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NUS Law @ LAB – Clinical Legal Education in Singapore

by [Associate Professor Lim Lei Theng](#)

George Bernard Shaw exhorts in *Maxims for Revolutionists*, that “He who can does; he who cannot, teaches.” He liked this so much that he used it again in *Man and Superman*, “Remember those who can, do; those who can’t teach.”

Those of us in the legal profession who take pride in educating new lawyers and law students know full well that this is patently untrue. We can, we do, and we teach.

Since 2009, NUS Law professors have been teaching while practicing law at the Legal Aid Bureau (**LAB**). Gazetted as Assistant Directors of Legal Aid, the clinical professors have been taking on cases, meeting applicants, attending court, engaging in negotiations, running trials, while assisted by NUS law students enrolled in an elective module called “Law & Practice – The Law Clinic”.

Clinical learning is most commonly associated with the medical profession, where doctors and nurses learn their skills and craft in a real world context. Clinical Legal Education (**CLE**) is the same concept applied to legal practice, where law students engage in real live cases, while honing their legal skills, and providing essential research and drafting support to the lawyers. All of us went through law school reading case reports and judgements without meeting a live client, facing the challenge of taking instructions, managing client emotions, or managing a case file. Even when we were doing internships, those experiences ranged from making copies, to following harried lawyers around, to simply watching the action passively. The luckier interns, if the timing is right, and if they have the capability, get pulled into a real case, and may actually be involved in the thick of action. We know how rare that is.

In CLE, a law student is enrolled in an elective module where they gain academic credit while working on live cases. They are thrown into the deep end, assisting in client meetings, drafting attendance notes, affidavits and submissions, attending Court, and engaging in all the fun parts of legal practice, while learning how to apply what they have learned in law school to the real world. This can only be done under close supervision, because they are not yet qualified persons, and that supervision is provided by the clinical professors.

The CLE programme was inspired by then Dean of NUS Law, Professor Tan Cheng Han in 2006. After he planted the seed of possibility, several potential shoots for the implementation of CLE were germinated, but none bore fruit until the serendipitous development of the volunteer scheme at the LAB in 2008 by then Second Deputy Director of Legal Aid (now Director of Legal Aid), Lim Hui Min. The collaboration between NUS and LAB was cemented in the signing of an MOU between the institutions in 2010, under which the LAB provided the essential support that the NUS CLE needed, namely the institutional structure under which CLE can be carried out. Since then, almost 250 students have been working with legal aid applicants on their legal problems, while learning the ropes of being a good legal practitioner. Many of them have continued their *pro bono* work after being called to the Bar, a testament to the impact of the CLE programme.

CLE in Singapore differs from *pro bono* work. The *pro bono* culture is entrenched in the legal education system both from the active promotion of *pro bono* activity in all three law schools, and the Mandatory *Pro Bono* Scheme for Law Students, which requires law students to complete a minimum of 20 hours of *pro bono* as a graduation requirement. At NUS Law, where all law students engage in *pro bono*, those who want more out of it engage in CLE – what they gain is the experience of having ownership over live files, working closely with clients on their problems over an extended period of time, while learning the basics of such mundane yet crucial skills of taking instructions, writing attendance notes, maintaining files in good order, keeping to timelines, and procedure. In CLE, students learn Court craft by watching the two clinical professors actually deliver the submissions and strategy that they have had an active hand in developing.

CLE has not simply benefitted NUS law students. The proudest achievement has been the individuals that NUS CLE has been able to help. The placement of the CLE at the LAB has meant that the NUS CLE students work with a segment of society that many would otherwise not engage with after they graduate and join top-end law firms and corporate entities. NUS CLE has helped many foreign brides who have become mothers of Singaporeans escape family violence and neglect, to rebuild their lives and gain financial and emotional independence away from their neglectful husbands.

There was the lady with three daughters who was essentially treated like a maid by her husband and mother-in-law, where the husband even brought his mistress home to take drugs and engage in sexual relations in front of her. The NUS CLE supported her through her custody battle, where she lost access to all three daughters at one point; through her divorce, where the husband called her a prostitute; and through the ancillaries, where even though she won a decent share of the matrimonial assets, she was

unable to realise it because the husband had no assets to be seized. Today, she has her own flat, is earning a good income, and has nurtured her daughters to win Edusave awards on a regular basis.

There was another lady who was in denial about her divorce; was paranoid about every action of every person, including her lawyers; who insisted on putting headphones on for her son during consultations so that he would not hear any of the conversation; who would waver from reporting how the husband still had feelings for her, to how he was seeing other women. Today, she is living an independent life, and is working on reconciliation with her daughter.

There was the mother who needed closure over her son's mysterious disappearance in Malaysia; the mother who needed a declaration of presumption of death of her son, so that she could sell their flat and have some money to live on. A brother who needed the right to help his mentally disabled brother divorce his neglectful wife to preserve the family's rights over the flat their parents left them. A sister, dying of kidney failure and multiple other conditions, who needed help to manage the estate of her late mother for the benefit of her mentally disabled siblings.

These are just a few of the stories that NUS law students have been part of, where they have made a difference in the lives of those who needed help, while the law students themselves were getting a taste of life on the other side of the tracks. None of this would have been possible without the collaboration between NUS and the LAB. This collaboration has exposed NUS law students to the possibilities of doing community-based lawyering, opening up a new world of practice, beyond the glamour of high-end litigation and international corporate deals.

The incubation of the CLE programme at LAB has allowed NUS to further develop its CLE offerings. In October 2017, the Centre for *Pro Bono* & Clinical Legal Education was launched by then Senior Minister of State for Law and Finance (and now Minister (Prime Minister's Office) and Second Minister for Finance and Education), Indranee Rajah, SC. With Centre Co-Directors Associate Professor Lim Lei Theng and Associate Professor Ruby Lee, and together with Deputy Director of Legal Skills, Sonita Jeyapathy, NUS now offers corporate and transactional clinical programmes, CLE in criminal defence work, CLE in a judicial setting, and, in collaboration with others, CLE in international law. None of this would have been possible without the collaboration with LAB.

NUS CLE has proven George Bernard Shaw to be wrong. Those who can should not just do. They should teach. And those at the NUS CLE @ LAB, do both.



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