

## STUDENT *PRO BONO* AND THE NUS FACULTY OF LAW

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*Pro bono* has changed radically in Singapore over the past 60 years, emerging from relative obscurity to become an important regulatory and educational issue. NUS Law has contributed to the growth of *pro bono* in Singapore through student *pro bono*. Currently these student activities are not limited to supporting the *pro bono* of lawyers and organisations, and they contribute directly to access to justice by providing the public and litigants in person with legal information. The character of student *pro bono* at NUS Law therefore suggests a shift in focus, from *pro bono* to the primary goal of access to justice.

### I. INTRODUCTION

*Pro bono* has changed radically in Singapore over the past 60 years, emerging from relative obscurity to become an important regulatory and educational issue. This development is primarily due to forces beyond the NUS Faculty of Law, such the longstanding commitment of the Law Society,<sup>1</sup> the judiciary's focus on access to justice,<sup>2</sup> and the more recent work of the Law Society's Pro Bono Services,<sup>3</sup> but NUS has also brought about the growth of *pro bono* in Singapore. Law students cannot do a lawyer's job, and a brief review of student *pro bono* over the years reveals concerns that students should not try to do a lawyer's work or take away business. Analysis of current *pro bono* activities suggests that students do contribute to access to justice and that their efforts have value apart from what they may contribute as lawyers.

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<sup>1</sup> See eg, Law Society of Singapore, *Criminal Legal Aid Scheme: Commemorative Issue 1985-1988* (Singapore: Law Society of Singapore, 1988) [Law Society of Singapore, *Commemorative Issue*]; Law Society of Singapore, *Report of the Legal Aid Review Committee of the Law Society of Singapore*, (Singapore: Law Society of Singapore, October 2006).

<sup>2</sup> See Gary Chan Kok Yew, "Access to Justice for the Poor: The Singapore Judiciary at Work" (2008) 17:3 *Pac Rim L & Pol'y J* 595; Helena Whalen-Bridge, "The Conceptualisation of Pro Bono in Singapore" (2014) 9:1 *Asian Journal of Comparative Law* 97.

<sup>3</sup> See Pro Bono Services Office of the Law Society of Singapore, online: Law Society of Singapore <<http://probono.lawsociety.org.sg/Pages/default.aspx>>, and Law Society of Singapore, *Annual Report 2016: For Justice, For Community* at 39-75, online: Law Society of Singapore <<http://www.lawsociety.org.sg/Portals/0/AboutUs/AnnualReport/2016/The%20Law%20Society%20of%20Singapore%20Annual%20Report%202016.pdf>>.

### A. What is Pro Bono?

*Pro bono* is an abbreviation of the Latin phrase *pro bono publico*, or for the public good, but what exactly does that mean in the legal context? The question generates considerable controversy, and although lawyers are used to arguing about definitions, why argue about what is good for the community as opposed to just doing it? If *pro bono* is required by law as in mandatory reporting, then definitions become central to compliance, but the definition of *pro bono* generates heated debate outside of the compliance context. It appears as though definitions of *pro bono* are controversial because *pro bono* is one way in which lawyers are linked to morality. Lawyers who do *pro bono* appear to have the higher moral ground as they are supporting access to justice for persons unable to afford it. Because *pro bono* connects lawyers and morality, *pro bono* is controversial and its precise definition will be contested.

Definitions of *pro bono* also differ because *pro bono* serves different purposes. In Singapore, one definition would be the “specified *pro bono* services” which Singapore advocates and solicitors are required to report as a condition of renewing their practising certificate.<sup>4</sup> *Pro bono* is defined as engaging in the following categories of activities, without reward other than an honorarium or reimbursement of expenses: (1) providing law-related services for disadvantaged individuals, for charitable or community organisations, government ministries or departments, or statutory boards; (2) participating in a legal assistance scheme; (3) participating as a member of a committee such as a charity; and (4) participating in a relevant body such as the Singapore Mediation Centre. Singapore’s mandatory reporting rules constitute a broad definition of *pro bono* because one of the goals of mandatory reporting is to collect data regarding all levels of *pro bono* services.<sup>5</sup> If the goal were to provide legal services to indigent persons in the community, a narrow definition would be in order.

### B. What is Student Pro Bono?

Lawyer *pro bono* is frequently centre-stage in discussions of access to justice because the ability to give legal advice and represent parties in court is often restricted to lawyers. However, for some time at NUS, hundreds of students every year have engaged in what they call *pro bono*. If students cannot do what a lawyer does, what is student *pro bono*? The question is even more relevant in Singapore, because while some countries have Student Practice Rules allowing law students to represent clients under the supervision of a practicing lawyer,<sup>6</sup> this is not allowed in Singapore.

<sup>4</sup> *Legal Profession (Mandatory Reporting of Specified Pro Bono Services) Rules 2015* (S 96/2015 Sing); *Legal Profession Act* (Cap 161, 2001 Rev Ed Sing).

<sup>5</sup> The Committee to Study Community Legal Services Initiatives, *Report of the Committee to Study Community Legal Services Initiatives* at para 23, online: Ministry of Law <<https://www.mlaw.gov.sg/content/dam/minlaw/corp/News/Annex%20B%20-%20Report%20of%20the%20Committee%20to%20Study%20Community%20Legal%20Services%20Initiative.pdf>>.

<sup>6</sup> Georgetown Law School reports that all 50 states have Student Practice Rules, which are codified in the state statutes, local court rules, or state bar rules; see Georgetown Law Library, *Introduction to Student Practice Rules—Clinical Research Guide*, online: Georgetown Law School <<http://guides.ll.georgetown.edu/StudentPractice>>.

### 1. Early years of the Faculty

NUS Law students have been doing law-related activities for indigent persons since the early days of the Faculty, although it was not then called *pro bono*. The earliest newspaper coverage of law students references the Legal Aid Bureau, a theme taken up by the Law Faculty many decades later in the form of The Law Clinic.<sup>7</sup> On 24 August 1959, the Singapore Free Press reported statements from then-Minister for Labour and Law, K M Byrne, that “varsity law students” at the then-University of Malaya could work at the Legal Aid Bureau during their holidays.<sup>8</sup> Mr Byrne noted that students would not be able to handle actual cases, but they could watch how the Director and his three assistants carried out their duties. The Bureau had been established on 1 July 1958,<sup>9</sup> and Mr Byrne noted that since the government came to power in June 1959 there had been a big increase in the number of people seeking aid. This early newspaper article emphasised the practical aspects of student observations, in that the Bureau “would be a good training ground for these future lawyers as they could observe the practical side of law.”<sup>10</sup> The following February, the Singapore Free Press reported that four law students at the then-University of Malaya had begun work at the Legal Aid Bureau for a two-week stint, after which they would be replaced by another team.<sup>11</sup> Like the previous article, this one emphasised practical skills, noting that the placement was “designed to afford them practical experience” and that other students were working with law firms in Raffles Place.<sup>12</sup> In May of the same year, it was reported that six senior students from the Law Faculty were engaged in “practical” work at the Legal Aid Bureau and a law firm, which provided them “time off from their books to have some experience of working in legal firms.”<sup>13</sup> Having accepted the work to acquire actual practice, the students were paid “pocket expenses only”, but were reported by then-Legal Aid Bureau Director Tan Boon Teik to be a “great help”.<sup>14</sup> Three other students worked at “the only law reporting establishment in Malaya, the Malayan Law Journal.”<sup>15</sup>

<sup>7</sup> See NUS Law Course Listing: Law & Practice—The Law Clinic, online: NUS Faculty of Law, <[https://law.nus.edu.sg/student\\_matters/course\\_listing/courses\\_desc.asp?MC=LL4094V&Sem=1](https://law.nus.edu.sg/student_matters/course_listing/courses_desc.asp?MC=LL4094V&Sem=1)>; Legal Aid Bureau and NUS, *NUS Law School Goes Clinical*, online: NUS Faculty of Law, <[https://law.nus.edu.sg/about\\_us/news/2010/PRe1\\_06\\_Oct.pdf](https://law.nus.edu.sg/about_us/news/2010/PRe1_06_Oct.pdf)>; Newshub—NUS’ News Portal, *Faculty of Law Launches Singapore’s First Clinical Legal Education Programme*, online: NUS <[http://newshub.nus.edu.sg/headlines/1010/law\\_08Oct10.php](http://newshub.nus.edu.sg/headlines/1010/law_08Oct10.php)>; and Rathna N Koman & Helena Whalen-Bridge, “Clinical Legal Education in Singapore” in Shuvro Prosun Sarker, ed, *Clinical Legal Education in Asia: Accessing Justice for the Underprivileged* (New York: Palgrave Macmillan, 2015) at 142-144.

<sup>8</sup> The Singapore Free Press, “Varsity Law Students Can Work in Aid Bureau” *The Singapore Free Press* (24 August 1959), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/freepress19590824-1.2.73>>.

<sup>9</sup> Colin Cheong & Lim Hui Min, *Access to Justice: 50 Years of Legal Aid* (Singapore: Legal Aid Bureau, 2008) at 5, 41.

<sup>10</sup> *Supra* note 8.

<sup>11</sup> The Singapore Free Press, “Undergrads Get ‘Legal’ Lessons at Bureau” *The Singapore Free Press* (26 February 1960), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/freepress19600226-1.2.46>>.

<sup>12</sup> *Ibid.*

<sup>13</sup> The Singapore Free Press, “Law Students Have a Taste of Work in Legal Firms” *The Singapore Free Press* (25 May 1960), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/freepress19600525-1.2.104>>.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

Just over 10 years later, The Straits Times published a number of articles on law student participation in the Legal Aid Bureau, and these reports highlighted public service in addition to practical experience. On 5 May 1971, T F Hwang reported that the Law Faculty of the then-University of Singapore had launched a student legal aid programme (“SLAP”), a collaboration between the government and the university to improve “legal education and services”.<sup>16</sup> The first programme of its kind in the region at the time, SLAP received a \$10,000 grant from the Asia Foundation. The programme took in 17 law students, who served a 5-week term in small groups to “gain practical experience of how the legal aid scheme works.”<sup>17</sup> This time the pay was \$12 a day, considered “princely” when compared to pupillage in law firms which did not pay. In addition to learning the practical aspects of work at the Legal Aid Bureau, the students also helped relieve the Bureau’s workload, by interviewing clients, looking up legal authorities, and preparing draft statements of claim and other work for the courts. Tan Lee Meng, currently NUS Law Professor, and formerly Dean of the Law Faculty, Judicial Commissioner, and Judge of the Supreme Court, was a law student at the time who participated in SLAP. Then-President of the Law Society of the University of Singapore, Mr Tan stated that the success of SLAP meant a lot to students and it could “become a permanent feature in students’ life in Singapore.”<sup>18</sup> Other law students involved in SLAP included Ms Lai Siu Chu, Ms Elizabeth Choo, Ms Alexis Chong, and Mr Roderick Martin.<sup>19</sup> In a subsequent article regarding SLAP, The Straits Times highlighted the goal of training lawyers. Professional training was costly, and SLAP was designed to take some of the expense out of the training by spreading the training widely, thereby benefiting students, the legal aid scheme, and the profession.<sup>20</sup>

Apart from SLAP, law students helped generate discussion regarding the possibility of setting up student legal aid clinics, “manned by local university law students and supervised by lawyers”, a suggestion made by Mr Tan Lee Meng while President of the University of Singapore Law Society.<sup>21</sup> Mr Tan stated that legal aid clinics would make legal education more realistic and meaningful. The subject of legal aid clinics received strong support at a seminar on Legal Aid and the Law Student, organised by the University Law Society and held at the Hotel Equatorial for eight days in July 1971.<sup>22</sup> The Seminar attracted 34 observers and delegates, who discussed legal aid and legal clinics in different countries. The Singapore delegation included law students Mr Tan, Mr Jeffrey Chan, Ms Lee Chin Yen and Ms Elizabeth Choo.<sup>23</sup>

<sup>16</sup> T F Hwang, “Varsity Faculty Starts Student Legal Aid Plan” *The Straits Times* (5 May 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710505-1.2.42>>.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> The Straits Times, “Students on the Go” *The Straits Times* (6 May 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710506-1.2.85.3>>.

<sup>21</sup> T F Hwang, “Legal Aid ‘Clinics’ Planned by Law Students” *The Straits Times* (30 June 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710630-1.2.80>>.

<sup>22</sup> Yap Cheng Tong, “Legal Aid Clinics Plan Gets Support at Law Seminar” *The Straits Times* (8 July 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710708-1.2.40>>.

<sup>23</sup> *Supra* note 21.

The proposal for a legal aid clinic highlighted potential issues in student *pro bono*. Dr Toh Chin Chye, then-Minister for Science and Technology and Vice-Chancellor of the University of Singapore, noted that students could not take on the functions of qualified legal practitioners, but that there was a “feasible and plausible role for students to perform”.<sup>24</sup> Then-Professor and Dean of the Law Faculty Tommy Koh encouraged the students. He supported setting up a legal aid clinic under the wings of the Law Faculty but noted that obstacles needed to be overcome, such as allowing law students to take on some of the work of advocates and solicitors.<sup>25</sup> Such a clinic could replace the “reading-in-chambers” course graduates had to do under the supervision of a practising lawyer, as well as provide uniform training.<sup>26</sup> As contemplated, the clinic would not be for academic credit but would offer students intellectual and emotional benefits. Professor Koh suggested that members of the profession should not see the clinic as competition, because clients would be poor and not able to afford lawyer fees. At the close of the Seminar Mr Tan Boon Teik, then the Attorney-General of Singapore, expressed unqualified support for the legal aid clinics, and participants called for law schools and professional bodies to set up and support legal aid clinics as part of the law curriculum in universities in the region.<sup>27</sup> In a joint communique, participants agreed that law school curricula “tended to ignore the situation of the lower socio-economic strata.”<sup>28</sup>

Other observers raised questions regarding the feasibility and cost of the legal aid clinics. Practitioners were needed to act as supervisors for students over and above their other volunteer activities, which T F Hwang characterised as “out of the question”.<sup>29</sup> The student legal aid clinic discussed at this time did not come to fruition, but the papers from this early student seminar were published in Volume 3 of the Singapore Law Review, the journal of the University of Singapore Law Society, in the issue entitled “Legal Aid and the Law Student”.<sup>30</sup> In “Social Responsibility and Legal Aid”, Jeffrey Chan and Elizabeth Choo argued that while the government was best able to initiate and administer a legal aid programme, the most important quasi-government organisation was the law school.<sup>31</sup> Academics could bring their specialised knowledge to the programme, and law students could increase manpower.<sup>32</sup> The student authors also asserted that there was long-term potential if the law school was associated with legal aid: making legal aid clinics part of the curriculum would “impress the social implications of the law and more

<sup>24</sup> *Supra* note 22.

<sup>25</sup> *Ibid.*

<sup>26</sup> The Straits Times, “Legal Aid Clinic ‘Stepping Stone’ to Private Practice” *The Straits Times* (10 July 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710710-1.2.115>>.

<sup>27</sup> The Straits Times, “Law Seminar Calls for Legal Aid Clinics” *The Straits Times* (15 July 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710715-1.2.52>>.

<sup>28</sup> *Ibid.*

<sup>29</sup> T F Hwang, “Student Participation in Legal Aid” *The Straits Times* (29 July 1971), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/straitstimes19710729-1.2.92>>.

<sup>30</sup> (1971-1972) 3 Sing L Rev.

<sup>31</sup> Jeffrey Chan & Elizabeth Choo, “Social Responsibility and Legal Aid” (1971-1972) 3 Sing L Rev 21 at 25.

<sup>32</sup> *Ibid* at 25, 26.

especially the problems of the poor upon the student...The new breed of lawyers may not be committed to legal aid but they would at least be aware of the social needs it serves."<sup>33</sup> At the time, Mr Kirpal Singh noted that the presentations in the special issue represented "a striving for a pattern which could establish a close affinity between the professional and the poor".<sup>34</sup>

The launch of the Criminal Legal Aid Scheme ("CLAS") in 1985 provided another opportunity for students to get involved in *pro bono*.<sup>35</sup> With the help of the NUS Faculty of Law, CLAS launched a Student Attachment Programme which included "visits to the Courts, prisons and a drug rehabilitation centre, interviews with applicants for legal aid and the observation of criminal trials conducted by CLAS volunteer lawyers."<sup>36</sup> The first group of 10 undergraduates were attached to CLAS during the University's long vacation in 1988.<sup>37</sup> The programme was intended to interest and train future lawyers, by creating awareness of CLAS among students and providing opportunities to observe the practice of criminal procedure in the courts and in prison.<sup>38</sup> It was hoped that students would become involved with CLAS after they were admitted. In a book commemorating its 25<sup>th</sup> anniversary, the Law Society of Singapore noted that many students in the programme later became "ardent CLAS volunteers".<sup>39</sup> CLAS Attachments continue to the present day.<sup>40</sup>

Anecdotal evidence suggests that students continued to support legal services to the poor throughout the history of the Law Faculty, assisted by law professors, although those efforts were not necessarily memorialised. Particular programmes such as SLAP changed, but Mr Tan's suggestion that SLAP could become a permanent feature in student life in Singapore<sup>41</sup> still appears prescient in that "*pro bono*" has become a permanent feature in NUS Law student life.

## 2. Current student *pro bono*

What is student *pro bono* at NUS today, and is it limited to the goal of training future lawyers? A snapshot of current law student *pro bono* would include the activities of student groups such as the NUS Pro Bono Group ("PBG")<sup>42</sup> and the NUS Law Criminal Justice Club ("CJC").<sup>43</sup> The NUS Pro Bono Office is part of NUS Law's

<sup>33</sup> *Ibid* at 26.

<sup>34</sup> Kirpal Singh, "New Ideas on Legal Aid: Worthwhile Suggestions from Youthful Minds" *New Nation* (9 September 1972), online: National Library Board <<http://eresources.nlb.gov.sg/newspapers/Digitised/Article/newnation19720909-1.2.60.4>>.

<sup>35</sup> Law Society of Singapore, *Commemorative Issue*, *supra* note 1 at 14, 15.

<sup>36</sup> *Ibid* at 14.

<sup>37</sup> The Law Society of Singapore, *The Law Society of Singapore Twenty-Fifth Anniversary* (Singapore: The Law Society of Singapore, 1992) at 24.

<sup>38</sup> *Ibid*.

<sup>39</sup> *Ibid*.

<sup>40</sup> See Internship/Attachments of the Pro Bono Services Office, online: Law Society of Singapore <<http://probono.lawsociety.org.sg/Pages/Volunteer-Schemes-ProBonoResearchInitiative.aspx>>, and Attachment at Pro Bono Services of the NUS Pro Bono Group, online: NUS Pro Bono Group <<https://nusprobono.com/projects/main-projects/attachment-at-pro-bono-services/>>.

<sup>41</sup> *Supra* note 16.

<sup>42</sup> PBG, online: NUS Pro Bono Group <<https://nusprobono.com/>>.

<sup>43</sup> CJC, online: NUS Law Criminal Justice Club <<https://nuscjc.wordpress.com/>>.

administrative structure, and as the manager of the mandatory *pro bono* programme<sup>44</sup> it also supports a variety of *pro bono* activities.

A review of the activities organised primarily by students offers a good idea of what they consider important and feasible. PBG was organised as a fledgling student group by a few students in 2005.<sup>45</sup> It began to organise *pro bono* activities and inform the student body about *pro bono*, and over the years PBG's membership, activities, and partners became more numerous and diverse.<sup>46</sup> PBG now has 200 plus student members, and it currently lists eight ongoing projects on their website, which can be organised into four categories based on the kind of work done: (1) support for legal clinics in Singapore (Legal Clinics, including general legal clinics and more specialised clinics such as Migrant Worker Clinics); (2) law awareness (Legal Education & Awareness Programme, aimed at vulnerable youth; Project Law Help, for charities and social enterprises; and the Moot Parliament Programme, a legislation drafting programme for upper secondary students); (3) legal research (currently legal research and related activities with Project X on sex worker rights); and (4) assistance to litigants in person via programmes with courts (Shariah Court Friends and University Court Friends).<sup>47</sup> Students for Migrants engages in most of these activities with a focus on assisting Singapore's migrant worker population.<sup>48</sup>

CJC was organised in 2009 and has approximately 100 student members.<sup>49</sup> Its goal is to raise awareness of important criminal justice issues amongst the student body and the public while advocating for positive changes in Singapore's criminal justice landscape.<sup>50</sup> In addition to organising annual events such as the Attorney-General's Cup and the Criminal Justice Conference, CJC lists four activities, which like PBG activities can be organised into categories based on the type of work: (1) support for legal clinics (Project HELP Centre);<sup>51</sup> (2) law awareness, among the public and practitioners (Criminal Law Website Project);<sup>52</sup> and (3) assistance to litigants in person with a special focus on wrongful convictions (the Innocence Project (Singapore) (the "Innocence Project")).<sup>53</sup> The Military Justice Project, like PBG's Students for Migrants, comprises different activities for a particular beneficiary group, and it

<sup>44</sup> See Pro Bono Office of NUS Law Administration, online: NUS Faculty of Law <[http://law.nus.edu.sg/about\\_us/administration.html](http://law.nus.edu.sg/about_us/administration.html)>; and see LawLink March 2014, *One Stop for All Pro Bono Activities*, online: NUS Faculty of Law <<http://law.nus.edu.sg/alumni/lawlink/lawlinkMar2014/faculty1.html>>.

<sup>45</sup> Helena Whalen-Bridge, ed, *Pro Bono in Singapore: The PBG Story* (Singapore: Faculty of Law, National University of Singapore, 2016) at 6.

<sup>46</sup> *Ibid* at 6 and 10-99.

<sup>47</sup> See the projects of PBG, online: NUS Pro Bono Group <<https://nusprobono.com/>>.

<sup>48</sup> See Students for Migrants, online: NUS Pro Bono Group <<https://nusprobono.com/projects/students-for-migrants/>>.

<sup>49</sup> See the introductory page to CJC, online: NUS Law Criminal Justice Club <<https://nuscjc.wordpress.com/about/>>.

<sup>50</sup> *Ibid*.

<sup>51</sup> See Project HELP Centre, online: NUS Law Criminal Justice Club <<https://nuscjc.wordpress.com/project-help-centre/>>.

<sup>52</sup> See Criminal Law Website Project, online: NUS Law Criminal Justice Club <<https://nuscjc.wordpress.com/criminal-law-website-project/>>.

<sup>53</sup> See Innocence Project (Singapore), IP, online: Innocence Project (Singapore) <<https://sginnocenceproject.com/about-us/>>.

is aimed at creating a better understanding of the military justice system for those dealing with a military charge.<sup>54</sup>

The activities of these two main student *pro bono* organisations show that *pro bono* at NUS Law comprises legal support for indigent or vulnerable persons and persons who need legal information, through four categories of activities: supporting legal clinics staffed by lawyers; performing legal research that supports lawyers and organisations in their access to justice activities; supporting individual litigants in person by working with courts and related organisations; and creating awareness of legal information and improving the availability of layperson-friendly information.

Student *pro bono* therefore supports access to justice in two ways, indirectly through lawyers and organisations, and more directly by assisting litigants in person in the courts and providing legal information to the public. Student *pro bono* does help prepare students to perform *pro bono* as lawyers, but it is distinct from lawyer *pro bono* and a significant contribution in its own right.

## II. BENEFITS OF STUDENT *PRO BONO* AT NUS LAW

The structure provided by student *pro bono* student organisations at NUS has meant that incoming students did not have to reinvent administrative wheels, which freed up time to develop a diversity of projects that enabled participation by more students. It also allowed the level of student sophistication to increase over the years. Seniors handed over projects and authority to junior students, sharing their organisational and conceptual insights and inspiring junior students to reach higher.

Law student *pro bono* also opened up space in the law degree to consider matters not then formally addressed in the curriculum. Students initiated projects that took them further into areas addressed by coursework or not addressed at all, some of which were considered controversial at the time. NUS Law students initiated the volunteer *pro bono* group PBG with the encouragement of then-Dean Tan Cheng Han in 2005, when the legitimacy of student *pro bono* was somewhat in doubt.<sup>55</sup> In criminal law, a group of law students decided to establish the Innocence Project in 2010,<sup>56</sup> which was inaugurated in 2013.<sup>57</sup> In a jurisdiction that has been described as having a crime control approach to criminal procedure,<sup>58</sup> the Innocence Project reviews questions of factual innocence in cases which have exhausted all avenues of appeal, in order to “serve as a ‘safety net’ in an area that is yet to be addressed in a systematic way by official or non-official programs.”<sup>59</sup> Student Advisor Cheah Wui Ling has argued that “[s]tarting public discussions on the possibility of wrongful

<sup>54</sup> See Military Justice Project, online: NUS Law Criminal Justice Club <<https://nuscjc.wordpress.com/military-justice-project/>>.

<sup>55</sup> *Supra* note 45 at 8, 9.

<sup>56</sup> Cheah Wui Ling, “Developing a People-Centered Justice in Singapore: In Support of Pro Bono and Innocence Work” (2012) 80 U Cin L Rev 1429 at 1456.

<sup>57</sup> See the introductory page to the Innocence Project, What the Innocence Project (Singapore) does, online: Innocence Project (Singapore) <<https://sginnocenceproject.com/about-us/about/>>.

<sup>58</sup> See Chan Sek Keong, “The Criminal Process—The Singapore Model” (1996) 17 Sing L Rev 433 at 440-443 and Michael Hor, “Singapore’s Innovations to Due Process” (2001) 12:1 Crim LF 25, but see *supra* note 56.

<sup>59</sup> *Supra* note 56 at 1458.



convictions has been particularly important, given the scarcity of empirical research in this area.”<sup>60</sup> Cheah observed that building relationships with external stake holders:

initially posed some challenges due to the relatively unknown topic of wrongful convictions, which [students] tried to address by explaining their objectives to the legal community and relevant criminal justice agencies. By emphasizing that they aim to serve as a “safety net” in a cause that is shared by other actors in the justice system, the [Innocence Project] students were gradually able to build relationships with state and non-state bodies.<sup>61</sup>

In the area of employment law and migrant workers,<sup>62</sup> PBG offered placements in law clinics and non-government organisations serving migrant worker needs, and in 2014 law students launched a Migrant Worker Awareness Week.<sup>63</sup> Activities included the re-enactment “In Transit”, where student volunteers from NUS Law, the Faculty of Arts and Social Science and Yale-NUS led participants through the issues faced by a Bangladeshi construction worker played by a student as he “journeyed through the employment migration process—starting in Bangladesh, then on to Singapore, and then back again”.<sup>64</sup> Participants also heard “first-hand from migrant workers and case workers about the realities on the ground.”<sup>65</sup> PBG now has a separate wing, Students for Migrants, that oversees activities addressing migrant worker issues.<sup>66</sup> The 2014 Migrant Worker Awareness Week was followed in the first Semester of 2015<sup>67</sup> by the launching of the elective “Employment Law & Migrant Workers Clinic”,<sup>68</sup> although the Clinic was not offered in subsequent semesters. The Migrant Workers Awareness Week was held again in 2016 by NUS and Yale-NUS

<sup>60</sup> *Ibid* at 1458.

<sup>61</sup> *Ibid* at 1458.

<sup>62</sup> See Chia Siow Yue & Ng Pei Yi, “Extend Skills Upgrading to Foreign Workers” *TODAY* (24 October 2011), online: Ministry of Manpower <<http://www.mom.gov.sg/newsroom/press-replies/2011/foreign-workforce-has-a-part-in-productivity-drive>>:

Foreign workers are a controversial yet essential factor in the Singapore economy. The recent General Election revealed resentment among voters over the perceived crowding-out of public spaces and services by foreigners. From a reverse perspective, there has been long-standing criticism that Singapore must do more to protect foreign workers from mistreatment.

<sup>63</sup> LawLink March 2014: Student Feature, *Migrant Awareness Week*, online: NUS Faculty of Law <<http://law.nus.edu.sg/alumni/lawlink/lawlinkMar2014/student2.html>>.

<sup>64</sup> *Ibid*.

<sup>65</sup> *Ibid*.

<sup>66</sup> See Students for Migrants, online: NUS Pro Bono Group <<https://nusprobono.com/projects/students-for-migrants/>>, and NUS Pro Bono Group, *Volunteering at the Migrant Worker Legal Clinic*, online: NUS Pro Bono Group <<https://nusprobono.com/2014/03/22/1622/>>.

<sup>67</sup> See Employment Law and Migrant Workers Clinic: Module Overview, online: NUS Learning Management System <[https://ivle.nus.edu.sg/V1/lms/public/view\\_moduleoutline.aspx?CourseID=6e6882c4-7a01-4cc4-ac17-e19ee0138eab](https://ivle.nus.edu.sg/V1/lms/public/view_moduleoutline.aspx?CourseID=6e6882c4-7a01-4cc4-ac17-e19ee0138eab)>.

<sup>68</sup> See Course Listing of Employment Law and Migrant Workers Clinic, online: NUS Bulletin <<https://inetapps.nus.edu.sg/bulletin/msearch.aspx?code=LL4261V&title=&desp=&semester=&fac=35>>; see also Olivia Ho, “NUS Law Module Assesses Students on Pro Bono Work” *The Straits Times* (4 Jan 2016), online: The Straits Times <<http://www.straitstimes.com/singapore/nus-law-module-assesses-students-on-pro-bono-work>>.

students,<sup>69</sup> hosting over 100 migrant workers as well as 300 students and members of the public.<sup>70</sup>

There are other possible benefits of student *pro bono* which would be difficult to verify, for example that student *pro bono* influenced law firm *pro bono* culture. There is anecdotal evidence that law students attending *pro bono* clinics noted which law firms provided good support for their junior lawyers, with firms who sent senior lawyers to accompany junior lawyers receiving high marks,<sup>71</sup> and that student questions about law firm *pro bono* policy in associate interviews helped prompt law firm development of *pro bono* policies and practices.

### III. MANDATORY STUDENT *PRO BONO*

#### A. Mandating Student *Pro Bono* to Bring about Lawyer *Pro Bono*

NUS Law recently became one of a number of law faculties implementing a mandatory *pro bono* requirement for the law degree. At the time this article was written, 39 law schools in the United States (“US”) required “students to engage in *pro bono* or public service as a condition of graduation.”<sup>72</sup> In Singapore, mandatory *pro bono* had its beginning in the *Report of the Committee to Develop the Singapore Legal Sector*, which was organised to “undertake a comprehensive review of the entire legal services sector, particularly in relation to exportable legal services, to ensure that Singapore remains at the cutting edge as an international provider of legal services both in the short-term as well as in the long-run”.<sup>73</sup> The *2007 Report* made a number of wide-ranging recommendations, including measures to “foster idealism and community bonding amongst lawyers, in particular, through the promotion of [*pro bono*] work”.<sup>74</sup> The *2007 Report* also addressed law schools, suggesting that academics should:

consider volunteering for [*pro bono*] work in conjunction with existing organisations (e.g. Criminal Legal Aid Scheme or Legal Aid Bureau). In this connection,

<sup>69</sup> Olivia Ho, “Bridging Gap with Migrant Workers Week-long Event at NUS Will Bring Locals and Workers Together” *The Straits Times* (31 January 2016), online: The Straits Times <<http://www.straitstimes.com/singapore/bridging-gap-with-migrant-workers>>.

<sup>70</sup> Daryl Yang, *Yale-NUS Hosts Weeklong Series of Events to Raise Awareness on Migrant Workers’ Issues*, online: Yale-NUS, <<https://www.yale-nus.edu.sg/newsroom/12-february-2016-yale-nus-hosts-weeklong-series-of-events-to-raise-awareness-on-migrant-workers-issues/>>.

<sup>71</sup> *Supra* note 45 at 27.

<sup>72</sup> See the *Pro Bono* page under the section of Legal Education and Admissions to the Bar of the American Bar Association Groups, online: American Bar Association <[https://www.americanbar.org/groups/legal\\_education/resources/pro\\_bono.html](https://www.americanbar.org/groups/legal_education/resources/pro_bono.html)>; see also ABA Standing Committee on Pro Bono and Public Service, *New York’s 50-hour Preadmission Pro Bono Rule: Weighing the Potential Pros and Cons*, online: American Bar Association <[https://www.americanbar.org/content/dam/aba/administrative/probono\\_public\\_service/ls\\_pb\\_preadmission\\_pro\\_bono\\_requirement\\_white\\_paper.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/administrative/probono_public_service/ls_pb_preadmission_pro_bono_requirement_white_paper.authcheckdam.pdf)>.

<sup>73</sup> Committee to Develop the Singapore Legal Sector, *Report of the Committee to Develop the Singapore Legal Sector: Final Report*, (Singapore: Committee to Develop the Singapore Legal Sector, September 2007) at para 1.1, online: Ministry of Law <<https://www.mlaw.gov.sg/content/dam/minlaw/corp/assets/documents/linkclিকে1d7.pdf>> [2007 Report].

<sup>74</sup> *Ibid* at para 3.56; and see *ibid* at para 3.58.

a programme headed by academics could be set up for law students to assist Criminal Legal Aid Scheme volunteers. Alternatively, this programme could be an independent legal clinic. This will not only enhance the interaction between academia and the industry, it will also have the added benefit of introducing undergraduates to general and criminal practice and inculcate a sense of duty towards [*pro bono*] work.<sup>75</sup>

Acting on the *2007 Report's* recommendations to foster idealism and community bonding among lawyers, in particular through *pro bono*, Singapore implemented a mandatory *pro bono* requirement for all students applying for the Singapore Bar.<sup>76</sup> The introduction of mandatory *pro bono* in law schools was heralded at the 2012 Opening of the Legal Year. Then-Attorney-General Sundaresh Menon SC noted that access to justice was an important area of collaboration for key stakeholders, including the Ministry of Law, the Law Society and the Attorney-General's Chambers, who had worked together to "enhance and institutionalize *pro bono* efforts".<sup>77</sup> To cultivate commitment to the ideal of service in law students, the Attorney-General noted that a "significant reform" would soon be introduced by the Singapore Institute of Legal Education ("SILE") under the chairmanship of then-Justice V K Rajah—a mandatory *pro bono* programme for students.<sup>78</sup> Then-Chief Justice Chan Sek Keong announced further details. He stated that the SILE had proposed, and the two Singapore law schools agreed, to establish a mandatory *pro bono* requirement for students registered in Singapore LLB programmes.<sup>79</sup> Foreign qualified students would complete *pro bono* in the bar course, and the programme would be funded for the first three years by contributions from SILE and the Singapore Academy of Law.<sup>80</sup> Explaining the need for the programme, the Chief Justice noted that for many lawyers, "pro bono as a social value does not come from nature, but from nurture."<sup>81</sup> Later guidelines indicated that law students who commenced their qualifying law studies as of 2013 were required to perform 20 hours of *pro bono* work, which per SILE could be done any time after their first year.<sup>82</sup>

<sup>75</sup> *Ibid* at para 2.16; and see *ibid* at para 3.5.

<sup>76</sup> See Pro Bono Programme of the SILE, online: Singapore Institute of Legal Education <<http://www.sile.edu.sg/pro-bono-programme>>, where the SILE acknowledged the role of the *2007 Report*:

In the 2007 Report of the Committee to Develop the Singapore Legal Sector, one of the recommendations made by the committee was that measures should be taken to foster idealism and community bonding amongst lawyers, in particular, through the promotion of *pro bono* work. Building on the committee's recommendation, the SILE has initiated a *pro bono* programme for law students from the National University of Singapore (NUS) Faculty of Law and the Singapore Management University (SMU) School of Law ("Pro Bono Programme").

<sup>77</sup> Attorney-General's Chambers, *Opening of the Legal Year 2012: Speech of Attorney-General Sundaresh Menon SC* at para 13, online: Attorney-General's Chambers <[https://www.agc.gov.sg/docs/default-source/speeches/2012/agc\\_press\\_release\\_06-jan-12.pdf?sfvrsn=2](https://www.agc.gov.sg/docs/default-source/speeches/2012/agc_press_release_06-jan-12.pdf?sfvrsn=2)>.

<sup>78</sup> *Ibid* at para 14.

<sup>79</sup> Supreme Court of Singapore, *Response of Chief Justice Chan Sek Keong at the Opening of the Legal Year 2012* at para 8, online: Supreme Court of Singapore <<http://www.supremecourt.gov.sg/news/speeches/response-of-chief-justice-chan-sek-keong-at-the-opening-of-the-legal-year-2012>>.

<sup>80</sup> *Ibid* at para 8.

<sup>81</sup> *Ibid* at para 7.

<sup>82</sup> See Pro Bono Programme of the SILE, online: Singapore Institute of Legal Education <<http://www.sile.edu.sg/pro-bono-programme>>; see also Singapore Institute of Legal Education, *Pro Bono Programme for Law Students Criteria and Guidelines for Approved Pro Bono Work*, online: Singapore Institute of Legal Education <[http://www.sile.edu.sg/pdf/SILE\\_Approved\\_Pro\\_Bono\\_Work-Criteria\\_and\\_Guidelines\\_2014.pdf](http://www.sile.edu.sg/pdf/SILE_Approved_Pro_Bono_Work-Criteria_and_Guidelines_2014.pdf)>.

Implemented to promote lawyer *pro bono*, mandatory student *pro bono* was considered in the context of many relevant stakeholders, a point illustrated by the discussion of *pro bono* in the *Report of the 4<sup>th</sup> Committee on the Supply of Lawyers*. Over the years, this Committee has addressed various issues raised by the supply of lawyers in Singapore, and to date there have been four reports. In the 4<sup>th</sup> report issued in 2013, the Committee noted that there were particular shortfalls in lawyer supply and a need to reduce the attrition of lawyers leaving the profession.<sup>83</sup> While the demand for cross-border legal services and local corporate and commercial law could be met with a slight increase in existing programmes, the need for community law needed other measures.<sup>84</sup> The 4<sup>th</sup> Committee recommended focused measures to address these different shortages, including the previously-used measure of increasing student intake, as well as the new measure of establishing a third law school with a focus on community law,<sup>85</sup> understood in this context to include family and criminal law.<sup>86</sup> The new law school would identify suitable applicants in the admission process,<sup>87</sup> and then train lawyers with genuine interest in practising community law.<sup>88</sup>

In addition to the new law school, the 4<sup>th</sup> *Committee Report* suggested that law schools and law firms modify practices to reduce lawyer attrition, which was the highest for law graduates in their 2<sup>nd</sup> to 5<sup>th</sup> years of practice.<sup>89</sup> Echoing the 2007 *Report*, the 2013 4<sup>th</sup> *Committee Report* noted “long hours”, “lack of social life” and “difficulty in balancing work and family life”<sup>90</sup> under the heading “Unsustainable work practices”.<sup>91</sup> The 4<sup>th</sup> *Committee Report* also considered that law students entering law school in their early years “might not be fully aware of the nature and demands of the legal profession.”<sup>92</sup> The 4<sup>th</sup> *Committee Report* observed that in terms of law firm structure, only a small percentage of lawyers made the partnership cut, which encouraged younger lawyers to leave as well as discouraged law firms from expending resources on training.<sup>93</sup> To address these challenges, the 4<sup>th</sup> *Committee Report* recommended that law schools should target student applicants likely to want to stay in the course and practice,<sup>94</sup> and provide law students with a realistic view of

<sup>83</sup> 4<sup>th</sup> Committee on the Supply of Lawyers, *Report of the 4<sup>th</sup> Committee on the Supply of Lawyers* (Singapore: 4<sup>th</sup> Committee on the Supply of Lawyers, May 2013), online: Ministry of Law <<https://www.mlaw.gov.sg/content/dam/minlaw/corp/News/4th%20Committee%20Report.pdf>> [4<sup>th</sup> *Committee Report*] at para 2.

<sup>84</sup> *Ibid*, Final Report at para 2.

<sup>85</sup> *Ibid*, Final Report at paras 2.21, 3.

<sup>86</sup> *Ibid*, Executive Summary at para 2(b), n 1.

<sup>87</sup> *Ibid*, Final Report at para 2.22.

<sup>88</sup> *Ibid*, Executive Summary at paras 6 and 8, and Final Report at para 2.25; the third law school in Singapore, established within the Singapore University of Social Sciences, commenced classes in January 2017, see Singapore University of Social Sciences, *UniSIM's School of Law to Commence Classes in January 2017*, online: Singapore University of Social Sciences <[http://www.suss.edu.sg/Happenings/Latest-Highlights/Pages/H2016\\_16Feb.aspx](http://www.suss.edu.sg/Happenings/Latest-Highlights/Pages/H2016_16Feb.aspx)> and the introductory page to the third law school, online: Singapore University of Social Sciences <<http://www.suss.edu.sg/about-suss/school/SLAW/Pages/introduction.aspx>>.

<sup>89</sup> *Supra* note 83, Final Report at para 4.8.

<sup>90</sup> *Ibid*, Final Report at para 4.10.

<sup>91</sup> *Ibid*, Final Report at 29.

<sup>92</sup> *Ibid*, Final Report at para 4.11.

<sup>93</sup> *Ibid*, Final Report at para 4.12.

<sup>94</sup> *Ibid*, Final Report at paras 4.14-4.18.

legal practice,<sup>95</sup> via vehicles such as legal clinics, increased practitioner involvement in teaching, structured internships, and *pro bono* activities.<sup>96</sup> Regarding the last, the 4<sup>th</sup> Committee thought that student *pro bono* was a “good way of inculcating an ethos within the legal profession of contributing to society”,<sup>97</sup> and that it “would expose students to the realities of practice in community law” and “equip them with the necessary skills and relationships to do *pro bono* work on a continued basis after graduation.”<sup>98</sup> The 4<sup>th</sup> Committee took a strong position on *pro bono*, suggesting that activities in school be mandatory, even though the third law school would presumably produce more community law practitioners.<sup>99</sup> The 4<sup>th</sup> Committee stated that a mandatory requirement would:

better prepare graduates of the 2 local law schools to discharge their mandatory *pro bono* obligations in practice. It should be kept in mind that the needs in the area of community law cannot and should not rest entirely on the shoulders of the third law school or its graduates. There would still exist a pressing need for graduates of the 2 local law schools to engage in the practice of community law, and *pro bono* obligations serve as an important opportunity for them to do so. Having more legal professionals involved in *pro bono* activities would also help to keep the costs of community law matters reasonable, and it is hoped that this will help to improve access to justice for the average man in the street[.]<sup>100</sup>

The 4<sup>th</sup> *Committee Report* recommended different changes in law firm practices to achieve a better work-life balance,<sup>101</sup> but in terms of *pro bono*, the focus of the 4<sup>th</sup> *Committee Report* was firmly on how law schools could prepare law students to perform lawyer *pro bono* after graduation, by addressing attitudes, networks, and skills.

#### B. Does Student Pro Bono Lead to Lawyer Pro Bono?

Does student *pro bono* stay with students in some fashion, after they make the transition to practising lawyers? Instinctively it seems like the answer should be yes, although empirical studies do not uniformly bear this out.<sup>102</sup> When discussing the NUS Law Innocence Project, Cheah notes Deborah Rhode’s 1999 US research and quotes Rhode on this point: “[f]rom the limited evidence available, the safest generalization seems to be that positive experience with *pro bono* work as a student will at least increase the likelihood of similar work later in life.”<sup>103</sup> Students in this

<sup>95</sup> *Ibid*, Final Report at para 4.19.

<sup>96</sup> *Ibid*, Final Report at paras 4.20-4.34.

<sup>97</sup> *Ibid*, Final Report at para 4.31.

<sup>98</sup> *Ibid*, Final Report at para 4.32.

<sup>99</sup> *Ibid*, Final Report at para 4.34.

<sup>100</sup> *Ibid*, Final Report at para 4.34.

<sup>101</sup> *Ibid*, Final Report at paras 4.35-4.42.

<sup>102</sup> Alperhan Babacan & Hurriyet Babacan, “Enhancing Civic Consciousness through Student Pro Bono in Legal Education” (2017) 22:6 *Teaching in Higher Education* 672 at 676; Cynthia F Adcock, “Beyond Externships and Clinics: Integrating Access to Justice Education into the Curriculum” (2013) 62:4 *J Leg Educ* 566 at 572.

<sup>103</sup> *Supra* note 56 at 1459, n 156, citing Deborah L Rhode, “Cultures of Commitment: Pro Bono for Lawyers and Law Students” (1999) 67 *Fordham L Rev* 2415 at 2435 [Rhode, “Cultures of Commitment”].

research reported that “participation in public service had increased their willingness to participate in the future,” but Rhode also noted that studies had not attempted to compare “the amount of pro bono work done by graduates who were subject to law school requirements and graduates who were not.”<sup>104</sup> In Rhode’s 2005 study, she surveyed students in law degrees with mandatory programmes, voluntary programmes, and no programme at all, and there was no statistically significant correlation between a law school’s program type and early practice *pro bono* hours.<sup>105</sup>

In 2007, Robert Granfield conducted research on the impact of mandatory law school *pro bono* on the careers of lawyers and their *pro bono* work.<sup>106</sup> He compared the *pro bono* performed by groups of lawyers who were subject to mandatory *pro bono* to groups that graduated immediately prior to the requirement.<sup>107</sup> He found that roughly 70 percent of lawyers who participated in mandatory *pro bono* agreed that the experience had taught them something about people who were different from themselves and that they acquired more awareness of the legal needs of the poor,<sup>108</sup> but half did not believe their *pro bono* experiences made them any more committed to doing *pro bono* as a lawyer.<sup>109</sup> When Granfield evaluated reports of *pro bono* done by lawyers, he concluded that participation in mandatory *pro bono* programs “did not lead to a significant increase in pro bono involvement when compared with attorneys from the same schools who were not required to do pro bono.”<sup>110</sup> Granfield observed that:

[m]any respondents in this study reported that their law school pro bono experiences were not well integrated into their overall legal education. Many simply felt that the experience was another requirement to be completed rather than an experience that offered insight into the practice of law, the normative obligations of lawyers, and the realities of human suffering. For the law school pro bono movement to have an impact, the pro bono experiences of law students must be better integrated into the general law school curriculum.<sup>111</sup>

Deborah Schmedemann reached quite different conclusions in 2009 regarding voluntary student *pro bono* at one US law school.<sup>112</sup> She surveyed relatively recent law graduates who had been involved in a voluntary, incentive-based programme.<sup>113</sup> She found that for graduates of that law school, participation in law school *pro bono* during law school was “significantly correlated with pro bono participation in a lawyer’s

<sup>104</sup> Rhode, “Cultures of Commitment”, *ibid* at 2434.

<sup>105</sup> Deborah L Rhode, *Pro Bono in Principle and in Practice: Public Service and the Professions* (Stanford: Stanford University Press, 2005) at 159, 160.

<sup>106</sup> Robert Granfield, “Institutionalizing Public Service in Law School: Results on the Impact of Mandatory Pro Bono Programs” (2007) 54:5 *Buff L Rev* 1355 at 1356.

<sup>107</sup> *Ibid* at 1358.

<sup>108</sup> *Ibid* at 1378.

<sup>109</sup> *Ibid* at 1379.

<sup>110</sup> *Ibid* at 1411.

<sup>111</sup> *Ibid* at 1412.

<sup>112</sup> Deborah A Schmedemann, “Priming for Pro Bono: The Impact of Law School on Pro Bono Participation in Practice” in Robert Granfield & Lynn Mather, eds, *Private Lawyers in the Public Interest: The Evolving Role of Pro Bono in the Legal Profession* (New York: Oxford University Press, 2009) at 73-92.

<sup>113</sup> *Ibid* at 77-79, 81.

current practice.”<sup>114</sup> Her surveys on new lawyers as well as law students suggested that pro-social attitude development that promotes helping those in need, as well as participation in a *pro bono* program, can contribute to a new lawyer’s participation in *pro bono*.<sup>115</sup>

The most recent study on whether participation in law student *pro bono* increases the likelihood of future participation as a lawyer was conducted in 2015 by Paul McKeown at Northumbria University in the United Kingdom.<sup>116</sup> McKeown compared attitudes of fourth year students who had engaged in *pro bono* with students who had yet to engage in *pro bono* activity. He noted that respondents who had done *pro bono* work at law school reported a change in attitude, and they “strongly agreed that pro bono work had increased their awareness of social and economic issues.”<sup>117</sup> However McKeown concluded that students valued engagement in *pro bono* activity principally because it improved their legal skills and enhanced employability,<sup>118</sup> and that while students gained an increased awareness of social and economic issues, this did not translate into a desire to continue *pro bono* work after graduation.<sup>119</sup>

The different results from these studies are not easy to reconcile, but there are consistent suggestions that the characteristics and quality of the programme are important. Granfield’s suggestion, that student *pro bono* must be integrated into the curriculum to be effective, was developed by Alperhan Babacan and Hurriyet Babacan.<sup>120</sup> They compared the Australian and the US experience with student *pro bono* and argued that the absence of structured follow-up results in limited changes in student attitudes to volunteer lawyering.<sup>121</sup> These authors are optimistic though about the possibilities of transformative changes through reflective exercises such as critical reflection and dialogue.<sup>122</sup>

In Singapore the long-term effects of student *pro bono* on lawyer *pro bono* have yet to be studied. A compulsory requirement to do *pro bono* does expose previously uninterested students to the need for community service, who may see a need they did not grasp, and this or another aspect of their experience may constitute a significant learning point. Other students may have a lacklustre experience they will not repeat, and their lack of interest may create a negative impression on beneficiaries. However, in either scenario, mandatory *pro bono* implicitly means that *pro bono* is important enough to comprise a compulsory subject in a tightly-packed curriculum. It may well be, as Cheah has noted in the Singapore context, that “[o]nce the pressures of work set in, lawyers seldom have the resources or incentive to put time aside for non-law firm related work such as pro bono projects.”<sup>123</sup> But even if Deborah Rhode is correct that “[p]ersonal values and the costs and rewards of pro bono involvement

<sup>114</sup> See analysis, *ibid* at 80-82.

<sup>115</sup> *Ibid* at 82-87.

<sup>116</sup> Paul McKeown, “Law Student Attitudes Towards Pro Bono and Voluntary Work: The Experience at Northumbria University” (2015) 22:1 International Journal of Clinical Legal Education 1.

<sup>117</sup> *Ibid* at 27.

<sup>118</sup> *Ibid* at 28.

<sup>119</sup> *Ibid* at 28, 29.

<sup>120</sup> Babacan & Babacan, *supra* note 102.

<sup>121</sup> *Ibid* at 674.

<sup>122</sup> *Ibid* at 684.

<sup>123</sup> *Supra* note 56 at 1459.

in particular workplaces are likely to dwarf the impact of law school policies”,<sup>124</sup> inclusion of *pro bono* in the curriculum has value quite apart from the experience of individual students, and whether a causal connection between student and lawyer *pro bono* can be proven empirically. *Pro bono* engages with morality, and mandatory *pro bono* in legal education is moral leadership.

#### IV. THE FUTURE OF LAW STUDENT *PRO BONO*

Student *pro bono* at NUS Law has helped prepare students for law practice, by helping them acquire practical knowledge and legal skills, and by sensitising them to their ethical obligations through exposure to indigent or vulnerable persons who need their help. This preparation is forward looking to the time when law students will become lawyers. Student *pro bono* however currently contributes to access to justice in Singapore, not only through support for lawyers and organisations serving the community, but also by assisting litigants in person in the courts and by providing legal information for the public. Instead of “*pro bono*”, which primarily evokes images of lawyers and representation in court, the future of student *pro bono* may lie in a shift to the broader concept of access to justice. The phrase “*pro bono*” is firmly imbedded in Singapore, for example in the Law Society Pro Bono Services Office and PBG, and is not likely to change because these organisations are well-established and effective. The goal though is access to justice, not *pro bono*. Access to justice also better articulates what law students are currently accomplishing, not just what they will do in the future.

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<sup>124</sup> *Supra* note 105 at 160.



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