

# RECRUITING AND RETAINING LAWYERS

A problem in rural, regional  
and remote communities

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There is an urgent need to address the shortage of lawyers in rural, regional and remote (RRR) areas of Australia and in doing so we must adopt a holistic approach by identifying and developing a range of strategies which target key pathways in the student/practitioner lifecycle.

This article will seek to identify the nature and extent of the problem by developing, as far as possible, a statistical profile of practice and practitioners in RRR areas of New South Wales. It will then review the existing Australian literature concerning the factors affecting recruitment and retention of lawyers in RRR areas and identify several initiatives that have been implemented in an effort to address the effects of rural solicitor shortage. The article concludes by offering some tentative recommendations and suggestions for future research.

## Nature and extent of the problem

In order to fully understand the nature and extent of the recruitment and retention problems in RRR areas, it is helpful to consider the characteristics of lawyers in those areas and the size, type and nature of rural practice. This article has drawn on NSW data published by the Law Society of New South Wales in their *Annual Profile of the Solicitors of NSW*<sup>1</sup> along with the findings of a recent 'mapping project' undertaken by Simon Rice of the Australian National University.<sup>2</sup> For present purposes, RRR areas in NSW are those located outside of Sydney.

While this section of the article relies on NSW data, it is apparent that the problem of attracting and retaining lawyers in RRR areas is broadly replicated in other states and territories and the issue is one of national concern. For example, the *Legal Aid and Access to Justice Report (2004)* has identified the need to develop a:

comprehensive national strategy in relation to recruitment, selection and retention of lawyers in RRR areas in order to ensure the [continued] sustainability of legal services to people living in those areas.<sup>3</sup>

Various law societies have identified the problem and the Law Council of Australia is currently considering a working paper on the issue.

As at 2007, there were 2822 solicitors working in rural areas of NSW, the overwhelming majority of whom (2428) are employed in private practice.<sup>4</sup> Next are solicitors in corporate practice (96)<sup>5</sup> followed by government (31).<sup>6</sup> Statistical data confirms that since 1988 there has been a steady decline in the

proportion of solicitors practising in RRR areas of NSW, down from 16.7 per cent to 13.3 per cent of all lawyers in practice in NSW.<sup>7</sup> Rice has also found that over the last decade there has been a significant movement of private solicitors away from inland areas of NSW towards coastal areas of the state<sup>8</sup>, mirroring regional population trends generally. Those private solicitors who continue to be located outside of city and suburban areas have become more concentrated in the larger regional centres, leaving the smaller and more inland communities with limited direct access to lawyers.<sup>9</sup> There is also anecdotal evidence from legal service providers that, despite the coastal trend, there are insufficient lawyers to service those communities experiencing rapid population growth.

Age and gender distribution within the RRR sector itself is not ascertainable from the NSW Law Society's published data. However, over the past decade the number of female solicitors in the NSW legal profession has grown by 369 per cent. This represents an annual growth rate of 8.5 per cent. The number of male solicitors in the same period grew by a much more modest 53 per cent and represents an annual growth rate of 2.3 per cent.<sup>10</sup> Women now make up 43.7 per cent of the practising profession in NSW.<sup>11</sup> It is estimated that by 2015 women will make up the majority of the profession in NSW.

Statistics also indicate that 61.1 per cent of male solicitors are found in private practice<sup>12</sup> while women represent 60 per cent of government lawyers<sup>13</sup> and as much as 80 per cent of community legal centre (CLC) staff.<sup>14</sup> Rice's data indicates that while the proportion of women practising in the RRR private sector in NSW has marginally increased, they remain significantly under-represented. Similarly, in Victoria, it has been reported that only 22 per cent of practitioners in country Victoria are female.<sup>15</sup> In view of these statistics and strong anecdotal evidence, it is reasonable to believe that the gender distribution within RRR practice reflects these overall trends and, in the case of the private sector, is more pronounced.

It also appears that most rural practitioners are aged 45 years and over and that as many as one third will retire in the next decade.<sup>16</sup> Whether, and to what extent, these trends will lead to a change in the gender distribution of RRR practitioners in the future is not known.

According to the 2007 Annual Profile of Solicitors, 22.6 per cent of all private law firms were located in rural NSW, compared with 52.6 per cent located

## REFERENCES

1. Urbis, *2007 Profile of the Solicitors of NSW*, Law Society of New South Wales, December 2007.
2. Simon Rice, 'Rural access to private lawyers' (Working Paper, Australian National University, 2008.) Rice analysed data collected by the Law Society of NSW and mapped the movement and gender distribution of private sector lawyers in rural NSW over the past two decades.
3. Legal and Constitutional References Committee, *Legal Aid and Access to Justice*, June 2004, 133.
4. Urbis, above n 1, 13, 19.
5. *Ibid* 27.
6. *Ibid* 25. 'Government' includes lawyers working in 'community legal centres' and Indigenous legal services.
7. *Ibid* 13.
8. Rice, above n 2.
9. *Ibid*.
10. Urbis, above n 1, 5.
11. *Ibid*.
12. *Ibid* 19.
13. *Ibid* 25.
14. Legal Aid Commission of NSW, *Review of the NSW Community Legal Centres Funding Program Final Report*, (2006) 33.
15. Melinda Brown, 'A Country Practice' (2000) 74(9) *Law Institute Journal* 18.
16. Kim Cull, Law Society of New South Wales, 'Young rural solicitors in decline: new blood needed in bush', (Press Release, 8 February 2002).

## *The lack of publicly funded legal services and the decline in private solicitors in RRR areas means there are fewer options for legal assistance and representation ...*

in Sydney's suburbs and just under a quarter (23.7 per cent) in the Sydney central business district. The number of rural firms represents a decrease of 1.3 per cent since 1998.<sup>17</sup> Practices located in rural areas are predominately sole or small practices and are said to be more 'economically reliant on areas such as conveyancing, wills and estate and family law' than city-based practices.<sup>18</sup> Their income levels are also well below that of their Sydney cousins.<sup>19</sup>

Drawing this data together, we can conclude that the overall number of rural practices has declined along with the proportion of solicitors practising in RRR areas of NSW. While inland communities face the biggest impact, coastal communities are also struggling to meet legal demand due to a considerable population influx. The number of female solicitors is growing rapidly but women continue to be significantly under-represented in rural practice. It also appears that many RRR solicitors in NSW are approaching retirement age, leaving a concern about who will take their place.

It is worthwhile to take a moment to consider why this decline is so concerning. Many outside the legal profession have been heard to say: 'So why do we really need more lawyers in the bush? It's not like an essential medical service.' While a detailed response is outside the scope and purpose of this article, there are two key points to highlight: first, attracting and retaining professional people to live and work within RRR areas generally is essential to sustainable, healthy communities. The second point concerns the negative impact this decline has on access to justice for people living in RRR communities.

It is well documented that RRR communities already face a relative lack of access to legal services. The Law Council of Australia argues that people living in RRR areas are not able to exercise their legal rights in the same way as those living in metropolitan areas because of the limited number of private firms, lack of ready access to legal aid offices and community legal centres as well as the increased costs associated with accessing these services.<sup>20</sup>

The lack of publicly funded legal services and the decline in private solicitors in RRR areas means there are fewer options for legal assistance and representation which inevitably leads to increased numbers of self-represented litigants and a greater reliance on telephone and intermittent outreach services to meet legal need. In short, we need lawyers in RRR areas because access to justice and national equity matter. Given that the

delivery of legal services in NSW is achieved through a partnership of government, community and private sector providers, immediate and coordinated action is needed to stem the tide of further decline across these sectors in RRR areas.

### **Factors influencing recruitment and retention**

Having briefly considered the profile of the RRR sector in NSW, and the need to address the recruitment and retention problem it faces, this article will now consider the key factors which have been found to influence recruitment and retention of lawyers in RRR areas generally and offer some recommendations for future action. The key factors include: family issues (ties to community, employment opportunities for one's partner, availability of social and support networks for family and educational opportunities for children), lifestyle perceptions, perceived lack of career development and professional networking opportunities, salary, the changing employment patterns of younger lawyers and the changing demographics within the profession.

One of the key factors concerns the link between exposure to life and practice in a RRR area and increased likelihood of engaging in rural practice. A graduate with family ties to a particular area, or a graduate who undertakes their law degree at a regional university, is more likely to return to that RRR area to practice than a person who has not had that experience. This is supported by similar findings across medical, nursing and educational literature.<sup>21</sup> In view of this, government, universities and professional bodies must consider what more can be done to attract and support RRR students in the study of law (by way of scholarship and subsidy schemes) and whether more resources need to be targeted to regional universities offering programs in law.

There is also strong research evidence linking rural placement to rural practice.<sup>22</sup> In view of this link, strategic consideration must be given to incorporating and supporting rural placements within law degrees and practical legal training. Opportunities which allow students to experience what it is like to live and work in a RRR area are crucial. This may also assist in dispelling many myths and misconceptions about life in the country and help lawyers decide to practice in a RRR area.

When making a decision about whether to move from the city to a RRR area, a person's perceptions about

17. Urbis, above n 1, 14.

18. Robert Marks, Paul Martin and Miriam Verbeek, *National Competition Policy: A discussion paper*, Law Society of NSW (2002) 39.

19. *Ibid.*

20. Law Council of Australia, *Erosion of Legal Representation in the Australian Justice System*, (2004) 6.

21. Deborah Schofield et al, 'Decision criteria in health professionals choosing a rural practice setting: development of Careers in Rural health Tracking Survey', *Rural and Remote Health* 7:666 (Online), July 2007; Jeanette Hackett, 'Outreach should be rewarded', *The Australian* (Sydney), Higher Education, 13 February 2008.

22. See, eg, Mary Courtney et al, (2002) 'The impact of a rural clinical placement on student nurses' employment intentions', *The Collegian*, 9(1), 12-18.

the relative lifestyle attributes of a particular area will be central to their decision. In this way, lifestyle considerations are subjective and so will differ from person to person. It is likely that lifestyle factors will be considered together as a cost/benefit package with other factors such as salary and professional/career development being important. For younger lawyers salary is less likely to be the deciding factor and achieving a work/life balance and career satisfaction is more likely to be of greatest concern.

A perceived lack of opportunity for career advancement is seen as one reason why young lawyers would not take up a position in the country. There also appears to be some very damaging perceptions that practice in a RRR area is of less professional value and that RRR practitioners are 'second rate'.<sup>23</sup> It is essential that these myths be dispelled as they can affect the desire to work and remain in a RRR area. Literature also identified the significant impact of dwindling infrastructure in RRR areas<sup>24</sup>, reduced court services, lack of reasonable law libraries, the time and distance it takes to access courts and other relevant services as all contributing to feelings of professional isolation.<sup>25</sup>

The decline in RRR practitioners is, in part, attributable to the generational change facing the legal sector and changing employment patterns more generally. It is estimated that most country practitioners are aged 45 and over and as many as one third will retire in the next 10 years or so. The sector is faced with managing the very different job demands and desires of younger lawyers who are increasingly mobile, do not see the practice of law as a lifetime career and are less willing to go to a RRR area.<sup>26</sup> There is a need for more specific and comprehensive research into the dimensions of generational change issues facing the legal profession and how these might be best addressed to ensure the continued viability of RRR practice.

It has been suggested that women practitioners are '...not attracted to country living or else have family commitments [which keep them] in the city.'<sup>27</sup> Rice's research indicates that, while the proportion of women practising in RRR areas is increasing, they remain significantly under-represented. It is essential that we increase our understanding about the influence of gender on practice intentions and perceptions of rural practice. If women do find rural practice less attractive, then it is important to understand why this is so as well as understanding the extent to which rural practice may be alienating for women.

The recruitment and retention of lawyers in the private sector has arguably been affected by the application of competition policy to the legal profession along with a reduction in resources to legal aid and the overall effects of 'rural decline' in many areas. These factors have impacted on the continued viability of rural practice. This is because rural practices are more reliant on work in key areas which face substantial competitive pressures, such as conveyancing, wills and estates and family law.<sup>28</sup> In addition, Legal Aid is no longer available in some practice areas as it once was and, when combined with the effects of 'preferred supplier

schemes', means that legal aid is no longer a source of income for many practices.<sup>29</sup>

Many legal practitioners are also pulling away from providing legal work because of inadequate remuneration for the work undertaken.<sup>30</sup> There is some evidence of a higher rate of withdrawal by lawyers in rural areas.<sup>31</sup> It is their view that it is no longer worthwhile to engage in work that effectively means they operate at a loss. Added to these factors are the increased costs associated with rural practice, such as travel and disbursements. There is some evidence that the size and number of firms in country areas are falling.<sup>32</sup>

Community Legal Centres (CLCs) face a number of particular problems in attracting and retaining staff due to their inability to offer competitive salaries and 'healthy'<sup>33</sup> working conditions. It is suggested that RRR centres may suffer most from the effects of low salaries within CLCs because there is no incentive for people to move to RRR areas where the cost of living is higher, including increased housing, petrol, food and communication costs.<sup>34</sup>

Most CLC staff in NSW, including lawyers, are paid according to the Social and Community Services Award or under Enterprise Bargaining Agreements which are based on that award. Even with salary packaging benefits available, there is considerable disparity between CLC salaries and those of Legal Aid Commission employees and salaries offered in the private sector. In short, CLC lawyers are 'significantly underpaid'.<sup>35</sup> These findings are also supported by a Remuneration Report prepared by Mercer Human Resource Consulting for the National Association of Community Legal Centres (NACLC).<sup>36</sup> Salaries comparable to those offered in the government and private sectors must be forthcoming. It is likely that these systemic issues can only be meaningfully addressed through a review of the funding allocation model.

There is an absence of literature concerning recruitment and retention of public sector lawyers in RRR areas. It is likely that similar issues concerning high workloads and relative levels of remuneration when compared with the private sector are also relevant factors affecting public sector recruitment and retention.<sup>37</sup>

## Current strategies

A number of key strategies have been introduced in recent years in an attempt to address, at least in part, recruitment and retention problems in RRR areas. These include the 'Regional/Rural Solicitor Schemes' (RSS) established by several legal aid bodies (notably Queensland, NSW and WA) which involve the provision of financial incentives as an 'access to justice' measure. Each operates on a somewhat different model.

The first RSS began in Queensland in 2004. The scheme places new graduates into private firms located in areas of unmet legal aid need and offers a wage subsidy to the firm in return for undertaking an agreed amount of legal aid work. Firms are also eligible for payment of professional fees for legal aid services delivered. Evaluations indicate that the program is

23. Robert Miles et al, *Attraction and Retention of Professionals to Regional Areas*, Queensland Department of State Development and Innovation, 2004, 12; Brown, above at n 15; Rachel Castles, 'Recruitment and retention of young lawyers in remote, rural and regional Queensland' (2003) 23(3) *Proctor* 32.

24. Jeff Giddings, Barbara Hook & Jennifer Nielson, 'Legal Services in Rural Communities: Issues for clients and lawyers', (2001) 26(2) *Alternative Law Journal* 57, 60.

25. *Ibid.*; Brown, above at n 15, 20.

26. Rachel Borchardt, 'The recruiting roundabout', (2006) *Spring Australian Law Management Journal*, 10-12; *Bendable or expendable? Practices and attitudes towards flexibility in Victoria's biggest legal employers* (2006) Law Institute of Victoria/ Victorian Women Lawyers, 2.

27. Justice PW Young, 'Lawyers in country areas' (2002) 76 *Alternative Law Journal* 84.

28. Marks et al, above n 18.

29. John Dewar, Jeff Giddings & Stephen Parker, *The Impact of Changes in Legal Aid on Criminal and Family Law Practice in Queensland*, Executive Summary, 1998, 2-3.

30. Brown, above n 15, 21; Law Council of Australia, above n 20, 6.

31. Law Council of Australia, above n 20, 6. This report refers to a 2002 survey of family law practitioners by National Legal Aid which found a higher rate of withdrawal from legal aid work in rural areas (40%) compared to urban areas (21%).

32. Marks et al, above n 18, 13.

33. Legal Aid Commission, above n 14.

34. The Review identified the real risk of unconscious exploitation of CLC staff because many are willing to work 'long hours in poor conditions for low pay in order to achieve the social justice goals to which they are committed...' as well as the problem of high rates of burnout as a consequence of high workloads and distressed clients.

35. CLC Review Steering Committee, *Joint Review of WA Community Legal Centres*, September 2003, 57, < [legalaid.wa.gov.au/Page/LAServices/pdf/Joint%20Review%20of%20CLCs.pdf](http://legalaid.wa.gov.au/Page/LAServices/pdf/Joint%20Review%20of%20CLCs.pdf) > at 19 February 2009.

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addressing 'immediate supply difficulties' faced by Legal Aid Queensland (LAQ), is helping to build goodwill between LAQ and the private sector and is increasing the likelihood that at least some of the early career lawyers will stay in regional Queensland.<sup>38</sup> These are positive outcomes.

A 'Regional Solicitor Program' similar to that offered by LAQ, was initiated in 2007 by the NSW Legal Aid Commission. We currently await the scheme's evaluation following its first twelve months of operation. The main difference between the two models appears to be the 'brokerage' role undertaken by LAQ, which actively recruits young lawyers through Queensland universities. This does not occur in NSW.

Western Australia introduced the 'Country Lawyers Graduate Program' in 2007. It is a joint initiative between Legal Aid, CLCs, Aboriginal Legal Services and the WA Law Society. The graduate is employed for three years and is rotated among the various regional legal service providers identified above. Bonuses and incentive payments are also provided, including salary packaging and housing subsidies. It will be valuable to observe the overall impact of these schemes, their uptake and medium to long-term retention rates.

Taxation-based financial incentives might also be effective including the longstanding Zone Tax Offset rebate for eligible taxpayers who have lived or worked in a remote area for a certain qualifying period. The amount of rebate offered is quite small and has been widely criticised as failing to provide a meaningful incentive for people to live and work in remote areas.<sup>39</sup> It has been suggested that eligibility for the rebate should be extended to include residence in 'country' areas<sup>40</sup> and might be more effectively offered at 10 times the average wage (which would mean a rebate of approximately \$7 000 per year).<sup>41</sup>

A waiver of the Higher Education Contributions Scheme (HECS) fees has also been identified as an important strategy to encourage new law graduates to work in RRR areas. Such a scheme is currently in place in medicine.<sup>42</sup> For each year a new graduate remains in a RRR area, it is proposed that they be entitled to a waiver of a certain percentage of their HECS debt. This would not only encourage new graduates to take up positions but provides added incentive to remain in that RRR area.

Given that an average law student will accrue around \$33 996 in HECS fees<sup>43</sup>, it is suggested that the level of HECS debt is a very real consideration for new law

graduates when making career choices. CLCs suggest that it represents a particular impediment to new graduates choosing to undertake lower paid work in the CLC sector.<sup>44</sup>

Some also argue strongly that the proportion of HECS contributions made by law students relative to other disciplines is inequitable<sup>45</sup> and, when combined with other deterrents, such as additional education costs connected with relocation and accommodation, may act as a disincentive to RRR area students electing to study law.<sup>46</sup> A fairer balance between private and public contributions to legal education is needed. Law students currently contribute 80.5 per cent of their course costs compared to Education (37.5 per cent), Science (31.8 per cent) Medicine (30.4 per cent) and Engineering (31.4 per cent) students.<sup>47</sup>

Finally, two initiatives have been trialled within the community legal sector which target undergraduate and Practical Legal Training students through clinical placement opportunities in RRR areas. These programs are the *Regional Summer Clerkships Project* and the *Law Graduates for CLCs in Regional Areas* undertaken by the National Association of Community Legal Centres (NACLC).<sup>48</sup> The NACLC has received funding to develop the project further and is an exciting initiative in CLC recruitment. It is probable that most RRR placements are taken up within the context of undergraduate studies in regional universities. However, city and metropolitan-based law schools should be encouraged to promote and provide student placement opportunities in RRR areas as part of a clinical program.

## Conclusion

There is an urgent need to address recruitment and retention problems in RRR areas as a matter of access to justice and national equity. It is unlikely that any one strategy will hold the answer to successfully attracting and retaining lawyers in RRR areas. Therefore, adopting a holistic approach by identifying and developing a range of strategies that target key pathways in the student/practitioner lifecycle is likely to be most effective. The types of strategies which have been identified include:

- Developing more effective ways of increasing and supporting RRR participation in law studies;
- Supporting RRR students through more effective scholarship programs;
- Initiating more opportunities for RRR clinical placements within undergraduate and PLT programs;

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35. Legal Aid Commission, above n 14, 33.

36. Mercer Human Resource Consulting, *Remuneration Recommendations National Association of Community Legal Centres*, Sydney, 2006.

37. Ian Knight, 'Rich Rewards in Public Sector Law', (2006) *Spring Australian Law Management Journal*, 16.

38. Fiona Guthrie and Shirley Watters, *Evaluation of the Regional Solicitor Program*, Legal Aid Queensland, (2005) 11–12.

39. For example, see submissions from the Northern Territory Government site <nt.gov.au/business/brt.cfm?brtid=168> at 13 May 2008; See also Senator Honourable Ian McDonald, 'Access to Justice and Pro Bono', (Speech to the National Access to Justice and Pro bono Conference, Queensland, 12 August 2006 <senatormacdonald.org/speeches9.html> at 28 May 2008).

40. *Ibid.*

41. McDonald, above n 39.

42. HECS Reimbursement Scheme, Department of Health and Ageing <health.gov.au/hecs> at 19 February 2009.

43. See Universities Admission Centre NSW and ACT <uac.edu.au/uac/costs.html#csp> at 23 February 2009.

44. Evidence to Senate Legal and Constitutional References Committee, Parliament of Australia, Canberra, 13 November 2003, 40 (Julie Bishop) <aph.gov.au/hansard/senate/commtee/s7092.pdf>.

45. Australian Law Students' Association, Submission to Review of Higher Education Financing and Policy, April 1998

46. Australian Law Students' Association (ALSA), 'Law Students Call for Scholarship Overhaul', 28 April 2008.

47. Australian Law Students' Association, above n 46.

48. Helen McGowan, *Lawyers Go Bush, Regional Summer Clerkship Project 2005–2006*, Victoria Law Foundation; National Association of Community Legal Centres, *Project Proposal, Law Graduates for CLCs in Regional Areas, March 2008–March 2012, Year One: Feasibility Study*, Sydney, March 2008.

J has a huge fan club (as well as some detractors). This celebrity was nowhere more evident than when he visited Australian universities. I recall students asking him to sign anything from a copy of the *Constitution* to the shirt on their back, which was often printed with a logo such as 'We Love Kirby' or 'Kirby Rocks'.

What was more surprising to me was his interaction with other public figures. One day, waiting for a plane in Canberra and sitting in the Qantas Lounge with the Judge, I saw the Dalai Lama. The Judge asked if I'd ever met the spiritual leader of Tibet, to which I, not surprisingly, answered 'no'. In response, the Judge invited the Dalai (with whom he obviously had a friendship) to join us, introduced me and engaged in an inclusive discussion. I never imagined such an experience to be part of the job description of judge's associate.

### Humanity

The last stories I relate convey the humanity of Kirby J. The warmth and sociability of the Judge is well-known, and demonstrated to me through his interest in my family. He came to dinner at my house to meet them and sends his best wishes to them whenever I see him. During Court sittings, he would always invite my partner (now-husband) to the monthly Judge and associate dinners. In each of his years on the Court, Kirby J invited his past and present associates and their partners to celebrate his birthday with him. Most recently, that invitation extended to my then 10-month-old daughter.

Justice Kirby expected a lot from his associates, but was never unreasonable. Andrew Leigh remembers the day he forgot to bring a judgment to Court when Kirby J was to deliver it:<sup>5</sup>

It was my first month on the job. I was standing behind the Judge's chair in Courtroom No 1 when he asked 'Where is it?' My stomach turned over as I realised my omission — I had forgotten the judgment. I wanly whispered that I could give him a pile of papers that might look to the rest

of the courtroom like a real judgment. He firmly replied 'No'. I briskly walked from the courtroom in the hope that I might get up to chambers and back with the judgment in time. Needless to say, I failed, and the transcript for the morning reads:

'Kirby J: I concur with Chief Justice Brennan, and will deliver my reasons when they arrive.'

I expected him to be furious at lunchtime, but he graciously accepted my apologies, smiled and said 'We all make mistakes Andrew'.

Justice Kirby's humanity was also evident in his dealings with the international community, as remembered by Katharine Young:

In 2006, Kirby J gave a keynote address to an international gathering of judges at Harvard Law School. The setting was very serious and formal, perhaps even a trifle conservative. Justice Kirby's speech described the trend of judges citing each other's opinions and learning about each other's systems of law and about international law: a trend, of course, which he was part of setting. Towards the end of the speech, the subject turned to the human rights implications of same-sex marriage. Justice Kirby gave an expert summary of equality jurisprudence, and then mentioned his and his partner Johan's thoughts on marriage. It was a celebration of judicial candour, as well as of equality in the law, and I doubt it will be forgotten by many of the judges, law professors and students present.

5. Andrew was Justice Kirby's associate in 1997/1998 and is currently Associate Professor, Economics Program, Research School of Social Sciences, The Australian National University.

### Fare well

Justice Kirby will be remembered as a unique justice of the High Court of Australia. His associates will remember him as an extraordinary boss and the time working for him as fascinating, demanding and sometimes surprising. I'm sure we will all hear about his activities post-judicial office. From all of us, Judge, fare well but not farewell.

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- Providing financial and/or tax incentives for RRR students and lawyers;
- Addressing salary levels and working conditions within CLCs;
- Responding to demographic change and need within the legal profession; and,
- Increasing the commitment of public sector funding to legal service provision.

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This article reports on the findings of a more detailed report, completed in July 2008, which was initiated by the Northern Rivers Community Legal Centre and supported by the NSW Law & Justice Foundation. The full report can be found at <[nrcl.org.au/SiteMedia/w3svc728/Uploads/Documents/RecruitmentRetentionOfLawyers.pdf](http://nrcl.org.au/SiteMedia/w3svc728/Uploads/Documents/RecruitmentRetentionOfLawyers.pdf)>.