



CHRIST

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BANGALORE · INDIA

Notice for the PhD Viva-Voce Examination

Mr Shibu P (Registration Number: 1860074), PhD scholar at the School of Law, CHRIST (Deemed to be University), Bangalore will defend his PhD thesis at the public viva-voce examination on Friday, 13 October 2023 at 10.30 am in Room No. 044, Ground Floor, R & D Block, CHRIST (Deemed to be University), Bengaluru - 560029.

- Title of the Thesis** : **Access to Justice through Law Schools
Legal Aid Activities in India: An Empirical
Study with Special Reference to Kerala**
- Discipline** : **Law**
- External Examiner
(Outside Karnataka)** : **Dr K C Sunny**
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- External Examiner
(Within Karnataka)** : **Dr Ashok R Patil**
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The members of the Research Advisory Committee of the Scholar, the faculty members of the Department and the School, interested experts and research scholars of all the branches of research are cordially invited to attend this open viva-voce examination.

Place: Bengaluru
Date: 05 October 2023


Registrar

ABSTRACT

The provision of legal services is a fundamental human right and is integral to the maintenance of the rule of law. Ensuring Justice and the rule of law are unique sustainable development goals in the 2030 Agenda. Law school clinics provide a novel way to reach SDG-16. The legal aid system has been influenced by both international and national legislation, which has contributed to the establishment of its framework. The judiciary plays a pivotal role in ensuring the provision of free legal assistance to indigent people. Access to formal and informal justice institutions must be improved so that people can seek and get justice. Law school clinics provide potential and challenges as informal justice institutions, yet they are mostly ignored. Under CLE, law school LACs engage in a variety of legal aid initiatives. Through this, students acquire professional skills while clients get legal services. That is the beauty of law school LACs. In the end, this "laboratory of lawyering" helps individuals find justice. In the Indian context, this thesis answered three research questions. 1) How do the legal aid programmes undertaken by law schools' clinics promote SDG-16 and improve access to justice? 2) What are the current practises being undertaken by law schools LACs to guarantee access to justice? 3) What are the shortcomings that law schools LACs face in delivering appropriate legal services in Kerala? Two methodologies were used in answering these three questions: the doctrinal method for the first two research questions and the empirical method for the third. The doctrinal study examines the operation of LACs in general. The purpose of this empirical research on law school clinics in Kerala is to investigate the numerous legal aid activities and barriers to law school clinic operations in Kerala. No meticulous study was conducted in Kerala to evaluate how law school LACs worked. National and international law school clinics' best practises and case studies were incorporated.

The study examined the relationship between BCI, NALSA, SLSAs as well as CLE requirements along with law school performance. The LACs' commitment will be assessed based on their legal aid operations pre- and post-Covid-19, including legal representation, legal awareness, legal advice, paralegal services, PIL and ADR services to beneficiaries, and the effective implementation of BCI and NALSA's CLE requirements. This study explores the relationship between dependent and independent variables, such as how the improper implementation of BCI and NALSA regulations on CLE hindered law school LACs' commitments. The prevailing policy has restricted law school LACs' activity and is not enough to achieve access to justice (ATJ). Due to multiple factors, law school LACs failed to assure effective service learning and did not reach the needy. This gap in the current CLE and its insufficient attention to promoting access to justice have been addressed. The empirical investigation demonstrates that while the number of law schools increased, legal aid activities decreased during the past decade. Current legal aid practices of law schools LACs in Kerala are unsatisfactory and inconsistent in providing ATJ. BCI and LSAs ineffective control over LACs in law schools has contributed to a decline in legal aid activities and services. BCI and NALSA must reform their CLE rules and establish mandatory legal services to foster an inclusive and effective LACs that gives meaningful justice to the disadvantaged.

Keywords: *SDG-16, access to justice, legal aid, CLE, law schools LACs, pro bono service learning, BCI, NALSA, and SLSAs.*

Publications:

1. **Shibu Puthalath** and Shashank D. Bharadwaj "Inclusive law school clinics: institutionalizing effective and accountable justice for all", Journal of Dharma- ISSN 0253-7222; vol 46 no 4, pp-425-444, (2021).
2. **Shibu Puthalath**, Dr. Mallaiiah.m. R & Dr.Viswesh Shekar, *Global emerging trends and historical perspectives surrounding digital transformation in education: achieving open and blended learning environments*, Nikleia Eteokleous et.al, (IGI global, June, 2023), ISBN13: 9781668444238.