

Law Council of Australia

RRR Digital Treechange Guidelines

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These guidelines are designed to be read together with the RRR Digital Treechange terms and conditions. All relevant terms are defined in the terms and conditions.

Overview

The RRR Digital Treechange initiatives is designed to be a model programme that, through these guidelines:

- promote a consistency of quality and delivery; and
- reflect the ethics and values of the Law Council and its Constituent Bodies.

In this way it is envisaged that, over time, the RRR Digital Treechange will build a national branding and reputation as an effective solution to RRR recruitment, that is trusted by both employers and candidates.

How this model programme is implemented is a matter for the Participant, so long as the programme meets the specified minimum standards outlined in the terms and conditions. Departures from those minimum standards will disentitle Participants from:

- use of the Law Council's 'RRR Digital Treechange' logo on their websites, social media and other promotions of the Participant's business;
- being listed on the Law Council's 'RRR Law' webpage; and
- being featured in any promotion of the Programme as the Law Council considers appropriate.

The Law Council also reserves the right to take the following actions in respect of Participants who fail to comply with the terms and conditions:

- Remove references to the Participant from any Law Council websites, including the RRR Law webpage, social media accounts and promotional materials as it considers fit;
- Rescind any permissions to you the Law Council's 'RRR Digital Treechange' logo, brand, graphics, text, designs, data, information and any related intellectual property or content forming part of the Programme;
- Take any other steps as it deems appropriate on the circumstances.

The above controls are designed to ensure that the integrity of the 'RRR Digital Treechange' name is maintained for the benefit of genuine Participants, and to guard against its misuse for the protection of candidates.

In the pilot programme, the Law Council's model features two streams:

- A six week model; and
- A three month model.

The Law Council is not restricting the 'Digital Treechange' to particular experience or PAE levels, to provide flexibility to Participants relative to their recruitment needs. However, it is noted that the six week model would be suitable for Participants considering a clerkship programme for law students in their penultimate year of study.

Distinguishing your workplace

While the RRR Digital Treechange has, for the reasons outlined above, certain minimum standards and requirements, there are many ways in which Participants can distinguish themselves from other competing providers of the programme.

Participants may consider providing additional incentives, such as:

- **Providing mentors or 'buddies' for candidates** during the remote access period, the on-site visit and/or upon relocation. This can be professional assistance and/or assistance with settling into the area, such as showing the candidate the local amenities, shopping areas, or local recreational activities.
- **Organising tours** of the 'sights to see' in the local area.
- **Information packs** about the local area- including amenities and attractions, and/or about the primary areas of work or industries in the local area.
- **Guidance materials** around vital issues such as cultural competency.
- **Bonus annual leave days** during the on-site visit and/or for relocation.
- **Guidance with relocation**- for example, referring the candidate to a trusted local real estate agent who can assist with accommodation.
- **Paying a portion, or the balance, of the candidate's HECS-HELP debt.**

The Law Council recognises that resources and funding between Participants will vary. Nonetheless, creative and lateral thinking around incentives can be very attractive to candidates who prioritise mentoring, support and experience in their job search.

Promotion of the initiative

There are many ways in which Participating workplaces can promote the RRR Digital Treechange programme, including:

- [Your local law society, professional association](#) and regional liaison committees - many of which have jobs boards and newsletters.
- Universities - legal practices and workplaces can approach universities to advertise their involvement in, and awareness of, the Digital Treechange programme.
- Sponsor or attend an event that attracts students and/or young lawyers, such as a careers fair.
- Speak at panel discussions or related events addressing RRR issues and use the opportunity to advertise your offering of the RRR Digital Treechange Programme.
- Use social media - promoting and/or linking an advertisement on your website.

An example of social media messaging might include (feel free to copy and paste as desired):

Calling all [law students/ OR young lawyers/ OR [applicable PAE level]]! Are you considering [a clerkship OR a change]? Why not consider working in [name RRR area] where you can develop a [fulfilling/exciting/thriving] career with a [beautiful/affordable/country] lifestyle?

In [month/year], [Participant name] is offering [X number of candidates] the RRR Digital Treechange programme [[link to information on the Law Council's RRR Law webpage](#)], where successful candidate[s] will have the opportunity to trial the rural, regional and remote lifestyle... remotely.

For more information, see [[link Participant's website](#)].

Recruitment and relocation

The RRR Digital Treechange initiative is predicated on successful candidates relocating to the RRR area at the conclusion of the remote-access trial period. This is an important feature of this particular programme, which was designed to address factors limiting access to justice in RRR areas as identified in the Law Council's and the [Justice Project Report](#).

This is because a lack of appropriately skilled lawyers necessarily impacts access to justice, particularly when conflicts of interest can limit the pool of lawyers available to act

in a particular matter. This has resulted in RRR residents being denied legal representation at critical junctures,¹ such as bail applications. Further, the lack of an appropriate and tailored mixes of services can impede access to justice, including when the required service is a considerable distance from the client² or there is not the necessary level of cultural competency so as to effectively deliver legal services.

These issues can be addressed, in part, by designing effective policy responses to recruitment and succession deficits and difficulties in retaining staff, with the view that this strategy:

- increases the number of suitably trained lawyers available in RRR regions;
- RRR communities benefit from valuable legal expertise that is otherwise, often lost through attrition. The RRR Digital Treechange programme is designed to address the issues outlined above.

Participants are accordingly advised to be upfront that successful candidates will be offered an ongoing position on the basis that the candidate relocates to the RRR area at the conclusion of the remote access trial. Participants are also encouraged to explain the reasoning behind the programme, summarised above and addressed in the [RRR Chapter of the Justice Project Report](#), and the Law Council's [RRR National Strategic Plan](#).

The terms and conditions require successful candidates to be allowed a reasonable amount of time to relocate to the RRR area. For programs directed towards students, the relocation cannot be required until after graduation unless so desired by the candidate.

For Participants offering Digital Treechange clerkships, consideration should be given to whether some remote access work will be made available to the candidate in-between the clerkship and graduation and this should be clearly communicated to the candidate in the recruitment process.

Remote access technology

Security

COVID-19 has seen the increased uptake of remote access technologies, court appearances and meetings. Many Participants will accordingly already have, at a minimum, the foundations of a remote working systems already in place.

There are also many affordable and easy-to-use remote working and file-sharing systems that can facilitate the RRR Digital Treechange remote-working trial periods when coupled with appropriate cyber risk management practices.

These include, but are not limited to:

- Zoom;
- Microsoft Teams;

¹ Law Council of Australia, Justice Project (Final Report, August 2018), Rural, Regional and Remote (RRR) Australians Chapter, 3, available online: <https://www.lawcouncil.asn.au/files/web-pdf/Justice%20Project/Final%20Report/Rural%20Regional%20and%20Remote%20%28RRR%29%20Australians%20%28Part%201%29.pdf>.

² Ibid.

- OneDrive; and
- Office 365.

Participants should ensure that both they and the Participants have appropriate Antivirus software installed and it is recommended that training be provided around digital hygiene and cyber risk management.

The [Law Council](#) and our [Constituent Bodies](#) have resources available addressing cyber-risk management.

Managing staff remotely

Managing staff, Particularly new and/or less experienced staff, via remote access technologies is not without difficulty. Nonetheless, experiences of COVID-19 lockdowns and remote-access schooling systems³ have demonstrated that, with creative and lateral approaches, remote-access training and supervision can be very successful. Some methods that may assist Participants with managing and assessing their RRR Digital Treechange candidate may include:

- Provide a thorough induction, including for example:
 - what are the primary areas of law;
 - who are your clients and what are their industries;
 - what are the primary considerations, sensitivities and issues that may arise during the trial period;
 - who does the candidate directly report to;
 - who can the candidate contact for low-level assistance (for example, a 'work buddy');
 - who can the candidate speak to about IT troubles;
 - who at the workplace handles 'HR' matters;
 - provision and overview of the workplace policies and procedures.
- Pre-planning and setting clear tasks, with defined deliverables, breaking down projects and setting clear outcomes in specified timeframes, can make it easier to assess the remote-access worker's output. It can also assist workers adapt to a new workplace in the absence of the usual contextual immersion.
- Regular 'face-to-face' catch-ups via video conferencing- between both the supervisor and the candidate, and with any 'buddy'.
- If possible, organise a social event via videoconference.
- Be upfront early about in-person events that the candidate may miss- if candidates know about the end of financial year party (for example) in

³ For example, the 'School of the Air' has been run successfully and with far greater limitations to technology since 1951.

advance, they have the option of organising their on-site visitation for that time.

Participants are also advised to consider:

- any supervision requirements for restricted Practising Certificate holders in your jurisdiction;⁴ and
- any professional indemnity insurance requirements.⁵

Further help and guidance

The Law Council will continue to develop guidance materials to assist RRR law practices and workplaces in implement this programme. These will be uploaded to the Law Council's RRR Law webpage as they are developed.

⁴ For example, Rule 5(1)(c) of the South Australian *Legal Practitioners Education and Admission Rules 2018* and the related [Remote Supervision of Practitioners Subject to Supervised Practice \(Category C PC\) During Covid-19 Restrictions](#).

⁵ It is further noted that Lawcover has information and resources about managing the risks of remote-access supervision. For example, see: <https://www.lawcover.com.au/wp-content/uploads/2020/09/Lawcover-LSJ-September-2020.pdf> .