University/Institution: Queensland University of Technology (QUT)

Name/title of example of inclusive WIL practice: Legal Clinic

Key contact: Liz Ruinard, Learning and Teaching Developer, Faculty of Law, QUT


Key Words: legal clinic; real world learning; work-integrated learning; service learning; community lawyering clinic

Discipline: Law

Overview of example of inclusive WIL practice (i.e. describe model, method of delivery, student and staff numbers involved, optional/compulsory, credit bearing; who is responsible for arranging placements - student or university/institution; if students are placed singly or in teams)

This QUT Legal Clinic Unit LLB456 covers a range of work integrated learning (WIL) opportunities including domestic and international options. These enable students to experience real world application of their legal knowledge and skills and thus develop them. This may include a range of roles in traditional legal environments and non-traditional community contexts such as street law, not-for-profit organisations, community legal centres, and advocacy groups. Students undertake legal, research and community education tasks under supervision of either a legal practitioner or an academic tutor, with this unit affording them an authentic learning context in a challenging real world legal environment. Through this experience students are better placed for a smooth transition to the workplace. A relatively high proportion of students elect to participate in such community lawyering clinic, described below. The Legal Clinic Unit is a twelve credit point unit with a pre-requisite of 192 credit points of previous study in law units; it is delivered online and by face-to-face workshops and generally involves two members of academic staff, as well as some external presenters. It is assessed for credit and typically there are approximately fifty students in a semester cohort and the unit is offered three times per year.

Some of the WIL opportunities afforded by the QUT Legal Clinic Unit adopt a multi-disciplinary approach and follow a community lawyering clinic model. Such clinics extend the traditional clinical legal education model by enabling students to engage directly in social change by empowering community members to advocate on their own behalf. In order to be considered for participation in a multi-disciplinary clinic, students need to submit an expression of interest in the various projects advertised by community partners through the QUT Community Engaged Learning Lab (CELL).

Community lawyering has been described as “an approach to the practice of law ... that centers on building and sustaining relationships with clients, over time, in context, as a part of and in conjunction with communities. It incorporates a respect for clients that empowers them and assists them in the larger economic, political, and social contexts of their lives, beyond their immediate legal problems” (Tokarz, K., Cook, N., Brooks, S. & Bratton Blom, 2008: 28). In addition to this emphasis on community empowerment, community lawyering also often involves multi-disciplinary responses to complex and multi-dimensional problems.

How are students from diverse backgrounds catered for in this example of inclusive WIL practice? (e.g. special consideration; adjustments; financial assistance; flexibility in assessment; etc)

In the community lawyering clinic, students engage in service-learning through undertaking projects with not-for-profit community organisations. Community partners identify relevant issues and needs, and the students work in interdisciplinary teams to address these. Law students working in these teams are exposed to a broader social problem or issue than they would experience in a traditional ‘in-person’ legal clinic. Initial evaluation suggests that this model for community lawyering
Clinics in law schools promotes awareness and support for pro bono legal work and develops the social justice orientation of students.

This is an inclusive form of WIL because students are able to negotiate the hours of their community lawyering experience, which comprise a meeting with the interdisciplinary team of students and meetings with the community partners, and this therefore impacts less upon their ability to do their usual part-time work and does not require them to travel to another location to undergo placement. Further, because the projects cover a range of issues, students from diverse backgrounds are more likely to find an issue or theme to which they can relate. The projects on offer are not all ‘academic’ or conceptual ones. The teaching approach also incorporates consideration of social diversity through a workshop in unpacking one’s cultural backpack.

Some general financial assistance is available to disadvantaged students through faculty equity schemes.

In addition, in 2014 a group of Indigenous Law students undertook the clinic at the Caxton Legal Centre. These students undertook their clinical experience together on a specified night and in addition to direct client work, the students worked on the development of a reconciliation action plan for the Centre.

Flexibility in assessment and special consideration/adjustment are available to students who might require adjustment upon request.

3 benefits of this practice?

(1) Community lawyering clinics provide an excellent opportunity to teach students about social justice and instill a community service/pro bono ethos.

(2) Further, they have been found to improve law teaching and learning, raise the social justice awareness of law students and enhance the role of law and lawyers in society by assisting law students to develop their sense of social justice and assume the challenges of addressing social issues in systematic ways.

(3) Community lawyering clinics also serve to overcome the limitations of traditional legal clinics which are resource-intensive and cater for only a small, elite number of students. More students are thus able to have a WIL experience under this model.

3 challenges of this practice?

(1) Although the multidisciplinary nature of the team carrying out the particular community project can be a strong feature of the initiative, it also presents a challenge as students need to develop a common language and methodology across disciplinary boundaries in order to communicate well and operate well together as a cohesive team.

(2) A second challenge arises from the reality that students do no always extend their legal knowledge from such an experience (perhaps going against students’ initial expectations) although they do develop other generic skills, and notably skills around the client/lawyer relationship and effective client liaison.

(3) A further challenge is sometimes present whereby the completed project may not resemble the project embarked upon, with some students finding this frustrating. This provides a valuable lesson in the nature of group work and the evolution of projects, however.

How do you evaluate the effectiveness of this practice?

An initial evaluation of the community lawyering clinic model as used at QUT suggests that community lawyering clinics can have a most positive impact on student learning in terms of developing technical skills, broader skills around the lawyer/client relationship, raising awareness about pro bono work and helping individuals to access legal services. It can also have a transformational impact on career direction and the development of students’ professional identity. It is considered that a longitudinal study of the impact of community lawyering clinics on values, and future action in relation to the provision of pro bono and community service, would contribute to enhanced understanding of the extent to which a pro bono and social justice ethos can be fostered in law students.

What plans are there to improve/further develop and or extend this example of inclusive WIL practice?

The unit Legal Clinic LWB456 has been extended by the development of an Advanced Legal Clinic unit LLB442. This provides a supplementary WIL experience and assists in further promoting the development of professional identity in the student and extending the student’s capacity to reflect meaningfully upon this experience.
References:
McNamara, Judith, Campbell, Catherine, & Darling, Emily (2013) ‘Moving beyond traditional clinics: creating a new legal clinics through community partnerships’, In Common Ground: Sharing across Models of Experiential Legal Education Conference, 16 - 18 July 2013, Griffith University, Brisbane, QLD. (Unpublished)