



The Law Society
of New South Wales

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Mr Alan Kirkland
Chief Executive Officer
Legal Aid New South Wales
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Dear Mr Kirkland

Interim Evaluation of the Regional Solicitor Program

Thank you for giving the Law Society of New South Wales the opportunity to comment on the recommendations contained in the interim evaluation report of the Regional Solicitor Program (RSP) and on the program generally. The Law Society is committed to improving access to legal services in rural, regional and remote locations and to encouraging young solicitors to spend a period of time working outside metropolitan areas. The Law Society agrees that RSP is an important initiative to aid in the implementation of these priorities.

Given the Law Society's involvement in the consultation phase of the development and implementation of the RSP, it is pleasing to note the conclusions of the interim evaluation. It concludes that the overall finding of the cost benefit evaluation is that for a relatively modest cost, participating firms appear to be meeting the program's priorities and that the program is having a positive impact on both participating firms and in the delivery of legal services to disadvantaged people in rural and remote locations¹.

While the interim evaluation report concludes that overall, the program has been effective in meeting its aims, it has also identified challenges experienced by participants in the program. The two key issues identified are:

- overcoming recruitment difficulties; and
- dealing with tensions between the Program's target group and the ideal level of experience to undertake Legal Aid work



¹ Urbis, Evaluation of the Regional Solicitor Program at 17

Overcoming recruitment difficulties

Overall, the interim evaluation report concludes that the most serious challenge for the program is that firms have experienced significant difficulties in attracting suitable candidates to take over the regional solicitor positions. The challenge of recruiting suitable solicitors is not unique to this program as the legal profession has experienced general difficulty in recruiting and retaining qualified legal practitioners to work in regional and remote areas.

The Law Society is currently represented on a working group, convened by the Law Council of Australia, to develop initiatives to address the problem of rural recruitment and retention and will continue to explore all means of addressing this problem.

The interim evaluation report identifies a number of recommendations for addressing the future directions of the program for current participating practices. The Society supports these recommendations.

The report also considers future directions and recommendations for the program beyond the current two years of this term. The Society, through its Rural Issues Committee (Committee), agrees with the comments made in the report and expands on those comments below.

Reconsider the Target Group for the Program

The underlying rationale of the program, apart from providing rural clients with access to legal advice and representation, is to provide employment opportunities for young lawyers in rural communities. The interim evaluation acknowledges that there appears to be some tensions between this rationale and the reality of the challenging work funded by Legal Aid which these young and inexperienced solicitors are expected to do. The report suggests that the program may have to consider aiming at recruiting solicitors with a greater level of experience, for example, several years of practising law.

The Committee suggests that, while the interim evaluation report does not seem to encourage employment of mature age graduates, if such graduates are willing to do this work, it may well be that they are better equipped to deal with some of the emotionally challenging situations that arise in Legal Aid work.

The Committee agrees that the biggest challenge that the program faces is the participants' lack of experience for what is a very difficult role. It is suggested that the program could be restructured so that as part of their induction, solicitors actually spend a period of time, even just a month, working in a Legal Aid office before commencing employment with a regional firm. This would enable solicitors to commence their employment better equipped to deal with the procedural aspects of the work and may provide networking opportunities with other regional solicitors participating in the RSP as well.

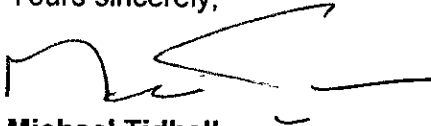
The Committee also suggested that while participants in the RSP appear to receive valuable mentoring from experienced solicitors in the firms in which they are employed, it may be worthwhile for the employing firms to nominate someone outside the firm to be a "social" mentor, particular if the new solicitor doesn't have any connections in the town.

The Committee also strongly endorsed the recommendation, in this section of the report, to further develop the application process so that firms must address set criteria on which selection is based.

The Law Society has appreciated the ability to participate in the consultation process in the development and implementation of this valuable program. In particular, the Society has appreciated the direct communication between the Director, Grants from Legal Aid New South Wales and the Committee, and hopes that this consultation can continue so that the Society can have input into any decision concerning a possible submission to the Public Purpose Fund for an extension of the program.

Once again, thank you for the opportunity to provide comments in relation to the interim evaluation and the program more generally. If you wish to discuss these comments, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Tidball', with a long horizontal stroke extending to the right.

Michael Tidball
Chief Executive Officer