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30 November 2007

Ms Angela Magarry  
Director – Policy and Analysis  
Universities Australia  
One Geils Court  
DEAKIN ACT 2600

Dear Ms Magarry

**RE: A National Internship Scheme**

Thankyou for the invitation to comment on the Discussion Paper *A National Internship Scheme*. This submission has been informed through discussions with law students' society executives throughout Australia, the Australian Law Students' Association and the Law Council of Australia's Legal Education Committee, although it does not purport to represent the views of the latter organisation.

The Australian Law Students' Association (ALSA) was established in 1978 and is the peak national representative body for Australia's 30 000 law students. ALSA's primary objective is to represent and promote the interests and concerns of all Australian law students.

ALSA commends Universities Australia for taking the initiative to allow more students to access structured work-based learning during their studies. Relevant work experience is an important aspect of education and professional development, and one that should be encouraged. However, ALSA has a number of comments to make.

***Current internship programmes for law students***

The largest employers of law graduates, law firms, already have internship programmes in place. Typically, these programmes, known as 'clerkships', are undertaken over the summer vacation period for between three and ten weeks, depending on the state and firm. Recently, a number of firms have also been offering three to four week winter clerkships over the mid-year break. A least one firm is now offering a twelve-month paralegal programme in place of clerkships, requiring students to work two days a week. Law, in comparison to other disciplines such as finance and business, have a logical career progression from degree to professional practice; hence, recruitment processes for law firm joss are quite well known. The relative strength of law students' societies compared to societies of other disciplines adds to the advertising and awareness of these internships through websites, publications and direct contact with members.

ALSA believes that the current internship structure is sound. ALSA's main criticism is that internships in top-tier firms are increasingly only being offered to penultimate year students, meaning that other students must look elsewhere to gain study-related work experience. ALSA understands the reasoning behind this to be that non-penultimate students are not able to add as much value to the firm, and will not gain as much out of the process. This is partly due to the compartmentalised approach to teaching areas of law at university, in comparison to the interdisciplinary approach to practice areas in the profession. A number of top-tier firms offer research clerk or paralegal positions to students in lower years as an alternative, and lower tier firms may also offer clerkship to students in their earlier years of study.

Consideration must also be given to the high work placement demands of Practical Legal Training Programmes (PLT). In recent years, there has been a shift from accrediting lawyers through the Articles system to PTLs. This shift has seen an increased demand for work placements, especially since a number of universities have started offering PTLs in conjunction with their law degree. ALSA would concur with the submissions of APLEC and Flinders University Law School on this issue, as they deal with PTLs in far more detail.

As well as law internships, there are a number of non-law-firm internship programmes available to law students. These include accounting firms, consulting firms, investment banks, and government departments. Whilst the application processes for these options are lesser-known and ad-hoc, many law students' societies publish job advertisements on their websites, and publish alternative careers guides outlining various types of internships available to law students, and their application processes.

Many law schools also offer Clinical Legal Education subjects, which allow students to gain academic credit for participating with organisations such as consumer advocacy centres, legal aid, and homeless persons' legal clinics. A number of law schools also offer a parliamentary internship subject.

#### ***Criticisms of the current internship scheme***

ALSA's main criticism of non-law-firm internship programmes is the lack of a formal government internship programme for law students. As a major employer of law graduates, ALSA believes that government departments should implement an internship structure similar to law firms. Government work experience is an invaluable opportunity for students. If State and Commonwealth Government departments were to implement an internship process similar to law firms, ALSA believes that more students would undertake internships and ongoing work with Government.

#### ***Possible Issues regarding A National Internship Scheme***

ALSA is concerned that any attempts to increase the number of internships offered by the private sector will have a detrimental effect on currently existing interns and employees. Law firms typically pay their clerks at low rates in comparison to accounting firms and investment banks. To increase the number of interns at these firms could mean lower rates of pay for interns, and could lead to lower productivity as a result of higher supervision demands. Consideration must also be given to

the ever-increasing demand for PLT places. As already stated, the largest need for law internships is currently in the area of government.

Monetary considerations play a large factor in a students' decision to undertake work experience. As already stated, law firms often pay interns at rates far lower than even the retail and hospitality sectors. Hence, students must be prepared to accept a lower income to gain relevant work experience. Whilst volunteer organisations such as community legal centres provide excellent opportunities, students who volunteer must seek an alternative source of income.

ALSA's concerns regarding student welfare payments and the Commonwealth Learning Scholarships are well documented.<sup>1</sup> The stringent requirements of the Youth Allowance system mean that eligible students are actively discouraged from working to ensure they receive their full Youth Allowance payment. Furthermore, law is in the top HECS bracket, is often undertaken with another degree, has a high proportion of full-fee students, and has large textbook costs. All these factors mean that students face higher than average costs whilst at university. Thus, any efforts directed at establishing unpaid or low paid internship programmes need to be conducted in tandem with student welfare reforms.

### ***Conclusion***

ALSA is of the belief that a national internship scheme would certainly benefit students in non-law disciplines. If a programme is implemented to benefit law students, it should aim to provide a government internship programme similar to the system operated by law firms. Any efforts to encourage the private sector to offer more internship positions must balance the effect on PLT students and present interns, monetary considerations and the variety of employment options available to law students.

If you require any further information, please do not hesitate to contact me on 0403 781 992 or at [vp\\_ed@alsa.asn.au](mailto:vp_ed@alsa.asn.au).

Yours sincerely

Mitch Riley

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<sup>1</sup> See <http://www.alsa.asn.au/index.php?id=36&pid=35>.