



## LAWYERS OF THE FUTURE: CREATING ASPIRATIONS, FORGING CONNECTIONS AND FACILITATING PROFESSIONAL LINKS IN RURAL AND REGIONAL CONTEXTS

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*In recent years, the Australian legal profession, government policymakers and the nation's law schools have evinced concern about the future of legal practice beyond metropolitan areas. The issues and suggested responses have been debated in various fora amongst the stakeholders. This paper explores the way in which one regional law school<sup>1</sup> with a distinctive approach to legal education has responded to these issues from an educational and pastoral perspective. Newcastle Law School established its Lawyers of the Future program in 2009. Lawyers of the Future is a multi-faceted initiative, which promotes professional partnerships with the secondary education sector through the Schools' Visit program, and partnerships with rural and regional professionals through active connections in those areas. The third phase of the Lawyers of the Future program will be the development of rural and regional legal placement sites for senior law students enrolled in Newcastle's Professional program.*

*Whilst the Lawyers of the Future program has three distinctive and interrelated elements and objectives, it is the placement program that provides the lynchpin. Such a placement program, which is innovative in itself, has a greater educational purpose: the experience of practice in rural and regional areas, together with the process of subsequent engaged and critical reflection, will contribute meaningfully to the development of students' professional personae in ways which will support an ethos of professional service beyond the narrow confines of practice in the metropolis for the legal conglomerates.*

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*This year, the number of Government funded student places in regional universities is estimated to be 76,500, up from 62,600 in 2007. These are huge transformational reforms that are making life-changing opportunities available to more Australians than ever before... We know that many who are now getting the opportunity to access higher education have previously been denied. The barriers to their entering university were varied and included reasons of location – largely in rural and remote areas; low socio-economic status and poor schooling experiences. What we do know is that we will have to put greater emphasis on transitional support for some of these students to focus on teaching and learning and make sure we are rewarding completions not commencements. We can grow our access and equity without losing a strong focus on excellence.*

Hon Chris Evans<sup>2</sup>

### Introduction

There is an old Australian saying that if you come from the outback you come from where the crows fly backwards - the backblocks. In the last decade, both the government and private sectors have been called upon to consider the interests, needs and aspirations of rural and remote Australia and its communities.

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<sup>1</sup> Newcastle Law School is Australia's leading clinical law school. It brings the benefits of live client experience and professional practice to its students at every stage in the curriculum. The University of Newcastle Legal Centre is the symbolic and practical heart of the law program.

<sup>2</sup> The Hon Chris Evans, Minister for Tertiary Education, Skills, Science and Research, (Speech to the Universities Australia Higher Education Conference 2012, Hotel Realm, Canberra, ACT, 7 March 2012).



This call is no less urgent for the country's educators. Australian legal educators and law schools have been drawn into the fray by a combination of general public policy discussions and the powerful stimulus of the recent Bradley Review into higher education,<sup>3</sup> with its ambitious targets for increased participation in tertiary education. More recently, the clear interest of the Law Council of Australia in supporting the future of legal practice 'in the bush'<sup>4</sup> has provided law schools with a more keenly-honed focus for their approaches to the topic.

Engaging sensitively and creatively with the educational and professional interests of rural communities requires a particular cultural stance, as well as recognition that 'rural places are fundamentally different [from] urban places in a number of ways that have implications for law's content, application and enforcement'.<sup>5</sup> However, there are significant social drivers which influence law students, including those from rural backgrounds, to aspire to a professional career in a metropolis. These include: saturation career marketing by metropolitan-based and, increasingly, transglobal law firms; the location of a majority of law schools in capital cities; and the presence of a majority of practical legal training (PLT) facilities in capital cities. Rural and regional students, especially the first in a family cohort, will always face challenges of maintaining financial security during their studies and, for those who have completed their secondary education in country schools, there is the added challenge of differential ATAR<sup>6</sup> scores for university entry. Also, there is evidence of some entrenched negative perspectives on the capacity of rural students to succeed in higher education.<sup>7</sup>

In terms of cultural awareness, those who would seek to contribute to the national conversation, addressing the interests of rural, remote and regional Australia, need to embrace the challenge as an 'adventure of mind, body and spirit'.<sup>8</sup> From theoretical educational perspectives, the cultural stance is influenced strongly by the fruits of the 'humanising legal education movement'<sup>9</sup> and the core implications of Van Gennep's and Turner's research on liminality.<sup>10</sup> In this spirit, staff at Newcastle Law School devised the Lawyers of the Future program in 2009, and have overseen its development from a core of Schools' Visits and transition support for first year students to a multi-faceted initiative which embraces community engagement, professional networks and rural placements in legal practice for senior law students.

## The contexts: Geographical, educational and cultural

Initiatives, such as Lawyers of the Future, must respond to and operate within multiple contexts. Three important contexts, geographical, educational and cultural, have particular impacts on the crafting, implementation and success of ideas and university programs.

Whilst a majority of Australians still live in metropolitan and coastal locations,<sup>11</sup> the economy, civil society, history and culture more broadly owe a great deal to 'the bush'. One famous former Executive

<sup>3</sup> Denise Bradley, Peter Noonan, Helen Nugent and Bill Scales, 'Review of Australian Higher Education: Final Report', (DEEWR, December 2008) ('Bradley Review').

<sup>4</sup> Law Council of Australia and the Law Institute of Victoria, 'Report into the Rural, Regional and Remote Areas Lawyers Survey' (July 2009) found that 43% of principals of country firms surveyed indicated that their practice currently did not have enough lawyers to service their client base and they are worried about the future of the profession in the regions. Further, 42% of the legal practitioners who responded to the survey do not intend to practise law in five years time. The Law Council has found that skilled practitioners will need to be found to fill future gaps or many legal businesses will struggle for want of successors.

<sup>5</sup> Lisa Pruitt, 'The Legal Relevance of Rurality' (Paper presented at National Rural Regional Law Justice Conference, Department of Law Deakin University Australia, 20 November 2010) 10.

<sup>6</sup> Australian Tertiary Admission Rank (ATAR).

<sup>7</sup> For example, a careers advisor at a school situated in the Central West of NSW refused an invitation to participate in the Schools' visit program on the grounds that, 'the students at the school were not bright enough to study law'. In our experience, this is not a majority viewpoint in rural schools, but it is likely to have a major impact on students' and parents' aspirations for life after school where such an attitude exists.

<sup>8</sup> Jill Ker Conway, *The Road to Coorain* (Vintage B books, 1989). Growing up in outback NSW, Jill Ker Conway's long and painful road to independence, her growing cultural and political awareness at university brought her to a new understanding of herself and her place in the world. This book is a wonderful recollection of adventures in body, mind and spirit from an author who understands the context of a rural, regional and remote childhood and transitioning to university.

<sup>9</sup> L S Krieger, 'Human Nature as a New Guiding Philosophy for Legal Education and the Profession' (2007-8) 47 *Washington Law Journal* 247.

<sup>10</sup> A Van Gennep, *Rites of Passage* (University of Chicago Press, 1960); M Deflem, 'Ritual, Anti-Structure and Religion: A Discussion of Victor Turner's Processual Symbolic Analysis' (1991) 30 *Journal for the Scientific Study of Religion* 1.

<sup>11</sup> As at June 2011, 69% of the population resided in Australia's major cities. In comparison, just 2.3% lived in remote or very remote Australia. Major cities were the fastest-growing RAs in Australia, up 17% in the ten years to June 2011.



Director of the National Farmers' Federation, the late Nick Farley,<sup>12</sup> favoured the expression: 'the cappuccino line', which he identified as that line along the Great Dividing Range which split the west from the eastern seaboard. His point was a simple but profound one: in his view, policy makers regularly dismissed or forgot the needs of individuals and communities beyond the 'cappuccino line'. The expression also has social importance as it hints at the potential for the core expectations and aspirations of rural and remote communities to differ significantly from those of metropolitan communities.<sup>13</sup> In very many ways, Australians in rural, remote and regional areas live within liminal spaces.

From its origin in anthropology,<sup>14</sup> liminality, as a concept, has been appropriated and adapted to explain diverse social phenomena. From its association with anthropological ritual, it has been extended to encompass broader analyses of cultural and political change.<sup>15</sup> In our use of 'liminality' within a discussion of higher education and students from rural and regional backgrounds, the intention is to highlight both the uncertainty faced by students contemplating moving from the 'known' social and educational norms of secondary education within a familiar geographical domain, and the necessary malleability of the 'threshold' space in which the students endeavour to establish a battery of new educational customs. Universities during the 20<sup>th</sup> century traditionally adopted an indifferent stance to the 'culturally challenged'. This 'sink or swim' mentality espoused in the era before massification - and to some extent after it - did not engage with the acute transition needs of rural and regional cohorts.

### Educational context

In 2008, Professor Denise Bradley conducted a review into higher education in Australia.<sup>16</sup> The review highlighted serious equity issues in tertiary education and recommended steep increases in the diversity of representation and numbers of undergraduates by 2020. This provides a second important and dynamic context within which university initiatives operate. In order to increase participation, universities must reach back and be involved in the process of creating aspiration in school pupils, their families and their communities. The Schools' visit dimension of the Lawyers of the Future program addresses this goal directly. It has long been recognised that 'access without support is not opportunity,<sup>17</sup> and so the second dimension of the Lawyers of the Future program is hands-on, just-in-time,<sup>18</sup> individual transition support through the pre-Law program. This approach is supported by the rites of passage research<sup>19</sup> in which support through the experience of cultural liminality, in this case the experience of choosing and engaging in university study, assists subsequent cultural reintegration.

### Cultural context

The third seminal context to which rural initiatives must respond is the cultural context - in its broadest sense. This is more amorphous than the geographical and educational contexts and intersects directly with them. One of the points of departure in developing the Lawyers of the Future program was institutional data, which revealed that the proportion of rural students enrolled in law programs at Newcastle had remained static at about 14 per cent of intake for the last five years. More significantly, the number of law students from remote locations, as defined by Australian Service Excellence Standards (ASES), was negligible and much under one per cent of intake for the same period. In a speech in March 2009, the then Minister for Education emphasised the role of the university sector in reaching back to students in secondary education to provide support for increasing participation and success in order to achieve this

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The remaining RAs grew slower than Australia as a whole (15%), with remote areas growing at the slowest rate (3.8%). <http://www.abs.gov.au/ausstats/abs@.nsf/Products/3218.0-2011>.

<sup>12</sup> Australian Museum of History, 'A Way Through: A Forum for Rick Farley' *Audio on Demand Transcript*, 23 August 2012 (Susan Boden, Penny Spoelder, John Kerin, Mick Dodson, Phillip Toyne, Nicholas Brown and Alex Sloan) <[http://www.nma.gov.au/audio/transcripts/NMA\\_Rick\\_Farley\\_20120823.html](http://www.nma.gov.au/audio/transcripts/NMA_Rick_Farley_20120823.html)>.

<sup>13</sup> 'We even do cappuccinos for the "urban cowboys"'. Quoted from Rar Out Adventures, 'Sample Itineraries Northern Territory', <<http://www.farout.com.au/tours.htm>>

<sup>14</sup> B Thomassen 'The Uses and Meanings of Liminality' (2009) 2(1) *International Political Anthropology* 5.

<sup>15</sup> See *ibid*.

<sup>16</sup> Bradley Review, above n 3.

<sup>17</sup> Vincent Tinto, 'Access Without Support is Not Opportunity' (Keynote address delivered at Council of Independent Colleges, Syracuse University, 2008). <http://faculty.soe.syr.edu/vtinto/Files/Council%20of%20Independent%20Colleges%202008%20Keynote.pdf>

<sup>18</sup> K Wilson 'Success in First Year: The Impact of Institutional, Programmatic and Personal Interventions on an Effective and Sustainable First-Year Student Experience' (Keynote address at the FYHE Conference, Townsville, 2009) <[http://www.griffith.edu.au/\\_\\_data/assets/pdf\\_file/0007/409084/FYHE-2009-Keynote-Keithia-Wilson.pdf](http://www.griffith.edu.au/__data/assets/pdf_file/0007/409084/FYHE-2009-Keynote-Keithia-Wilson.pdf)>.

<sup>19</sup> Van Gennep, above n 10.

national priority.<sup>20</sup> The most recent evidence from government is that this kind of activity remains a national priority, together with transition support for new categories of students.<sup>21</sup>

In responding to the cultural context of young people and their families situated in rural, remote and regional locations, initiatives must address issues of cultural capital.<sup>22</sup> The historical pattern of lower participation of students from rural areas reflects the patterns of engagement of their families and communities more generally.<sup>23</sup> What is required to boost social and cultural capital is a process of meeting families where they are, providing information and support, and closing the loop for students by offering modes of professional engagement which are inclusive of the rural experience. These three dimensions are embodied in the Lawyers of the Future program.

## Lawyers of the Future program: One law school's response to low rural participation

The first year teaching team at Newcastle Law School have modelled holistic<sup>24</sup> approaches to legal education and drawn on the fruits of the humanising legal education movement in the first year curriculum for over a decade. The next phase in curriculum development at Newcastle has focussed on understanding the needs of diverse cohorts of students more intimately. Attention to the content of the informal curriculum for first year students, listening to the reflective voices of first year students<sup>25</sup> and engaging with senior law students<sup>26</sup> have provided the key stimulus for 'reaching back' beyond traditional transitioning points (eg orientation) into the liminal spaces of students' communities, families and educational backgrounds. This has resulted in a strategic program with three major parts: (i) the Schools' Visit program, (ii) Pre-Law program, and (iii) "Law in the Bush" placement process.

### (i) The Schools' Visit program: into liminal space

The initial spearhead into the 'liminal' rural educational space was the introduction of a specially-crafted Schools' visit program. The core aim of this program is to connect directly with students in rural and regional areas who may never have considered law school as a post-school option. This initial connection is designed as the foundation of the 'creating aspiration' objective of the Lawyers of the Future program. The project team, consisting of academic staff responsible for the school's transition pedagogy strategies, contact relevant staff in rural and remote schools, prepare support materials and plan a program of visits to particular regions. The inaugural schools visit program in 2009 to Dubbo, Mudgee and Orange in rural New South Wales involved the project team, an Indigenous law academic and selected senior Law School mentors<sup>27</sup> in presenting a showcase about the Australian legal system and the importance of legally-trained professionals from diverse backgrounds for students' communities and the nation as a whole. The student mentors were specifically chosen to reflect backgrounds similar to those of the high school students in the target locations. Focus groups of existing students from rural and remote backgrounds conducted in September 2009 provided individual perspectives from the students themselves, which informed the development of support materials for students and parents, and the activities of the program more generally. The Schools' Visit program was not in any way conceived as a traditional (nor as a non-

<sup>20</sup> J Gillard, (Speech to the Universities Australia Conference, 4 March 2009)

<<http://ministers.deewr.gov.au/gillard/universities-australia-conference-4-march-2009-speech>>.

<sup>21</sup> C Evans Speech to the Universities Australia Higher Education Conference 2012 <http://minister.innovation.gov.au/chrisevans/Speeches/Pages/AddressstoUniversitiesAustraliaHigherEducationConference2012.aspx>.

<sup>22</sup> P Bourdieu, 'The Forms of Capital' in J G Richardson (ed), *Handbook for Theory and Research for the Sociology of Education* (Greenwood Publishing, 1986), 241; P Bourdieu and J C Passeron, 'Cultural Reproduction and Social Reproduction' in Richard K. Brown (ed), *Knowledge, Education and Cultural Change* (Tavistock, 1990).

<sup>23</sup> For example, for 8-9 year old girls in major cities, 78% of parents expect their daughters to obtain a university-level qualification (67% degree level, 11% postgraduate level). In outer regional areas, 59% of parents expect their daughter to complete a university-level qualification (56% degree level, 3% post-graduate level): Jennifer Baxter, Matthew Grey and Alan Hayes, *Families in Regional, Rural and Remote Australia* (Australian Institute of Family Studies, 2011), 5.

<sup>24</sup> See above n 3.

<sup>25</sup> This is achieved by close attention to the reflective journal submissions of first year students, especially the reflection exercise, 'On becoming a law student'.

<sup>26</sup> This has been possible through the establishment of the Law Student Mentoring program. Senior students are selected and trained in-house by the first year teaching team to provide appropriate and timely support to new students in transition. The significant experiences of our law student mentors, many of whom are first in family to attend university and also have come to the university from rural and remote locations, have galvanised the first year teaching team to enrich the formal and informal curriculum further.

<sup>27</sup> Newcastle Law School 45 trained student mentors in 2009 and 70 in 2010.



traditional) marketing exercise. It was fundamentally an extension of the existing transition pedagogy at Newcastle Law School. In 2010, the second Schools' Visit program targeted the northern coast region of NSW, encompassing visits to schools in Wingham, Taree and Kempsey. The Schools' visit team was assisted again by student mentors trained for this role. The local and broader significance of the initiative was brought home to the Newcastle team when journalists from the *Manning River Times* requested an interview about the Lawyers of the Future program. The article, which subsequently appeared in the newspaper, reinforced and validated the core objectives of the law school's efforts.<sup>28</sup>

The key continuing features of the Schools' visit program include:

- Engaging with pupils in Years 7 to 10 and inspiring them (or at least informing them) about the possibility of pursuing a law degree;
- Showcasing the range of careers available to law graduates, both traditional and non-traditional, and emphasising the real possibility of rural students achieving success in these careers. This is achieved by interactive sessions between school students and trained senior law student mentors;
- The provision of information for parents and career advisors about the multitude of issues which arise for families considering tertiary education for the first time;
- Selection of law student mentors from the pool of students from rural, remote and regional backgrounds;
- Providing practical information to students, parents and career advisors about the requirements of studying law as well as providing students with e-buddies and support mechanisms before and after they leave their local communities.

The Schools Visit program builds aspiration in relation to tertiary education and a professional degree amongst young people who have not previously had the encouragement, information, or support to consider attending university. The program has experienced strong support from the school sector. The immediate success of the Schools' visit program can be traced directly to the involvement of the law student mentors. The mentors devise quizzes and activities to engage the school students from years 9 to 12. This strategy breaks down barriers between the pupils and the team because it stimulates conversations amongst the parties. Importantly, this process demystifies the perceived aura of the 'brainy law student'. Participation by school pupils in the activities reminds them that law students are just like them, from the same sort of backgrounds and with the same types of dreams. Our belief in the pupils gives them the confidence to ask questions and consider the possibility of tertiary study.

For example, two lively and bright boys from Mudgee enthusiastically questioned our young role models. They were delighted when our students came to their school. Some of the delight came from the fact that we thought and believed that they could do law at university. On another trip, a young girl in Kempsey walked forward at the end to discuss the possibility of studying law and asked whether we would remember her if she came to law school. These two examples illustrate the important role we play in the lives and choices of these young people. We cannot make the choice for them, but as educators we can support them in practical ways.

An early observation during the establishment of the Schools' Visit program was the critical importance of support from school staff. In most instances, the proposal to visit schools was met with enthusiasm and support at all levels. However, it must be admitted that responses differed at targeted schools. One egregious example from a central west of NSW school was the view given for declining participation in the Schools Visit program, 'the students at [X school] were not bright enough to study law'.

A much more representative response to the Schools' visit program can be the following comment:

Thank you all for the brilliant program you brought to our schools and the opportunity to make contact within your law school. Such contacts make a big difference for our students to clarify thought and opportunities for the future ... it was also pleasant to have the opportunity to dine with you and make contact with the local solicitors as well ... and my fellow careers advisors really thought the whole thing was excellent and has brought law back into our discussions with students.

The attitudes of school teachers are important, but parental attitudes towards tertiary study are crucial. Parents' expectations for their children's future education provide interesting insights into their possible educational outcomes. Parents in major cities have relatively high expectations for their children's future

<sup>28</sup> 'Valuable insight into legal life' *Manning River Times* (26 October 2010), 5.



education levels, when compared to parents in less accessible regions. We address some of those parental concerns by providing them with written material that provides answers to possible questions and contacts for future reference. For example, parents are concerned whether law school is collectively for them? How much does it cost to come to law school? What support is there for the students and what about accommodation? Alleviating parental anxiety and creating aspiration in them that their child may attend university is an important dimension of the program.

### (ii) The Pre-Law program: Creating rites of passage for rural students in transition

Coming to university represents a major transition in the life of any student. The recognition of the significance of such events has spawned decades of research and practice in higher education on the first year experience and transition pedagogy.<sup>29</sup> The results of this research make a compelling case for appropriate mechanisms of support for transitioning students and key sub-cohorts. There is now much evidence of the success of support programs for ATSI students, international students, students from NESB backgrounds, first in family students, students from low-SES backgrounds, mature age students and students with disabilities.<sup>30</sup> The premise of the Pre-Law element of the Lawyers of the Future program is that the transition can be particularly acute for students from rural, remote and regional areas, precisely because their life experience encompasses more than one of the categories identified as vulnerable.

Since 2010, in the week before the academic year commences, the Newcastle Law School has offered a responsive and innovative two day Pre-Law program targeting students from rural, regional and remote backgrounds.<sup>31</sup> Over the two days of the program, the focus is on general transition support, social networking and legal and academic skills acquisition. The experience of offering the pre-Law program has demonstrated that first year law students from a rural, remote or regional background thrive when given individual and targeted support. Such support contributes meaningfully to the acquisition of additional cultural capital for their future professional lives.

The Pre-Law program captures students' imaginations, stimulating them to envisage a range of future professional possibilities in ways which give their future legal careers some sort of tangibility. Trained and talented mentors from rural, remote and regional backgrounds, including students from Dubbo, Bourke and Coonabarabran, are integrally involved in the delivery of the pre-Law program. As with the Schools' Visits program, the choice of mentors with the appropriate backgrounds to understand the needs of students from rural and remote regions is critical. The first year law student can credibly regard his/her mentor as 'just like me'.

For Pre-Law week, mentors and staff organise social events, skills sessions, excursions to the University of Newcastle Legal Centre, the very successful Law on the Beach program and the Newcastle Courts. Mentoring in this way improves the transitioning experience of targeted students by providing them with a unique opportunity to make friends and ask lots of questions within a safe environment, to understand the significance of the clinical legal education provided by the Legal Centre, and to begin to develop the skills necessary to successfully navigate a new social and academic culture.

Law school alumni attend Pre-Law social events and engage with the new law students. This kind of social networking provides students with insight into the transition to legal practice and alumni career experience. All alumni are from rural, remote and regional backgrounds, which provide a key point of connection between alumni and commencing students.

The response to the pre-Law program has been almost universally positive. One of the dimensions of quality assurance involved is the collection of student feedback annually. The feedback from one of our pre-Law participants is indicative of students' general comments since 2010:

<sup>29</sup> In the United States, towering figures such as Vincent Tinto and George Kuh are associated with this movement. Further, the National Resource Center for the First Year Experience in South Carolina continues to support the moment for excellence in research and practice (<http://www.sc.edu/fye/>). In Australia, QUT and the work of Prof Sally Kift on transition pedagogy (<http://fyhe.com.au/transition-pedagogy/>), Prof Karen Nelson ([www.fye.qut.edu.au/](http://www.fye.qut.edu.au/)) and the FYHE team (<http://fyhe.com.au/>) have spearheaded and systematically supported key developments in our region.

<sup>30</sup> A brief perusal of the past papers of the previous First Year in Higher Education conferences alone provides abundant evidence to support this assertion. (<http://fyhe.com.au/conference/past-papers/>)

<sup>31</sup> Invitations to the program are also offered to International law students, ATSI law students and mature age graduate entry students.



A short email to thank you both for organising a wonderful two days thiweek. It was highly beneficial to me as new student and as a result I am feeling far less nervous (read: terrified) regarding study and meeting others undertaking the same degree.

The Newcastle Pre-Law program provide a means of acculturation for students from rural and remote geographical areas, and assists in building a sense of professionalism consonant with their re-engagement with their home communities. It is a positive, constructive and timely program that aims to create 'lawyers of (and for) the future', to address the shortage of lawyers in rural areas and consequently promotes access to justice for rural communities.

### (iii) Forging professional connections for 'Law in the Bush': Towards reintegration for rural law students

The next logical phase of a commitment to 'humanised' 21<sup>st</sup> century legal education is engaging with the 'reintegration' of law graduates from rural, remote and regional locations within the range of professional legal contexts, and this means not just metropolitan or suburban practice but rural legal practice too. This is an extension of the Newcastle Law School's long-held commitment to equal access to justice and a further development in our students' understanding of professionalism and the ethic of service which is at its heart.<sup>32</sup>

The creation and implementation of a new placement program for law students in rural and remote areas of NSW cannot be the result of unilateral imposition, but must be the consequence of an equal and productive collaboration between colleagues in the practising profession,<sup>33</sup> our school alumni and the law school itself. We need our professional colleagues and alumni as a touchstone for the reality of practice and life in rural areas. We need the fruit of our experience to inform and enrich our pedagogical efforts. Universities do not sit apart from the communities in which they live. We need to be knitted into the fabric of the lives of our neighbours.

We have already commenced conversations with key individuals, including our alumni, many of whom have provided us with exceptional data upon which to base an acculturation process for students intending to undertake rural placement. For our part in the law school, we are keen to work actively with the legal profession, to provide appropriate developmental advice for the firms which are interested in becoming placement sites. We envisage that a 'Law in the Bush' placement would take place over the summer break, or the between semesters winter break, and we are delighted at the existing support we have received from Doug McKay in Warren, and firms in Dubbo, Kempsey and Taree. These will form the nucleus of our 'law in the Bush' Network. In support of our initiative, Doug McKay has stated:

Up to now we have been trying to 'push the donkey' by expecting young urban people to move to a rural environment which is anathema to their required lifestyle. Instead of trying to move someone out of their inner city (or even comfortable suburban) environment perhaps we should be recruiting our next generation of RRR lawyers out at the Deniliquin Ute Muster or the Tamworth Music Festival (I am only half joking) ... reminding them that the mixture of a professional career and their familiar country lifestyle can be a first choice for a quality life ... Country practice must be better presented as a stimulating and rewarding professional career choice rather than being the poor country cousin to being among the 'smart suits' [in Sydney].

The important conversation began over dinner in Dubbo, Mudgee, Taree and Wingham in 2009 and 2010. The conversation includes not only the local practitioners but also the career advisors from the local high schools. Increasingly, the voices of our alumni are heard, as they share their own experiences of professional life far from the city centres.<sup>34</sup> The involvement of these school contacts allowed for greater networking and provided a broader perspective of what is needed to motivate and inspire future lawyers from regional Australia. Diary entries from our student mentors concluded that, 'interaction between the local legal profession and the careers advisor on a social basis encouraged the career advisor to throw his/her support behind us at their school'.

<sup>32</sup> <http://www.newcastle.edu.au/school/law/unlc/professional-program.html>.

<sup>33</sup> This issue is particularly acute for those in private practice as is evidenced by the data collected in 2009 by the Law Council of Australia. That study found that at that time throughout Australia 43% of principals of law firms (managing directors) did not have sufficient lawyers to service the legal needs of their client base; that 36% of the respondents did not intend to be practising beyond the next five years. The study also found that the demand for professional services to rural Australia is generally greater than supply; and the supply of legal practitioners supplying legal aid services was also declining. Thus is resulting in a constrained ability to provide justice services to these communities

<sup>34</sup> See Appendix.

The opportunities for rural, remote and regional students to work in their home communities whilst they complete their practical legal education placement provide a sound and strategic effort at addressing 'reintegration' issues for law graduates. This is the subject of our continuing research for 2013 and beyond.

## Conclusion

This paper has described the development and implementation of a key recent initiative to support the participation and success of law students from rural, remote and regional backgrounds. The initiative was conceived as a response to educational and professional issues on the national agenda. It has been developed within the theoretical framework of the humanising legal education movement and with a critical eye to the work of Bourdieu and others on cultural capital. Its tripartite structure is designed to follow the stages of social rites of passage, of which higher education in a post-industrial economy has become fundamental.

Lawyers of the Future is still a work-in-progress and further strategic developments and assessments of its efficacy must be undertaken. Early indicators, as discussed above, would appear to suggest that the Schools' Visit program and the Pre-Law program are both meeting core needs of the constituent base in creating aspiration and affording timely, relevant and targeted support for students from rural, remote and regional locations in NSW.

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## Appendix

Submission by LLB Dip Leg Prac graduate practising in Dubbo NSW

### Background:

I am from the rural city of Dubbo, I was born here and I grew up here until I moved to Newcastle to attend the University Of Newcastle ('UON') in 2006. My parents are small business owners in Dubbo and I have a strong family and friends connection to the area. However, I always believed that after graduating University I would move to a metropolitan area, such as Sydney or Melbourne, to live and work.

I graduated high school in 2005 and went straight to University the following year. Newcastle was my University of choice and at the time I thought I wanted to work in Public Relations, so I enrolled in B Communications. After my first year of University I turned my mind to the Law as I formed the view that, as the PR industry is so competitive, having a law degree on my side might assist me in gaining employment and in working my way up the ladder of large scale commercial campaigning and the like.

It was not until I applied for and was accepted into UON's Option B Law Program, which was in year four (4) of my studies, that I began considering the option of practising law. I can confidently say that I am practising law today largely because of my participation in that program. Option B was an invaluable learning tool, one that I believe should be adopted by Universities offering BLaws, across the board. The advantage of UON law school, and the option B program, is the UON Legal Centre. Here, I spent many a days and hours, learning the practical techniques and actually experiencing what life in a law firm is all about. This practical experience was second to none and provided me with exposure to a range of legal issues and to a range of clientele that ultimately inspired me to make the move back to the 'bush' to practice.

Option B requires students to obtain 'clerkship' experience with firms or government bodies practicing law. I returned home to Dubbo and approached what I believe to be one of the most respected and well established firms in the area, about the prospect of obtaining a quasi-summer clerkship, or more commonly labelled, work experience. This firm was Booth Brown Samuels & Olney Solicitors, who are consequently my current employer.

I was able to take to this work experience the skills I had acquired through law school, and largely through my time at the Legal Centre. At the conclusion of my work experience I was asked by the partners to keep the firm in mind should I decide to move back to the country, an opportunity that was too good to pass up. Thus, my journey into rural practice began.





### **Transition into practice:**

My transition into private practice in Dubbo has, overall, been a positive experience.

A key advantage of working in a rural area, and something that is perhaps not said enough is the capacity to work in a multitude of areas. Already (only being 14 months post-grad) I have worked on a vast array of cases and have appeared frequently in Local, District and Federal Magistrate's Court's and worked on matters relating to criminal law, civil disputes, debt recovery, family law (both children and property), local government matters, leasing and conveyancing, wills & estates, the list goes on. I can recall on about my third week into full time practice there was a small crises in the office surrounding a matter being in Court that morning, with no solicitor available to appear. Thus, I hesitantly made my first official court appearance. From then on I have been 'on my feet' before a Magistrate/Judge/Registrar, on a weekly basis. This experience has been instrumental to my development as a legal practitioner as it has accelerated my knowledge, preparedness, resilience and experience levels tenfold.

It is about learning on your feet but at the same time you have access to a wealth of knowledge and advice from senior colleagues who have practicing experience of many, many years. In my view, with the way the modern world currently is where technology and the ease of access to information runs freely, we are in no way disadvantaged from our city counterparts when it comes to aspects of exposure to an array of matter types or to the quality of research available. I have experienced an enormous amount of exposure to many avenues the law has to offer. This has allowed me to make an informed decision as to where I would like my career to go, which is exciting.

I am grateful to my employer for giving me the opportunities to learn in such an environment and for allowing me to 'dabble' in many areas until I find my niche; all of which is possible, if not the norm, of working in a smaller, rural firm.

### **Room to move:**

Even as inexperienced as I am in practicing as a lawyer, it is not difficult to see the huge potential for growth in rural law. By simply attending a Local Court list day in Dubbo or Gilgandra or Narromine it is startlingly obvious how stretched resources are out here. Legal Aid and the Aboriginal Legal Service solicitors do a fantastic job however it is understandable that many move on after a short stint in the country or change professions altogether, demand is clearly exceeding supply.

Private practice in many rural areas is also heavily loaded with senior partners and associates, thus the space is there for us 'baby lawyers' to come in and gain the invaluable experience from the partners and senior associates. The opportunities to move up within the same environment are also well within reach. For this reason, the country needs to be advocated as such a great starting point. The opportunities out here to 'find your feet' and work on some great cases, in an array of areas, are limitless. Once you have some quality experience under your belt lawyers can then choose whether to aim to continue to work in the country and make partner in X amount of years or, take advantage of the need for Counsel, go to the Bar and then work primarily out West, or, take the experience and 'grounding' they have gained from their time in small rural firms and use it to find employment in more metropolitan areas. The opportunities are endless.

There is an inherent need for young lawyers to work in the country to, in a very basic sense, keep the profession alive.

The wealth of experience is the most advantageous aspect of rural practice to me, professionally. However, the opportunities of same on a personal level are also staggering. A good starting salary is achievable, and there is certainly room to move up the more you learn and the harder you work. Your work is easily noticeable because of the firm's size (often you are working directly under the partners for example). The cost of living is so much lower than in urban areas, and the work hours are great and allow you to still hold down an active social and 'after work' life. This has allowed me to work hard and to see the rewards. On a personal level I have been able to purchase a home within 12 months of full time practice. This is something that, should I have chosen the path of city living, I probably would not get to for many years, if not decades. The opportunities of working in rural practice are out there and waiting to be snatched up, we need to encourage others to use them.

### **Ideas/initiatives:**

Everything that the Newcastle Law School, RRR program is doing!



I think it is a great initiative to promote, especially with post-grad's taking jobs in the country and ask them to assist in the continued promotion of the program. Sending them to local schools to provide advice and to encourage rural practice is a great idea for laying the foundations.

Perhaps bringing on board local firms and encouraging them to assist in the programs by offering 'clerkships' or work experience places, this can then be advertised to 4th and 5th year law students. I would imagine this to be a far less rigorous 'application' process than those clerkships offered by our city counterpart firms, however the more informal approach that offers real hands-on experience will appeal to many students. It may also assist in encouraging students to 'think outside the box' as to where they see their future employment.

Opening the lines of communication (for the post grads/alumni willing to participate); provide students with the email and/or phone number of the alumni member so that if students have a question or want to know something about rural practice, or local firms etc., they have a direct access point to do so.

Promote, promote, promote! Make clear the advantages of rural practice so that students can make more informed decisions as to what type of experience they would prefer as 'baby lawyers' and the reasons WHY rural practice is such a great starting off point.

