



Fact Sheet

Recruitment and retention of legal practitioners in rural, regional and remote (RRR) areas of Australia

The Current Situation

The Law Council believes that there is an urgent need to address the problem of recruitment and retention of legal practitioners in rural, regional and remote (RRR) areas of Australia.

Research indicates that there is a massive shortage of lawyers in these areas and that the numbers of legal professionals working in country Australia are continuing to decline.

The 2006 TNS study, commissioned by the Commonwealth Attorney-General's Department, found that there was a shortage of lawyers in regional and remote areas, with approximately three lawyers per 10,000 residents aged 18-plus in remote Australia, compared to 10.7 lawyers per 10,000 in Australian capital cities.

A study undertaken by the Law Society of New South Wales found that the proportion of lawyers working in country New South Wales had dropped from 16.7 per cent in 1988 to 13.7 per cent in 2003 (an average decline of 1.3 per cent a year).

Projections based on this data have found that the numbers of country lawyers will continue to decline and, by 2015, only 12.1 per cent of all New South Wales lawyers will be working in country areas.

Furthermore, according to the TNS Study, private practitioners in RRR areas undertake significant amounts of legal aid work and are, in effect, keeping the system going.

Approximately two-thirds of private firms (67 per cent) in regional and remote areas currently provide legal aid, compared to only approximately half of firms (48 per cent) in all locations. Firms in regional and remote Australia provide larger quantities of legal aid work than their city counterparts, with two-fifths (41 per cent) of regional and remote firms providing more than 30 cases a year.

In short, the Law Council believes that country Australia is facing a crisis in the area of access to justice. Government initiatives are desperately needed to attract legal practitioners to RRR areas.

“...country Australia is facing a crisis in the area of access to justice...”



Without such intervention the numbers of lawyers will continue to decline and this will have a massive impact on the legal aid system, which is already under significant pressure, and the justice system in these areas.

Our national project

In 2008, in response to growing concerns from the law societies and strong anecdotal evidence about a looming crisis, the Law Council established a Working Group to examine the problem of recruitment and retention of legal practitioners in RRR areas.

The Working Group is currently examining the most effective strategies to attract practitioners to the country and also to retain practitioners in these communities on a long term basis.

In early 2009, the Working Group is conducting a national survey on all lawyers working in RRR areas of Australia. The survey will seek to obtain information on a wide range of matters including legal aid work, retirement and succession planning. Law societies in each state and territory will assist in distributing the survey to lawyers working in RRR areas. It is hoped that the survey will provide the Working Group with important statistical data to better inform its recommendations.

An effective solution to these problems, the Law Council believes, will only be achieved through a range of strategies both at a grass roots and national level and in partnerships between government, community and private sector.

What needs to be done?

In a recent submission, the Law Council called on the Federal Government to implement measures in the 2009-10 budget that will assist in attracting lawyers to work in RRR areas.

Initiatives that the Law Council believes could be adopted by the Federal Government include:

- ◇ repaying, completely or partially, HECS-HELP (or FEE-HELP) liabilities for law graduates and/ or practitioners who work in RRR areas;
- ◇ the introduction of Government scholarships for students from country areas;
- ◇ monetary allowances, bonuses and/or subsidised or free housing for lawyers or graduates who relocate to RRR areas; and
- ◇ increasing opportunities for legal clinical placements in RRR areas for law students.

What will this achieve?

The Law Council believes that these initiatives will provide substantial benefits to both the Government and the Australian community. These benefits include:

- ◇ reducing the burden on the legal aid system;
- ◇ promoting access to justice in country areas;
- ◇ ensuring that people who live in RRR areas are able to access legal services within their community;
- ◇ promoting local business by encouraging legal practitioners to establish practices in RRR communities;
- ◇ preserving local legal services and thereby reducing the need for expensive government advisory services either in outreach forms or in local regional centres; and
- ◇ promoting the vitality of country areas.

Further information

For more information on the recruitment and retention of legal practitioners in rural, regional and remote areas of Australia, visit www.lawcouncil.asn.au or contact Nicole Pulvirenti – phone (02) 6246 3711 or email nicole.pulvirenti@lawcouncil.asn.au

