

Legal Aid Clinics: Learning from the Real World

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“Law has not only to be taught, Law has to be practised.” This applies also to university studies. Therefore, Legal Aid Clinics or Law Clinics, well-known in Anglo-American universities, have become more and more popular also as a teaching and learning method in Europe. Originally designed to handle real cases by students acting as advocates or legal advisors, Law Clinics now cover a wide range of teaching methods and subjects with an emphasis on practical activities. One may think about writing legal opinions on cases or questions, to be handed over to and co-supervised by law firms, NGO’s or even administrative departments. But not always does a Law Clinic have to solve actual cases or prepare future decisions. A Law Clinic may also provide invaluable practical knowledge and understanding of judicial rights and decisions, already made.

I. The Penal System: Making the Rule of Law available to students

An innovative example for this approach took place at the prisons of Graz-Karlau and Graz-Jakomini. This “Law Ambulance” was established by defence attorney, Prof. Richard Soyer, who holds the chair of criminal prevention and criminal law and procedure at the University of Graz. In this two term course, two aims were pursued consecutively:

- *Prisoners’ rights in practice.* Erving Goffman described a prison as a “total institution”, an institution as a social microcosm dictated by might and clear hierarchy. Therefore, a feeling of powerlessness as well as a lack of rights and information is often reported by prisoners. So in the first term of the “Law Ambulance” the participating students improved the knowledge of the prisoners as well as that of the detention staff about prisoners’ rights, and, by being confronted with practical questions, they improved their own knowledge and understanding too.
- *Reviewing sentencing decisions.* The judicial idiomatic language of the verdict, a lack of education and a limited knowledge of German, the official language of Austria, often debar the defendant from understanding the verdict completely. To review the decision with the prisoner, to explain the procedural rulings and the principles in Austria, the Law Ambulance in its second term helped individual prisoners to work out possible appeals and meanwhile helping the students to understand the effects of criminal procedure law in practice.

II. The Law Ambulance: Theory comes down to the earth

In pursuit of these goals, the Law Ambulance followed a four step teaching approach:

- *Establishing the basics.* One of the ideas of the Law Ambulance was that students learn most effectively by participating in their own education. Therefore, the students had to work in small working groups, collecting, in the first term, basic knowledge on prisoners' rights and – in the second term – analysing the verdict of a particular prisoner, who had agreed to participate in the Law Ambulance project.
- *Theory meets practice.* The students deepened their knowledge and understanding of procedural law while – in the first term – discussing prisoner's rights in daily prison life with detention staff as well as prisoners or – in the second term – discussing the verdict, they had analysed, with the particular prisoner. Thereby the students had to reflect their understanding of rules by recognising practical challenges. Based on that knowledge, the students discussed their findings under the guidance of the organizers of the Law Ambulance.
- *The Litmus test.* The thereby revised conclusions of the students work had to be proved at the prison. In the first term the students presented a compendium about prisoners' rights in practice at a meeting, taking place in the prison itself, to more than hundred prison officers, ministry officials and reviewers of the prisoners' cases and afterwards in group discussion with prisoners. In the second term the students discussed the accumulated problems, the possible actions and outcomes with the particular prisoner, aiming to improve the understanding of the decision.
- *Win-win-situation.* The Law Ambulance was not unidirectional. While the students learned a lot about the practical impact of legal rules and decisions, they equally gave their input to practice. Following the first term, a compendium on imprisonment rules and prisoner's rights was published at a Web homepage (www.uni-graz.at/rechtsambulanz) and can be used as an information resource, inter alia, by prisoners and their relatives. In the second term the students not only helped the particular prisoners to review their verdict, but also discussed rights and opportunities for future perspectives after discharge.

Learning from the real world merges theory and practice. It helps students on their way from learning to understanding, and – last but not least – prepares them for future work life.