

BOOK REVIEW

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Patrick Keyzer, Amy Kenworthy and Gail Wilson (eds), Community Engagement in Contemporary Legal Education: Pro Bono, Clinical Legal Education and Services Learning (Halstead Press, 2009) 112 pp

*If law students only met clients in large offices that charge standard fees, they may never get a taste of the variety of legal problems that affect their fellow citizens in the wider community.*²

- Hon Justice Michael Kirby

The result of a forum on community engagement held in November 2008 at Bond University, *Community Engagement in Contemporary Legal Education* is a compilation of papers presented at the forum by academics and professionals throughout Australia. Although found initially to be a topic of legal interest, it was not until the reviewer came across the Council of Australian Law Deans (CALD) *Standards for Australian Law Schools* (adopted 17 November 2009)³ that the full importance and potential of this book was revealed.

Clause 2.2.4 of the CALD Standards recognises the importance of ‘experiential learning opportunities’ for law students and cites examples such as clinical programs, internships, practical experience and pro-bono work. Clause 2.3.3 acknowledges the need to develop professional ethics and again cites pro-bono obligations as an example. Clause 9.6.2 encourages interaction of law schools with the profession and the community and again, pro-bono community service is identified as one method of doing so. Yet nowhere in the document are there any uniform standards or binding obligations that law schools must commit to. In the current climate where the importance of practical experience is continually emphasised and student numbers exceed the number of available *paid* legal positions, there should be more focus on the details of *how* these commitments should be converted to be included in a law school’s curriculum.

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² S Milovanovic, *Pro Bono Work Good for Law Students: Kirby* (2009) *The Age Newspaper* <<http://www.theage.com.au/national/pro-bono-work-good-for-law-students-kirby-20090526-bm3x.html>> at 2 February 2010.

³ The standards can be obtained and downloaded here: CALD, *The CALD Standards for Australian Law Schools* (2009) <<http://www.cald.asn.au/docs/CALD%20-%20standards%20project%20-%20final%20-%20adopted%2017%20November%202009.pdf>> at 2 February 2010.

The beauty of this book lies in the fact that it does exactly that. Overall the book confirms the importance of community engagement as part of one's legal education and career. However it is each individual contribution in the book which provides the reader with various insights on what forms community engagement can take – pro-bono work, intern and externships and service learning. The authors discuss in detail the differences between the forms, which would be appropriate during the course of legal education and the practical issues in regards to incorporating these forms into a law degree curriculum. Examples of implementation of community engagement taken from law schools in the United States and Canada are discussed and best of all, some Australian universities have attempted implementation of similar schemes into their law schools, with initial results also making an appearance in the book.

The next question is what benefits are derived from such forms of engagement. In this regard the reviewer found Professor Jeff Gidding's paper extremely informative, in that it not only distinguished the various models, but provided historical and recent examples of where clinics could facilitate law schools in achieving goals of community engagement so that both law schools and the community could benefit from this 'two way traffic'.

The book however does not only bring out the positive delight of community engagement by law schools and their students, but also tackles the difficulties of introducing community engagement experience and related sensitive questions. There is acknowledgment by many contributors that although law schools may have the best intentions of bringing as many practical opportunities to students as possible, the reality is that most forms of practical experience require time, money and human resources which the university may not be able to provide. Professor Carolyn Sappideen and Figen Cingiloglu, both of the University of Western Sydney also raises two most relevant questions of whether students should be rewarded in the form of academic credit for completing pro-bono work and whether such work should relate to legal services, or extend into other areas of community service. By the end of the article, the reviewer was persuaded that in some circumstances, it would be acceptable if 'personal virtue is relegated to taking a back seat'.⁴

The additional appeal of the book is the experience and backgrounds of the contributing authors. A quick flick through their credentials indicates learned experts who are all heavily involved in pro-bono work, clinical legal education and service learning. Special mention should be made of the following authors who provide a practical take on actual community engagement schemes operating in Australian law schools: Professor Sappideen and Ms Cingiloglu who introduced an Australian pilot of the Pro Bono Students Canada scheme into the University of Western Sydney; Professor Peter Cashman who discusses the University of Sydney Law Schools External Placement Program and Jennifer Nielsen who provides insight into a Clinical Legal Education program operating at the Southern Cross University School of Law and Justice. This is in addition to the three editors (all from Bond University) – Professor Patrick Keyzer; Associate Professor Amy Kenworthy – who have won awards for teaching and student learning – and Dr Gail Wilson, Manager of the Office of Quality, Teaching and Learning.

The structure of the book and organisation of the papers is excellent. There is a foreword by the Honourable Justice Michael Kirby and an introduction by Professor Keyzer. The first

⁴ C Sappideen and F Cingiloglu, 'Law Student Pro Bono – Report of the Australian Pilot' in P Keyzer, A Kenworthy and G Wilson (eds), *Community Engagement in Contemporary Legal Education: Pro Bono, Clinical Legal Education and Services Learning* (Halstead Press, 2009) 21, 24.

paper which is presented is (appropriately) from John Corker, Director of the National Pro Bono Resources Centre who gives a wonderful summary as to the benefits of pro-bono work, the history of services learning in Australia and how there is high demand but problematic delivery of such forms of education in law schools, thus providing the platform for the more detailed discussion papers which follow. The only criticism the reviewer has of this book is the format of the notes, which are endnotes at the back of the book. Throughout the papers, many historical examples are provided and opinions discussed and analysed, the sources of which would be of interest to the reader. It would have been much more preferable to locate the source as a footnote so the reader would be able to continue reading the passage almost immediately rather than having to turn to the back of the book, locate the relevant title, note the number and source and *then* continue reading.

Overall, the book is an excellent read and it seems probably among the first of its kind. Instead of providing a mere acknowledgment of the need for student exposure to community engagement and the benefits it provides to their legal education, the book actively delves into the various models available for the university's consideration as well as the realities and difficulties of implementing and actual examples and experiences from other universities. Its contents should inspire the minds of anyone involved in legal education, pro-bono work or social justice in general, as well as continue the debate regarding the role of community engagement in legal education.