Since the inception of the Faculty of Law at Wollongong, a practical experience component has been part of the compulsory subject *Lawyers & Australian Society*, and thus of the LLB degree. From 1993 until 2004, it consisted of 40 days of professional experience under the supervision of a lawyer, undertaken in two different workplaces arranged by the Faculty, to experience ‘the law in action’.

From 2005, the professional experience program will change to accommodate the changing circumstances of students while retaining the essential pedagogical objectives of the original program. Professional experience components are featured in two academic LLB subjects. In LLB 311 *Lawyers and Australian Society*, students will undertake two components, as follows:

- **‘The Law in Practice’** – a professional experience placement of 20 days’ duration in an aspect of law-related practice. The objectives, organization and guidelines, and assessment requirements for this component are described in Part I of this Handbook.

- **‘Law in the community’** - completion of 30 hours of voluntary (pro bono) service with a community legal service or public interest service (not being one in which they completed their ‘Law in Practice’ component).

Each component is undertaken after completion of the Course work part of the subject, which provides the theoretical knowledge and ethical framework necessary to appreciate the operation of the ‘law in action’.

This document explains the objectives, organization and guidelines, and assessment requirements for the ‘Law in the Community’ component.

### Aims and Objectives of this component of the ‘Law in the Community’ Program

The aims of this component of the Professional Experience Program are

- to develop students’ appreciation of the concepts of “access to justice”; and
- to enhance their understanding of the obligations of professional responsibility as lawyers to “assist in the adequate distribution of legal services in our society”.

The legal profession has a long tradition of providing ‘pro bono’ legal services, generally defined as services that involve the exercise of professional legal skills, and are services provided on a free or substantially reduced basis. They are services that are provided for: people who can demonstrate a need for legal assistance but cannot afford the full cost of a lawyer’s services; non-profit services which work on behalf of members of the community who are disadvantaged or marginalised, or which work for the public.

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good; and public interest matters, being matters of broad community concern which would otherwise not be pursued.\(^2\)

The Australian Law Reform Commission Report *Managing Justice*\(^3\), noted that “pro bono work is consistent with the service ideal of the legal profession, .... an ideal which must not be lost sight of if lawyers are to retain a professional ethos and identity”, and its Recommendation 38 stated:

“In order to enhance appreciation of ethical standards and professional responsibility, law students should be encouraged and provided opportunity to undertake pro bono work as part of their academic or practical legal training requirements.”

From an educational perspective, this component of the subject LLB 311 *Lawyers & Australian Society* aims to promote the service ideal, and to provide students with the opportunity of contributing to “access to justice” through pro bono (voluntary) activity as part of their academic studies.

**Placement requirements and arrangements**

1. Each student is required to contribute 30 hours of pro bono activity, undertaken after the LLB 311 Course work component has been completed.

2. Students are required to make their own arrangements to complete this requirement – to locate a source and to negotiate with that source what activities will be undertaken. Activities should be limited to one location, but the 30 hours need not be completed in a block. The location(s) need not be confined to New South Wales.

3. When arranging the placement, students should provide the proposed placement organization with a copy of this document.

4. Before commencing the placement, the student must register the proposed voluntary activity with the Faculty. To do so, the student will need to provide a Letter of confirmation from the placement supervisor, in the format of Attachment 1 on p. to the Faculty, at least 2 weeks in advance of the commencement of the placement.

This is to ensure that the Faculty has a record of the proposed activity, and that the University’s insurance policies for voluntary placements apply to the placement.

**Some suggested Locations**

There are several locations, and several ways in which pro bono work can be completed: the program is flexible in the type of activities by which the requirement can be met. These locations and activities are set out below. These include

- Community legal centres of general and special interest centres
- Legal Aid Commission, including Outreach Programs
- Aboriginal Legal Services
- Projects established by or operated in association with the Faculty of Law (eg the *Start Out Right* community legal education project)
- Amnesty International
- Australian Red Cross (legal section)
- Public Interest Law Clearing House
- Public Interest Advocacy Centre\(^*\)
- Refugee Advice and Casework Service

\(^2\) Law Foundation Report, *Future Directions for Pro Bono Services in NSW*, 2000

• NSW Council for Civil Liberties
• Many legal firms conduct pro bono activities, including public interest litigation, information sessions, court duty solicitor schemes, divorce classes, research for non-profit community organizations, etc.: if a student is employed in such a firm, they may participate voluntarily (ie without payment) for 30 hours in such activities

Some suggested activities

• Accompanying and assisting lawyers in duty lawyer activities
• Researching public interest issues
• Preparing information materials (eg leaflets, websites, powerpoint presentations, etc) for community legal education
• Researching to assist lawyers engaged in the organisation
• Assisting in the conduct of community information or advice sessions

Confidentiality

Students in this component of the PEP will be bound by the same requirements of confidentiality of client matters and office matters as all other employees in that employment. Students are required to sign a confidentiality agreement as to information obtained during the placement about the organization and its clients.

Insurance

All students in voluntary placements registered as part of the PEP are covered by the University’s Public Liability Insurance Policy for claims pertaining to loss or damage caused by negligent act or omission of the student in respect of Personal Injury, Property Damage or Advertising Injury to the Professional Experience/Community Placement provider, where the student is undertaking the placement in a voluntary capacity.

Furthermore, students engaged in registered placement programs are also covered by the University’s Student Personal Accident Insurance Policy for any personal injury sustained whilst engaged in such activities.

To ensure that a student is covered by this Insurance, it is essential that all voluntary placements, whether organized by the Faculty or the student, are registered with the Faculty before they commence.

However, those students who complete this component as part of their employment during their professional experience placement will be covered for these and other relevant risks by their employer. Employers and placement offices will be responsible for any professional indemnity claims arising from students’ work in the placement.

Assessment

Students are required to keep a log or journal of their pro bono activities, and at the conclusion of them submit to the Academic Co-ordinator the following:

• Certificate of Service, signed by the supervisor(s) - see Attachment 2
• Their log book
• A reflection of approx 1000 words on their views, formed as a result of their experience in this program, on the role of the lawyer in the community, and/or “Access to Justice”.
Certificate of Acceptance of Student for Voluntary Service

Name of Supervisor .............................................................

Name of Student ...............................................................  

Student No. ........................................................................

I confirm that:

1. The student has given to me a copy of the Professional Experience Program – Part II 'Law in the Community' - Information and Guidelines for Supervisors.

2. This organization accepts the student for a period of 30 hours of voluntary service in this Organisation as part of the University of Wollongong – Faculty of Law – Professional Experience Program – ‘Law in the Community’

commencing on (date) ................................................................

Dated .................................. Signed ............................................

Supervisor
Certificate of Satisfactory Completion of Voluntary Service

Name of Supervisor .................................................................

Name of Student .................................................................

Student No. .................................................................

I Certify that the abovenamed student has satisfactorily completed 30 hours of Voluntary service in this Organisation as part of the University of Wollongong – Faculty of Law – Professional Experience Program – ‘Law in the Community‘ between………………………………………………….(commencing date) and …………………………………………………….. (concluding date).

Comments (if any) .................................................................

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Dated .........................  Signed .................................