

Five ways to target unmet legal need



REDRESSING THE FUNDING CUTS TO LEGAL AID, WHILE NECESSARY, WILL ONLY DO SO MUCH; WE PROPOSE FIVE STRUCTURAL CHANGES TO REORGANISE THE PROFESSION FROM THE GROUND UP FOR MEANINGFUL SUSTAINABLE CHANGE.

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There are 36 law schools in Australia, each exploding with bright, talented students. Most are centrally located with great transport links. These law students could be used to great effect to reduce unmet legal need. We've decided to look a little left of field for suggestions to get the most out of this willing resource, and though admittedly ambitious, perhaps this is just the game changer we need to get people thinking in the right direction.

1 Teaching clinics in every law school

We propose that all law schools, supported by industry, establish teaching legal clinics staffed by students, and supervised by lawyers.

This would have the effect of providing legal services to those currently bereft of options, releasing pressure on CLCs, and providing students with critical legal experience. No amount of simulated client interaction can provide the necessary experience offered through the actual practice of law. Where better to learn the law than in-house at a legal practice?

2 Compulsory clinical hours for students

Imagine allowing a doctor to operate with just 20 hours of hands-on training. In Victoria you can be admitted as a lawyer with as little as 20 hours of practical experience. We don't allow doctors to

practise without practical training, so why don't we expect the same from lawyers?

Requiring a fixed number of clinical hours for all law students seeking admission will ensure graduates are better prepared, improve client interaction and develop real world problem-solving skills. Subject credit could be offered by universities to further encourage this program.

3 Reduce HECS fees for students who practise in regional areas

We suggest offering incentives to encourage more metropolitan-based graduates to move to rural and regional areas, such as discounted university fees.

Law graduates practising in rural or remote areas for four continuous years after graduation should be entitled to a 15 per cent reduction in HECS fees, with further reductions if they stay on for a further two years.

4 Centralised recruitment for CLCs and not-for-profit organisations

If we are requiring all law students to undertake clinical hours then the current recruitment system for student volunteers and clerks won't be able to manage the workload.

To cope with increased demand, a centralised recruitment clearing house would need to be established to advertise vacancies, manage recruitment and match

the best student to each role available based on skills and availability.

Most importantly, this removes the recruitment burden from not-for-profit organisations and CLCs whose precious time should be focused on their core business of servicing client needs.

5 Expanding the remit of students

Where law students lack the qualifications to provide legal advice, they possess a myriad of useful skills that could be used to benefit the community. They are already operating phones at the Asylum Seeker Resource Centre, taking on case management roles in CLCs, and assisting with compiling briefs in the County Court.

Whether providing independent support during police interviews, comforting nervous families in court appearances, or, as they do in the UK, acting as independent scribes to ensure accuracy during disability assessments, there are countless other opportunities for students to add value.

This is by no means an exhaustive list, but merely a contribution to the conversation we should be having. These changes would encompass whole system reform and not just tinkering at the edges.

With the right amount of vision and a spirit of cooperation from all sectors of the profession, the benefits to society, industry and practitioners would be innumerable. ■

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