing the benefits, that those would come, equanimity, joy, over time. And over the years in professional work, I have come to believe that reflective practice is similar in this way - that continually engaging in reflective practice is like watering the roots for wise action and more ethical and just outcomes. Like many of the other presenters today, or yesterday, legal analysis is emphasised very much in law school and bar exams. It's tested here in the US. We do really well with that. What we don't do so well with, or we may take longer to develop, is how to act under pressure, ethical discernment, relational accountability and principled action. Students usually know the law, but going to the judgement, and the next step, is also, I've seen in all the work I've done with students in experiential learning, that that is sort of a missing gap. What to do after? So, the analysis, and what's the next step to take?

So, MEVA seva is something that I developed when I was doing more community organising and other sorts of civic engagement. But over the last couple of years, I've also implemented this with some of the students that I work with. And it really is just an acronym and a mnemonic to remember: meditate, elevate, validate and activate. And seva, in Sanskrit, means service. So, service to community, service to others, and particularly for public interest lawyering, where I've spent most of my career. That is the question, right? The analysis is the first step. I'm sure that many of you have taught mnemonics for legal writing and analysis. One of the mnemonics I learned was IRAC. And so, the MEVA framework is not a substitute for legal analysis. It's rather a follow on, right after the legal analysis.

How does that translate to the next step? Right? And particularly for decisions under pressure, and for students, learning judgement is something that takes time. But I think if there's a structured way, it's a framework that is structured to help students and lawyers to look at problems more holistically. So, the source of my framework, I've already sort of mentioned. Over the course of my almost 30 years now, I have been in public sector lawyering and also contemplative training. So, this is where people always ask me, how did this develop? And this is where I'm drawing from this now, to more of a pedagogical tool based on my practical applications.

So, I'm going to give an example here, from an institutional perspective. I've also done project lawyering, which involves communities, but this is more of an employer-employee example. The request is, and it's a hypothetical based on a composite of scenarios I've dealt with over the years, so here is an employee, a senior environmental specialist, who's recovering from a medical procedure, and does have a site visit which requires some physical exertion and is time sensitive, and requests a reasonable accommodation, or a delay of one to two weeks, as the expert. And given the project's critical timing, the management pauses and then considers this, and determines that it really is not practical accommodation, or it doesn't serve the objectives of the institution. So, alternatives are offered. For example, a junior associate can go, with the senior specialist participating remotely. And the employee is cleared to travel, with cautions, and eventually decides to do so, is concerned with her job. She travels. Unfortunately, then health complications follow in terms of recovery.

So, this framework is not just what the legal analysis says, but what can maybe reduce harm and preserve institutional integrity. So going through a traditional analysis, you would look at the employee says there is a duty of care violation here and may bring a claim. The analysis would be to look at the reasonable duty of care standard. Was an alternative offered? The individual is not entitled to what they request necessarily, but what is reasonable considering the business needs. The travel is cleared. Alternative accommodations are offered, and there are higher project needs which are very time sensitive. So, the conclusion there would be no breach of duty of care. And many students, or lawyers, would just stop there and focus on defending that decision.

So, the MEVA framework would go to the next level of analysis. It allows the second layer, after the legal reasoning is complete. Now, you may have heard the phrase by Thomas Edison, I think, that the purpose of the body is to carry around the brain. Right? And we know from our modern neuroscience that that is not the case. So, this is a mindful pause, which is not necessarily meditating, sitting on a cushion. It could be as simple as taking a 30-second pause.

So, we can do one here. Looking away from the screen, looking at three objects in your visual field. And if it's available to you, you can close your eyes, focusing on two sounds. And one physical sensation. So even a simple practice like that will help reduce reactivity and broaden thinking. So the next step would be elevate, ethical discernment. I focus on some Gandhian ethics, having done some work studying Indian history. So, what's actually at stake here? Truth seeking. What does my role require, not just permit? And what kind of lawyer do I want to be right now? These are professional identity questions, really. And the sooner we teach those, I think the longer a lawyer has to work with them. Validate is really about relational attunement, deep listening. What's going on here? What are the needs? Does the employee feel unheard? Are there tensions with the client and the project? And to really look at the institution's framework and constraints, and see if there perhaps are other options, right? And this is where some of the insight can occur. And the next step would be, okay, not deciding a complete solution, but just, what is the next step? And I think, when I've worked with young lawyers, they just want to know, what do I do next, rather than, how do I solve this problem completely? Who will I speak with? When? What will I say? And do, if harm occurs, how will we repair it?

So, in this situation, actually the questions could be, is really negligence what we're looking at here, or are we looking at something broader? Perhaps, if the individual is concerned with harm that occurred on the trip, there is an alternative legal structure of workers' compensation, that is available based on strict liability, and there's no determination of negligence or fault. It is simply a correlation between a work activity and an injury. There's also, if there are concerns about future engagement in the individual's work based on physical constraints, there can be future accommodations. So, the conversation changes, and the question really becomes, how do we look holistically at this question, rather than just defending the institution? And in this case, I'm speaking as the lawyer for the institution.

Okay. So really this is just expanding the range of possibilities, going from more of a dualistic to a multi-dimensional approach. And having a sequence, I think, is helpful for everybody, but it also is helpful for those who are still training how to think like a lawyer. And when we say how to think like a lawyer, I think we want to expand what that means, right? And that's what this does. Elevate values, validate viewpoints, what's the wise next step, consider alternative legal frameworks. So, the law is not changing. We're just changing what path we're taking.

And so, in terms of how do you evaluate this, I think this is always a challenge. And so, I look forward to a dialogue with all of you who have worked in the classroom much more than I have, on evaluation rubrics. Here's one option that I've come about over time, and it's looking at awareness, discernment, perspective, action, and over time how it can develop, right, from linking the action to the values to the next step. And what is the larger fairness, equity, voice? What is the larger outcome here?

So that is a quick presentation, to start a dialogue with you. I look forward, and particularly I see this more working with the students with AI. There is an answer that is quick to get, right? And I told them to check the cases. But then what do we do with that answer? And I think this is building judgement in a sort of structured way, right? That's all I have. Thanks.

(David Wiseman) Thanks so much. Thank you. And there's some more commentary happening in the chat as well. Thanks, really interesting.

We'll move on to the next presentation now. And two speakers are listed in the program, but only one will be speaking. So, Aurora Canova is here with us, and she'll be giving the presentation, and Anna Pivaty is online and, on the chat, but unable to participate directly. So, Aurora is a Junior Legal Researcher at Radboud University, contributing to several projects led by Dr. Anna Pivaty, including on AI fairness in criminal justice and on critical perspectives in legal education. And the presentation is "*The Ethical Lawyer of the Future: Challenges and Opportunities for Fostering Reflection on Broader Societal Context in a Law School*." Take it away, Aurora.

29:50 (Aurora Canova)

Thank you so much, everyone. Good morning. My name is Aurora. I'm a legal researcher at Radboud University, but also at Maastricht now. I will present some of the preliminary findings of our research, titled *The Ethical Lawyer of the Future*, where we focused on societal reflection and its role in law school. I'm conducting this research with Anna Pivaty, who's online, and she's very much the mind behind this research, so I hope she can participate in the Q&A. I will briefly explain the relevance of this project and the literature that informed us, and then introduce our research question, some of our methodological choices, and finally some of the main observations we have so far, based on the data we collected. I will focus in particular on three main topics that were covered in the interviews, which are reflection on the role of law in society, legitimacy, boundaries and neutrality, and experiential learning.

We started off from a well-known tension in scholarship on this topic, which is the one between the technical, doctrinal, analytical reasoning which is generally taught in law schools, and the societal context, so the context where the law is deeply embedded and it operates. Research on legal socialisation suggests students become more formalistic and less interested, sort of detached from deeper questions about justice and its impact on people. On the other hand, experiential learning and critical reflection, according to research, are seen as some sort of antidote to this. They counterbalance this effect by strengthening students' ethical awareness and stimulating curiosity as to whether the law is fair, and broader questions of justice. And in these times characterised by crises like the migration crisis, rule of law crises, international conflicts, these values are really important for legal professionals.

Well, there is quite some research tackling this topic from a theoretical perspective, and I put here some of our sources. There is limited empirical research on exactly how critical reflection is understood and how it is implemented in the legal curriculum. Based on this, we came up with our main research question, which is, how is reflection on the societal context of the law conceptualised, legitimised, and enacted within law curricula at Radboud, and what is the role of experiential learning in these processes? In other words, we are investigating how participants define reflection, whether they value reflection, and what enables or constrains such reflection to take place.

This project is a mixed methods study, consisting of a first part of literature review and a second part of qualitative empirical research. We are funded by the Teaching and Learning Centre voucher project. We are conducting 40 semi-structured interviews at our faculty, with students and staff members. To ensure representation, we picked more or less equal numbers of participants with a Dutch and non-Dutch background. We tried to select students from different study years and specialisations, and the staff members we are interviewing include instructors from the law clinic, some randomly selected lecturers, program coordinators, and educational support. We are focusing on a single institution, so that we could compare course level barriers. So, our traditional courses, doctrinal courses, as opposed to experiential learning activities such as law clinics or internships or other sorts of practices, as well as program level barriers. So here we're looking at the governance structure at our faculty.

One of the topics we covered in the interviews is reflection on the role of law in society. Most participants agreed that reflection is important and should be integrated in the legal curriculum as a complement to doctrinal teaching. And they all seem to consider critical reflection as a very important skill for students and staff. Many participants consider some disciplines to be more natural spaces for reflection to take place, like human rights courses, as opposed to private law courses that are more technical and analytical. For some participants, I would say more or less half, a certain level of understanding of the law is a prerequisite to engage in meaningful reflection. Participants identified several benefits in reflective practice, such as engagement. They pay more attention to the topic. They become more empathetic and curious, question whether the law is just, and really develop a sort of sense of responsibility. It is also a good way to connect the law as it is taught to them in the classroom with the law operating in practice. We found also some barriers that are more structural, such as curriculum design and time pressure,

which make it harder to find the space for reflection to take place. Also, some orientation, for example the fact that students focus much more on what is going to be in the exam. And sometimes staff members also tend to only focus on what is in the book. And institutional factors included, for example, the lack of incentive for staff members.

A second topic that we covered in the interviews is legitimacy, boundaries, and neutrality. With legitimate boundaries, I mean, in essence, what participants believe belongs in a classroom, and what is considered instead inappropriate or irrelevant. And according to participants, this may depend on the quality of the argument supporting a certain statement, whether the statement is in fact legal doctrine, whether the statement appears supported by empirical data or evidence, and whether it is formulated in proper academic language. We had diverging opinions regarding emotional statements that cause emotional responses or cause discomfort in students. While for some, they're just inappropriate, for some others they still have some sort of pedagogical value. Participants agree that some topics are more controversial and risky than others, and here it was mostly about contemporary conflicts, but most agree that they should still be addressed. There was also disagreement as to how these topics should be addressed, and in particular as to what role the teacher should take. This is particularly visible when discussing neutrality, and whether teachers should be politically neutral. I put here some examples of the answers that we got.

I'm not going to read through all of them, but regarding the definition, there were three main points. For some people, you cannot be neutral. For some people, neutrality means sticking to the law, and all the rest belongs to other disciplines. And for some others, it is allowing different perspectives.

Regarding the role of the teachers, some people think it is really important, because if a teacher is not politically neutral, there is a risk that students are not able to form their own opinion. For some, well, some recognise that it is very hard to be neutral, but it is not a problem if all opinions are also welcome. And for some people, being neutral is itself political, in the sense that deciding to leave out societal contextual information, and reflecting on the impact of the law, is itself a political choice. And I also added answer five, because I thought it is interesting that, for a participant, trying to be neutral is a safe choice in the beginning of a teaching career, but the participant doesn't know yet if it's the right way.

Finally, we asked about experiential learning to the participants, and mostly it was found to be an added value to the doctrinal courses, in particular because it connects better law with the future professional paths. And here we talk mostly about the Radboud Law Clinic, about internships, moot court, and simulations. Participants believe that experiential learning practices help students form soft skills like talking in public, collaborating in groups, developing a sense of accountability towards peers, employers, and clients. It is a great opportunity to develop their professional identity. It also is a different way in which knowledge is processed and internalised, as opposed to doctrinal courses. Participants say they memorise better what they learn through experiential learning practices.

The barriers are very similar to reflection. So again, more structural: curriculum design and time pressure.

So, this concludes my presentation. We still have 20 interviews to go. We believe this topic is very important in today's globalised world. It is crucial to train ethically aware lawyers of the future. And we look forward to sharing more of the results. Overall, we found that most participants found experiential learning, critical thinking, and critical reflection very valuable.

If you have any advice or tips, you are welcome, either at the end of the panel or via email. Thank you.

(David Wiseman) Okay. Thank you. That's great. Thank you. And I see that Anna is doing some work in the chat. So, great. And I just wanted to remind folks, because some folks joined after we commenced, that the Q&A function is available for posing questions to any of the panelists this morning. So please feel free to put questions there and we can come to those in the discussion session. You're also welcome to use the chat as we go along, although it may or may not capture people's attention.

Okay, great. Well, let's move to the next presentation. And this is from Liz Curran, who's at Nottingham Trent and is a legal practitioner of over 30 years in private and public law, and has done a lot of work on reflective practice. And Liz is going to give us a break from PowerPoint and just speak, I believe. So, Liz, over to you.

42:29 (Liz Curran)

Thank you.

(David Wiseman) Liz, can you give the title of your presentation. I'm sorry, I didn't do that.

(Liz Curran) Well, I will do that, David. The title of my presentation is "*Reflective Practice: Its Value in Creating Improvements in Service Delivery and Advancing People-Centred Justice*." Please note that AI was used to help summarise some of my 35 or so previous reports, I think you'll understand why, findings and approaches, but it was not used in any other way before I commenced this paper. I wish to acknowledge the numerous participants who have provided formative learning for my work, especially the brave and ongoing cultural heritage of the Australian Aboriginal communities who have been integral in my adoption of reflective practice since I was a young lawyer alongside them in the 1990s. Thanks also to Michele and Sharry and the team for organising this amazingly fantastic event.

There are some overlaps in what I'm going to talk about with Derk and Iwan's reflective practice framework, so that's a really nice segue, taking out what I would have done in a full paper. So, thank you to those two. I have used reflective practice in my research and evaluation to not just gauge service interventions at work, but also to examine work undertaken to address systemic injustice. My intention is to publish a journal article from this presentation. Given the available time, I've stripped it back after a rehearsal yesterday. There is much more that can be discussed. This presentation is effectively just a summary, so any people interested can keep an eye out for the intended journal piece. My email is liz.curran2@ntu.ac.uk. I'll pop it in the chat later. I can send a link if it's accepted for publication.

So, my methodology and approach. Since 2001, I've been researching and evaluating integrated legal practice, legal empowerment, impacts of law reform, as well as health justice partnerships. Part of my methodology has also changed and adapted over time, building on lessons learned, experience and developments in literature, including that of Dr. Michele Leering, reference eight, and public health literature, reference 11. All references will be in the slides, which have been sent for the conference web page.

I seek to document practice change, organisational transformation, and, a nod to Julian Webb on the opening day, funding and service delivery improvements that advance people-centred justice. Again, for this paper, I am taking a snapshot approach of my reflective practice lens in my studies, by only discussing recent publications and evaluations. This was informed by previous studies and literature, culminating in and building on my evaluation method. This method is critically developed with collective reflection from participants on the methods and necessary recalibration, which strengthens communication and collaborative problem solving.

I'll take you to the Invisible Hurdles program, ten years of reflective evaluation practice from 2015 to 2026, all co-designed and participatory. I am currently doing the tenth year of the evaluation. The Invisible Hurdles program looks at a multidisciplinary, integrated practice to address justice needs of 12- to 25-year-olds at high risk of family violence, who were not seeking help, in 2015. Over ten years, I've been conducting an embedded evaluation with a reflective practice underpinning. Outcomes now include more young people seeking help earlier and building capability, and the figures are documented in the 2022 evaluation report of the seven years of the project, that's reference ten in the slides.

Reflective practice, as evidenced in the 2022 evaluation report, functions as a critical mechanism for improving service delivery, because it embeds continuous, evidence-based learning into everyday professional activity. Through structured processes such as reflective conversations and professional journals, practitioners are enabled to interrogate what works, why it works, and where the gaps remain. Drawing directly on client experiences and outcome data, this iterative reflection moves organisations away from static or habitual modes, what we have always done, toward adaptive, data informed approaches that recalibrate services and public legal education in real time. In doing so, it supports more effective triage, intake and intervention design, and helps practitioners identify where clients fall through the systemic gaps, the sort of gaps that Derk and Iwan were talking about.

The data emerging from reflective practices also strengthens professional capability. It highlights factors that generate trust, enable client disclosure, and improve engagement, ultimately leading to more responsive and accessible services, particularly for vulnerable and underserved groups. In advancing people-centred justice, reflective practice shifts the focus of legal services from institutional processes to the lived realities of individuals.

My reports examining a lot of data collected from various tools include quantitative as well as qualitative data. Three reports in total, culminating in 2022, which included a reflective lens over the previous seven years. The evidence demonstrates that reflection amplifies marginalised voices by requiring practitioners to evaluate services through the perspective of users, ensuring that adjustments are grounded in real experience rather than assumption. The findings also show the value of reflection as an underpinning in multidisciplinary collaboration, and I have extracts from participant data which I don't have time to read out. Particularly in integrated models such as health justice partnerships, where legal, health and social professionals, and in this case also teachers in alternative school settings, collectively reflect on the data that's being gathered and how they can address complex and intersecting needs, informed by that data and reflection on it. This leads to earlier identification of systemic issues, more holistic responses linked to social determinants of health, and improved legal and social outcomes. Crucially, reflective practice reshapes organisational culture. We talked about this on day one. It builds trust, breaks down professional silos, and enables co-designed, culturally responsive, respectful services that are better aligned to community needs, in this case young people.

In this way, it's not simply a tool for incremental improvement, but a transformative approach. And I've got a quote from one of the participants saying it has transformed their whole partnership service across the board, for the partners we're talking about here, that drives systemic change towards genuinely people-centred justice.

Now I'm going to move to the Bagaraybang bagaraybang mayinygalang or I call it BBM for short. That's the Aboriginal language word for alleviating and empowering. This is a health justice partnership that was in an Aboriginal health service, but specifically targeting people who experience mental health issues and trauma from largely colonisation practices as well. Now, there are significant learnings on reflective practice that are all pretty much now largely documented in my 2026 final evaluation report from this health justice partnership, which I'll call the BBM for short, and that's reference four in the slides. The report was approved by the Aboriginal Health and Medical Research Council for publication. And this bit that I'm talking about now draws only from the report publication and the data contained within it, in line with that ethics approval.

I used reflective practice conversations and professional development journals, yarning circles with Aboriginal communities, interviews with trusted intermediaries, lawyers, management, asking them to reflect on what works and does not work for them. Guided by prompting questions to elicit a narrative. Of course, that's important for Aboriginal communities and Indigenous communities, and responses to enable staff, community, managers to pause and consider what they do, why, and what works. Building on methodologies I've developed over the past 25 years. What the 2026 evaluation did, it evaluated the partnership, which emerged from four partners, with two specific partners for a different project targeting the Aboriginal clients of Albury Wodonga Aboriginal Health Service, one of the clients and the commissioner of the research - Hume Riverina Community Legal Service, which was embedded at the Albury Wodonga Aboriginal Health Service. It focuses on Aboriginal communities in New South Wales and Victoria, where legal, health, and social issues intersect.

Similarly to the young person's project, over the life of the project it is seeing a significant increase in Aboriginal clients being seen by the legal service, compared to 2023 at start up. So, very effective. It's co-designed. I won't go into that, but I had an issue in the design from the get go, when we were setting up the service and wanting to get it funded. I was involved in research with community and elders, staff of the two partners and stakeholders, in the design of that service and the evaluation. And that's what was funded by the New South Wales Government through the national partnership agreement.

The study uses, thank you, an embedded participatory qualitative methodology, drawing on multiple data sources. I was going to talk about *reflective practice conversations*. These are a really important tool. What it does is, I facilitate all of the management with the data report from the studies that I do on the way each year, and then we have a frank discussion where they reflect on underlying success factors, challenges, and they work out a strategy to shift and change things.

Key conclusions. The core value of reflective practice: improving service delivery. It shifts from what we have always done, to recalibrating models based on impact. It builds professional capacity, trust and honesty. It advances people-centred justice by informing multidisciplinary collaboration, amplifying marginalised voices, driving system wide reform.

My recommended framework can be categorised in four operational areas, each driven by distinct reflective questions. Firstly, by interrogating professional bias and silos, through looking at the power dynamic, disallowing language, acknowledging overlaps. Secondly, formulating what I call a secondary consultation approach, which builds trusted intermediary capacity, frictionless pathways for referral. Third, improving ethical and human centred client cultures. And continuously allowing for a continuous systemic audit, to recognise patterns, what's recurring in systemic administrative failures or bad laws. What did I notice in my caseload this month is a question lawyers can ask. Fourthly, policy escalation. How am I taking the localised evidence gathered from this health justice partnership and funnelling it into strategic law reform or policy briefs to fix the root cause?

Thank you very much. That's my paper.

(David Wiseman) Thanks so much, Liz. And the interconnections between all the presentations are really coming out now, as well as the macro and micro levels. So, it's really interesting. We'll move now to our final presentation, which is a team of presenters. Valerie Le Blanc is an Adjunct Professor at the University of Victoria Faculty of Law and a Legal Educator with the BC Access to Justice Centre for Excellence. And she's joined by J  r  my Boulanger-Bonnelly, who's a lawyer and assistant professor at McGill University's Faculty of Law, where his research focuses on access to justice in civil matters. And as you can see, the title of their presentation is "*Access-to-Justice Education in Canada: Challenges and Potential for Reflective Practice*." Take it away, Valerie and J  r  my.

56:30 (J  r  my Boulanger-Bonnelly)

Thank you, David, and thank you to the organisers. This is really fantastic. And as David was saying, there are so many connections between the different presentations, so this is really great. I want to start by saying that I'm located today in Tiohti  :ke, which is unceded land, which has long served as a site of meeting and exchange amongst Indigenous peoples, including the Haudenosaunee and Anishinabeg nations. Valerie.

(Valerie Le Blanc) Thank you, J  r  my, and thank you to the organisers and David for inviting us here today. I acknowledge with respect and gratitude that I live and work on the traditional and unceded territory of the Lekwungen peoples, also known as the Songhees and Esquimalt Nations, on whose territory my office stands, and the WS  NE   peoples, whose relationships with the land continue to this day.

(J  r  my Boulanger-Bonnelly) Our objective today is to present some preliminary findings from what we call the Access to Justice Education Initiative. And through that initiative we seek to map access to justice education in Canada, but also fill the gaps through new educational offerings. First, a few words of context about that project. So, as we all know, access to justice is one of the most pressing issues facing the Canadian justice system. Almost everyone in our country will face one or more serious legal issues in their lifetime, and many of these issues are going to be unresolved after three years. We also know that 87% of people who experience a serious legal issue are going to seek to resolve that issue outside the formal justice system.

These observations have many implications for legal education. In part, if we want a legal profession that contributes to resolving that crisis of access to justice, we can't limit our focus to the traditional curriculum. And that's a theme that was in other presentations as well this morning. We must give students other competencies that they need to build a people-centred practice, including tools for reflective practice.

In 2013, more than ten years ago, the Canadian Bar Association identified these gaps and urged the legal profession to invest in access to justice education. Yet more than ten years later, in 2023, the Action Committee on Access to Justice concluded that there had been some meaningful advances, but that access to justice education remains piecemeal and plagued with the same shortcomings. So, this is precisely the gap that our initiative aims to address. What we seek to do is to re-examine how law schools teach access to justice in Canada, and how that might be improved.

And the first step of that project was to understand how access to justice is currently taught across Canada. What we did was a cross-jurisdictional study, examining the knowledge, skills and learning pathways that shape people-centred, access to justice-oriented legal practice. There are two broad axes to that research. So first, we sought to

identify the access to justice competencies that jurists should develop during their studies. And the second axis is to see the pathways through which these competencies can be developed by law students, reflected in legal education, faculty and other student initiatives.

In the interest of time today, because we have 10 to 12 minutes, we're going to focus only on the pathways content. And the competencies content is going to be in our report, and also in part on the slides that we're going to share after this presentation.

On the pathways, we sought to answer essentially four questions, namely how law schools teach access to justice, which of the pathways dominate, where they appear in the curriculum, and also what gaps and opportunities arise from that survey. To answer these questions, we looked at the documentation available from the 24 Canadian law faculties, including courses, clinics and other initiatives, from 2024 to 2026.

(Valerie Le Blanc) This image that you see here on the screen is meant to try and reflect some of the pathways to education and training that we've uncovered thus far in our research. I won't have an opportunity to speak to all of them today, but I wanted to find a way to illustrate the breadth and variety of avenues that law faculties are using to introduce students to A2J as part of their journey to a more reflective practice. So, our research reviewed information that is publicly available on law faculty websites. And since no two websites are created equal, we applied a mix of legal and non-legal search strategies to gather the information. We also spoke to at least one professor, and in some cases with associate deans, at each of the law schools, to verify the results of our findings. And these conversations were tremendously helpful for us to ensure that we did not miss key activities or content.

This research is currently in its second phase of analysis, as we continue to receive feedback from scholars from some remaining schools. Some of the numbers that you see here on the screen will change as they are reflected in the final report.

So, when we talk about pathways to education in law school, what I've tried to capture here are some of the core avenues that we've seen, so that I could elaborate a bit on some of those that were illustrated earlier. Several courses across faculties introduce theory and principles of access to justice, or access to justice related themes and people-centred practice. Faculties will also incorporate this content, in some cases as part of the compulsory 1L curriculum program, but most will be reflected as upper year electives, or take place in what we know as traditional clinical programs. When it comes to the clinics and externships, it was exciting to see that all law faculties across Canada have a form of clinical or externship experience that places students into community-based service or advocacy roles. Some have a specific A2J or social justice focus, while others provide limited representation and advice services to people in the criminal justice and family justice systems. Some faculties also highlight skills-based topics as upper year electives. In most cases that prompts students to consider how to build an A2J practice, so teaching things like ethical lawyering, or client counselling, interviewing, conflict resolution, and plain language communication emphasis.

What we also observed thus far is that assessment methods vary, with most resembling our typical midterm, final exam or research paper models, with a small portion dedicated to review class participation.

Select faculties are also introducing reflective practice lenses into their courses, such as reflective journals or essays on student skill development. And I know earlier in the symposium, we know those aren't specifically necessarily reflective practice, but they are building in that reflective lens into how students translate that legal analysis into their future legal career practice. We also see things like role play exercises and podcasts, and discussions and activities on professionalism in inter-societal contexts, as an example.

So, these are some of the preliminary findings that we were able to gather from the information that we reviewed. Right now, every law faculty is educating students about A2J to varying degrees. Some will have those dedicated standalone courses on A2J topics, while others are integrating A2J themes into traditional substantive law courses. What we do see is some limited opportunities to scaffold course content or assessments that allow more of that comprehensive reflective practice and resilience building. So, for example, there are opportunities or ways to translate traditional assignments into more practice-based activities. Lived experience instruction is there, but it varies. Most is done by way of bringing community members and guest speakers into the classroom, and we're

seeing more opportunities for field school participation as well, so observing and working with Indigenous laws and processes in the community and on the land.

So, some of the findings have led us to arrive at an observation that we have fragmented assessment approaches that don't necessarily prioritise reflective practice development, or how to measure those people-centred competencies. We have differing levels of A2J knowledge, skills, and exposure to practice related experience, and there could be more emphasis on mandatory knowledge and skills-based training. Many A2J specific courses are not delivered in consecutive years, so you'll also face a potential loss of A2J expertise and timely training from those who focus on this as part of their teaching or practice.

Two of the overarching limitations that I just want to highlight that have emerged, and I know many of our colleagues here will be familiar with, is that we don't have a central definition or set of skills or competencies that conclusively define A2J and A2J practice. It's not really a term that we can define necessarily within the four walls of a classroom either. Instead, it's helpful to think about A2J as an experience, an interaction, an impact, or as a result, placing clients at the centre of that experience. What we know is that A2J is about enhancing a person's awareness, knowledge and engagement with their legal rights, to create opportunities to resolve and prevent legal issues from happening, by reducing or removing barriers. And we also know that access is fluid, like someone's capacity to make decisions. Assessing whether someone has or does not have access to justice depends on several factors.

The other limitation that we observe is that not every law faculty will necessarily explicitly mention A2J in its course descriptions, but we know from examining themes across similar courses that A2J concepts and principles are likely explored. And in any existing course descriptions, unless explicitly or implicitly framed to support Indigenous legal education, or to respond to TRC Calls to Action, there are opportunities to change what may be reflected as more colonial conceptions of what we mean by A2J and A2J education. And this is where a major opportunity lies for our future work.

Speaking about opportunities, I won't list and repeat all of what's there. But what we know is that students are equipped with the theory and the legal analysis and traditional requirements for engaging in standard legal practice. But today, lawyering is about meeting the 87% of people who may choose to resolve their dispute outside the traditional court system, who intersect with lawyers at staggered stages of their legal problem, and who face the more serious, everyday legal needs and issues that require timely resolution. And so, students need training in what it means to work as a lawyer that is responsive to the barriers that most people face.

Barrier-shifting topics that we've identified include cultural humility, trauma- and vicarious trauma-informed practice, and plain language communication, among others.

Micro-credentials could be workshops or certificate programs that help students build judgement and push them to take systemic approaches to how they think and apply and recommend legal solutions. Some faculty, we saw, are integrating live and simulated instruction, and challenge students to think and step outside the box and their comfort zone to illustrate in creative ways how to practise law. And we heard about some of those strategies here. A2J lawyering is about placing people at the centre of that practice model, and not in theory, but in approaches to practice, like how to counsel clients, how to reflect accessibility in the structure of your office, among others. And students need more of those opportunities to engage in active and reflective listening, and not with the ideal clients, but with clients that resemble people who live within the law and who navigate the justice system minefield with a full-time job, children, parents, sometimes school or other community commitments, and who may be limited in resources such as time, money, energy, and mental or physical wellness. And students need to know how to manage their own wellbeing, and to build resilience to show up in the best way possible.

(Jérémy Boulanger-Bonnely) So, in conclusion, very quickly, I think one thing that emerges and is clear is that reflective practice is important if we want to teach access to justice correctly. And also, I think access to justice is a key part when we think about building a reflective practice and legal profession.

What's next for us in that project? We're going to publish these findings in final form in a report later this year, so look out for that. And also, because the goal of our initiative is not only research based but also action based, we're

going to build a course, modular type, available online freely for law students in Canada who want to fill these gaps in their legal education around access to justice.

And we wanted to leave you with two questions there on the screen. Essentially, from your perspective, we want to hear how you would define access to justice in that context, and also how, in your opinion, we should teach access to justice concepts, principles and practice in law school. So, thank you for the attention. I hope we didn't go too much over time, David, but looking forward to the discussion period.

(David Wiseman) That's great. Thank you very much, Valerie and Jérémy. Well, great. What a rich set of presentations.

*** PUBLIC TRANSCRIPT ENDS HERE * Moderator and audience Q & A not included**