

Street Law Based CLE: A Student-Impact- Assessment

Asnida Mohd Suhaimi and Nur Farzana Mohd Zulkifli

Faculty of Law
University of Malaya
50603 Kuala Lumpur
Malaysia
asnidams@gmail.com, mzfarz@yahoo.com
Phone: +60379676527 Fax. No.: +60379573239

Asnida Mohd Suhaimi graduated with LL.B and LL.M from University of Malaya and is a qualified advocate and solicitor of the High Court of Malaya in Malaysia. Since joining the Faculty of Law, University of Malaya as a tutor in 2006 she has been actively involved in various CLE programmes in Malaysia and has conducted street law CLE training programmes for other institutions in Indonesia and Vietnam. She is currently one of the supervisors for the Community Outreach Programme, a CLE programme at University of Malaya.

Nur Farzana Mohd Zulkifli graduated with LL.B from University of Malaya and is currently an advocate and solicitor of the High Court of Malaya. She was one the most active members of the Community Outreach Programme at the Faculty of Law, University of Malaya, having been a member since her first year and was elected as the Deputy Director of the programme in 2009. Her responsibilities included teaching, training of members, programme planning and lesson plan developments for the programme. After graduation, she occasionally trains the members of the Community Outreach Programme for the teambuilding session and lesson plan development.

INTRODUCTION

The term ‘Street Law’ authentically refers to the specially-created, experimental teaching syllabus developed by a group of students of the Georgetown University Law Center, Washington D.C., United States of America in 1972.¹ The syllabus merged legal content together with unconventional teaching methods, taking the ‘law’ out of the typical lecture-classroom setting directly to its intended target audience: non-lawyer members of society; aiming to educate them in basic legal principles in simple and practical ways so that it would be easier for the audience to comprehend. The defining character of the course, i.e. its straight-forward connection to its ‘on-the-street-learners’ became its own name. In fact, it took on an identity of its own becoming a recognized part of the legal curriculum and the founding brand-name of a non-profit, non-governmental organisation known as Street Law Inc, based in the state of Maryland, U.S.A as early as 1986.²

STREET LAW & COMMUNITY LEGAL EDUCATION IN MALAYSIA

Taking off from the platform of teaching only law students, Street Law also kicked off the movement for the education of law not just for law students or lawyers *per se*, but more importantly the everyday people – empowering them with knowledge and access to the law. This in turn led to the popular synonym for Street Law, the term “Community Legal Education”.

As Street Law became in its own right, a legal discipline, it became a component with a compelling case for incorporation into the existing practice of legal education across the globe. The case for the assimilation of street law or community legal education into existing legal curricula was that it complemented legal education as it stood, with ethical and social components that were lacking in the current legal education system: clinical legal education. Clinical legal education is a system that essentially teaches law to students by getting them to identify, research, and apply legal knowledge in situations replicating, or actually involving, real-life problems.³ The system is ‘clinical’ in every sense of the matter, in that it allows students to readily examine and diagnose legal problems, then ‘treat’ them, exactly in a problem-solving mechanism.

Though clinical legal education was never limited in scope or application, its working mechanisms in law schools were more often than not, exclusively academic in nature. It was this factor that had led to the fast-paced acceptance of Street Law into legal curricula across the globe. The call to incorporate Street Law into the existing clinical model in Malaysia actively began after the year 2000. In 2005 at the 13th Malaysian Law Conference, the Malaysian Bar was urged to take an active part in the promotion and facilitation of community legal education as a part of the effort to improve legal education in Malaysia.⁴ This was followed by the first Clinical Legal Education Conference in Malaysia, held in the International Islamic University Malaysia on 16th June 2006, attended by members of the legal fraternity including the Malaysian Bar, and also academicians

1 *Who We Are, Street Law Inc*, 16 Feb 2011, <<http://www.streetlaw.org/en/Page.WhoWeAre.aspx>>.

2 “Street Law” remains a registered trademark of Street Law Inc.

3 Grimes, R., “The Theory and Practice Of Clinical Legal Education”, *Teaching Lawyers’ Skills*, Webb J. and Maugham, C. (eds.) (London: Butterworths, 1996) at p 138.

4 See Lasky, Bruce A, “Clinical Legal Education and the Role of the Bar Council”, *13th Malaysian Law Conference*, (Kuala Lumpur, 16th November 2005).

from the leading law schools in the country. This was the take-off point for Street Law in the country, igniting local awareness on the matter and stimulating an array of local publications on the subject. What followed however, is of more significance to this research, as illustrated next.

COMMUNITY LEGAL EDUCATION & UNIVERSITY OF MALAYA

Despite positive feedback from especially the Malaysian academic community, there is only one existing academic programme which is Street Law-based in Malaysia, offered as an elective academic paper known as the Clinical Legal Education course by the Faculty of Law, University of Malaya. The oldest university and law school in the nation, the university has been a pioneer in the introduction and incorporation of Street Law, Community Legal Education and the improvement of the clinical legal education model in Malaysia.

The Street Law and Community Legal Education concept in Faculty of Law here is a product of student and professor involvement. It began when four students of the faculty attended a clinical legal education programme workshop in the Philippines, Manila in the academic year of 2006/2007. What they brought home was an idea that broke new ground in establishing a faculty-based project for the teaching of law to marginalised groups, using the law students themselves as the primary educators. The project was named C.L.E., which then stood for Community Legal Education. By the following academic year, the teaching project was in full swing, with the founding members already trained in the unorthodox Street Law teaching methodologies. A chain reaction from fellow student-members created a teaching team from within the faculty, together with the faculty's professors and lecturers being trained in the same manner acting as advisors on the project. The project works on an entirely voluntary basis and is non-profit.

The University of Malaya (UM) CLE project began training its own educators, developing lessons, and started teaching a select group of juvenile offenders in a state penitentiary, Kajang Prison, immediately in the same year. The project grew and received national acknowledgement when it was officially launched as a university project by a representative from the Ministry of Women, Family and Community Development in the International Juvenile Justice Conference, held in the Faculty of Law, University of Malaya on 16th March 2008. By then, it was renamed C.O.P., or 'Community Outreach Programme'⁵ to avoid misnomer and confusion when the faculty received a mandate to introduce the academic course of Community Legal Education that very year. The 2nd and 3rd year undergraduates became the first academic batch of students for the course, with a majority of them being separate members of COP.

The academic course to date receives continuing support from students for its own unique qualities but the COP remains an integral part of the faculty identity as an established programme. Its student-trainers have in fact participated in the consultation and training programmes for other law schools in Malaysia which intend to set up a similar project of their own, managing projects such as the training workshop for students of the Faculty of Law, University Teknologi Mara (UiTM) in the academic year of 2009/2010 and many others. It continues to promote growth of clinical and Community Legal Education on a national and even international level, through cooperative efforts with regional law schools via exchange programmes with similar structures

5 Hereinafter the Community Outreach Programme is referred to as the "COP".

like the UiTM workshop, enriching its own band of educators in the process. It is this underlying reason that the COP is the focus of this paper.

THE STUDY: PROGRAMME STRUCTURE & STUDENT MOTIVATIONS

The COP Programme emphasizes a two-fold objective: in that it allows societal-empowerment through the teaching of law, but more importantly teaches the students to be more effective in the legal craft, infuse ethics, and inspire social and communal responsibility within them. It does this by training the student-educators in five major modules: lesson planning and content development; teaching methodologies, teaching evaluation and assessments; classroom management; and ethics and inter-personal skills.

To summarise, each module either on its own or in combination with the others is designed to help achieve the programme objectives. The foremost module: lesson planning and content development is one that sharpens the legal craft in the students. This module compels the student-trainers to perform in-depth legal research on a subject matter they collectively decide to teach. As they obtain the necessary material on the subject matter, they must selectively choose a topic according to its relevance to their target audience, then narrow it down in terms of actual bulk-content and rename it in a simplified and direct manner to make it possible to be taught. This second exercise sharpens issue-identification skills and application skills, which are fundamental skills in legal practice.

The second, third, and fourth modules together improve the students' inter-personal and management skills. The training in teaching methods which are designed to avoid the typical lecture/classroom environment the students are so accustomed to, provide working alternatives to their own methods in learning their academic material. It also trains them to teach in the same way; maximising attention and concentrating on 'learning-by-doing' methods. Training in evaluative measures and classroom management strategies encourage them to objectively assess the efficacy of the lessons they planned and taught almost immediately, asking them to self-reflect and learn from their mistakes while learning to manage interaction and person-to-person communication all at the same time. This builds their confidence, boosts the effectiveness of their own presentation and allows them to empathise while interacting.

The fifth module instils ethics, specifically in direct and sub-conscious ways, because the student-educators are constantly faced with learners from a diverse range. To date, our student-educators have taught a variety of target-audiences- from their peers (both in-house and from international backgrounds) to juvenile offenders, secondary/ high-school teenagers to young high-risk children in high-risk environments, and, on occasions, lawyers and law professors. The teaching style would have to be varied in each and every case, especially when dealing with offenders as certain ethical issues with regard to legal counsel, advice and personal attachments arise. The students as trainers are co-dependent on each other and themselves in dealing with ethical issues as they discuss potentially raised issues as part of prior preparation for each teaching session and are consciously reminding each other to maintain professional and ethical stands in all cases.

Throughout their involvement in the programme, the students have shared thoughts on their experiences with each other in open debrief sessions and personal reflective journal entries- only

the senior trainers and programme-advisors are privy to these. Though they have all demonstrated personal and varying versions of their own learning as well as emotional and other changes in themselves, there has been no formal research which assesses on a macro scale the effectiveness of the clinical legal education modules in the COP Programme, the trend of student motivation for the programme, and if any, the rate of improvement in the students' legal, ethical and interpersonal awareness.

SURVEY DEMOGRAPHICS AND METHODOLOGY

The students are to be considered as the main driving force of the COP and the dynamism and enthusiasm of the students have allowed the COP to flourish at the University of Malaya. At the beginning of every academic session, the potential members of COP were informed of the objectives, the activities and the intensity of the programme. Despite the high level of commitment and dedication expected out of them, we found that all members chose to remain in the COP and had actively participated in the activities, and some of them are still interested to volunteer under the COP despite being in their final year of law school. In order to identify the motivation behind their participation and commitment in the COP, we had conducted an online survey where the students filled out questionnaires. The survey also intended to study the role of the programme in improving interpersonal skills of the students.

The existing COP Programme members are all full-time undergraduates from the first to final year students. Together, they make the up the team of educators for the programme; and the majority of the demographics of this study. The total demographic is made up of students who have completed their undergraduate studies but were participants of the programme during their course of study in addition to current members. Throughout the lifetime of programme, it has had a majority of female members compared to male ones, by a ratio of 1:3, at an age range of 19-23 years. It should be noted at this juncture that this demographic profile is not influenced by any form of character-selection, as the participants of the programme are retained on an absolutely voluntary basis.⁶

The questionnaires were sent to the past and present members of the COP who were notified of the survey through their email, the COP Facebook group account and their individual Facebook account. 31 of them responded to the questionnaires.⁷

The duration of students' involvement in the COP is as shown in Table 1.

6 They do however, reflect a specific and restricted sample category, and do not in any way reflect the perceptions and attitude of the entire undergraduate population of the faculty.

7 For the purpose of this survey, the respondents are referred to as 'students'.

Table 1: Duration of involvement in the COP

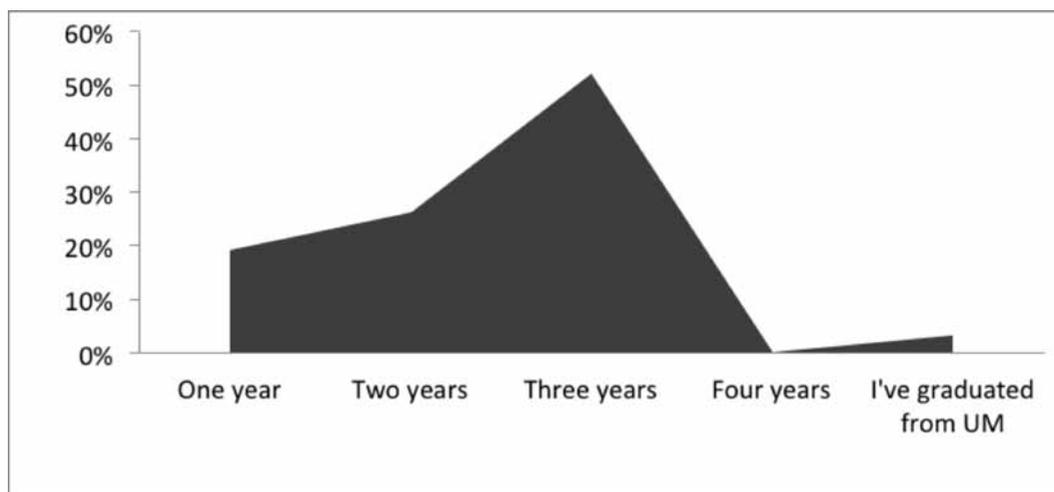


Table 1 shows that majority of the students have been members of the COP for three years, followed by the students who have been involved for two years and for one year respectively. None of the students in the final year responded and only one alumnus responded to the survey. The feedback provided by the senior students here was very significant and valuable considering they have been involved the COP activities for more than one year and are able to share and evaluate their experience. Another finding from the survey was that majority of them spend more than five hours per week for the COP, which further triggers our interest to ascertain the main reasons why the students decided to take part in the COP.

The Students' Motivational Pattern

In order to ascertain the motivational factors of the students in joining the COP, we listed 18 factors and for each factor, the students were to choose from a scale of “strongly agree”, “agree”, “maybe”, “disagree” and “totally disagree”. Apart from that, the students were also given the flexibility to explain what made them join the COP in the first place. The motivational pattern of the students who joined the COP is as shown in Table 2.

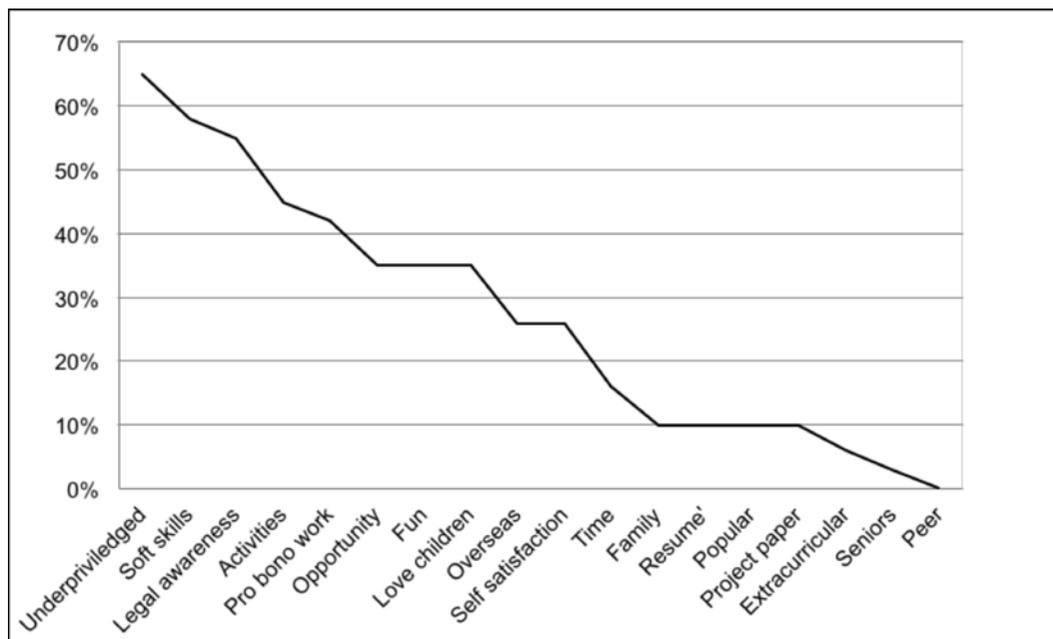


Table 2: Motivation – Percentage of “Agree” and “Strongly Agree

Based on our survey, we found that most of the students strongly agreed with the suggestion that they joined COP to help the underprivileged members of the society. 65 per cent of them ‘strongly agreed’ with this and 29 per cent of them ‘agreed’. Only six students answered ‘maybe’, but none of them disagreed with this suggestion. One of the students explained that she wanted to help the ‘unseen’ and ‘forgotten’ group of people. Four of them commented that they would like to contribute to the community and COP offers a platform which allows them to get close to the ‘people in need’. Since the nature of the activities of the COP focuses mainly on the marginalized section of the society particularly on the juvenile offenders, the students’ participation in COP’s activities would enable them to fulfil this aspiration.

The second most popular motivational factor was to improve soft skills or inter-personal skills. 58 per cent responded ‘strongly agree’ with another 32 per cent responded that they ‘agree’ with the suggestion. One student commented that she joined COP to learn more about the practical side of learning law, while another one wrote that she was interested to improve her personal skills. The relevance of the COP programme in improving the students’ inter-personal skills is discussed in the next topic.

This third most popular response was to create legal awareness amongst the public. We found that 55 per cent and 29 per cent of the students responded that they ‘strongly agree’ and ‘agree’ to the suggestion, respectively. In fact, the majority of the remarks that were made by the students were relating to their interest in making the law accessible to the public and raising the legal awareness of society. Some of the students believe that they have the responsibility to educate members of society about their rights and to empower the public to enable them to share the knowledge with

others in their community.

From the survey, it appears that the students least agreed with the proposition that they joined the COP due to the programme's popularity. They were also not influenced by their peers and by their seniors in deciding whether or not to join the COP. This is based on the percentage of the students who agreed and strongly agreed with the suggestion. This finding proves, to a certain extent, that those who joined the COP did so independently; a pivotal trait that would encourage volunteering spirit amongst the young legal practitioners in the future.

Improvement in Interpersonal Skills

As mentioned before, the second most popular reason why the students joined the COP was to improve their inter-personal skills. In our survey we inquired whether students believed that certain inter-personal skills had been improved upon as a result of joining the COP and taking part in the activities provided. The results of the survey are as shown in Table 3.

Skills	Percentage (%) of Students Responded "Significant" Improvement in these Skills
Teaching	58
Ability to empathise	52
Legal ethics	42
Stress management	42
Communication skills	39
Legal knowledge	39
Self confidence	35
Self discipline	35
Research	35
Time management	32
Administrative responsibility	26
Writing	23
Financial management	13

Table 3: Significant" Improvement in Skills

From our survey we found that the majority of the students claimed that their teaching skills, the ability to empathise with the society and their legal ethics have improved significantly after taking part in the COP. Before joining the COP, the students did not have much teaching experience and some even disliked the idea of having to deliver legal knowledge to prisoners probably due to the stigma attached to them. After getting to know the juveniles, particularly those who were incarcerated in Kajang Prison, they were able to empathise with those juveniles. Working within the setting of the prison also exposed the students to legal ethics, for example the responsibility to safeguard confidential information relating to the identity of the juveniles detained in the prison.

The students, however, were not of the opinion that working in the COP improved their financial management skills as the COP did not have much money to begin with and also the fact that the money is being held by the Treasurer of the programme.

Besides playing a role to improve the inter-personal skills of the students, the students also felt that COP also played a major role in improving their academic performance, with 79 per cent of the students agreeing with the suggestion. As the COP emphasises punctuality, preparation and good legal research, the level of discipline and the attitude of the students improved and this was reflected in their academic performance, particularly evident in the effort they put in during preparation for their own tutorials and their level of participation during class. None of the students were of the opinion that the COP had negatively affected their academic performance.

Interest in Participating in a Traditional Legal Clinic

Since the COP is considered as a teaching clinic which consists of street law programme, we were interested to find out whether the students considered participating in the CLE programme in the form of a traditional legal clinic as the prospect of having a legal clinic at the faculty is being weighed by the faculty. We found that 97 per cent of the students who responded in the survey would like to participate in a traditional legal clinic if they are given the opportunity to do so in the future. Out of this, 68 per cent would still like to remain in the COP and 29 per cent would like to participate in the legal clinic alone. One student did not wish to participate in the clinic and was only interested in the street law programme by the COP. The level of interest reflected by the survey indicates that the COP was able to generate the interest of the students to serve the public in a clinical setting, with a majority who still wish to remain in the street law programme.

Conclusion

The members of the COP at the Faculty of Law, University of Malaya exhibited considerable admiration for the programme, as seen from the continuing support from the students who make up the frontline of the programme. The students themselves have moved from a stereotypical perception that the programme lacks academic substance and is like any other extra-curricular activity which merely generates enjoyment. The findings of the survey have shown that the students believe that they have made a significant improvement where legal skills are concerned, have allowed them to empathise with the marginal members of the society and upgraded their inter-personal skills. Many of them have achieved fulfilment of their original motivations for joining the programme, ultimately translated into their commitment and fidelity to sustaining the programme in the future.