

## A Guide to Implementing Clinical Teaching Method in the Law School Curriculum

by Simon Rice with Graeme Cross; Centre for Legal Education, 1996; 113 pp; \$15.00 softcover.

In my final year of law school, I enrolled in a clinical program in criminal law. Each student who registered in the program was assigned to a specific lawyer (or judge, in some cases) and would accompany him or her to client interviews, bail hearings, plea bargaining sessions, trials, sentencing hearings or other meetings; would do rudimentary research on issues pertaining to various cases; and possibly even advocate on behalf of a client. After the first few weeks of the program, my supervisor received a memorandum from the registrar of the provincial court noting that I had been appearing at counsel's tables wearing a sweater without a jacket or tie. This was followed by a stern warning that unless I were to improve my appearance and adopt appropriate attire for an officer of the court, 'further permission to appear in Her Majesty's courts would be denied'.

If only the supervisor of our clinical program had had at his disposal the *Guide to Implementing Clinical Teaching Method in the Law School Curriculum* (the Guide). For there, buried in a chapter describing various clinical models, in a section devoted to 'Field Placements', is an analysis of the expenses involved in field placement programs, and the warning, '[t]here will be some novel 'study' expenses for students: travel to the placement, perhaps clothes appropriate to the placement environment, unsubsidised lunches off-campus'. The book is littered throughout with such helpful minutiae.

The Guide is the result of a colloquium on legal education held by the Law Foundation of New South Wales in June of 1990. Its stated aim is to provide assistance to those Australian law schools intending to implement clinical legal education facilities. While the bulk of the Guide consists of description and analysis of major clinical model types — collected in the Guide under the defined terms, Field Placement, Client Clinic, Clinical Integration and Simulation — it also includes summary chapters on theories of clinical legal

education and goals of teaching in a clinical environment. The broad coverage provided within these topics, coupled with the close attention to detail as exemplified by the above example, make for a useful resource manual.

Two concerns should be noted. First, the Guide is, by its nature, limited to a small readership. Because its aims are modest, it provides only the barest minimum of theory and is only a starting point for anyone interested in developing a deeper understanding and critique of clinical education. It is written for the academic committee or planning group that may be interested in formulating clinical education programs, and is unlikely to appeal to even a wider faculty audience. Second, in attempting to retain a degree of simplicity, the Guide describes various conceptual models without providing useful illustrations. As an example, the 'Simulations' chapter cites a number of points that should be addressed before developing simulation exercises, including assessing the amount of preparation time, the expenses involved, the equipment requirements and student resources employed. But it would have helped greatly if these considerations were placed in context, by providing a working example of a properly developed simulation exercise. It is difficult to envisage how one would accurately assess a program without at least a sense of what constitutes a well-designed and well-functioning program.

Clinical or experiential learning is not new to legal education. In the history of the profession, more lawyers have probably studied under an apprenticeship model of legal training than within a university-based system. However, until recently, experience-based learning was ignored by the universities and restricted to various forms of clerkship under articles. Modern legal educators have been more concerned with aspects of law as a form of theory. It is only in the last 20 years or so that the pendulum has swung back, and we have witnessed the development of clinical

legal education through a greater understanding of theories of experiential learning. The *Guide to Implementing Clinical Teaching Method in the Law School Curriculum* is one of the latest examples (along with the recently formed Clinical Law Review) of the revitalised interest in this area. It is a good starting point for anyone concerned about clinical legal education and an excellent resource for those faculties or administrators keen on developing models and plans for law clinic or any other kind of practical program in law.

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## The Thing She Loves: Why Women Kill

edited by Kerry Greenwood; Allen & Unwin 1996; 148 pp; \$16.95 softcover.

For those interested in an easy, accessible book which deals with women who kill, *The Thing She Loves: Why Women Kill* might fit the bill.

This Australian collection is somewhat like the earlier UK publication *Moving Targets: Women, Murder and Representation*.<sup>1</sup> The aim of the book, as set out in the preface, is 'to cover everything about women, the media and murder'! The result is an uneven collection of articles, some more scholarly and analytical while others are largely descriptive. *The Thing She Loves* makes it clear that women rarely kill, and those who do, typically kill members of their own family, often in response to abuse, or the abuse of their children.

Patricia Eastal provides an overview of the context in which Australian women resort to homicide. The legal system's response to women is analysed by Nanette Rogers whose chapter includes a useful discussion of defences to homicide and critical examination of battered woman syndrome. Joanna Brodie gives an account of the trial of Erika Kontinnen, a very important 1991 case in which a woman was acquitted of a charge of murder on the basis of self-defence. *The Thing She Loves* includes