



New South Wales

Rural, Regional and Remote Area Lawyers Survey

Introduction

In March 2009, the Law Council of Australia coordinated a nationwide survey of legal practitioners in rural, regional and remote (RRR) areas of Australia. The study was conducted in order to explore widespread concerns within the profession that suggested there were significant problems in recruiting and retaining lawyers in country Australia. Through the study, the Law Council sought to obtain data from country lawyers about the current and future needs of their practices with an emphasis on exploring future employment intentions, retirement, succession planning, legal aid and pro bono work. The online survey was sent by the law societies in each state or territory to their members working in RRR areas.

The Law Council released the results of the national study in July 2009. The full report is available from the Law Council website.

The survey gathered significant data on country lawyers from across Australia. Set out here is a snapshot of the survey findings relevant to New South Wales.

Main findings

- ◇ **Response rate:** 13% of New South Wales lawyers responded to the survey (in total 298 practitioners completed the survey). This compares with a total national response rate of 24% (with 1185 practitioners taking part in the survey overall). The survey was distributed to all members of the Law Society of New South Wales working outside of Sydney and Newcastle.
- ◇ **Practice type:** The large majority of New South Wales lawyers who completed the survey were from private practice (86%). Other respondents included – Legal Aid and Aboriginal Legal Aid lawyers (7%), government and in-house lawyers (2% respectively) and lawyers from community legal centres (1%).
- ◇ **Employment status:** 47% of respondents were employees and 48% were principals. Nationally, these figures were 49% and 45% respectively.

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



- ◇ **Length of practice in a RRR area:** In New South Wales, the largest group of respondents had been in practice in a RRR area for more than 21 years (25%). The smallest proportion of New South Wales respondents had been in practice for less than a year (9%). This is contrasted with the national average in which the largest group of respondents (22%) had been in practice for three to five years.
- ◇ **Intention to continue practice in a RRR area:** In total, 36% of New South Wales respondents indicated that they would leave practice in a RRR area in the next five years. Nationally, this figure was slightly higher at 42%.
- ◇ **Reasons for working in a RRR area:** The most commonly cited reason for working in a RRR area by New South Wales respondents (and also by respondents nationally) was ‘work/life balance’.
- ◇ **Reasons for leaving a RRR area:** Most New South Wales respondents (and also respondents nationally) indicated that ‘family reasons’ would be their main reason for moving away from a RRR area altogether. The least commonly cited reason for leaving the country both in New South Wales and nationally was ‘isolation’.
- ◇ **Reasons for leaving current firm/organisation:** Most commonly, New South Wales respondents indicated that they would leave their current firm to move to another RRR practice (24%). Other significant reasons for New South Wales respondents leaving their current firms were – to leave the practice of law to retire (20%) and to start a new career (18%). Nationally, most practitioners indicated that they would leave their current firm to retire (20%).
- ◇ **Shortage of lawyers:** Principals were asked in the survey to consider whether their practice had enough lawyers to service their client base and community generally. Of the New South Wales principals surveyed, 31% indicated that they did not have enough lawyers to service their current client base and 29% indicated that they did not have enough lawyers to meet the legal needs of their community. Nationally, these figures were 43% and 45% respectively.
- ◇ **Matters of concern for principals:** New South Wales principals indicated that the key matter of concern for their practices was succession planning (65%). Attracting additional lawyers (44%) and attracting lawyers to replace departures (46%) were also key concerns for New South Wales principals. Nationally, succession planning was the most common area of concern for principals (71%).
- ◇ **Legal aid work:** In New South Wales, 54% of respondents indicated that their firm undertook legal aid work. Of those respondents, 52% indicated that that their firm undertook more than 30 cases a year. These figures were slightly higher than the national averages – across the country, 51% of firms indicated that they undertook legal aid work and of these respondents 50% indicated that they undertook more than 30 cases a year.
- ◇ **Pro bono work:** 59% of New South Wales respondents indicated that their firm accepted matters on a pro bono basis. Nationally, 74% of respondents indicated that they undertook pro bono work.
- ◇ **Volunteer work:** In New South Wales, 74% of respondents undertook additional volunteer work within their communities. This figure was slightly higher than the national average of 71%.



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