

**THE DYNAMICS OF ETHICAL PRACTICE IN CLINICAL
LEGAL EDUCATION: A STUDY OF THE WOMEN'S LAW
CLINIC, IBADAN, NIGERIA**

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Abstract

Ethical practice is the foundation of legal service delivery in law clinics, particularly in women-focused clinics that serve vulnerable and disadvantaged populations. This paper examines the dynamics of ethical practices at the Women's Law Clinic in Ibadan, Nigeria, with emphasis on how ethical conduct influences case outcomes and client experiences. The paper argues that ethical responsibilities in law clinics extend beyond the traditional duties set out in the Rules of Professional Conduct for Legal Practitioners. In maintenance and upkeep matters, transparency and accountability in handling and disbursing client funds are essential. Despite the importance of ethical conduct in law clinics, limited attention has been paid to the peculiar ethical obligations and challenges arising from different categories of disputes handled in law clinics operating under the ideals of Clinical Legal Education in Nigeria. This study concludes that ethical compliance significantly enhances trust, dispute resolution, client cooperation, and access to justice, and recommends specialised ethical guidelines for law clinics, non-lawyer staff of clinics, and, continuous training for law clinicians, and stronger accountability mechanisms.

Keywords: Legal Ethics, Ethical Practices, Law Clinics, Women's Law Clinic, Clinical Legal Education, Nigeria

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1.0 HISTORICAL DEVELOPMENT: THE WOMEN'S LAW CLINIC AS A DERIVATIVE OF CLINICAL LEGAL EDUCATION

The Institutional Framework of the Women's Law Clinic, hereinafter called WLC in Ibadan, arose after the emergence of Clinical Legal Education (CLE) in Nigeria, traceable to the First British Nigeria Law Forum convened in Abuja in 2001 under the sponsorship of the British Council and the Department for International Development (DFID).¹ The forum represented a watershed moment in the evolution of legal education in Nigeria, as it articulated a compelling demand for the reform of the traditional legal education framework through the incorporation of clinical methodologies into legal training.² This reformist momentum culminated in the First Nigerian Clinical Legal Education Colloquium held in 2004, during which stakeholders within the legal education sector unanimously endorsed the institutionalisation of Clinical Legal Education in Nigeria.³ A central resolution adopted at the colloquium was that the implementation of CLE should be grounded in a coherent philosophical framework capable of responding to the needs of law faculties, students, governance institutions, and the wider communities within which these actors operate.

In response to this progressive vision, the Faculty of Law, University of Ibadan, undertook the establishment of a specialised law clinic tailored to the peculiar socio-legal realities of its host community. Upon consultations and empirical assessments of the justice needs

¹ Ernest Ojukwu, *Clinical Legal Education: Curriculum Lessons and Materials* (2nd edn, Network of University Legal Aid Institutions, 2013).

² Ebunoluwa Osisanwo, The Roles of Clinical Educators and Student Clinicians in Advancing Clinical Legal Education at the Women's Law Clinic in Pradeep Kulshreshtha, Omolade Olunike Olomola, Siddharth Singh Eds. *Clinical Legal Education and Access to Justice Experiences from India and Nigeria*.(Bloomsbury, India 2025) 108-125

³ Ibid n.2

within Ibadan, it became apparent that indigent and vulnerable women experienced significant barriers to accessing legal services and justice mechanisms. Consequently, the WLC was established on 18 July 2007 within the Faculty of Law, University of Ibadan, as an institutional response to the pervasive challenges confronting women in accessing justice⁴ through pro bono services. The WLC actively commits to advancing the foundational ideals of Clinical Legal Education and promoting experiential legal education, thereby fostering in students social justice values and ethical obligations inherent in legal practice.⁵

2.0 THE CONCEPT OF LEGAL ETHICS

Legal ethics refers to the body of moral principles, professional standards, and rules governing the conduct of legal practitioners in their interactions with clients, courts, colleagues, and society.⁶ According to Black's Law Dictionary, legal ethics encompasses the standards of professional conduct expected of members of the legal profession.⁷ Ethics in legal practice seeks to preserve the integrity of the legal profession and ensure public confidence in the administration of justice. Legal practitioners occupy a position of trust and confidence and must conduct themselves in a manner that preserves the dignity of the profession.⁸ The Rules of Professional Conduct for Legal Practitioners, hereinafter known as RPC,⁹ constitute the principal

⁴ Olujemisi Bamgbose, 'Access to Justice through Clinical Legal Education: A Way Forward for Good Governance and Development' (2015) 15(2) *African Human Rights Law Journal* 378.

⁵ I. P. Byron, 'The Relationship between Social Justice and Clinical Legal Education: A Case Study of the Women's Law Clinic, Faculty of Law, University of Ibadan, Nigeria' (2014) 20(2) *International Journal of Clinical Legal Education* 563

⁶ Jonathan Herring, *Legal Ethics* (3rd edn, Oxford University Press 2023).

⁷ Bryan A. Garner Black's Law Dictionary, 9th Edition Thomson Reuters

⁸ Rule 1 of the Rules of Professional Conduct for Legal Practitioners 2023 (as amended)

⁹ The Rules of Professional Conduct for Legal Practitioners RPC 2023, made pursuant to the Legal Practitioners Act, Cap L11, Laws of the Federation of Nigeria 2004.

ethical framework regulating lawyers in Nigeria, requiring them to represent clients within the bounds of the law, competently and diligently.¹⁰ It also prohibits lawyers from engaging in conduct involving dishonesty, fraud, deceit, misrepresentation, or taking advantage of the confidence reposed in them by their clients.¹¹ It imposes obligations relating to the handling of client property and finances.¹² Within the WLC, legal ethics extends beyond courtroom representation to include counselling ethics, mediation ethics, confidentiality obligations, trauma-sensitive engagement, fiduciary responsibilities, and accountability in welfare-related transactions. Ethical adherence in these institutions significantly impacts vulnerable individuals whose existence and well-being may rely on the services provided.

3.0 CLINICAL LEGAL EDUCATION AND ETHICAL RESPONSIBILITY

Clinical legal education refers to a practical system of legal training that combines classroom instruction with experiential learning through live-client representation, legal aid, mediation, and community engagement.¹³ Clinical legal education serves as a bridge between theoretical legal instruction and the practical administration of justice by equipping students with experiential learning and lawyering skills.¹⁴ Ernest Ojukwu argues that clinical legal education and law clinics in Nigeria enhance access to justice for indigent persons while also inculcating professional ethics, practical lawyering skills, and a

¹⁰ Rule 15-16 RPC 2023

¹¹ Rule 23(1)(2) RPC 2023

¹² *ibid*

¹³ R. J Wilson, 'Training for Justice: The Global Reach of Clinical Legal Education' (2004) 22 *Penn State International Law Review* 421.

¹⁴ N.R. Madhava Menon, *Clinical Legal Education* (Eastern Book Company, 1998).

sense of public service in law students.¹⁵ The ethical aspects of clinical legal education are particularly important as student clinicians frequently engage directly with vulnerable patients under the guidance of experienced lawyers. This creates unique ethical challenges relating to confidentiality, competence, professionalism, conflict of interest, emotional boundaries, and accountability. Law clinics frequently combine legal assistance with social support and humanitarian intervention. Consequently, ethical standards within such clinics must accommodate both legal and psychosocial realities.

5.0 ETHICAL DYNAMICS AT THE WOMEN'S LAW CLINIC

Legal ethics represents one of the most fundamental pillars of legal practice and justice administration in every democratic society.¹⁶ The legal profession is a noble profession founded upon principles of integrity, confidentiality, diligence, fidelity, honesty, accountability, and respect for the rule of law. These ethical norms are crucial in institutions serving vulnerable populations. WLC therefore occupy a unique and sensitive position within the justice system because they provide legal services to individuals who are often economically disadvantaged, socially marginalised, emotionally traumatised, and institutionally excluded from formal justice mechanisms. The organisational structure of law clinics requires clear ethical supervision because student clinicians may lack extensive professional experience. Supervising Clinicians therefore ensure that clients' interests are protected and that confidentiality and professionalism are maintained. Through legal counselling, mediation, referrals, and advocacy, the

¹⁵ Ernest Ojukwu, *Clinical Legal Education: Curriculum Lessons and Materials* (2nd edn, Network of University Legal Aid Institutions, 2013).

¹⁶ E.C. Ibe, 'The Essence of Legal Ethics: Examining Professional Negligence and Misconduct of Legal Practitioners in Nigeria' (2024) *International Journal of Law and Clinical Legal Education*.

clinic assists women confronting various legal and social challenges.¹⁷ The nature of disputes handled by the clinic creates multiple ethical responsibilities or obligations that extend beyond ordinary legal representation to advisory services, alternative dispute resolution, assistance in maintenance and upkeep disputes, intervention in selected matters involving domestic violence, child custody, maintenance payments, sexual abuse, inheritance disputes, guidance on adoption procedures, matrimonial causes, economic exploitation, child welfare interventions, etc. These matters frequently involve emotional vulnerability, family instability, and financial dependence.

The ethical dynamics associated with women-centred legal services are therefore complex and multifaceted. Ethical obligations may vary depending on the nature of the dispute being addressed.¹⁸ For instance, cases involving monthly upkeep or maintenance payments require strict accountability, transparency, proper documentation, and prompt delivery of funds to beneficiaries. Delays or diversion of such funds directly affect the welfare of women and children and may undermine public confidence in the institution. Matrimonial disputes and adoption procedures demand heightened confidentiality, due diligence, compliance with statutory procedures, and protection against child trafficking or exploitation. Child custody disputes require neutrality, professionalism, and prioritisation of the best interests of the child.¹⁹

¹⁷ I. P. Byron, 'The Relationship between Social Justice and Clinical Legal Education: A Case Study of the Women's Law Clinic, Faculty of Law, University of Ibadan, Nigeria' (2014) 20(2) *International Journal of Clinical Legal Education* 563.

¹⁸ M. A. du Plessis, 'The Role of Clinical Legal Education in Developing Ethical Legal Professionals' (2021) *South African Journal of Higher Education*

¹⁹ United Nations Convention on the Rights of the Child 1989, art 3(1).; Henry H Foster Jr, 'Adoption and Child Custody: Best Interests of the Child?' (1973) 22 *Buffalo Law Review* 1; see also: Katharine T Bartlett and Elizabeth S Scott, 'Child-Custody Decision making' (2014) 77 *Law and Contemporary Problems* i.

The RPC, 2023 expressly imposes general ethical obligations upon lawyers in Nigeria (and not law students, staff of law clinics, or experts from faculties invited to partake in clinic work) The RPC provides that a lawyer shall uphold and observe the rule of law, promote and foster the course of justice, maintain a high standard of professional conduct, and refrain from conduct likely to obstruct justice.²⁰ It further imposes the duty of devotion to the client's cause,²¹ and it requires lawyers to preserve clients' confidences.²² These rules are particularly relevant within Law clinics where legal practitioners and student clinicians engage directly with vulnerable clients but does not cover non-lawyers whose contributions to the clinic are significant. Clinical legal education in Nigeria has expanded significantly in recent years through university-based and community-oriented law clinics. Clinical legal education through law clinics aims at combining legal education with practical service delivery to produce socially responsible lawyers.²³ Despite the importance of ethical conduct within law clinics, there remains limited scholarly attention on the peculiar ethical obligations arising from different categories of disputes handled by such clinics. Existing studies on legal ethics in Nigeria have concentrated largely on conventional legal practice, courtroom advocacy, and professional misconduct. There is comparatively little scholarship examining the relationship between ethical practices in law clinics and the outcomes of disputes handled by those institutions. This paper therefore examines the dynamics of ethical practices at law clinics particularly WLC, the effect of ethical compliance on the outcomes of cases, challenges confronting ethical practice within law clinics and recommendations.

²⁰ Rule 1 RPC, 2023

²¹ Rule 14, RPC, 2023

²² Rule 19, RPC, 2023

²³ Ibid n 11

Influenced by the Feminist Legal Theory,²⁴ this study emphasises the need for legal institutions to recognise the peculiar vulnerabilities experienced by women within social, economic, and familial relationships. WLC embody feminist legal objectives by focusing on women's access to justice. Gleaning from the Ethics of Care Theory,²⁵ empathy, relational responsibility, compassion, and responsiveness to vulnerability are required in handling matters at the law clinic. This theory is highly relevant to women-centred legal practice because it recognises that justice delivery must account for emotional realities. Ethical obligations in WLC therefore include not only technical legal competence but also compassionate engagement with traumatised and vulnerable clients.

5.1 Categories of Cases and Ethical Dynamics

a. Domestic Violence Cases

Domestic violence remains one of the most common disputes handled by WLC, this includes physical abuse, emotional abuse, psychological violence, economic deprivation, intimidation, and coercive control within intimate or family relationships. The Violence Against Persons (Prohibition) Act²⁶ criminalises various forms of domestic violence and provides legal protection for victims. However, cultural stigma, economic dependence, and weak institutional support continue to discourage many victims from reporting abuse. One of the most important ethical duties or obligation in domestic violence matters is confidentiality. Survivors of abuse frequently disclose highly sensitive information relating to family relationships, sexual experiences,

²⁴ Katharine T Bartlett and Rosanne Kennedy (eds), *Feminist Legal Theory: Readings in Law and Gender* (Westview Press 1991); see also Martha Albertson Fineman, 'Feminist Legal Theory' (2005) 13 *Journal of Gender, Social Policy & the Law* 13

²⁵ Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Harvard University Press 1982).

²⁶ Act No. 18, Laws of the Federation of Nigeria, 2015

financial dependence, and traumatic incidents. The RPC requires lawyers to preserve clients' confidences except where disclosure is authorised or legally required.²⁷ However, the non-lawyer staff members, and invited professionals needed in resolving these disputes are obviously not covered within the RPC, leaving a lacuna in the ethical practice at Clinics. Another critical ethical obligation is trauma-sensitive interviewing. Lawyers and clinicians must avoid re-traumatising victims through hostile questioning, victim-blaming, or dismissive attitudes.²⁸ These are areas not explicitly covered by the RPC but necessary in practice at Law Clinics. The United Nations requires that victims are treated with compassion and respect for their dignity and protected from intimidation and secondary victimisation.²⁹ Trauma survivors of abusive marital relationships require environments characterised by safety, respect, and trust. Non-judgmental representation is equally essential.³⁰ The effect of ethical compliance in domestic violence matters significantly improves case outcomes. Victims are more likely to cooperate, disclose relevant information, and pursue legal remedies when they trust the institution handling their cases.³¹ Confidentiality and empathetic engagement also reduce fear and encourage continued participation in legal proceedings. In contrast, unethical conduct such as disclosure of confidential information, victim-blaming, or insensitive treatment discourage victims from pursuing justice and may expose them to further abuse. Since the RPC covers the ethical guidelines for lawyers, the WLC trains the Law students on these ethical practices to prepare

²⁷ Rule 19. RPC, 2023, see also Section 192, Evidence Act 2011

²⁸ United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985), para. 6(b)–(d)

²⁹ *ibid*

³⁰ Judith Herman (1992). *Trauma and Recovery: The Aftermath of Violence—from Domestic Abuse to Political Terror*. Basic Books.

³¹ United Nations Office on Drugs and Crime (UNODC) (2006) *Handbook on Justice for Victims: On the Use and Application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*. Vienna: UNODC

them for Clinic work and subsequently Law practice. This practise is recommended for all law clinics.

b. Maintenance Cases

Maintenance and upkeep disputes constitute a substantial category of matters handled by WLC. Such disputes typically involve financial support for spouses and children following separation, abandonment, or family conflict. Upon consenting to the terms of settlement, respondents deliver monthly upkeep payments directly to the clinic for onward transmission to beneficiaries. This creates important fiduciary and accountability obligations. The primary ethical obligation in maintenance matters is accountability in handling client funds. In practice, at law clinics and mediation centres, a junior officer whose role is not explicit in the RPC, handles the task of collection and handing over funds to clients. At the WLC, it is handled under the supervision of a Clinician. The RPC requires lawyers to properly account for clients' property and finances.³² The WLC in handling upkeep payments ensures the prompt delivery of funds, proper documentation and receipts transparency in financial transactions, prevention of diversion or misappropriation, accurate record-keeping, accountability to both parties. Delays in delivering maintenance payments may adversely affect children's feeding, schooling, healthcare, and general welfare. The effect of ethical compliance on case outcomes is that prompt and transparent handling of upkeep payments enhances public confidence in the clinic and encourages compliance by respondents.³³ When respondents trust that funds are properly managed, they are more likely to continue making payments voluntarily. Ethical accountability also reduces disputes between parties because accurate documentation minimises allegations of non-

³² Rule 26, RPC 2023

³³ Louisa Treskon and others, *Procedural Justice in Child Support Enforcement: Lessons from an Implementation Study of the Procedural Justice-Informed Alternatives to Contempt Demonstration* (MDRC 2022).

payment or diversion. On the contrary, mismanagement of maintenance funds damage the reputation of the clinic, undermine trust, and worsen family conflicts.

c. Child Custody and Guardianship Matters

Child custody disputes commonly arise following divorce, separation, or family disagreements. These disputes are often emotionally charged and may involve allegations of neglect, abuse, or parental unfitness. The Child Rights Act³⁴ establishes the best interests of the child as the primary consideration in matters affecting children. The foremost ethical responsibility in custody matters is prioritisation of the child's welfare above the interests of disputing adults.³⁵ Lawyers and clinicians have an obligation to avoid becoming instruments for parental manipulation or revenge.

Confidentiality is equally important because custody disputes often involve sensitive allegations relating to parenting conduct, finances, or domestic relationships.³⁶ This obligation derives from lawyers' duty of confidentiality under the RPC for Legal Practitioners,³⁷ which prohibits disclosure of client information obtained during representation except as authorised by law or the client. It is noteworthy that Lawyers are not the only parties in charge of the entire process, filing and documentation are often carried out by non-lawyers who become privy to information. A specialised Ethics regulating the

³⁴ Child's Rights Act, 2003 (Act No. 26 of 2003)

³⁵ B. Oyaleke, 'The Best Interest of the Child Principle in Child Custody Cases in Nigeria' (2025) 6(2) *The Obafemi Awolowo University Law Journal* 32 see also; Wilson Diriwari and Damfebo K Derri, 'Protecting the Best Interests of Children: A Critical Analysis of Child Custody and Divorce Proceedings in Nigeria under the Child Rights Act 2003' (2023) *International Journal of Social Science, Management and Economics Research*

³⁶ Mavis Maclean and John Eekelaar, *Family Law Advocacy: How Barristers Help the Victims of Family Failure* (Hart Publishing 2009) 112–115,

³⁷ Rule 19, RPC 2003.

assignment of all non-lawyers outside the caption of the RPC is required. Neutrality and professionalism during mediation are also essential.³⁸ Ethical professionalism at Law clinics promotes fair custody arrangements and reduces emotional harm to children. Child-focused mediation often encourages cooperative parenting arrangements and minimises prolonged hostility. Where ethical standards are compromised, custody disputes may become more adversarial and psychologically damaging.³⁹

d. Adoption Matters

Adoption matters involve highly sensitive legal and social considerations. Nigerian adoption procedures are governed by adoption laws including the Child Rights Act and.⁴⁰

Law clinics may only assist prospective adoptive parents with counselling, documentation, referrals, and legal guidance. This is the practice at the WLC. The WLC records reflect that an average potential adoptive parent is not conversant with the statutory provisions guiding adoption in Nigeria and feels safe to approach the WLC for guidance. Due diligence is therefore critical in such matters. Lawyers and Clinicians' ability to verify compliance with statutory procedures and ensure that children are not subjected to trafficking or illegal transfer is highly non negotiable. Confidentiality is also essential by all Clinicians and staff involved (including those outside the purview of RPC), because adoption processes often involve sensitive family circumstances. Ethical counselling of prospective parents is equally important. Lawyers are expected to avoid facilitating

³⁸ Nadja Alexander, *International and Comparative Mediation: Legal Perspectives* (Kluwer Law International 2009) 73–75,

³⁹ Robert E Emery, *Renegotiating Family Relationships: Divorce, Child Custody, and Mediation* (2nd edn, Guilford Press 2012) 18–25,

⁴⁰ Akintunde Emiola's seminal legal text, *Nigerian Family Law* (OAU Press, 2011)

adoptions motivated by exploitation or improper intentions.⁴¹ Ethical compliance enhances the legitimacy and stability of adoption processes. Proper verification and documentation reduce the risk of future legal disputes and protect children from exploitation. Failure to maintain ethical standards in adoption matters may contribute to child trafficking, fraudulent adoptions, and psychological harm. A specialised Ethics regulating the work of all non-lawyers outside the caption of the RPC is therefore required.

e. Sexual and Gender-Based Violence Cases

WLC assists survivors of rape, sexual harassment, defilement, and other forms of sexual violence. Sexual violence cases are particularly sensitive because survivors may experience stigma, shame, fear, and psychological trauma.⁴² A survivor-centred approach is therefore essential. Lawyers and clinicians are expected to prioritise the safety, dignity, and autonomy of survivors. Informed consent is as important as confidentiality obligations and significant because disclosure of information may expose survivors to social stigma or retaliation. Survivors need to understand the legal processes involved and should participate voluntarily in decision-making. Ethical engagement encourages survivors to cooperate with investigations and legal proceedings. From previous interactions with such clients at the WLC, respectful treatment contributes to emotional recovery and trust in justice institutions.⁴³ Insensitive handling of sexual violence matters may discourage reporting and perpetuate impunity. These ethical requirements in such peculiar situations must be upheld whether explicitly stated in the RPC or otherwise. While awaiting a specific

⁴¹ *ibid*

⁴² World Health Organization, *Responding to Children and Adolescents Who Have Been Sexually Abused: WHO Clinical Guidelines* (WHO 2017) <https://www.who.int/publications/i/item/9789241550147> accessed, 25 May 2026

⁴³ Tom R. Tyler, *Why People Obey the Law* (2nd edn, Princeton University Press 2006) 163–166,

ethical code of conduct for non lawyers who serve at law clinics, lawyers can step in to ensure ethical practices are sustained.

f. Matrimonial and Family Disputes

Matrimonial disputes handled by WLC include legal guidance on divorce, separation, property disputes, and family mediation. The clients often have no legal knowledge of the right way in going about resolving their family disputes and clinicians are eager to direct in arriving at the best suitable options. Lawyers have the responsibility to maintain professionalism, and encourage peaceful dispute resolution where appropriate. However, the non lawyers serving at law clinics should be guided by similar code of conduct. A specific rule guiding this category is highly advocated. Conflict of interest must also be avoided, particularly where both parties seek advice from the same institution. The WLC strongly upholds this principle and its ethical mediation promotes amicable settlements.⁴⁴ Respectful communication also helps preserve family relationships where reconciliation is possible.

g. Inheritance and Property Rights Cases

Widowhood practices and discriminatory inheritance customs continue to affect many women in Nigeria.⁴⁵ WLC often assist widows denied inheritance rights under customary practices. Clinicians who preside over these matters combine cultural sensitivity with rights-based advocacy necessary for such cases. Exploiting vulnerable widows is strictly frowned at as lawyers are guided by the RPC but this must also be ensured by the non-lawyers who serve at law clinics. An ethical guideline is highly advocated while also respecting lawful cultural

⁴⁴ Robert A Baruch Bush and Joseph P Folger, *The Promise of Mediation: The Transformative Approach to Conflict* (rev edn, Jossey-Bass 2005) 21–29,

⁴⁵ *Ukeje v Ukeje* (2014) LPELR-22724(SC), where the Supreme Court held that customary practices denying women inheritance rights are unconstitutional and discriminatory.

contexts of inheritance rights. Ethical advocacy enhances access to justice and empowers women to assert their rights.

6.0 CHALLENGES CONFRONTING LAW CLINICS IN ETHICAL PRACTICES

a. Confidentiality Challenges

Law clinics often operate within community environments where privacy may be difficult to maintain. Shared office spaces, student participation, and informal settings may increase the risk of confidential information being disclosed. Maintaining confidentiality is particularly challenging where cases involve domestic abuse, sexual violence, or family disputes within close-knit communities. This directly impacts on the output of cases and the ethical expectations at clinics.

b. Inadequate Funding

A critical challenge confronting the effective operation of law clinics such as the WLC and similar clinical legal education institutions in Nigeria is the persistent problem of inadequate funding. This affects staffing, infrastructure, documentation systems, and client support services. Law clinics depend substantially on limited institutional allocations, donor support, and occasional external interventions to sustain its activities. However, the increasing demand for legal assistance by indigent and vulnerable women often far exceeds the financial and material resources available to the Clinic. From an ethical perspective, insufficient funding indirectly compromises the quality, timeliness, and accessibility of legal representation offered to clients, thereby undermining the Clinic's mandate of promoting access to justice and social equity.⁴⁶ An offshoot of inadequate funding is

⁴⁶ Deborah L Rhode, *Access to Justice* (Oxford University Press 2004) 5–9,

inadequate facilities. Inadequate facilities⁴⁷ often hinders the application of certain interventions necessary for the protection of vulnerable clients. For example, where clients need to be sheltered from their abusers, the lack of shelter as a result of inadequate funding makes it impossible. The WLC for example does not have a Shelter for abused women or children as at the time of writing this paper. There is a compelling need for stronger institutional support, enhanced governmental commitment, strategic partnerships to ensure the long-term viability and ethical effectiveness of law clinics in Nigeria.

c. Emotional Burnout and Secondary Trauma

The World Health Organization (WHO) classifies burnout as an occupational phenomenon characterized by three core dimensions, first is energy depletion or exhaustion: the feeling of being constantly drained, fatigued, and lacking the energy to perform everyday tasks.⁴⁸ Second is mental distance or cynicism: feeling increasingly detached, negative, or apathetic toward your job, responsibilities, or the people you interact with and thirdly, reduced professional efficacy which is a drop in performance, a sense of ineffectiveness, or a lack of achievement and productivity.⁴⁹ Repeated exposure to traumatic stories may affect Clinicians psychologically. Compassion fatigue impair professional judgment and ethical sensitivity. One of the most significant ethical and operational challenges confronting specialised law clinics such as the WLC is the persistent risk of emotional burnout and secondary trauma among both student clinicians and supervising staff. Given the nature of cases typically handled by the Clinic,

⁴⁷ N.J. Madubuike-Ekwe "Challenges and prospects of legal education in Nigeria: An overview." *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, vol. 8, 2017, pp. 128-139

⁴⁸ World Health Organization, 'Burn-out an "Occupational Phenomenon": International Classification of Diseases' (28,May2019)<https://www.who.int/news/item/28-05-2019-burn-out-an-occupational-phenomenon-international-classification-of-diseases> accessed 25 May 2026.

⁴⁹ *ibid*

clinicians are frequently exposed to deeply distressing narratives and emotionally charged interactions. Continuous engagement with traumatised and vulnerable clients may result in secondary traumatic stress,⁵⁰ a condition in which legal practitioners and student clinicians begin to experience emotional exhaustion, psychological distress, compassion fatigue, and diminished professional effectiveness as a consequence of indirect exposure to the trauma of others.⁵¹ This challenge becomes particularly acute within the clinical legal education environment where students, despite possessing theoretical legal knowledge, may lack the emotional preparedness and coping mechanisms necessary for managing the psychological burdens associated with sensitive client representation. The ethical implications of this phenomenon are profound, as emotional fatigue may impair professional judgment, reduce empathy, compromise confidentiality obligations, and ultimately affect the quality of legal services rendered to clients. There is an increasing need for institutional mechanisms within law clinics to incorporate psychological support systems, trauma-informed supervision, periodic debriefing sessions, and wellness-oriented professional training as part of the ethical framework of clinical legal practice.

d. Ethical Risks Associated with Student Clinicians Student clinicians may inadvertently breach confidentiality or provide inaccurate advice due to limited experience. Although Clinical Legal Education is fundamentally designed to equip students with practical legal skills and professional responsibility, student clinicians often operate within complex and emotionally sensitive legal environments

⁵⁰ Charles R Figley, *Compassion Fatigue: Coping with Secondary Traumatic Stress Disorder in Those Who Treat the Traumatized* (Brunner/Mazel 1995) 7–20,

⁵¹ Laura van Dernoot Lipsky and Connie Burk, *Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others* (Berrett-Koehler 2009) 3–18

despite their relative inexperience.⁵² This situation creates the potential for ethical lapses relating to confidentiality, client interviewing, conflict of interest, inaccurate legal advice, and improper handling of sensitive information. Effective supervision is therefore indispensable.

e. Cultural and Religious Pressures

WLC often operates within cultural environments that discourage women from challenging abuse or asserting legal rights. Clients often encounter pressure to prioritise cultural expectations over legal protection. Cultural and religious pressures constitute another significant challenge affecting the operations and ethical dynamics of the Law Clinics in Nigeria. The socio-cultural environment within which the Clinic operates is deeply influenced by patriarchal norms, customary practices, and religious beliefs that shape family structures.⁵³ Clients seeking legal intervention from the Clinic often encounter resistance from family members, or religious authorities who perceive the pursuit of legal remedies as contrary to cultural expectations of female submissiveness, marital endurance, or communal dispute resolution. The challenge becomes even more pronounced where certain customary or religious practices conflict with statutory protections and internationally recognised human rights standards. Such pressures may discourage vulnerable women from pursuing legitimate claims.⁵⁴ These realities create complex ethical dilemmas requiring a careful balance between respect for cultural and religious sensitivities and the professional obligation to uphold

⁵² David F Chavkin, 'Experience Is the Only Teacher: Meeting the Challenges of the Lawyer's Role in a Democratic Society' (2003) 10 *Clinical Law Review* 161, 165–172

⁵³ United Nations Development Programme, *Gender Equality and Women's Empowerment in Public Administration: Nigeria Country Case Study* (UNDP 2014)

⁵⁴ United Nations Women, *Progress of the World's Women: In Pursuit of Justice* (UN Women 2011) 19–23 <https://www.unwomen.org/en/digital-library/publications/2011/7/progress-of-the-world-s-women-in-pursuit-of-justice>

constitutional rights and the rule of law. The law clinics must continually navigate the tension between cultural relativism and universal principles of justice while promoting ethical legal practice that is grounded in the protection of women's rights and human dignity.

f. Delays in Justice Administration

Another major challenge confronting the law clinics is the persistent delay in the administration of justice within the Nigerian judicial system, which places considerable strain on the Clinic's operational efficiency and ethical obligations. This frustrates clients and place pressure on clinics to adopt informal or ethically questionable shortcuts.⁵⁵ The slow pace of judicial proceedings, characterised by frequent adjournments, procedural technicalities, and prolonged resolution of cases, often frustrates the timely delivery of justice to indigent and vulnerable women seeking legal redress. Many of the cases handled by the law clinic require urgent intervention due to their direct impact on the safety, welfare, and socio-economic conditions of clients. Protracted litigation processes expose clients to continued abuse, psychological distress, financial hardship, and loss of confidence in the legal system. For the WLC, these systemic delays create additional ethical and institutional burdens, including increased case management responsibilities, emotional fatigue among student clinicians and supervising staff, and the challenge of sustaining client trust throughout lengthy legal proceedings. Delayed justice also affects the pedagogical objectives of Clinical Legal Education.⁵⁶ Clinical legal education depends on timely legal processes, and systemic delays can

⁵⁵ World Bank, *Doing Justice: Improving Access to Justice and Service Delivery in Nigeria* (World Bank 2018)

⁵⁶ Frank S Bloch, *The Global Clinical Movement: Educating Lawyers for Social Justice* (Oxford University Press 2011) 34–39

undermine learning outcomes, case progression, and students' skill development.⁵⁷

7.0 EFFECT OF ETHICAL PRACTICE COMPLIANCE AT THE WOMEN'S LAW CLINIC

Firstly, the observance of ethical standards within the WLC plays a critical role in enhancing public confidence in the institution. Vulnerable and indigent women are often reluctant to seek legal intervention due to previous experiences of discrimination, intimidation, corruption, or neglect within formal and informal dispute resolution mechanisms.⁵⁸ Consequently, the perception of the Clinic as a transparent, compassionate, professional, and accountable institution becomes fundamental to its effectiveness in promoting access to justice. Ethical practices such as confidentiality, respectful client interaction, honesty in legal counselling, and impartiality in dispute resolution foster trust between clients and clinicians.⁵⁹ It reinforces public confidence in clinical legal institutions as credible platforms for social justice.

Secondly, ethical practices significantly contribute to the effectiveness and sustainability of dispute resolution within the WLC. Given the nomenclature of matters before the Clinic, ethical mediation and respectful engagement are indispensable in achieving constructive outcomes. Principles such as neutrality, fairness, empathy, and confidentiality create an atmosphere conducive to open communication and mutual understanding between disputing parties. When clients perceive mediators and student clinicians as ethical, they

⁵⁷ *ibid*

⁵⁸ E. Durojaye, 'Access to Justice for Women in Africa: Challenges and Prospects' (2013) 13 *African Human Rights Law Journal* 1–25,

⁵⁹ American Bar Association, *Model Rules of Professional Conduct* (ABA 2020), particularly Rules 1.6 (confidentiality), 2.1 (advisor), and 2.3 (evaluation for use by third persons)

are more likely to participate meaningfully and comply with agreed resolutions.

The third impact of ethical practices within the WLC lies in the protection of vulnerable women and children from exploitation, emotional harm, and secondary victimisation. Clients who are survivors of abuse, violence, neglect, discrimination, or socio-economic deprivation, are susceptible to further trauma if legal services are delivered insensitively or unprofessionally. Ethical safeguards such as confidentiality, professional competence, sensitivity in interviewing, and respect for human dignity ensure that clients are treated with empathy.⁶⁰ These safeguards are essential in preventing the re-traumatisation of victims who may already be emotionally distressed due to their experiences. Additionally, ethical standards protect clients from manipulation, exploitation, or misuse of their personal information by clinicians or external actors.⁶¹ Consequently, ethical practice within the Clinic (extends to non-lawyer staff) serves not merely as a professional requirement but as a critical mechanism for safeguarding the human rights of vulnerable members of society.

Lastly, student clinicians are introduced to the ethical demands and responsibilities inherent in legal practice, which shapes their professional identities and attitudes toward public service, thereby delivering legal assistance to vulnerable persons and strengthening ethical professionalism within the legal profession in Nigeria.

8.0 COMPARATIVE PERSPECTIVES AND INTERNATIONAL BEST PRACTICES

Comparative experiences from different jurisdictions demonstrate that the effectiveness of law clinics is closely tied to the existence of robust

⁶⁰ Rules of Professional Conduct for Legal Practitioners 2023, Rules 14–20

⁶¹ Deborah L Rhode, *Professional Responsibility: Ethics by the Pervasive Method* (2nd edn, Oxford University Press 2006) 112–118

ethical frameworks specifically tailored to the unique vulnerabilities of women and children seeking legal assistance. In United States and South Africa, specialised ethical standards have evolved to address the complex realities associated with gender-based violence, family disputes, trauma, and socio-economic marginalisation.⁶² These developments reflect a growing international recognition that conventional legal ethics alone may be insufficient for institutions operating within highly sensitive and emotionally charged contexts such as women's law clinics. Consequently, many jurisdictions have adopted innovative approaches that integrate legal professionalism with trauma awareness, psychological sensitivity, and client-centred advocacy.⁶³

In South Africa, for instance, community law clinics operating within universities and public interest organisations place significant emphasis on confidentiality, trauma-informed legal representation, and child-sensitive procedures.⁶⁴ As a result, student clinicians and supervising lawyers are often trained in empathetic interviewing techniques, victim-sensitive communication, and ethical handling of confidential information. Similarly, in the United States, domestic violence advocacy centres and legal aid institutions commonly adopt survivor-centred ethical protocols that prioritise client autonomy, informed decision-making, safety planning, and confidentiality.⁶⁵

⁶² Martha Albertson Fineman, 'The Vulnerable Subject and the Responsive State' (2010) 60 *Emory Law Journal* 251; See also Council of Europe, *Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)* (2011),

⁶³ Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Harvard University Press 1982)

⁶⁴ A. Skelton, 'Children's Rights in South Africa: Law, Policy and Practice' (2019) 35 *South African Journal on Human Rights* 1–18

⁶⁵ United States Department of Justice, *Office on Violence Against Women (OVW): A National Protocol for Sexual Assault Medical Forensic Examinations* (3rd edn, 2013) <https://www.prearesourcecenter.org/resource/national-protocol-sexual-assault-medical-forensic-examinations-adults-adolescents> accessed May, 2026

These approaches demonstrate an evolution from purely adversarial legal assistance toward holistic and client-responsive justice delivery. The significance of ethical legal aid services for vulnerable populations has also been recognised by the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.⁶⁶ The Guidelines further emphasise that legal aid services should operate in a manner consistent with human rights standards, and ethical safeguards.

International best practices further reveal the importance of establishing written ethical protocols to guide the conduct of clinicians, staff, and volunteers within law. Clearly articulated ethical guidelines provide consistency in decision-making and reduce professional ambiguity. In addition, trauma-informed training has become increasingly recognised as an essential component of clinical legal education and victim advocacy.⁶⁷ Such training equips clinicians with the psychological awareness and communication skills necessary to engage effectively with traumatised clients without causing re-victimisation or emotional harm. Closely related to this is the need for secure documentation and data management systems capable of protecting highly sensitive client information from unauthorised disclosure, cyber risks, or institutional negligence.⁶⁸ Furthermore, financial accountability mechanisms constitute a crucial aspect of international best practice, particularly for non-governmental and donor-supported legal aid institutions to promote donor confidence, and efficient utilisation of resources. Child-sensitive procedures

⁶⁶ United States Department of Justice, *Office on Violence Against Women (OVW): A National Protocol for Sexual Assault Medical Forensic Examinations* (3rd edn, 2013) <https://digitallibrary.un.org/record/748365?v=pdf>

⁶⁷ Judith Herman, *Trauma and Recovery* (Basic Books 1992) 133–155

⁶⁸ Deborah L Rhode, *Professional Responsibility: Ethics by the Pervasive Method* (2nd edn, Oxford University Press 2006) 112–120; See also International Bar Association, *IBA International Principles on Conduct for the Legal Profession* (2011),

remain indispensable within law clinics⁶⁹ and requires clinicians to prioritise the best interests of the child while adopting communication methods and dispute resolution processes appropriate to the child's emotional and psychological condition.⁷⁰ Finally, continuous ethics education is widely regarded as necessary for sustaining professional integrity within clinical legal practice.

9.0 RECOMMENDATIONS AND CONCLUSION

Considering the ethical challenges confronting the law clinics in Nigeria, there is a pressing need for the development of specialised ethical guidelines specifically tailored to the operational realities of law clinics such as the WLC. Such guidelines will encompass student clinicians, staff of law clinics, and adjuncts whose expertise is required from other faculties or agencies in resolving disputes. While general rules of professional conduct provide foundational ethical standards for lawyers, the peculiar nature of cases involving vulnerable women and children necessitates context-specific protocols. Such guidelines should comprehensively address issues relating to confidentiality, trauma-informed advocacy, mediation ethics, maintenance payment procedures, child protection mechanisms, and professional boundaries in client interactions. The existence of clearly articulated ethical frameworks would provide institutional direction, minimise ethical ambiguities, and strengthen accountability among clinicians and supervising lawyers.⁷¹

Closely connected to this is the necessity for continuous ethics training for both supervising lawyers and student clinicians involved in clinical

⁶⁹ Gerison Lansdown, *The Evolving Capacities of the Child* (UNICEF Innocenti Research Centre 2005),

⁷⁰ *ibid*

⁷¹ Roy Stuckey et al, *Best Practices for Legal Education: A Vision and a Road Map* (Clinical Legal Education Association 2007) 165–170,

legal practice.⁷² Ethical competence cannot be achieved solely through theoretical legal instruction; rather, it requires sustained practical orientation and periodic professional development to equip clinicians to navigate the emotional, psychological, and professional complexities associated with representing vulnerable clients while maintaining ethical responsibility. Furthermore, law clinics handling maintenance payments and client support funds must establish robust financial accountability systems capable of ensuring transparency and institutional integrity especially where non-lawyers handle such responsibilities for maintaining public trust and donor confidence.

There is also an urgent need to institutionalise trauma-informed legal practice within women-focused law clinics in Nigeria. Given that many clients are survivors of domestic violence, sexual abuse, emotional trauma, and socio-economic hardship, clinicians must be adequately trained to engage clients in a manner that is empathetic, respectful, and psychologically sensitive. Trauma-informed advocacy enables lawyers and student clinicians to recognise the emotional impact of trauma on clients while avoiding practices capable of causing re-traumatisation or secondary victimisation.⁷³ Strengthening confidentiality safeguards as a core aspect of ethical legal practice would reinforce the client. The improvement of institutional collaboration between law clinics and other relevant stakeholders is needed within the justice and social welfare sectors.⁷⁴ Finally, there is a compelling need for increased funding and institutional support for

⁷² N. J. Maduafor, 'Peace and Conflict Transformation Through the Clinical Legal Education Programme' (2023) 30(1) *International Journal of Clinical Legal Education* 1–10,

⁷³ S. M. Kierstead, 'Trauma-Informed Judicial Practice Meets Therapeutic Jurisprudence: Compassionate Written Judgments in Child Protection Cases' (2024) 58 *University of Illinois Law Review* 595

⁷⁴ O. Olomola and O. Bamgbose, 'Collaborating with Other Disciplines: Best Practice for Legal Clinics – A Case Study of the Women's Law Clinic, University of Ibadan, Nigeria' (2013) 19(1) *International Journal of Clinical Legal Education*,

women-focused law clinics in Nigeria⁷⁵ to strengthen the long-term institutional capacity of law clinics and fulfil their educational and ethical mandates.⁷⁶

In conclusion, this paper submits that ethical practice remains central to the effectiveness and sustainability of law clinics in Nigeria. This study demonstrates that different categories of disputes handled by the clinic generate distinct ethical obligations which should not be restricted to lawyers who are guided by the RPC but must extend to all non-lawyers and stakeholders at Law clinics. Ethical compliance significantly affects the outcomes of disputes handled by WLC, and proper ethical conduct enhances public confidence, promotes voluntary compliance, improves dispute resolution, and protects vulnerable clients. Conversely, unethical conduct undermines trust and compromises justice outcomes. The paper establishes that the existing RPC for Legal Practitioners provides a foundational ethical framework but may not sufficiently address the peculiar realities of law clinics such as women-centred clinical legal practice, which have non-lawyer staff and volunteers. There is therefore a compelling need for specialised ethical guidelines tailored to law clinics in Nigeria. Ultimately, the effectiveness of law clinics depends not only on legal competence but also on the ethical integrity, compassion, accountability, and professionalism of those entrusted with the responsibility of serving vulnerable members of society.

⁷⁵ O Ojukwu and M. Yusuf, 'Mapping the Role of Law Clinics under the Legal Aid Act of Nigeria' (2023) *International Review of Law* 11(3)

⁷⁶ *ibid*