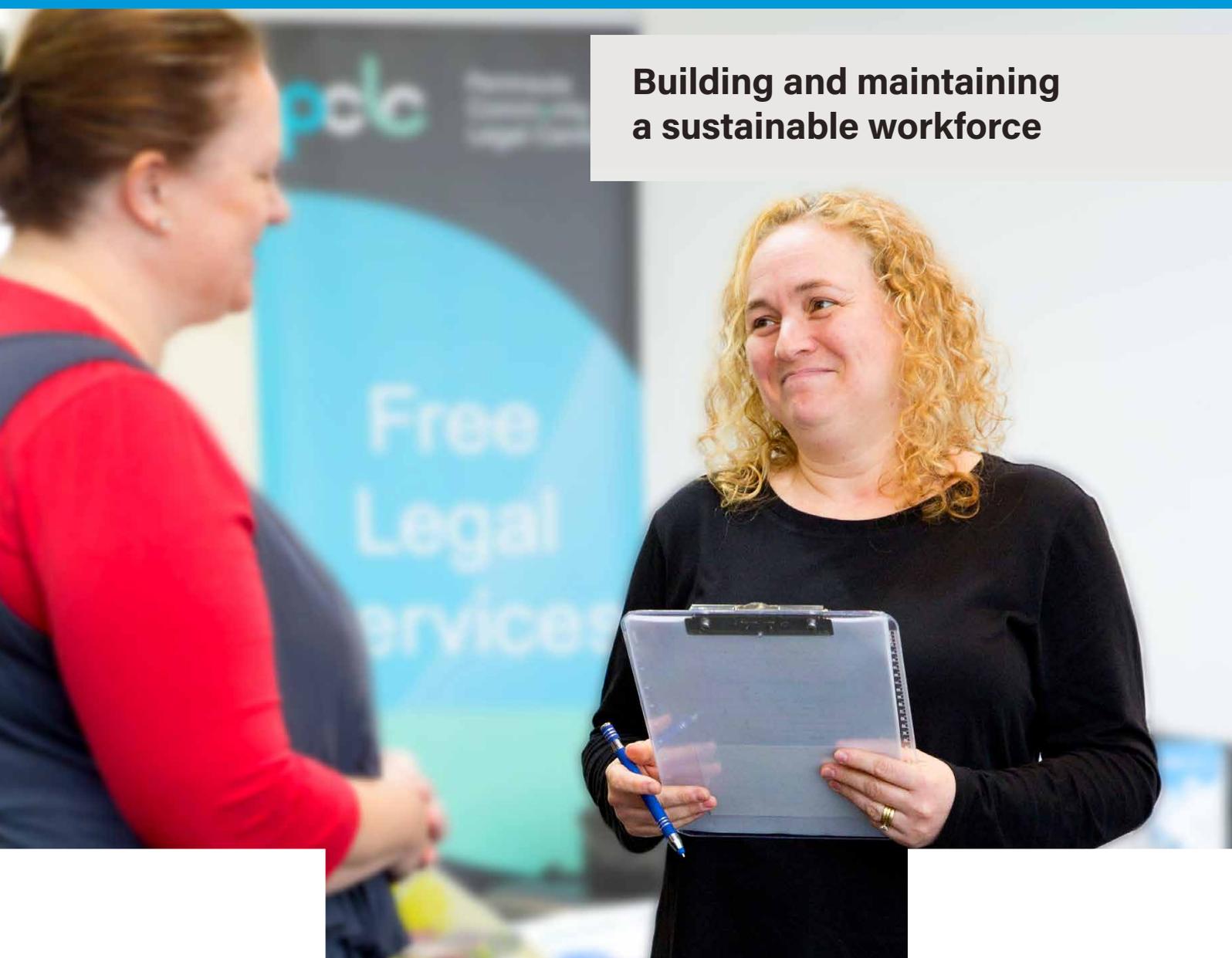


Working in Community Legal Centres in Victoria

Results from the *Community Legal Centres Workforce Project*

Jozica Kutin, Hugh M. McDonald, Nigel J. Balmer, Tenielle Hagland and Clare Kennedy

**Building and maintaining
a sustainable workforce**



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Victoria Law
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The office of Victoria Law Foundation is on the traditional lands of the Wurundjeri people of the Kulin Nation. We acknowledge their history, culture and Elders past and present.

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Community Legal Centres Workforce Project Advisory Group

Bryanna Connell (CEO, Barwon Community Legal Service Inc.), Megan Ross (Manager of Legal Services, Djirra), Belinda Lo (Principal Lawyer, Eastern Community Legal Centre), Gillian Wilks (Director, Social Security Rights Victoria Inc.), and Sarah Rodgers (Principal Lawyer/Manager, Hume Riverina Community Legal Service).

Organisations invited to participate

AED Legal Centre, Animal Law Institute, ARC Justice (including Loddon Campaspe Community Legal Centre and Goulburn Valley Community Legal Centre), Asylum Seeker Resource Centre, Ballarat and Grampians Community Legal Service, Barwon Community Legal Service Inc., Brimbank Melton Community Legal Centre, Consumer Action Law Centre, Disability Discrimination Legal Service, Djirra, Eastern Community Legal Centre, Emma House Domestic Violence Services, Environmental Justice Australia, Federation of Community Legal Centres Victoria Inc., First Step Legal Service, Fitzroy Legal Service, Flemington and Kensington Community Legal Centre (now Inner Melbourne Community Legal), Gippsland Community Legal Service, Human Rights Law Centre, Hume Riverina Community Legal Service, Inner Melbourne Community Legal, InTouch Multicultural Centre Against Family Violence, JobWatch, Justice Connect, Law and Advocacy Centre for Women, Melbourne University Student Union Legal Service, Mental Health Legal Centre, Monash Law Clinics Inc., Moonee Valley Legal Service, Mallee Family Care Community Legal Centre, Northern Community Legal Centre, Peninsula Community Legal Centre, Refugee Legal, Seniors Rights Victoria, Social Security Rights Victoria, Southport Community Legal Service, Springvale Monash Legal Service (now South-East Monash Legal Service), St Kilda Legal Service (now Southside Justice), Tenants Victoria, Victorian Aboriginal Legal Service, Villamanta Disability Rights Legal Service Inc., West Heidelberg Community Legal Service Inc., WEstJustice, Whittlesea Community Connections, Women's Legal Service Victoria, Young Workers Centre, and Youthlaw.



Executive summary

Purpose

The Federation of Community Legal Centres Victoria Inc. (Federation) is the peak body for community legal centres in Victoria. The Federation engaged Victoria Law Foundation (VLF) to conduct a survey of the community legal assistance sector workforce with the aim of profiling the workforce, canvassing ideas which could reinforce positive workforce practice, and capturing experiences and views of the workforce across diverse roles, centres, and geography. This report focuses on workforce sustainability, recruitment, retention, experiences, and career development issues.

What we did

Two online surveys were distributed: one to all community legal centre employees, volunteers, board members and students (Workforce Survey); and one to CEOs or centre managers (CEO Survey). This report is based on survey elements in both surveys that measured what attracted people to working in community legal centres, employee and volunteer recruitment and retention issues, career pathways, opportunities to build a career within community legal centres, and whether and why people were thinking of leaving the sector.

Who responded

In total, there were 664 survey responses for the Workforce Survey, with responses from 44 community legal centres and the Federation. Regional Victorian services were represented by 113 responses (18.3%), and there were 503 (81.7%) responses from people whose community legal centre work was mostly based in metropolitan Melbourne. The CEO Survey was completed by 31 organisations – four from regional legal centres, 14 based in metropolitan Melbourne, and 12 statewide services.

What we found

CEOs' views on recruitment and retention

Ease of recruitment and retention

Most CEOs said that recruiting students, volunteers and board members was relatively easy. For volunteers, 84.6 per cent of CEOs indicated that recruitment was 'quite' or 'very easy'. This compared to only 51.6 per cent for employees.

Once engaged, 83.3 per cent of CEOs suggested that retaining employees was 'quite' or 'very easy'. Of CEOs surveyed, 76.0 per cent said volunteers were easy or quite easy to retain and 57.1 per cent also indicated that volunteers were essential to their centre's service capacity.

Roles that were difficult to fill or retain

CEOs indicated that lawyer and principal lawyer roles were particularly difficult to fill, with 38.7 per cent and 32.3 per cent of CEOs respectively reporting difficulties. Social worker and policy and advocacy positions were the next two roles cited as difficult to fill (16.1% and 12.9% respectively).

CEOs most frequently identified lawyer positions, followed by paralegal/law student, social worker, reception and policy and advocacy positions as having a 'quick turnover'.

Issues affecting employee and volunteer recruitment and retention

Funding, and an inability to offer permanent, full-time positions, were seen as barriers to both successful recruitment and long-term retention of paid employees. Once recruited, CEOs suggested that successful retention of employees was related to positive workplace culture, aligned values and stage of career.

CEOs saw the structure and design of volunteer programs as central to volunteer recruitment and retention. This included being able to offer opportunities for professional development and in some cases, the possibility of moving into paid positions.

CEOs indicated that recruitment of both paid employees and volunteers could be more challenging in particular locations.

CEOs noted a lack of cultural diversity in their workforce, and difficulties attracting people from diverse (or specific) backgrounds, notably Aboriginal and Torres Strait Islander staff. Some were able to point to ways to enhance diversity, such as student programs that encouraged those from diverse and marginalised backgrounds.

The workforce's path to, through and beyond community legal centres

The route to community legal centres

The most common places of work prior to respondents joining their current community legal centre were private law firms (16.5%), other community legal centres or Aboriginal legal centres (14.7%) and non-government organisations or agencies (15.8%). A smaller proportion of respondents (10.7%) were studying prior to working at their current community legal centre and 4.5 per cent were previously working at Victoria Legal Aid.

The single most common reason for joining a community legal centre was to 'help people facing economic, cultural or social disadvantage'. Other common reasons included wanting to make justice more accessible and equitable, to have a positive impact on society and to have an opportunity to work with others with shared values and purpose.

Whether community legal centres met expectations

Of those surveyed, 73.2 per cent stated that working or volunteering in community legal centres was what they expected. Some respondents were pleasantly surprised at the level of collegiality and cohesion among staff, as well as the degree of impact and sense of professional fulfilment they were able to achieve.

Conversely, others were surprised by the sheer lack of funding and the impact this had on both clients (providing services in keeping with need and having the impact they felt they could and should have), and the workforce (constraining pay and limiting opportunities). Some also expressed surprise at the volume of client need and problem complexity, and the expectations placed on junior staff to manage complex cases.

Regardless, level of organisational commitment among Workforce Survey respondents was extraordinarily high, with 91.3 per cent proud to tell others where they worked.

Career length to date, movement and future plans

The average length of employment or volunteering in community legal centres over respondents' whole career to date was just over six years. There was evidence of significant staff movement between community legal centres: 44.4 per cent of respondents had worked for at least two different centres.

Respondent's plans to continue working at their current community legal centre was related to whether their contract was ongoing, fixed-term or casual.

Opportunities to build a career and future aspirations

Two-thirds of survey respondents indicated that they thought there were opportunities to build a career within community legal centres, with little difference in percentage between metropolitan and regional respondents.

Perceived barriers included flat organisational structure limiting opportunities, a sector which is too small, low pay, job insecurity, limited funding, and the lack of, or the cost of professional development.

When asked where they aspired to work in the future, respondents most frequently reported wanting to work at another community legal centre or Aboriginal legal service (42.4%), followed by government organisations or agencies (40.3%), Victoria Legal Aid (37.4%) and non-government organisations or agencies (34.9%). Overall, 13.6 per cent of respondents reported that there was no other organisation they aspired to work for.

Thinking of leaving community legal centres

Among Workforce Survey respondents, 36.0 per cent were thinking about leaving their centre, with half of these actively looking for other jobs. This is equivalent to nearly one in five (17.5%) community legal centre employees actively looking for another job. The percentage considering leaving was comparable in regional and metropolitan areas.

While nearly one in five community legal centres employees were actively looking for another job, more than half (53.8%) were considering a move to another community legal centre.

The most common reason for seeking new employment was to advance their careers (endorsed by 65.4% of respondents), with other common reasons focusing on low pay and job insecurity. Respondents far less commonly cited challenging work (e.g. stress, complex cases or challenging to serve clients) as a rationale for moving on.

Those actively seeking another job were most commonly looking for a position within government organisations or agencies (64.1%), followed by other community legal centres or Aboriginal legal service (53.8%), Victoria Legal Aid (46.2%) and non-government organisations or agencies (44.9%).

Implications

Workforce sustainability and funding

This report is part of a series stemming from the Community Legal Centres Workforce Project. The report describes how and why people come to work at community legal centres, what they find when they get there, their experiences and career path, their long-term aspirations and, for those looking to leave, their reasons and potential destinations. These are all issues that affect community legal centre workforce sustainability, and consequently effective leadership and policy response.

The findings demonstrate that the workforce is passionate and dedicated. They are clearly committed to improving the lives of the most marginalised members of our community. What was also clear, was the surprise the workforce expressed as to the enormity of unmet need in the community – and the awareness that so many in need were missing out. This is also borne out in national and international work that evidences the significant justice gap.

In this context, frontline workers are constantly striving to do more with less, all the while feeling undervalued and under pressure to prove their worth and effectiveness. Lack of funding is at the heart of this.

Australian community legal centres have been held up as a global example of ‘what works’ in access to justice.¹ They provide the foundation for building community access to justice from the bottom-up. They provide community legal assistance that is community focused. They provide and implement innovative services and solutions tailored to the diverse needs and capabilities of the communities they serve. To continue to do this, the sector needs to run on more than fumes, on more than passion and commitment to justice. It needs to be resilient and sustainable. This ultimately means recognition, respect and funding in line with the critical contribution it makes.

¹ Task Force on Justice (2019).

1. Introduction

In early 2020, the Federation and Victoria Law Foundation (VLF) met to discuss how empirical research could strengthen understanding of and support for the Victorian community legal centre sector. Several recurrent workforce issues were identified, including workforce sustainability, recruitment and retention, career development, training and support needs, job satisfaction, wellbeing, and resilience. The Federation and VLF agreed to undertake the Community Legal Centres Workforce Project. A survey of the Victorian community legal centre workforce intended to provide information to help build and support a strong, sustainable, capable and resilient workforce that is fit for the future.

Two surveys were developed to systematically collect the views and experiences of those working in Victorian community legal centres. The first, the Workforce Survey, was targeted to the whole community legal centre workforce and canvassed individuals' perspectives. The second, the CEO Survey, was for centre CEOs or managers, and focused on organisation-wide issues.

Specifically, the project aimed to provide a profile of the community legal centres workforce; canvas ideas to support positive workplace practice; and capture experiences and views of the workforce across diverse roles, centres and geography.²

This report focuses on items within the Workforce and CEO surveys addressing issues of workforce recruitment and retention, career pathways, and why people working in Victorian community legal centres are leaving or thinking of leaving.

1.1 Workforce sustainability

Sustainability of the community legal centre workforce is widely seen as under threat on several fronts. Access to justice research, inquiries and reviews have consistently found that community demand for legal assistance outstrips supply of public legal assistance.³ Issues around staff recruitment, turnover, retention and burnout are seen as ever-present features of community legal centre work. Sector funding, leadership, co-ordination, and collaboration are variously seen as paths to build and maintain workforce sustainability.⁴ More broadly, workforce sustainability is also underpinned by capacity to anticipate and adapt to a changing systemic and service environment, in which sector resilience, reform and innovation may be determinative.

As the Federation has recently set out, sustainability of community legal centres means:

Ensuring that we have a workforce for the future, good governance and leadership, increased funding and resources, and resilience and capability to adapt to change.⁵

² VLF's recent legal assistance sector data mapping project found strong evidence of varied organisational capability across Victorian community legal centres. Understanding workforce views and experiences would allow responses to be better tailored to diverse needs. See McDonald, McRae, Balmer, Hagland and Kennedy (2020).

³ The 2016 Victorian Access to Justice Review, for example, reported "significant gaps between the legal needs of the most disadvantaged Victorians and the resources available for legal assistance services to meet those needs" (Department of Justice and Regulation, 2016, p.382). The Productivity Commission (2014) and Law Council of Australia (2018) similarly reported substantial funding of Australia's public legal assistance services.

⁴ For example, reviews of the National Partnership Agreement on Legal Assistance Services and Indigenous Legal Assistance Program, since replaced by the National Legal Assistance Partnership, both point to leadership, co-ordination and collaboration, in addition to funding, as factors affecting service and staff sustainability (Urbis, 2018; Cox Inall Ridgeway, 2019).

⁵ Federation of Community Legal Centres Victoria Inc. (2021, p.32).

Community legal centres sit at the frontline of community demand for legal assistance and bear the brunt of people struggling and often desperate to obtain legal help. Community legal centres use several strategies to stretch funding and increase service capacity. This includes increasing workforce capacity through volunteers and students, and partnering and collaborating with other legal and human assistance services. Whenever service demand outstrips supply, however, the reality is that service providers are faced with difficult choices about the type of legal assistance provided, for what type of legal matters, and for which cohorts.

Anecdotal observation suggests a 'brain drain' of lawyers from Aboriginal and community legal services to other employers, and an employment cycle where community legal centres often serve as a 'stepping stone' for other legal employment. Staff are initially attracted by the nature of the work and opportunity to establish and develop a legal career, before becoming burnt out by service demand and workload, or otherwise frustrated by lack of opportunity for career and salary progression. Staff salaries in Aboriginal and community legal services have been noted to be comparatively lower than those in legal aid commissions and government departments, at least for legal positions, and especially in comparison to legal positions in private legal service providers.⁶

Staff turnover is associated with loss of staff skill and expertise, particularly with respect to local service demands, and loss of service capacity in the period it takes to recruit and fill positions, and where service demand will often fall onto remaining staff.⁷

Legal assistance funding is inextricably linked to community legal centre workforce sustainability. Uncertainty of ongoing and future funding directly affects not only staff remuneration, but also security and tenure of employment. With time-limited funding provision (e.g. one-year, three-year funding cycles) typically comes time-limited fixed-term employment. One-off and fixed-amount grant, project and recurrent program funding also creates inevitable employment insecurity for those specially employed using insecure and non-ongoing funding. For both legal and other community legal centre staff, permanent positions in the public service may be both more attractive on salary and security of employment tenure.

Public legal assistance funding cycles create significant uncertainty for those employed on fixed-term contracts that expire at the same time as funding provision. Where community legal centres are unable to commit to extending employment contracts due to funding uncertainty, employees often start the search for other employment. Many will be successful, contributing not only to staff turnover, but staff vacancy when funding may be eventually extended. Lack of employment security can negatively impact a person's ability to achieve financial security for themselves or their families.

There are also indications that public legal assistance policy has changed the nature of community legal centre work. National legal assistance policy prioritises legal assistance to the most disadvantaged in the community.⁸ Empirical research clearly demonstrates that it is the most disadvantaged members of the community who have higher vulnerability to multiple and more severe legal and related needs, and who also tend to suffer more adverse consequences.⁹ This is one reason that community legal centres have increasingly adopted trauma-informed approaches to practice, and support staff wellbeing.¹⁰ Trauma-informed practice, however, depends upon the resources community legal centres have to be able to operate in that way.

The Workforce and CEO surveys were specifically designed to provide new evidence and insights about workforce recruitment and retention; experiences working in community legal centres; career pathways; and reasons why people may be considering leaving community legal centres.

6 See, for example, Law Council of Australia (2018) and Department of Justice and Regulation (2016).

7 Law Council of Australia (2018).

8 See *National Partnership Agreement on Legal Assistance Services 2010–2015*, *National Partnership Agreement on Legal Assistance Services 2015–2020*, *National Legal Assistance Partnership 2020–2025*, and *National Strategic Framework for Legal Assistance*.

9 See McDonald and Wei (2016, 2018), Pleasence, Balmer, Buck, Smith and Patel (2007), and Pleasence, Coumarelos, Forell, and McDonald (2014).

10 See, for example, Eastern Community Legal Centre (n.d).

1.2 Recruitment and retention challenges

Recruitment and retention of lawyers has long been a topic of policy concern and investigation in access to justice in Australia. One area of research has been recruitment and retention of private lawyers willing to perform legally aided work, especially in rural, regional and remote areas (RRR).¹¹

Recruitment and retention are also factors affecting the design and provision of an appropriate and sustainable mix of legal assistance services across different geographic areas, and across different areas of law and legal need.¹²

For example, the Law Council of Australia's *The Justice Project* reported that assisting disadvantaged and vulnerable people through the legal system is a complex task, as relevant law, client situations and the legal system are often all complex. Particularly for those that rely on Aboriginal and community legal services for legal help, achieving successful outcomes depends upon:

*Not only strong legal knowledge, but multi-disciplinary skillsets, a comprehensive understanding of relevant client groups and 'soft skills' – empathy, relationship building, networking and strong communication skills.*¹³

The Law Council of Australia further found that service pressure and funding uncertainty contributed to staff frustration, burnout, and turnover. With that came loss of expertise, and, ultimately, it undermined community access to justice. Turnover amongst legal staff was high, particularly those working in remote areas or providing assistance to more challenging communities and cohorts, including those in urban locations.¹⁴ Legal service sustainability was hampered by high caseloads, high staff turnover, and low retention of legal staff.

Others have also been concerned by 'juniorisation' of legal practitioners performing public legal assistance work.¹⁵ As experienced lawyers leave Aboriginal and community legal services, and experienced solicitors and counsel withdraw from performing legally aided work, such positions and work has been seen as falling to younger or less experienced lawyers.

Recruiting staff and volunteers is resource intensive for any organisation. High staff turnover is costly, and therefore investing in retention makes sound business sense. To place the community legal sector in context, in 2021 it was reported that there were some 83,643 solicitors¹⁶ practising in Australia, of whom 3 per cent worked in the community legal sector. Most solicitors work in private practice (67%).¹⁷ Figures for Victoria were broadly similar, with only 4 per cent of solicitors working in community legal centres.¹⁸

Community legal centres find it difficult to compete in the lawyer market given their inability to offer attractive salaries.¹⁹ A benchmarking study of community legal centre salaries found that salaries for lawyers and staff were not competitive.²⁰ The award at that time (in 2006) was 42 per cent behind the market for principal lawyers and 17 per cent behind the market for lawyer roles.²¹ This disparity was also borne out in a study of lawyers in regional, rural and remote areas (RRR) of New South Wales.²² Lawyers in community legal centres and Aboriginal legal centres earned 30 per cent less than their counterparts in Legal Aid NSW.²³

11 See for example Cain, Marcourt and Mulherin (2014), Law Council of Australia and Law Institute of Victoria (2009), Mundy (2008), Forell, Cain and Gray (2010), and Coverdale (2011).

12 Cain, Marcourt and Mulherin (2014); Coverdale (2011); Law Council of Australia (2018).

13 Law Council of Australia (2018, p.96).

14 Law Council of Australia (2018).

15 Law Council of Australia (2004); Schwarz (2019).

16 Urbis (2021, p.1).

17 Urbis (2021, p.23). 'Community legal' sector included solicitors holding a community legal practicing certificate or were working in community legal centres (p.63). 'Other' sector was defined as solicitors holding a volunteer practicing certificate (and not working in a community legal centre), locums, and/or non-practicing practicing certificate holders (p.63).

18 In total there were 21,218 solicitors in Victoria (Urbis, 2021, p.23).

19 Mundy (2009); Patrick (2007).

20 Mercer Human Resource Consulting (2006).

21 Mercer Human Resource Consulting (2006).

22 Cain and Forell (2011).

23 Cain and Forell (2011, p.279).

As with many community-based organisations, the community legal centre workforce is female dominated – 76.9 per cent are women.²⁴ Women dominate all roles within community legal centres: 75.7 per cent of people in leadership roles are women; 73.1 per cent in legal roles; 78.1 per cent in client service roles; and 88.6 per cent in centre operations and administrative roles.²⁵ In this context, gender²⁶ also compounds sector-related salary issues.²⁷

Several studies have identified how recruitment and retention challenges are exacerbated for community legal centres in RRR areas, particularly with respect to legal positions.²⁸ Barriers to recruiting legal staff to community legal centres in RRR areas include: unattractive or uncompetitive salaries; perceived lack of career progression; lack of familiarity with and interest in RRR areas; and financial, familial and social relocation costs.²⁹ Difficulty recruiting staff to RRR areas has been characterised as both a workforce capacity issue as well as an access to justice issue, particularly for public legal assistance for marginalised people in RRR communities who rely on community legal services.³⁰

1.3 Why people leave

The reasons why people leave or are thinking about leaving organisations point to factors employers may need to consider to successfully reduce staff turnover.

A certain level of turnover is unavoidable and not necessarily related to either workplace or employment conditions. For example, someone may leave an employer to relocate with a partner who has taken a job in another town or country. Someone may also leave to pursue other career passions or for a range of other personal reasons.³¹ Leaving for workplace-related reasons, however, may be for systemic factors which are likely to continue, or even become exacerbated, unless they can be redressed.

Commentary and research investigating reasons why people look to change positions or leave the legal sector has largely focused on lawyers working in private firms. Less attention has been paid to those working in public legal services, and even less to those working in community legal centres who are not in lawyer roles, such as those in co-ordination, administration and other client roles.

With respect to lawyers working in the broader legal sector, studies have shown that the reasons lawyers leave their current employers include: inadequate remuneration and salary;³² excessive work hours (poor work-life balance);³³

²⁴ Kutin et al. (2021b). Urbis (2021, p.3) reported that 71 per cent of community legal sector solicitors were women.

²⁵ Kutin et al. (2021b, p.18).

²⁶ The gender pay gap in Australia is between 13.8 per cent and 22.8 per cent. The Workplace Gender Equality Agency (WGEA) reports the 'gender pay gap' using data from the Australian Bureau of Statistics (ABS) and their own data. Using ABS data, the gender pay gap was 13.8 per cent and using their own data it was 22.8 per cent, that is women earned 22.8 per cent less than men. See <https://www.wgea.gov.au/publications/gender-equality-workplace-statistics-at-a-glance-2022>. Further, within the legal services industry, as reported to Workplace Gender Equality Agency (WGEA), the full-time gender pay gap is 23.0 per cent. Industry-based data is available from the Workplace Gender Equality Agency Data Explorer and accessed on 26 July 2022 (<https://data.wgea.gov.au/home>). The industry type was 'Legal services' and the WGEA data is based on 70 organisations with 30,952 employees (https://data.wgea.gov.au/comparison/?id1=1&id2=115#summary_content). It is important to note that reporting to WGEA is required for organisations with 100 or more employees (<https://www.wgea.gov.au/what-we-do/reporting>) which would rule out most community legal centres. Within these reporting legal services organisations, 68.6 per cent of employees are women.

²⁷ While the causes of the gender pay gap are many and varied – one factor, salary secrecy, has been shown to disadvantage women. In addition, women have also been found to be more likely to trade higher salary and inflexible work arrangements for improved flexibility, part-time work and work-life balance (Pender, 2021; Guest, 2018).

²⁸ Mundy (2009); Cain and Forell (2011).

²⁹ Mundy (2009, 2013); Forell, Cain and Gray (2010); Cain and Forell (2011).

³⁰ Mundy (2009); Cain and Forell (2011).

³¹ Cain and Forell (2011); Mundy (2011). For example, of young lawyers who wanted to leave, 33 per cent stated they had a desire to work overseas (International Bar Association, 2022, p.19).

³² Urbis (2014); Pender (2021); Cain and Forell (2011); International Bar Association (2022).

³³ The International Bar Association (2022) conducted a global opt-in survey of young lawyers between April and August 2020, in English and Spanish, received 3,056 responses and 200 of these responses were from Australia (p.16). Globally, of those who wanted to leave, 35.8 per cent included lack of work-life balance as one of their reasons (International Bar Association, 2022, p.19). See also Oakes (2006) and Urbis (2014, p.57).

lack of career progression or variety;³⁴ conflict with colleagues or management;³⁵ poor leadership;³⁶ or lack of administrative support.³⁷ Other retention issues identified for community legal centres in RRR areas include professional isolation³⁸ and being too far from friends and family.³⁹

There are inconsistent findings on the role that salary plays. Some studies have shown that salary (as noted above) was one of the reasons why lawyers want to leave,⁴⁰ however others have shown that salary may not be the primary or key driving factor, but rather that it is a component of a wider work-life package where other benefits, such as professional fulfillment, lifestyle and amenity are also relevant.⁴¹

Several studies have identified work type and load as having a negative impact on the wellbeing of lawyers, contributing to them wanting to leave their current positions. An international survey of young lawyers recently found that of those who reported wanting to leave their current position, 39 per cent indicated that it was because of the work's negative impact on their mental wellbeing.⁴² Similarly, in a small sample of no longer practicing lawyers, 39 per cent attributed wanting to leave the legal profession to reduce workplace stress and pressure.⁴³

There are potentially several issues the community legal sector might need to address when attracting and retaining employees. As noted above, the three dominant reasons that were identified in previous research as to why people leave were dissatisfaction with pay, lack of career progression and poor work-life balance. How these factors play out in the broader community legal sector in Victoria is not yet clearly understood.

Even though previous research has largely focused on the issues facing recruitment and retention of *lawyers*, one of the unique contributions of this report is that it covers workforce recruitment and retention *for all* community legal centre roles: lawyers, centre operations, other direct client services and leadership positions. In addition, this research surveyed not just employees, but sought the views of volunteers, board members and students.

1.4 This report

This report explores recruitment and retention issues canvassed in the community legal centre Workforce Survey and CEO Survey. It provides information about why people leave Victorian community legal centres based on their reported reasons. The report provides important new insights into workforce retention issues and broader sector sustainability.

This is the final report in a series of publications from the Community Legal Centres Workforce Project. This report first provides a brief overview of the survey and analysis methods used. Note that in-depth information about the survey methodology, along with the survey instrument, is available in the *Technical report*.⁴⁴

34 Lawyers are attracted to organisations that offer career development and progression opportunities (Bradley, 2005; Mundy, 2009; Cain and Forell, 2011). Thirty-eight per cent of young lawyers noted lack of career progression as a reason for wanting to leave (International Bar Association, 2022, p.19). Urbis (2014, p.5, 20) surveyed Australian lawyers who cited lack of career progression and opportunities as cause for their dissatisfaction in the (legal) workplace – more so among women compared to men. Similarly, lack of career opportunities was cited as a reason for the decline in practicing lawyers in RRR areas of NSW (Mundy, 2009). See also commentary in Africa (2001) and Mazares (2001).

35 Cain and Forell (2011); Urbis (2014).

36 Urbis (2014); Africa (2001); Cain and Forell (2011).

37 Cain and Forell (2011); Africa (2001).

38 Cain and Forell (2011); Mundy (2013); Rowe (2011).

39 Cain and Forell (2011).

40 Of the young lawyers wanting to leave, 48.6 per cent said it was because of salary (International Bar Association, 2022, p.20). A study of women lawyers in Australia found that women felt their pay levels were not commensurate with their education, experience and hours worked (Urbis, 2014).

41 Africa (2001); Cain and Forell (2011).

42 International Bar Association (2022, p.20).

43 Urbis (2014, p.57).

44 Kutin, McDonald, Hagland, Kennedy and Balmer (2021a).

Readers are also directed to previously published reports from the Community Legal Centres Workforce Project: *The Workforce profile* report,⁴⁵ *COVID-19 experiences and lessons* report,⁴⁶ and *The role of legal education* report.⁴⁷

Following the details on the method, this report sets out the survey findings – based on analyses of the Workforce Survey and CEO Survey. The findings are organised in three sections. The first section reports on recruitment and retention for employees, volunteers and students, and board members from the perspective of CEOs and managers.

The second sets out findings on career pathways, including: Where were they previously employed? Can they build a career in the sector? What are their aspirations and where do they plan to work next?

The final section reports whether and why people are considering leaving the community legal centre sector, including: How many people are planning to leave? And finally, what are their reasons for wanting to leave?

The report concludes with a summary of the results and discussion of the implications.

45 Kutin et al. (2021b). The *Workforce profile* report detailed the demographic and other characteristics of the community legal centre workforce, including details of work roles, hours worked, length of service, workplace agreements and awards, average salaries, working arrangements and other benefits.

46 Kutin, McDonald, Hagland, Kennedy and Balmer (2022a). The *COVID-19 experiences and lessons* report examined the way in which community legal centres adapted to changing demands during COVID-19.

47 Kutin, McDonald, Balmer, Hagland, Kennedy and Okraglik (2022b). The *role of legal education* report explored the role of university education and clinical experience in inspiring young lawyers to work in the legal assistance sector, another piece of the recruitment and retention puzzle.

2. Methods

2.1 Participants and distribution

The project consisted of two separate surveys. For the Workforce Survey, all of those working or volunteering at Victoria's 46 community legal centres and the Federation were invited to participate.⁴⁸ This included paid staff, volunteers, students and board members. A separate CEO Survey was sent to each community legal centre for completion by their CEO or a delegated member of staff with a strategic overview of the centre and its operations.⁴⁹

The Federation was responsible for circulating the Workforce Survey to their membership database on behalf of VLF⁵⁰ via an email link to the online survey. To maximise response rates, three reminder emails were sent to the Workforce Survey distribution list, as well as emails sent to centre managers and CEOs to encourage their staff to participate. CEOs also received up to three reminders to participate in the CEO Survey. The surveys were entirely voluntary, informed consent was obtained from all respondents, and respondents who chose to begin the survey could exit at any time.⁵¹ The Workforce Survey was distributed in late October 2020 with distribution of the CEO Survey following in December 2020.⁵²

2.2 Response

The CEO Survey was completed by 31 respondents.⁵³ Staffing data was acquired for the remaining 15 community legal centres either by email, webpages, or annual reports. Of the CEOs who completed the online survey, 15 were from specialist and 16 from generalist community legal centres. In terms of location, four (12.9%) CEO Survey respondents were from regional Victoria, 13 (41.9%) were from statewide services and 14 (45.2%) were from community legal centres that largely served metropolitan Melbourne. Due to the small sub-group size ($n = 4$), it was not possible to compare regional CEO responses with metropolitan CEO responses in statistical analyses. However, with open-ended responses (qualitative data) we have included the CEOs' location in the attribution.

In total, there were 664 survey responses for the Workforce Survey, with responses from 44 community legal centres and the Federation.⁵⁴ Responses received from each organisation ranged from two to 61 per centre. Regional Victorian services were represented by 113 responses (18.3%) and there were 503 (81.7%) responses from

48 Refer to the Acknowledgements for the list of community legal centres invited to participate.

49 The Federation did not participate in the CEO Survey.

50 Individuals contact details were not shared with VLF. There was the possibility that some people may have completed or partially completed the survey more than once. An algorithm was applied to uncover duplicate records. Twenty-eight possible duplicate cases were detected. Survey responses for each duplicate pair were assessed and nine duplicate pairs were identified and removed from the final dataset.

51 Ethical review was provided by the Victoria Law Foundation Board Research Subgroup, who approved the project.

52 There were significant COVID-related public health restrictions in Victoria in late 2020. These are likely to have had an impact on response rates, particularly for students and volunteers since most community legal centres had moved to work from home arrangements and in many cases were not operating with volunteers and students at the time of the survey.

53 A response rate of 67.4 per cent (31 from 46 centres). A further five CEOs also provided staffing numbers by email. Of the 31, 22 were CEOs, five centre managers (for those within an auspicing organisation), one a CEO of an auspicing organisation, and three delegated employees with a strategic overview of the community legal centre operations.

54 Based on the CEO Survey results, the community legal centre sector has 1,211 employees, 318 board and management committee members, 2,081 volunteers and 313 students. 664 people completed the Workforce Survey which represented 16.9 per cent of the entire workforce. However, it is to be noted that of the 664, 506 respondents were employees who therefore represent 41.8 per cent of all employees. Response rates for students and volunteers (4.3%) and board members (8.2%) were low and their survey results should be treated with caution. Note that respondents were able to skip questions they did not wish to answer, meaning number of responses varied by question. In calculating percentages, we use number answering the question as the denominator throughout.

people whose work was mostly based in metropolitan Melbourne. Most respondents worked or volunteered in legal roles (56.0%), 15.5 per cent held other client service roles, 16.7 per cent worked in centre operations and 11.8 per cent were in leadership roles.⁵⁵

Most respondents were female (76.9%), 21.5 per cent were male and 1.6 per cent identified as non-binary, gender diverse. Of the workforce, 23.5 per cent were aged between 18 and 29 years, 30.9 per cent were in the 30 to 39-year age group, 19.9 per cent were in the 40 to 49-year age group, 15.1 per cent were in the 50 to 59-year age group, and 10.5 per cent were aged 60 years or older.⁵⁶

The survey was entirely voluntary (participants were not forced to answer all questions) and respondents who chose to begin the survey could exit at any time. While this places less burden on respondents, it also means that the number of responses varies by question.

2.3 Survey instruments

The Workforce Survey covered five main topic areas: 'you and your role', 'working in the sector', 'work and life', 'your needs', and 'overall views on community legal centres'.

The CEO Survey covered some general questions about the CEO's centre, followed by six modules: 'staffing overview', 'agreements and awards', 'impact of COVID-19', 'challenges and pressures', 'funding and reporting requirements', 'sector collaboration and the Federation'.

The surveys included new questions and items derived from established workforce surveys including the People Matter Survey Wellbeing Check,⁵⁷ the American Working Conditions Survey,⁵⁸ Victorian Legal Services Board and Commissioner survey on sexual harassment,⁵⁹ and an international survey of lawyer wellbeing.⁶⁰ The Workforce Survey also included standardised and validated scales to measure job satisfaction,⁶¹ personal wellbeing and life satisfaction,⁶² psychological wellbeing,⁶³ and resilience.⁶⁴

Each questionnaire was developed in collaboration with the Community Legal Centres Workforce Project Advisory Group comprised of representatives from a mix of small, large, specialist, generalist, Aboriginal, metropolitan, and regional community legal centres as well as the Federation. The full Workforce Survey and CEO Survey questionnaires are available in the *Technical report*.⁶⁵

55 Further detail on how work roles were coded can be found in the *Technical report* (Kutin et al., 2021a, p.13) and further information on participant characteristics are presented in the *Workforce profile* report (Kutin et al., 2021).

56 Of the 664 Workforce Survey respondents, 637 provided both their age and gender.

57 Victorian Public Sector Commission (2020).

58 Maestas, Mullen, Powell, von Wachter and Wenger (2017).

59 Ipsos Public Affairs (2019).

60 International Bar Association (2020).

61 Thompson and Phua (2012).

62 Cummins (2013).

63 Bech, Olsen, Kjoller and Rasmussen (2003); Topp, Østergaard, Søndergaard and Bech (2015).

64 Smith, Dalen, Wiggins, Tooley, Christopher and Bernard (2008).

65 Kutin et al. (2021a).

2.4 Procedure and analysis

The surveys were administered online using LimeSurvey.⁶⁶ Each questionnaire was programmed by VLF researchers and tested by VLF and Federation staff. For the Workforce Survey, cognitive testing⁶⁷ was conducted to identify, remedy, and optimise survey comprehension and flow.

Descriptive and bivariate statistical analyses were carried out using SPSS.⁶⁸ Open-ended survey questions, where respondents were asked to provide a written response, were analysed using MAXQDA, a software package for qualitative and mixed-methods data analysis.⁶⁹ Open-ended survey answers were analysed sequentially using thematic analysis⁷⁰ and codes were developed to summarise responses (i.e. inductive coding). Codes were reviewed and grouped to generate main or dominant themes.

In the findings below, some quotations from respondent answers to open-ended Workforce Survey and CEO Surveys are presented. Attributions for these quotes report the survey they are drawn from, and in the case of the Workforce Survey, the respondent's main workforce group. For the CEO Survey, the community legal centre service area (metropolitan, regional or statewide) is reported. Workforce Survey respondents were asked to select the roles they performed in their community legal centre and were classified into one of four mutually exclusive groups: leadership roles (manager, CEO or board member); legal roles (principal or senior lawyer, lawyer, paralegals or law students); client service roles (e.g. reception, intake, community engagement, aboriginal engagement worker, social worker); or centre operations (e.g. administration, corporate services, research, policy and advocacy, or program or project manager or coordinator).

Workforce and CEO Survey questionnaires and further methodological detail can be found in the separate *Technical report*.⁷¹

66 LimeSurvey GmbH (2003).

67 Collins (2003).

68 IBM Corp (2020).

69 VERBI Software (2019).

70 Terry, Hayfield, Clarke and Braun (2017).

71 Kutin et al. (2021a).

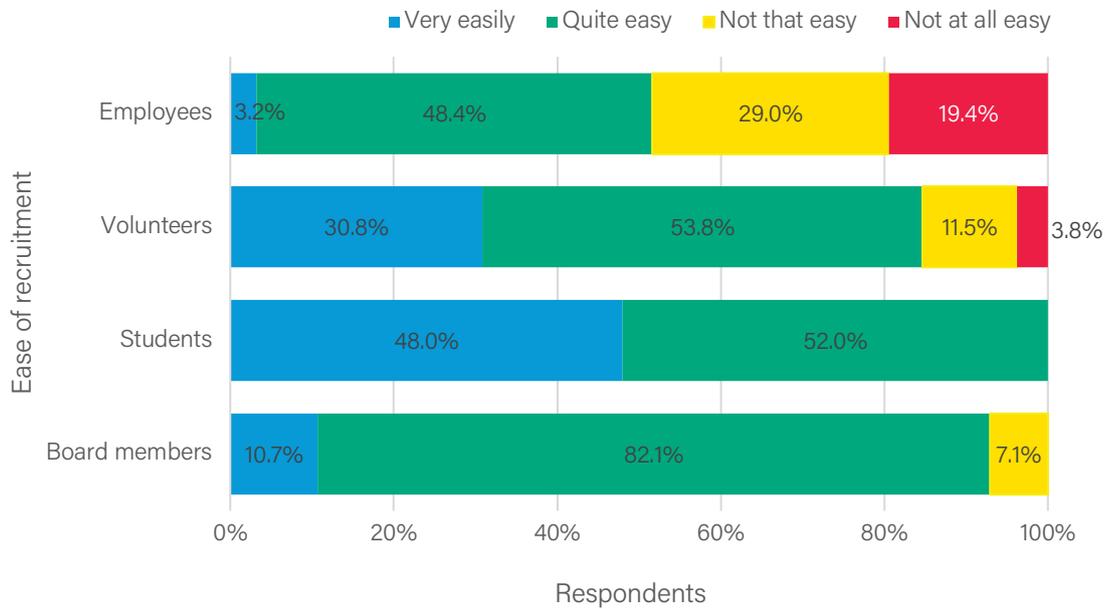
3. Recruitment and retention – CEO insights

3.1 Ease of recruitment and retention

There are approximately 4,000 people employed or volunteering in Victorian community legal centres.⁷² This number includes 1,211 employees, 2,081 volunteers, 313 students and 318 board members. At the time of the CEO Survey, almost half of the community legal centres in Victoria had vacancies – a total of 63 vacant employee positions – 41 of which were for full-time positions.⁷³

CEOs and centre managers were asked in the CEO Survey how easy it was to recruit employees, volunteers, students, and board members (Figure 1). All CEOs stated that the recruitment of students was either very or quite easy. Similarly, the majority felt that recruiting volunteers and board members was relatively easy (84.6% and 92.8% 'very' or 'quite' easy respectively). Far greater difficulties lay with recruiting employees, with 48.4 per cent of CEOs indicating that it was 'not that easy' or 'not at all easy'.⁷⁴

Figure 1. Ease of employee, volunteer, student and board member recruitment (CEO Survey)



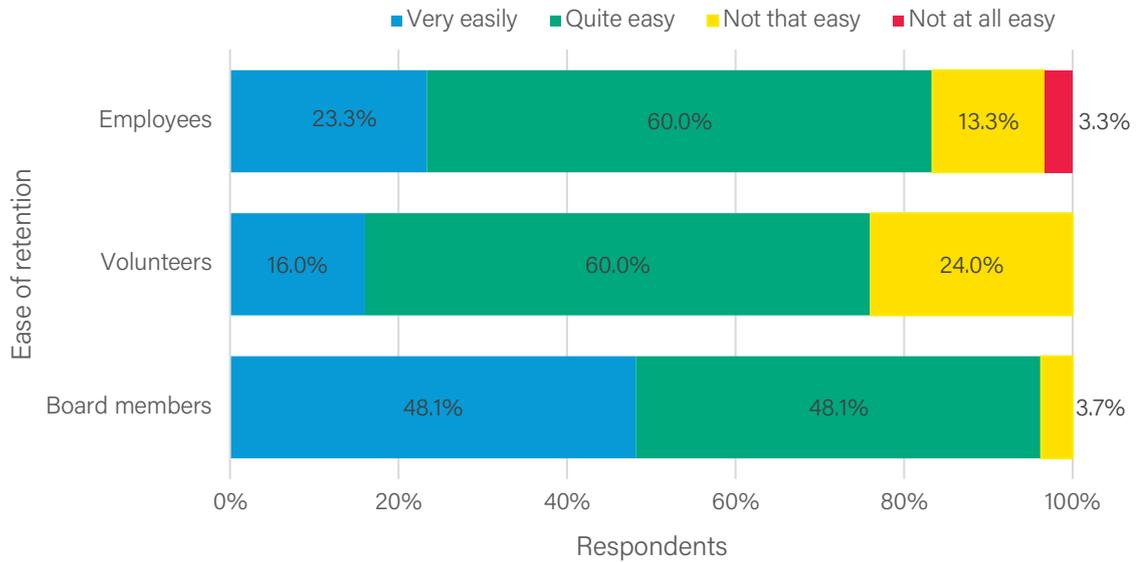
⁷² Kutin et al. (2021b, p.13).

⁷³ Kutin et al. (2021b, p.15).

⁷⁴ Analysis of ease of recruiting employees (not easy, easy) by community legal centre service area (metropolitan, regional, statewide) was conducted. There was no significant statistical difference.

Turning to retention (Figure 2), once recruited, CEOs reported that retention of board members was not a major issue with only one respondent noting difficulty.⁷⁵ CEOs reported that retaining employees and volunteers was on the whole very or quite easy (Figure 2). Only 16.6 per cent indicated that retaining employees was 'not that easy' or 'not at all easy',⁷⁶ while 24.0 per cent indicated that retaining volunteers was 'not that easy'.⁷⁷ Note that 16 out of 28 (57.1%) CEOs indicated volunteers were essential to their community legal centre's operations.⁷⁸

Figure 2. Ease of employee, volunteer and board member retention (CEO Survey)



75 Of the 28 CEOs that responded to this question, 13 answered retention was 'very easy', 13 said 'quite easy', one reported 'not that easy' and one indicated that it was not applicable to their organisation. No one indicated that retention of board members was 'not at all easy'. CEOs were also asked about the recruitment and retention of board members. Where difficulties recruiting were identified, these could reference obtaining specific expertise (e.g. finance, marketing or fundraising), members from diverse backgrounds (e.g. culturally or linguistically diverse, Indigenous, and female board members) or obtaining and maintaining a mix of both expertise and diversity. In the case of Aboriginal or Torres Strait Islander members, some CEOs highlighted concern about the ongoing demand placed on Indigenous communities to lend expertise (in this case as board members) on a voluntary basis. Community connection, reputation and impact were cited as aiding in board member retention, as well as member's personal understanding of centre's work, and long-term connection both to the centre and its communities. Several CEOs also cited the importance of good selection processes, well-functioning and well-led boards as key to retention.

76 There was insufficient power (small sample size) to detect any differences between whether employee retention was difficult in regional areas compared to metropolitan areas or statewide services.

77 The question was not asked for students given the time-limited nature of placements.

78 In addition, 28.6 per cent said volunteers were important – but not essential, and 14.3 per cent said they were not that important. Students were seen as important by 42.6 per cent of CEOs, 'essential' by 28.6 per cent, and not that important by 28.6 per cent of CEOs ($N = 28$) CEO Survey, question A3Q2 'How important are volunteers to your community legal centre's service capacity?'

3.2 Roles that are difficult to fill or retain

CEOs were asked which specific roles within their community legal centres were difficult to fill or had high turnover. These results are summarised in Table 1. Lawyer and principal lawyer roles were identified as 'difficult to fill' by the highest proportion of CEO Survey respondents (Table 1). Social worker and policy and advocacy positions were the next two most frequently identified 'difficult to fill' positions.

Table 1. Community legal centre roles that are difficult to fill or have quick turnover

Role	Difficult to fill	Quick turnover
Leadership roles		
CEO or CLC manager (i.e. in-charge of day-to-day CLC operations)	9.7%	0
Member of CLC board or management committee	9.7%	0
Legal roles		
Lawyer	38.7%	22.6%
Principal Lawyer	32.3%	3.2%
Paralegal, law student	3.2%	12.9%
Client service roles		
Social worker	16.1%	9.7%
Financial counsellor	9.7%	0
Aboriginal engagement officer or adviser	6.5%	0
Community education, engagement, development and support	6.5%	3.2%
Reception	6.5%	9.7%
Client intake	3.2%	0
Psychologist	3.2%	0
Centre operations		
Policy and advocacy	12.9%	6.5%
Administration	6.5%	3.2%
Finance	6.5%	0
Human resources	6.5%	3.2%
Program, project or service manager	6.5%	0
Office manager	3.2%	0
Operations	3.2%	0
Research, quality and evaluation	3.2%	0
Communications	0	3.2%
Other (e.g. fundraising)	3.2%	6.4%
None of these roles	9.7%	25.8%

Table note. Data from CEO Survey, $N = 31$. Reported percentages represent the proportion of CEO's respondents to the question indicating that the role was difficult to fill or had a quick turnover. Note that some community legal centres may not have Aboriginal engagement officer or adviser, financial counsellors, psychologists, communications or other positions listed in this table.

When asked about retention, CEOs most frequently identified lawyer positions (22.6%), followed by paralegal/law student, social worker, reception and policy and advocacy positions as having a ‘quick turnover’ (Table 1). Interestingly, while principal lawyer positions were commonly identified as ‘difficult to fill’, they were not among positions most frequently regarded as having a ‘quick turnover’.

Our analysis of workplace benefits, contracts and working arrangements, in the separate *Workforce profile* report, highlighted some contractual issues that help to put these findings in context.⁷⁹ For example, 92.0 per cent in leadership roles were in ongoing or permanent positions whereas only 54.4 per cent of people employed in legal roles had permanent or ongoing positions. Of employees on fixed-term contracts (both legal and non-legal staff), 31.6 per cent indicated that their contract had already been renewed once and nearly one in five (18.7%) that their contract had been renewed two or more times. A similar proportion of employees on fixed-term contracts, 17.7 per cent, reported that they planned to leave when their current contract expired.⁸⁰

In addition, almost all principal lawyers (88.9%) who responded to the Workforce Survey were in ongoing positions, whereas this was only the case for 56.5 per cent of people employed as lawyers.⁸¹ These contractual differences may contribute to the marked difference in turnover between lawyers and principal lawyers.

3.3 Employee recruitment and retention issues

CEOs were asked for their insights into recruitment and retention issues using open-ended questions. CEOs indicated that recruiting employees could be made more difficult by geography and role. Once recruited, they suggested that successful retention was related to good workplace culture, aligned values and stage of career. Funding, and an inability to offer permanent, full-time positions, was seen as a barrier to both successful employee recruitment and long-term retention.

Recruitment, retention and geography

Several CEOs indicated that location could present challenges for employee recruitment and retention. Several explained that centres in regional locations often faced additional challenges recruiting and retaining employees, particularly lawyers, compared to metropolitan Melbourne. Geographic factors were also reported as an issue *within* metropolitan Melbourne, where outer metropolitan and regional areas faced some additional challenges compared to inner suburb locations. This was reflective of the local environment, travel, and lifestyle amenity. For example:

Not being in the inner attractive suburbs of Melbourne makes recruitment harder – not everyone wants to work in places where cafes and other services are minimal. (CEO Survey – metropolitan)

There were also strong indications that geographic factors were more pronounced for more senior legal roles, compared to junior legal roles, with one CEO of a centre in a regional area indicating that “lawyer roles are always difficult to recruit unless the role is for a junior lawyer” and that “the more regional a position the harder the recruitment becomes”. In comparison to lawyers and senior lawyer roles, “administrative positions are generally quite easy to fill”.

⁷⁹ Kutin et al. (2021b).

⁸⁰ Kutin et al. (2021b, p.27).

⁸¹ In the Workforce Survey, 220 lawyers and principal lawyers answered the question on contract type. Of the principal lawyers ($n = 36$), 88.9 per cent indicated they had ongoing contracts, 11.1 per cent had fixed-term contracts and none were employed on a casual basis. Of Workforce Survey respondents employed as lawyers ($n = 184$), 56.5 per cent had ongoing contracts, 39.7 per cent had fixed-term contracts and 3.8 per cent were employed as casuals. The differences between contract type (fixed-term and ongoing) and lawyer type were statistically significant.

There was also evidence that once those living and working in regional locations had settled, they tended to stay for a longer time than those located in metropolitan Melbourne. This appeared to reflect personal fit with the local environment, culture and type of work, and the dual-edged nature of the availability of other local employment opportunities. One CEO explained:

The culture of the region is not to change jobs, and as we are regional there aren't opportunities for community lawyers to change, other than private sector and that's not what they want. Admin staff are happy, paid well and two have been with us for 10 and 20 years. (CEO Survey – regional)

Another CEO similarly pointed to “flexible work arrangements, positive work environment, lack of alternative legal career options for those who reside in the region” as factors that contributed to lawyer retention in regional areas.

Recruitment of non-legal roles can be a challenge

Some CEOs, however, indicated that client service roles sometimes presented specific recruitment challenges. One CEO explained that particular roles could be difficult to fill: “filling positions for lawyers is easier than for case managers or social workers”. Another cited difficulty stemming from a lack of familiarity with community legal centres and their work among the pool of potential non-legal candidates, while also highlighting geography-related challenges:

Recruitment can be difficult for specific roles, particularly for community service professional roles, where work in community legal centres is less familiar. Some challenges regarding specific (outer) locations. (CEO Survey – metropolitan)

Positive workplace culture and aligned values supports employee retention

Workplace culture was frequently cited as key to employee retention. Responses drew upon several related themes, including a “collegiate environment”, “supportive and democratic culture”, “shared values”, a “focus on staff development and wellbeing”, and retaining a “genuine connection to community”. For example:

We invest in employee wellbeing, training opportunities and there is some opportunity for development. Alignment with values and organisational purpose is also a driver of retention. (CEO Survey – statewide)

Building upon the idea of aligned values, several CEOs also cited the importance to retention of “intensive and strategic work” with tangible real-world impact, and the opportunity for employees to see and feel that impact. For example, one CEO reported that when “people have a lot of autonomy and can see the value of their work in the world”, it makes a significant difference to employee retention.

Retention is related to career development and stage

CEOs linked the ease of employee retention to age and stage of career. Responses indicated that retention was generally easier among “the mature work force who are looking for life/work balance that a private firm cannot provide.” Conversely, several CEOs suggested that lawyers who were new graduates and younger were often more difficult to retain, with community legal centre work an opportunity for them to gain experience and skills before moving on. Community legal centre work was said to be seen as a path to other legal employment:

New graduates see a community legal centre as a 'stepping stone' to gain broad experience and then move on to other areas that interest them to pursue their career. In most cases we retain graduates for up to four years ... we see that as a positive. (CEO Survey – regional)

Other respondents built on the idea of community legal centres as a stepping stone, that they provide opportunity to build skills and experience that facilitate a move to more secure, more focused areas of practice, or in some cases more challenging legal and policy positions. For example:

I think they also leave because they are bright, and we provide them with experience. Very rarely do we have anyone leave due to dissatisfaction although the type of law we do ... I think is not challenging enough. They often go to Victoria Legal Aid, the Bar or even go to non-legal (e.g. policy jobs) as they get a taste and skills for advocacy work with us. (CEO Survey – statewide)

Funding as a barrier to recruitment and retention

Not surprisingly, extent and scope of funding was also seen as a significant barrier to both staff recruitment and particularly retention, due principally to inability to offer permanent full-time employment.

We can retain most of our staff in the community legal centre except for Community Lawyers. This is because of the inability to offer permanent full-time positions. Most of our roles are part-time and attached to contract funding. (CEO Survey – statewide)

3.4 Volunteer recruitment and retention

CEOs noted that the quality and ease of volunteer programs was central to recruitment, retention, and ensuring that volunteering was as rewarding as possible for both volunteers and centres.⁸²

Program structure and design

Several CEOs pointed to elements of volunteer program design as important to both attracting and retaining volunteers. As one CEO explained:

A number of years ago we overhauled our volunteer program. Now it is very structured and supportive to volunteers. They are inducted and provided ongoing training and are involved almost as paralegals which they find very interesting. They are also our reception so feel the expectations and responsibilities of attending and staying with us. As part of the volunteer entry, which is very competitive (approx. 40 chosen each year from about 180 applications), we ask them to commit to 12 months volunteering. They don't always stay but often do. (CEO Survey – statewide)

Program design and comprehensive training and opportunities for development were seen by several CEOs as aiding recruitment and retention. For example, one CEO explained that their volunteer program had a “reputation for development of excellent skills and supportive learning environment with rewarding outcomes” for those using their services, which reflected the quality and volume of volunteer applications they received. Several CEOs also indicated that successful programs also provided a means to identify volunteers to recruit into paid positions. As one explained:

We offer a comprehensive training and support program for volunteers, including opportunities for their professional development and growth into different roles. We offer individual, group debriefing and reflective practice for volunteers, and access to our Employee Assistance Program services. We have many long-standing volunteers who have over time been recruited into paid positions as lawyers in the program. (CEO Survey – statewide)

⁸² See *The role of legal education* report for a discussion of the recruitment and retention of students (and student clinical placements) in community legal centres (Kutin et al., 2022b).

Community legal centres have a long history of successfully working with volunteer legal practitioners in some of their service programs, such as evening legal advice clinics. Again, structured programs that helped make it easy for volunteers to get involved, attend, and make valued contributions, facilitated volunteer recruitment and retention.

Volunteers, geography and COVID-19

Similar to employees, some CEOs indicated that geography also affected volunteer recruitment, and particularly volunteer legal practitioner recruitment. Location could affect attraction of volunteers, even for different locations operated by the same community legal centre, as one respondent explained:

Our inner-city location is convenient for a lot of law students and lawyers. Our location further north is not so attractive. (CEO Survey – metropolitan)

Some CEOs in regional areas suggested that a comparatively smaller pool of potential volunteers in regional areas meant recruitment and retention was more difficult. Others noted, however, that once recruited, retention was less of an issue due to the lack of competing opportunities to do volunteer legal work in their area. Ease of “getting to us after work”, and more proactively, investing in the development and maintenance of “close relationships with private lawyers” who were willing to do volunteer work, helped support their retention.

Across geographies, there was also stark evidence that COVID-19 had an impact on volunteering, and particularly the retention of volunteers, when work from home restrictions were in place. In the previous report, *COVID-19 experiences and lessons*, the role of volunteers in community legal centres were severely limited.⁸³ CEOs explained that volunteering largely had to be suspended during COVID-19 restrictions. Some reported that this had an enduring disruptive effect with some volunteers taking a break from or stopping their volunteer work altogether:

Up until COVID-19 we had a large reliable pool of volunteers, many with years of experience, many of our volunteers, some longstanding, have reassessed their volunteer work and are seeking a break from volunteering. (CEO Survey – metropolitan)

Whether or not volunteers would return to performing community legal centre work was therefore a source of uncertainty and concern, and some CEOs stressed that volunteering was not something that could or should be taken for granted.

3.5 Recruiting diversity

CEOs were asked if there were demographic cohorts they had trouble attracting as either paid staff or volunteers, with a focus on those from specific cultural, religious or ethnic backgrounds.⁸⁴

Difficulties attracting people from diverse backgrounds

Many CEOs reported concern about lack of diversity in the community legal centre workforce, with several pointing to focused efforts at their centre to address perceived recruitment barriers. This is illustrated by the following comment from a CEO:

Our paid workforce and board members have been lacking diversity, but this has been identified and we are taking steps to improve. (CEO Survey – metropolitan)

⁸³ See Kutin et al. (2022a, pp.20-21) for a discussion on the impact of remote working on volunteers' role in community legal centres.

⁸⁴ The free-text question in the CEO Survey (A2Q5) was 'Are there any particular groups that you have difficulty attracting as either paid staff or volunteers (e.g. those from specific cultural, religious, or ethnic backgrounds)? See Kutin et al. (2021a) for the full survey.

Most CEO respondents reporting difficulties recruiting from diverse backgrounds identified difficulties attracting Aboriginal and Torres Strait Islander staff. Many also referred to difficulties attracting younger staff from various ethnic backgrounds, people of colour, and culturally and linguistically diverse groups more generally. Some pointed to difficulties recruiting beyond cultural, religious or ethnic diverse background. For example, they expressed difficulty recruiting male lawyers,⁸⁵ people from socio-economically disadvantaged backgrounds and people with the types of personal or lived experience that mirror those of the centre's client groups.

CEOs also explained that finding competitive applicants from specific backgrounds or with particular 'lived experience' could be a challenge, as this CEO explained:

We find it hard to recruit male lawyers. We have only two male lawyers in our team and for the past 3 years, in every recruitment, we have tried to recruit more men. However, they have always been ranked around 5th-6th in our recruitment processes ... We have also found it difficult to competitively recruit lawyers with lived experience, but we are working on this. Again, the gap in skill and experience levels between our top candidates and our lived experience applicants has generally been too large. (CEO Survey – statewide)

Those CEOs reporting less difficulty attracting staff from diverse backgrounds also provided further insight into the variable nature of the challenge and strategies used. One attributed the relative ease in attracting diverse staff to the centre's recruitment strategy and location:

Our community legal centre, by virtue of where it is located, is in a region of one of the most multi-cultural communities in Victoria. We do not have difficulty recruiting staff from a cultural or ethnic backgrounds. It is also part of the agency's employment strategy to ensure diversity in the workplace. (CEO Survey – regional)

Another CEO focused on the potential of student programs to find, encourage and mentor those from diverse and marginalised backgrounds, with this successfully increasing diversity among both volunteers and employees. This resulted in benefits for both the centre and student, often based on strongly aligned values and work interests:

Our staff are somewhat diverse – that is, many from cultural and linguistic diverse backgrounds, however generally very middle class. Having later year law students from a range of universities, we find that we have the opportunity to encourage/mentor students from less well-off and diverse backgrounds who in turn become employed as lawyers with us or another community legal centre. They often struggle to get internships or jobs in the big firms generally. We have two lawyers currently who have come to us through that pathway ... This is also a good pathway for ... students to be supported to get opportunities. Our experience is that many of these students have a strong commitment to social justice and find community legal centres align with what they want to do. (CEO Survey – statewide)

⁸⁵ Acknowledging that the Victorian community legal centre workforce is predominantly a female workforce, see further Kutin et al. (2021b).

4. Career pathways to, through and beyond community legal centres

This section moves from organisational (CEO) perspectives to report why Workforce Survey respondents chose to work in community legal centres. It also reports on their experiences to date, how their career has progressed, and what their aspirations are.

4.1 Prior to working or volunteering at community legal centres

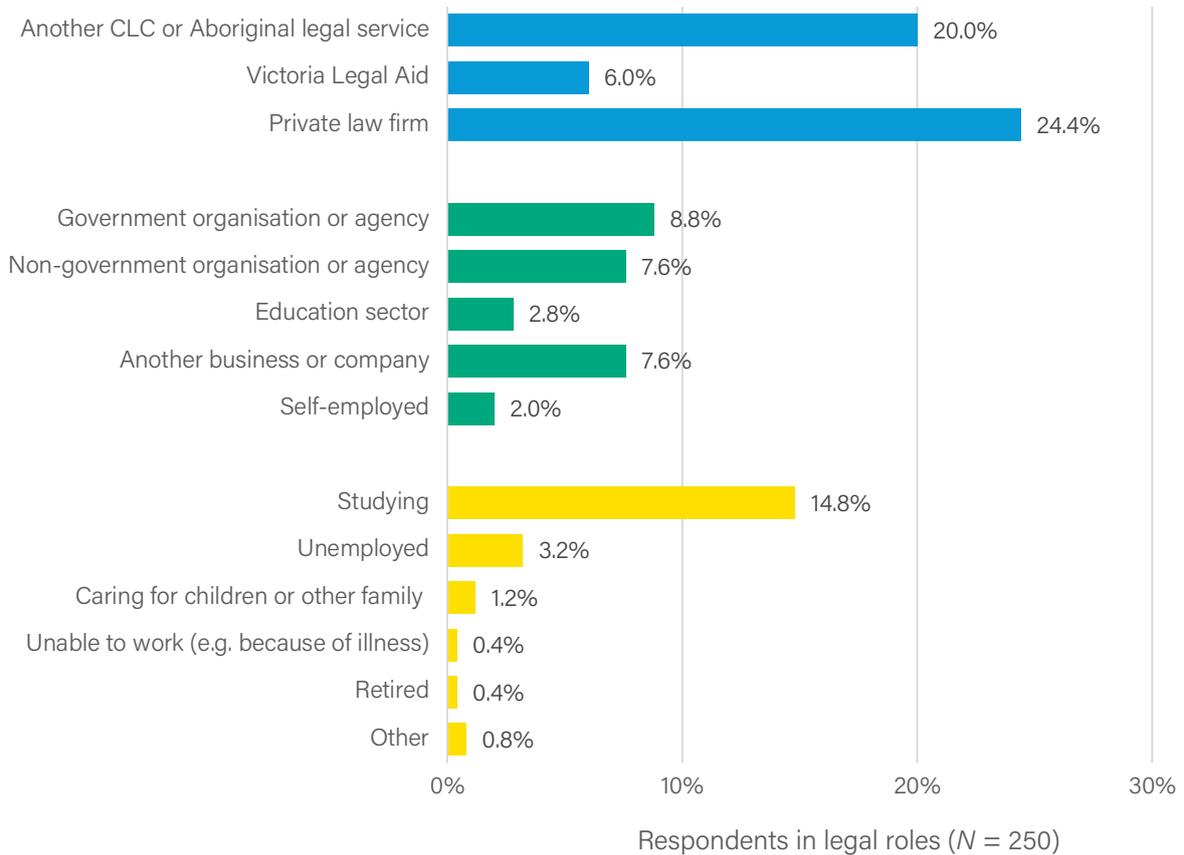
Prior to working or volunteering at their current community legal centre, 16.5 per cent of Workforce Survey respondents indicated that they had been mainly working at private law firms, 15.8 per cent at a non-government organisation, 14.7 per cent at another community legal centre, and 12.2 per cent at a government organisation (Figure 3). In total, more than one in five (21.0%) of the workforce had come from other legal services, namely private law firms (16.5%) and Victoria Legal Aid (4.5%). Overall, 10.7 per cent were studying prior to working at their current community legal centre.

Figure 3. Where people were working or what they were mainly doing before joining their current community legal centre



Focusing on Workforce Survey respondents engaged in legal roles,⁸⁶ 20.0 per cent reported that they had previously been working at other community legal centres prior to their current centre (Figure 4). Six per cent had previously been employed by Victoria Legal Aid, and 24.4 per cent had been working at a private law firm before joining their current community legal centre. Nearly 15 per cent (14.8%) of those in legal roles were studying prior to working at their current community legal centre.

Figure 4. Where people in legal roles worked or what they were mainly doing immediately before joining their current community legal centre



These results indicate that there are multiple pathways and organisations that provide community legal centres with its workforce, and that those filling legal roles have come from a range of public and private legal services and other organisations.⁸⁷

⁸⁶ Workforce Survey respondents were asked to select the roles they performed in their community legal centre and were classified into one of four mutually exclusive groups. Those classified as fulfilling 'legal roles' included respondents who were employed or volunteering as a principal or senior lawyer, lawyer, paralegals or law students. See further Section 2.4 in the methods.

⁸⁷ Note that, Figure 8 below, reports that 37.4 per cent of respondents said they aspire to work for Victoria Legal Aid in the future.

4.2 Working and volunteering in community legal centres

Reasons for working or volunteering in community legal centres

Workforce Survey respondents were asked to consider a list of 19 systemic and workplace reasons that may have attracted or contributed to them working or volunteering in community legal centres.⁸⁸ The percentage citing each factor is reported in Table 2, overall, and by workforce role. While many respondents indicated that working conditions, workplace culture, and the opportunity to gain experience were important, these were not the most cited reasons for working in community legal centres.

Overall, the most frequently selected reasons were to “help those facing economic, cultural or social disadvantage” (83.3%), “make accessing justice more equitable” (72.8%), “to have a positive impact on their community and society at large” (71.6%), and to “improve access to justice” (66.4%). These percentages were all significantly higher for those in legal roles (Table 2).

Among the other systemic reasons cited by more than half of all Workforce Survey respondents were reasons broadly underpinned by the opportunity to help others: “to apply my skills to help others”, “to enable social change”, and “make a difference to my community”.

Turning to the most frequently cited workplace reasons, more than half of the Workforce Survey respondents identified shared values, working with like-minded people, and a sense of fulfilment or personal reward.

With respect to the group of ‘workplace reasons’ for working or volunteering in community legal centres, compared to other roles, those in legal roles reported the highest percentages for “sense of fulfilment or personal reward”, “opportunity to gain experience”, “sense of community or belonging” and “inclusivity of the sector” (Table 2).

⁸⁸ The factors were developed in collaboration with the Community Legal Centres Workforce Project Advisory Group.

Table 2. What attracted respondents to work or volunteer in community legal centres

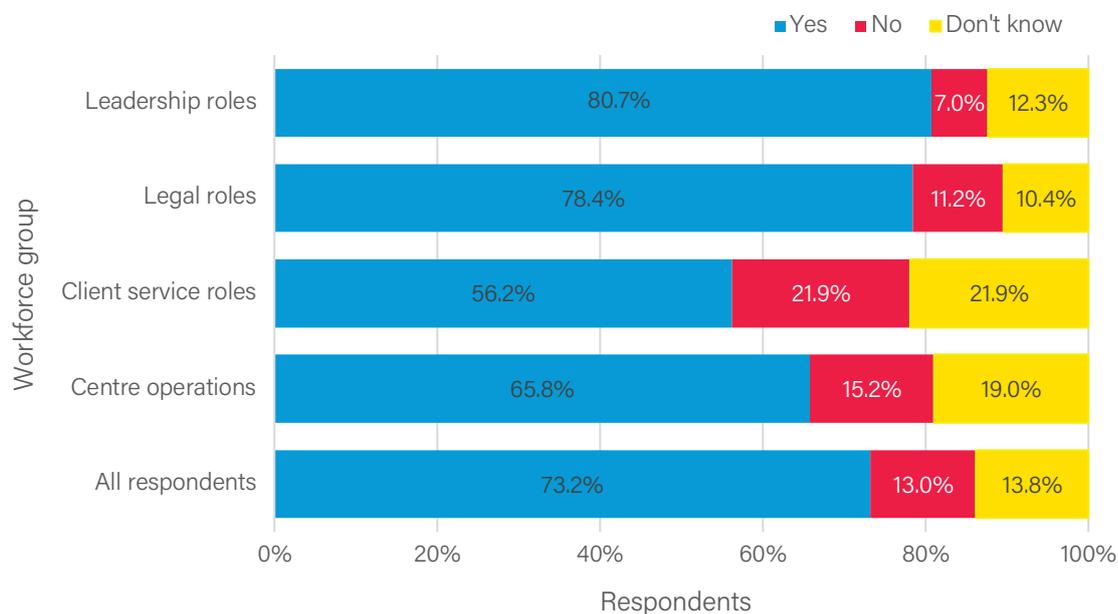
Reason	Leadership roles (n = 72)	Legal roles (n = 322)	Client service roles (n = 85)	Centre operations (n = 95)	All (N = 574)
Systemic Reasons					
Opportunity to help those facing economic, cultural or social disadvantage	72.2%	89.8%	76.5%	75.8%	83.3%
Opportunity to make access to justice more equitable	70.8%	82.3%	60.0%	53.7%	72.8%
Opportunity to have a positive impact on society	72.2%	76.4%	62.4%	63.2%	71.6%
Opportunity to improve access to justice	65.3%	77.0%	49.4%	46.3%	66.4%
Opportunity to apply my skills to help others	61.1%	69.3%	60.0%	57.9%	65.0%
Opportunity to enable social change	59.7%	63.4%	56.5%	61.1%	61.5%
Opportunity to make a difference to my community	63.9%	60.6%	58.8%	50.5%	59.1%
Opportunity to make a fairer society	56.9%	48.8%	35.3%	51.6%	48.3%
Opportunity to change or make better laws	41.7%	36.3%	16.5%	26.3%	32.4%
Opportunity to hold the government accountable	33.3%	33.5%	16.5%	28.4%	30.1%
The sector's collective voice	6.9%	14.9%	11.8%	9.5%	12.5%
Workplace Reasons					
Shared values	48.6%	56.2%	50.6%	56.8%	54.5%
Like-minded people	44.4%	55.3%	50.6%	60.0%	54.0%
Sense of fulfillment or personal reward	41.7%	60.9%	37.6%	46.3%	52.6%
Opportunity to gain experience	25.0%	54.0%	42.4%	44.2%	47.0%
Sense of community or belonging	18.1%	34.8%	29.4%	23.2%	30.0%
Flexible working conditions	16.7%	22.7%	21.2%	31.6%	23.2%
Inclusivity of the sector	8.3%	22.0%	17.6%	15.8%	18.6%
Sense of professional obligation	6.9%	24.5%	8.2%	9.5%	17.4%

Table note. Respondents could select more than one reason. Red shading = significantly less than expected. Green shading = significantly more than expected.

Workforce expectations and experiences

Workforce Survey respondents were asked whether working in the community legal sector was what they thought it would be like. Overall, 73.2 per cent of respondents said that working or volunteering in community legal centres was what they expected. Thirteen per cent said it wasn't and 13.8 per cent that did not know. Analysis of responses by workforce group highlighted some differences, as shown in Figure 5. People in leadership and legal roles were most likely to indicate that community legal centre work was as expected, particularly when contrasted with those in other client service roles (e.g. intake, reception, social work).

Figure 5. Whether or not working or volunteering in CLCs met Workforce Survey respondent's expectations, by workforce group



To garner insights about the unique characteristics of working in community legal centres, respondents were also asked (in an open-ended question) what surprised them when they started working or volunteering in a community legal centre and also what they thought others would fail to appreciate. Qualitative analysis showed six main overlapping themes in respondents' answers to these questions relating to: centre culture and collegiality; the client and community benefit and personal reward from the work; the nature of the work and how it is perceived; working conditions; centre management; and funding circumstances.

Culture and collegiality

While the opportunity to work with like-minded people was a key attraction of community legal centres (see Table 2), Workforce Survey respondents still reported surprise with the level of collegiality and cohesion among staff, and the positive culture created through working with like-minded people who were committed to, and passionate about, helping the community and providing access to justice. A number stated that, in their experience, the culture of their centre, and community legal centres more broadly, was more supportive and cohesive than other workplaces:

How incredible it was to work for a community legal centre in which every person is as passionate as the next person. I have never experienced such an all-inclusive, non-judgmental and co-collaborative workplace like this community legal centre. (Workforce Survey, Client role)

Notwithstanding an expectation of shared values and interest in community access to justice, some respondents nevertheless reported surprise at the level of commitment and passion of their fellow colleagues, and their specialist⁸⁹ skill and expertise:

Pleasantly surprised by the passion those who work and/or volunteer have for the work. It was what I had hoped and happy this was confirmed. (Workforce Survey, Legal role)

⁸⁹ Several respondents noted the specialist skills associated with community legal work, and several suggested that community lawyering should be recognised as a specialist area of practice.

However, responses referencing workplace culture were not universally positive. Some respondents reported surprise at a perceived tendency to “replicate some of the hierarchy and elitism” that they experienced in and expected from the private legal sector. Others were surprised by what they saw as a disconnect between some aspects of the community legal centre workforce and the communities served. This included a lack of trainee students from marginalised backgrounds, as well as some observations that there was a lack of knowledge and understanding about the influence of “things like privilege, intersectionality and colonialism”.

Client and community benefit and personal reward

Several respondents also reported surprise at the positive impact centre work had for clients and the community, and the sense of personal fulfilment, reward, and satisfaction provided, notwithstanding that this was something they hoped they would find. Observations about “the amount of good that lawyers can do for people”, and how “incredibly interesting and rewarding” the work at community legal centres could be, were frequent. The views of the following respondent are illustrative:

Working in a community legal centre you see real people with often common legal problems. It is helping people at a grassroots level, sometimes with very simple matters that have a large impact on people's lives, other times it's very complex matters and the impact of the assistance is great. My first volunteer experience was in a community legal centre, and it showed me what being a very hands-on and practical lawyer was going to be like. (Workforce Survey, Legal role)

Nonetheless, there was also frustration around the amount of legal help they were able to provide. In particular, there was a recurrent theme of surprise at the lack of ability “to take matters through to their conclusion, such as advocacy in court”. Several respondents attributed this limitation to underfunding, discussed further in depth below. The impact of underfunding was that many centres simply “do not have capacity to take on ongoing casework”. One respondent summed this up in terms of their surprise at:

How chaotic and depressingly underfunded CLCs are. How poorly paid the lawyers are (seriously how can one ever pay off one's university debts?) And how little one can actually assist people in need – if you can't represent clients in court and they can't access legal aid then justice can't be done. (Workforce Survey, Legal role)

Nature of the work and how it is perceived

Surprise concerning the nature of centre work also included the level of complexity of clients' legal and related needs. Responses expressing such surprise often referred to the “complexity of the legal issues, and the broad nature of problems faced”, the volume of complex need, and the amount of work required to deal with the breadth of issues that clients' faced. There was also reported surprise at the sheer level of need in Victoria, as illustrated by the following respondent:

How much need there is in the community. I thought I understood inequality. The scale of injustice in Victoria TODAY is truly shocking. And the people who work in community legal centres are amazing, incredible and intelligent people. (Workforce Survey, Centre operations)

Respondents also highlighted the broader social context of 'legal' problems, with surprise that a lot of the work was not so much sophisticated “legal, but social”. There was surprise at the “range of work taken on for clients” and with the “helplessness faced by clients due to the rigid legal system” which is not very well equipped to respond to complex and multifaceted need. Some respondents also reported surprise at the level of “provision of community legal education and involvement with law reform”, and the effort that community legal centres put into policy and systemic advocacy work.

Several respondents involved in client-facing roles also expressed surprise at how independent they were expected to be, and the level of responsibility they felt from the outset, including those with private legal practice backgrounds:

It's often like working without a safety net, coming from private practice, junior lawyers in community legal centres are often relied on to handle very complex matters and clients. (Workforce Survey, Leadership role)

References to expectations of independence and level of responsibility crossed workforce groups, including examples of first-year graduate lawyers "left almost completely on (their) own to appear in court for clients with complex needs", and a high level of responsibility given to volunteers "in terms of research, coordinating with clients, conducting interviews and compiling important documents".

Respondents also reported surprise and frustration that the nature of community legal centre work was poorly understood outside the sector, and that the level of expertise and commitment was not appreciated externally. Respondents pointed to various misperceptions about community legal centres and lawyers.

Some respondents reported that centre lawyers weren't necessarily seen as 'real' lawyers doing 'real' legal work, despite many being "far more experienced than lawyers in the private sector". Derogatory views included centre lawyers being perceived as second-class or otherwise failed and unable to cut it in private legal practice. Those outside community legal centres were also said to often fail to appreciate that actually "those who work in community legal centres are some of the most intelligent, hardworking and passionate people in the legal sector". As one respondent explained:

I have heard this from my own colleagues who started in corporate firms but now work in the community legal centre sector – and this is very demeaning to people who have always wanted to work in a community legal centre, and never tried to go corporate at all. In my experience, starting as a grad in the community legal centre sector was every bit as competitive as starting in the private sector – and other people I've seen start in the community legal centres are all top of their class, talented, and possess interesting life experiences that make them assets to our profession, our sector and our communities. (Workforce Survey, Legal role)

Another respondent expanded upon perceived misperceptions to highlight what they saw as a need to formally recognise the unique skill and expertise of community legal work:

Community legal centre workers are talented and have particular expertise that is not reflected in the wider legal profession – and it's time that this is recognised. (Workforce Survey, Legal role)

There were also reports that some people outside the sector mistakenly assumed that community legal centres lawyers were highly paid because they thought all lawyers were highly paid. Lack of community understanding and appreciation of what community legal centres do was, for some respondents, seen as one reason that the sector did not receive more funding.

Working conditions

Respondents expressed surprise at both positive and negative aspects of working conditions. Some of the positives focused on a "very supportive environment", and realistic working hours where it was "not expected that you have to stay late just for the sake of it", as well as flexible working arrangements, and employee benefits.

However, responses were not all positive, and reflected significant variation across centres. Some respondents reported surprise at "the amount of unpaid work you are expected to do", work that is "very demanding for the pay", and the "lack of career opportunities" (discussed further in Section 4.4). Other negative responses included

antiquated information technology, the volume of administrative work, and the level of manual processes (that they expected would be automated and were often characterised as being “backward” or behind other sectors and types of legal services). There was also reported surprise at office systems that were not fit-for-purpose, although some also noted improvements in this regard. For example, the following respondent reported initial surprise at:

The total lack of technology and antiquated paper-heavy way of operating and the slower pace of it – this has since changed. (Workforce Survey, Centre operations)

Management issues

Several respondents reported surprise at various aspects of community legal centre management and governance. There were a few reports of surprise at instances of poor management and professionalism; some instances of workplace bullying and harassment, including harassment and threats from clients and those seeking assistance; as well as underdeveloped organisational management and structures. Such experiences were described as not only surprising but disappointing:

The lack of basic processes and lack of commitment to organisational learning and improvement. And the toxicity of some organisational cultures and the failure by organisations and individuals who purport to believe in social justice to provide safe workplaces that respect the rights of their staff. (Workforce Survey, Legal role)

Several reporting management and governance issues went on to explain that their surprise was historic and was either no longer an issue or was improving. For example, where there had previously been:

Chaos – no set structure or processes. This has significantly improved and is something we continue to strive for [so] that other staff don’t experience what we experienced. (Workforce Survey, Legal role)

Overall, notwithstanding some examples of poor management and negative workplace experiences, the overwhelming majority of respondents were positive about their centres and immediate managers. Moreover, negative issues evidently varied both over time and between centres, as was explained by the following respondent’s experiences of different centres:

At the first one, [I was surprised by] how disorganised it was and how the legal work could be a little ramshackle. At the second community legal centre, how extremely well organised it was and how knowledgeable and expert the employees were. (Workforce Survey, Legal role)

Funding circumstances

Finally, many respondents reported surprise at the funding circumstances. This included surprise at the lack of funding and facilities; at the insecurity of funding, and the constraints this placed on centre work; at efforts required to pursue and secure funding; and at the all-encompassing nature of funding issues for centre operations. Frustration was also evident as the following respondent illustrates:

Compared to private legal firms, community legal centres are even worse than Victoria Legal Aid. For such a large client base (and potential client base) the amount of funding and facilities is, quite frankly, a joke! [Community legal centres] run off “the smell of an oily rag” – totally reliant on its volunteers! (Workforce Survey, Legal role)

Others described their surprise at their centre’s ability to work effectively on such “a pathetic budget”. Others noted “the stresses when it comes to securing funding and the complexity of funding applications”. One aspect

that made the funding circumstance surprising was its “short term and insecure nature”. As this respondent explained, funding cuts across all aspects of centre operations, and could overtake the common goal of increasing community access to justice:

I was surprised that management wasn't driven by a common goal of increasing access to justice and supporting the community through the provision of legal services. Sure, this is one of the motivations, but I soon realised that the key motivation is funding. Doing whatever needs to be done to secure and maintain funding and cut costs wherever possible. (Workforce Survey, Client role)

Those from outside the community legal sector were said to fail to appreciate the funding circumstances that community legal centres operate within. For example:

People would be horrified if they spent time in a CLC and saw how underfunded they are. (Workforce Survey, Legal role)

Perhaps they don't realise how limited our resources are and the extent to which we rely on unpaid work and pro bono work to do the work that the broader community most often finds out about through media coverage when we engage in strategic litigation. (Workforce Survey, Legal role)

Take a look around many CLCs, they operate on a shoestring, and office environment or offices they inhabit are in bad condition as they pay private rent. (Workforce Survey, Centre operations)

The general community would also be surprised by:

How much work we get done on very, very, very limited resources. (Workforce Survey, Legal role)

Funding issues were ultimately seen as directly impacting what community legal centres were able to do and community understanding of the help community legal centres were able to provide:

[The community] don't understand that we do not have the resources to act for everyone in every type of matter. (Workforce Survey, Legal role)

Organisational commitment

Given the reasons for joining community legal centres (see Table 2) and that centres predominantly met respondent's expectations (see Figure 5), it is not surprising that nearly all respondents reported high levels of organisational commitment (Table 3).

The overwhelming majority of respondents felt that they were achieving something important; felt proud of their organisation; expressed a strong personal attachment; and would recommend their community legal centre to others as a good place to work.

The majority of Workforce Survey respondents were also likely to agree or strongly agree that their voice was heard in decision-making and planning at their centre (68.7%; Table 3). A small, but sizable minority (11.3%) however, disagreed that their voice was heard in decision-making and planning.

Table 3. Organisational commitment

Statement	Agree or strongly agree	Neutral	Disagree or strongly disagree
I am achieving something important through my work	92.2%	6.0%	1.8%
I am proud to tell others who I work for	91.3%	7.4%	1.4%
I would recommend my CLC as a good place to work	85.7%	9.7%	4.6%
I feel a strong personal attachment to my centre	84.6%	11.7%	3.7%
When it comes to decision-making and planning, my voice is heard within my centre	68.7%	20.0%	11.3%

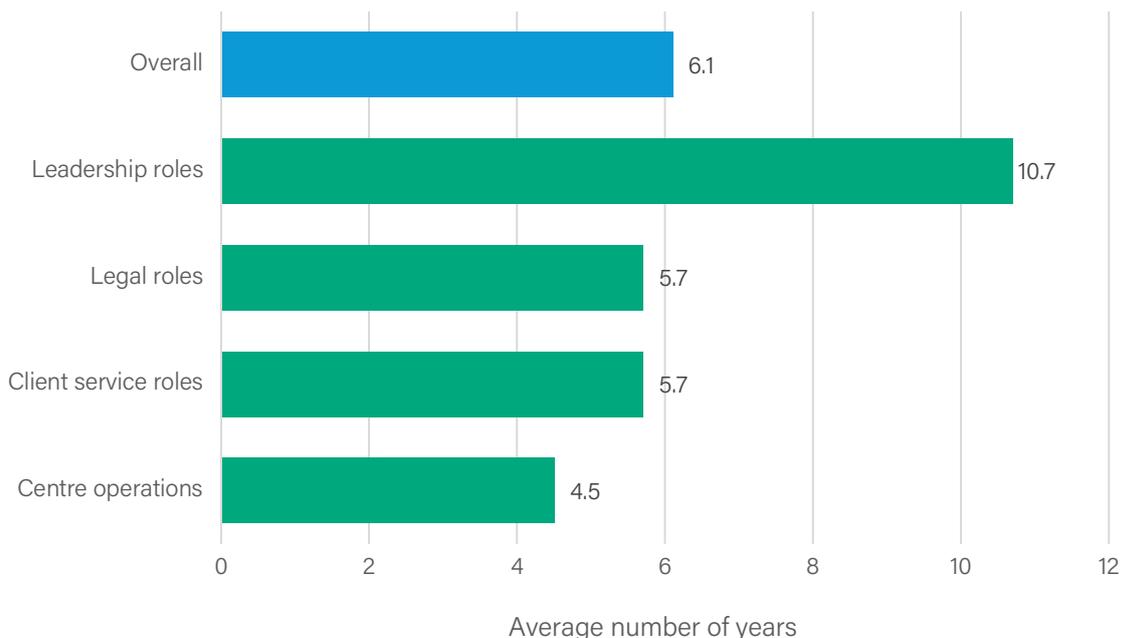
Table note. Data from Workforce Survey. $N = 435$. CLC = community legal centre.

4.3 Career length, movement and longevity

The average length of time of employment or volunteering in community legal centres over respondents' whole career at the date of the survey was just over six years (with median of 4 years; Figure 6).⁹⁰ Analysis revealed that while those working or volunteering in rural and regional locations had slightly longer lengths of service in community legal centres (i.e. in all of the centres they had worked in), compared to people working in metropolitan locations, the difference was not statistically significant.⁹¹

Those in leadership roles had typically worked for a significantly longer period in community legal centres (mean = 10.7 years, median = 9.0 years) compared to the three other workforce role groups: legal roles (mean = 5.7 years, median = 4 years; client roles (mean = 5.7 years, median = 3.0 years; and centre operations (mean = 4.5 years, median = 2.4 years).⁹²

Figure 6. Average number of years worked or volunteering across all community legal centres during their career by workforce group



90 612 people answered this question. These results were also presented in the *Workforce profile* report (Kutin et al. 2021b, p.31) which also includes data on the length of time respondents had spent at their current community legal centre.

91 There was no statistically significant difference between median length of time at all community legal centres and current community work location (mostly regional, rural or remote Victoria median = 60.0 months vs. mostly metropolitan Melbourne median = 48.0 months) (Independent-Samples Median test statistic = 2.824, $df = 1$, $p = .115$).

92 Independent-Samples Median test was significant (Test statistic = 36.832, $df = 3$, $p < .001$).

There was evidence of substantial workforce movement between community legal centres. While 55.6 per cent had only ever worked or volunteered at one centre, 22.6 per cent of survey respondents said they had been at two different centres, and 21.8 per cent at three or more centres over their career to date.⁹³ The highest number of different community legal centres worked and volunteered at was nine.

Community legal centre employees were asked how long they planned to continue working at their current centre. Responses are set out in Table 4, for employees overall, and by type of employment contract. As shown, the intention to continue working in their current community legal centre was significantly influenced by whether respondents were employed as a casual, on a fixed-term contract, or in an ongoing or permanent position (Table 4).⁹⁴

Table 4. Intention to remain in current community legal centre by employment contract type

Intention to stay in current CLC	Casual (n = 18)	Fixed-term contract (n = 157)	Ongoing or permanent (n = 241)	All employees (N = 416)
Less than 1 year	27.8%	20.4%	10.0%	14.7%
1 to 2 years	27.8%	37.6%	21.6%	27.9%
2 to 5 years	11.1%	29.3%	32.4%	30.3%
5 to 10 years	27.8%	7.0%	24.5%	18.0%
10 years or more	5.6%	5.7%	11.6%	9.1%
Total	100.0%	100.0%	100.0%	100.0%

Table note. CLC = community legal centre. Red shading = significantly less than expected. Green shading = significantly more than expected.

The majority of those on casual or fixed-term contracts intended to remain at their centre for up to two years. By comparison, for those on ongoing or permanent contracts, the majority (68.5%) intended to stay more than two years.⁹⁵

These results reinforce challenges to retention set out in qualitative responses to the CEO Survey in Section 3. Contract type is significantly related to career longevity, with the ability to offer ongoing or permanent contracts a significant influence on staff retention.

93 Base N = 597.

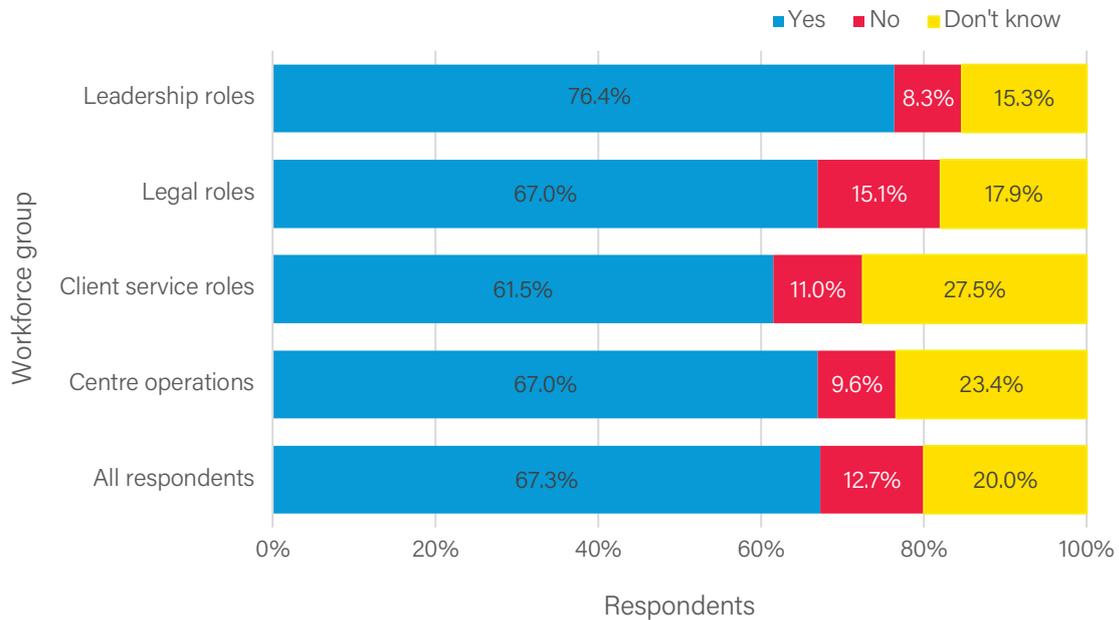
94 Red and green shading in Table 4 is based on cell standardised residuals for a chi-square test. There were significant differences in years intending to remain at current community legal centre and employment type, $\chi^2 = 41.525$, $df = 8$, $p < .001$.

95 There were no significant differences between workforce role group and how long respondents plan to stay working at their current community legal centre; $\chi^2 = 15.056$, $df = 12$, $p = .238$, $N = 527$.

4.4 Building a career

Ability to retain staff, and the duration that people spend working in community legal centres, is affected by perceived opportunities to build a career. Overall, just over two-thirds (67.3%) of Workforce Survey respondents indicated that they thought there were opportunities to build a career within community legal centres; 12.7 per cent felt that there was not; and the remaining 20.0 per cent didn't know. Figure 7 shows whether respondents felt there were career opportunities within community legal centres overall, and by workforce role group. Analysis showed there was no significant difference in perception of opportunity to build a career by workforce group or centre location.⁹⁶

Figure 7. Responses to the question: Do you think there are opportunities to build a career within community legal centres by workforce group?



Barriers to building a career

To explore perceived barriers to building a career, which may be a factor affecting workforce retention, those respondents who answered 'No' were asked to explain their view. Explanations were broadly consistent with, and reinforced several of the dominant themes already discussed in this report. Identified barriers included insufficient wages, lack of centre funding, job insecurity and pay. The following respondent is illustrative of views about the primary barrier to building a career in community legal centres:

Community legal centres have been starved of funds from the government for years (as has Legal Aid). The wages paid to lawyers are entirely uncompetitive. Job security is also an issue. (Workforce Survey, Client role)

⁹⁶ For reference, respondents had been working in their current community legal centre for an average of 4 years, and in the sector for an average of 6 years. There were no statistically significant differences for whether there were opportunities to build a career in community legal centres between workforce groups ($\chi^2 = 9.450$, $df = 6$, $p = .150$) or community legal centre location (i.e. metropolitan Melbourne or regional Victoria) ($\chi^2 = 1.784$, $df = 2$, $p = .410$).

Other respondents cited associated factors such as limited opportunities for promotion, reflecting both the lack of funding and relatively flat organisational structures. There was a view that opportunities to build a career were limited if "you are not interested in becoming a principal lawyer or CEO". One of the main identified options was to seek to "transfer to a similar role at a different community legal centre".

However, even where there was potential for promotion, these did not necessarily come with a commensurate pay increase relative to increased responsibility. Job insecurity was also said to loom large, as the following respondent explained:

I've been 'promoted' twice. But pay largely remains the same despite taking on higher responsibilities. At some point lawyers will start to look around and see that with their skill sets they can be better paid and have greater job security. (Workforce Survey, Legal role)

One respondent also revisited the theme of funding limiting the type of legal matters and clients that could be taken on and how far they could be progressed. This was seen as not only constraining client benefit (see also Section 4.2) but also personal and career development:

Funding limits the type of matters we can assist with and how far we can take those matters. Therefore, personal development and legal experience can be limited at community legal centres. I would say this is a bigger issue for younger new lawyers that are looking for a greater range of experience and further develop their legal knowledge and skills. (Workforce Survey, Legal role)

External recognition and understanding of community legal centres and the work they do was another recurrent theme said to be a barrier to building a career. In combination with and compounding other barriers, the misunderstood and undervalued nature of community legal centres was said to both limit opportunity and contribute to people leaving. This view was captured by the following respondent:

I feel that community legal centres are trapped in a cycle of low resources and low to non-existent training. Small structures and low pay grades mean there is no opportunity for career advancement, despite dealing with challenging and unique scenarios on a daily basis. This is doubly enforced by private firms not valuing community legal centre work, thus not providing exit opportunities to community legal centre workers, leading to them being stuck and leaving the industry altogether. (Workforce Survey, Legal role)

Future aspirations

Respondents were also asked what organisations or agencies they aspired to work at in the future. Top of the list was working at another community legal centre, followed by a government organisation or agency, Victoria Legal Aid, and a non-government organisation or agency. One-quarter also aspired to work in a court or tribunal, and slightly fewer at a private law firm and self-employment (Figure 8). Overall, 13.6 per cent of respondents reported that there was no other organisation they wanted to work for.⁹⁷

Figure 8. Organisations and agencies where people aspire to work in the future

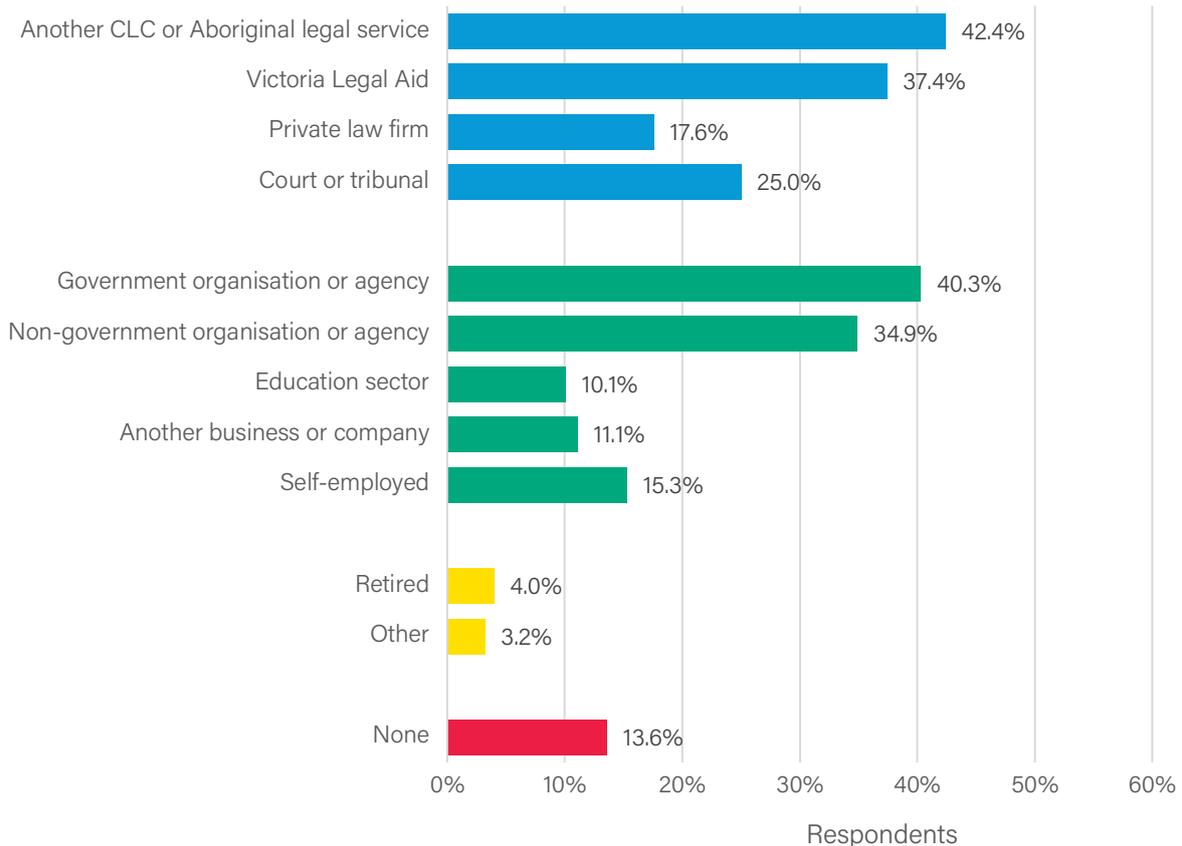


Figure 4 above reported that 6.0 per cent of respondents in legal roles had most recently been employed at Victoria Legal Aid. The findings in Figure 8 therefore point to a stronger employment pathway from community legal centres to Victoria Legal Aid, than the reverse.

Building on the findings in this section, the next explores the extent to which Workforce Survey respondents reported intentions to leave the community legal centre work and associated factors.

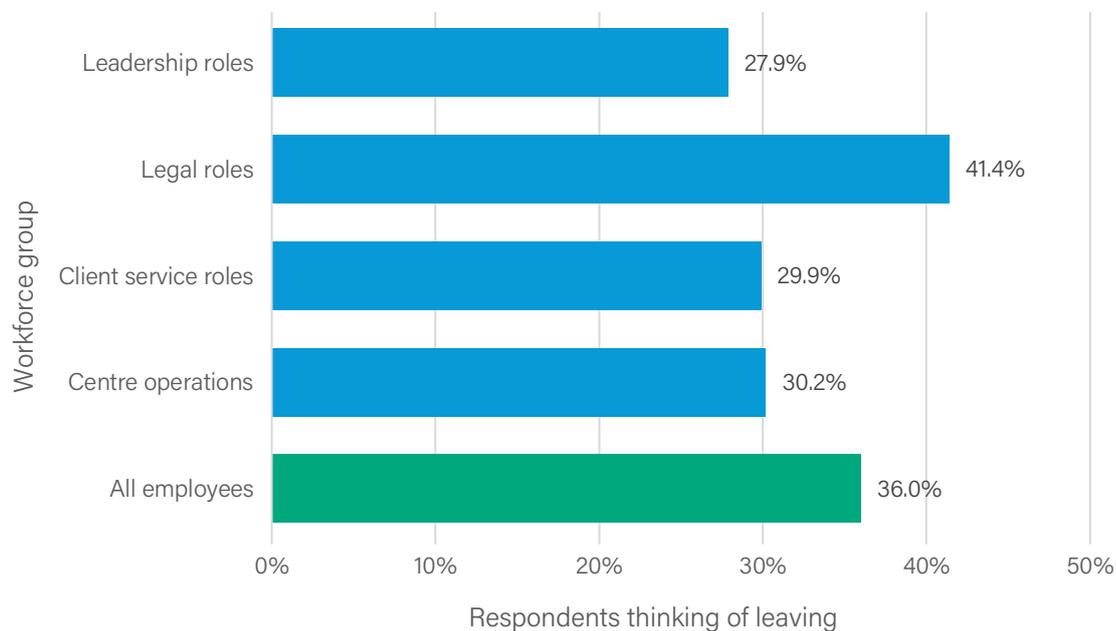
⁹⁷ 'Other' options nominated by respondents included remaining where they were, continuing at their second place of employment (for those also employed elsewhere) should their community legal centre contract not be renewed, or working at the Victorian Bar. Base $N = 596$.

5. Leaving the community legal centre sector

5.1 Employees who are thinking of leaving

Just over one-third of Workforce Survey respondents who were employees reported that they were thinking about looking for another job. Figure 9 shows intentions overall and by workforce role group. Comparing intentions across workforce role, overall differences fell short of statistical significance,⁹⁸ though those employed in legal roles had the highest percentage (41.4%) thinking about looking for a new job.⁹⁹

Figure 9. Percentage of Workforce Survey employees who were thinking about looking for another job, overall by workforce group



⁹⁸ $\chi^2 = 6.77, df = 3, p = .079$.

⁹⁹ There was no evidence of differences in the percentage thinking of leaving their job between principal lawyers and other lawyers.

5.2 Workplace of choice and reasons for wanting to leave

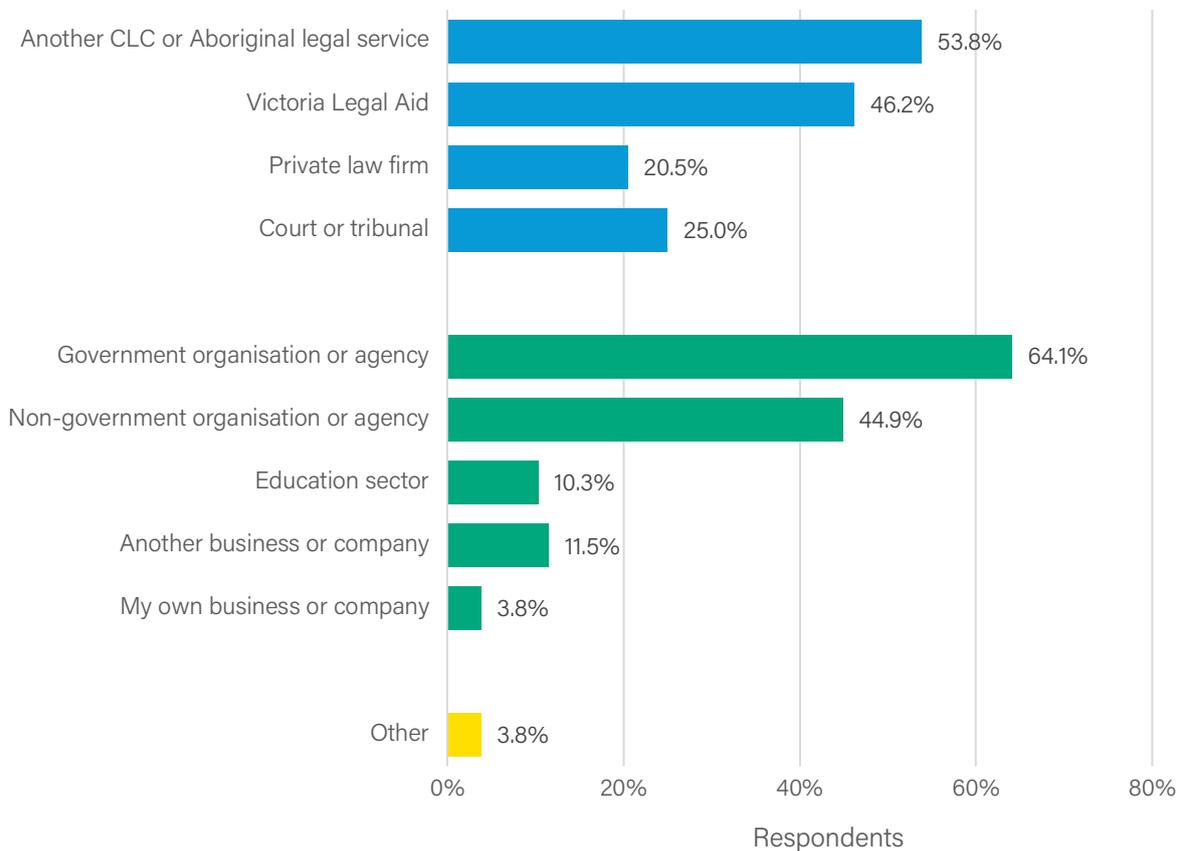
Employees who reported that they were thinking about leaving ($N = 161$) were asked whether they had already started to actively look and apply for other jobs and nearly half (49.7%) of these respondents said they were.

This figure is equivalent to 17.5 per cent of all community legal centre employees actively looking to leave at the time of the survey.¹⁰⁰ Figure 10 reports the organisations being considered.

The most frequently nominated organisations were government organisations or agencies, followed by another community legal centre or Aboriginal legal service, Victoria Legal Aid, and non-government organisations or agencies. As noted previously, these were also the most frequent organisations nominated when respondents were asked about their future career aspirations (see Figure 8).

Overall, this means that while nearly one in five community legal centres employees were actively looking for another job, more than half (53.8%) of these respondents were considering employment in a community legal centre.

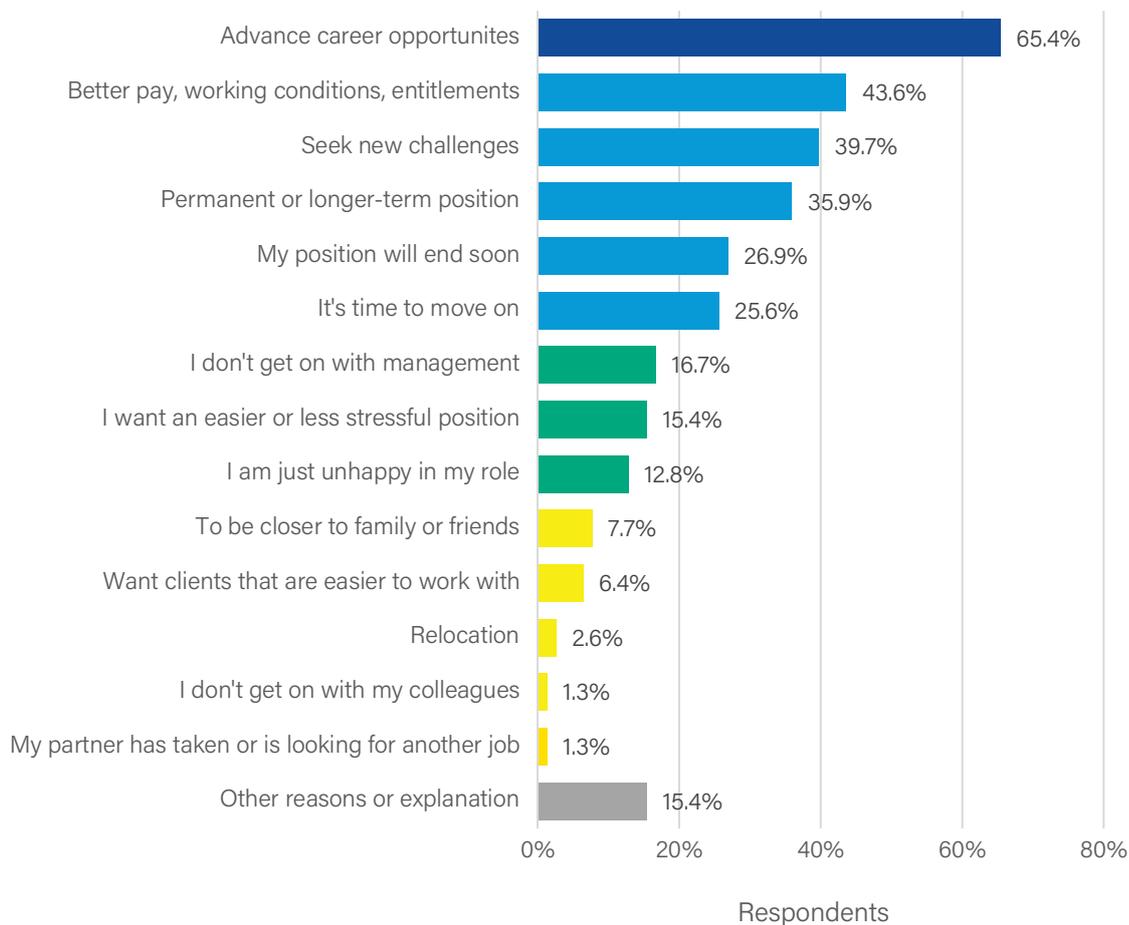
Figure 10. Organisations being considered by employees actively seeking a new job



¹⁰⁰ $78 / 446 = 0.175$.

The most cited reasons for wanting to leave among the 78 employees actively seeking new employment are shown in Figure 11.¹⁰¹ The single most frequent reason, cited by almost two-thirds (65.4%) of respondents, was to advance career opportunities. Other frequently cited reasons tended to focus on structural issues, such as those relating to pay and job security, to seek new challenges and because it was time to move on, rather than more personal reasons such as seeking to relocate or difficulties stemming from the client group.¹⁰²

Figure 11. Reasons for actively looking for another job



¹⁰¹ Respondents who were actively looking for work were given a list of 14 possible reasons for leaving as well as the option to provide any other reasons in an open-text field.

¹⁰² There was also a smaller sample of 19 volunteers (of 107 volunteers, 17.8%) who indicated that they were planning to stop volunteering. The main reasons they were planning to stop volunteering were because they no longer had the time (31.6%), they were volunteering while studying and have now completed their studies (26.3%), they found paid employment (26.3%), they felt like they had 'done their bit' (15.8%), that they could make a 'bigger difference' elsewhere (15.8%) and some were just unhappy in their role (10.5%). 'Other reasons' (nominated by 26.3% of volunteers who were planning to stop) included moving interstate (and then volunteering there), not being able to afford CPD training, needing to make more money for their family, retirement and completion of internship. Again, practical reasons largely outweighed issues associated with clients or their workplace.

6. Discussion

This report explores issues of workforce sustainability, recruitment and retention in Victorian community legal centres from a variety of perspectives. Centre managers and CEOs were asked about ease of recruitment and retention of staff across roles, including the challenge of recruiting employees, volunteers and board members that reflect the diversity in the communities they serve.

The Victorian community centre workforce were also surveyed about how they came in to, experienced, and in some cases, sought to move on from community legal centres. They were also asked about where they worked prior to their current community legal centre, and their rationale for joining the sector. Survey questions also explored whether community legal centre work met their expectations, what if anything surprised them, as well as their organisational commitment, career length to date, perceived opportunities to build a career, and career intentions and aspirations. Finally, if respondents were actively seeking to leave their centre, they were asked why they had decided to leave and what they planned to do next.

Together these analyses provide valuable insights from people working in different roles and capacities across Victorian community legal centres. They highlight the expectations, aspirations, perceptions and experiences of the community legal centre workforce – perspectives which shed light on factors that contribute to promoting and maintaining a sustainable and resilient sector.

6.1 Summary of findings

Recruitment and retention

Recruitment of employees was identified by CEOs as more difficult than recruiting board members, volunteers or students. In particular, lawyer and principal lawyer positions were often difficult to fill. Once engaged, CEOs generally felt it was not difficult to retain board members, volunteers and certain employee roles. However, although they were harder to recruit, principal lawyers were reported to be easier to retain than those in lawyer roles. Some related this directly to funding and employment conditions, noting that principal lawyers were more likely to be employed in ongoing positions rather than short fixed-term contracts. While many people on fixed-term contracts had experience of contracts being renewed, almost one-fifth planned to leave their community legal centre at the end of their contract.

CEOs felt that recruitment, and particularly retention, was made easier by a positive workplace culture. Conversely, a series of other factors were identified as creating challenges. These included limited opportunities for staff, geography and attracting employees to regional areas, and difficulties enticing other professionals to work in an integrated practice. Lack of secure long-term funding and ongoing positions was also identified by CEOs as contributing to recruitment and retention challenges, with some describing community legal centres as a stepping stone to legal positions that offer security, better remuneration, and greater career progression opportunities. The findings here suggest a stronger employment pathway from community legal centres to Victoria Legal Aid, than from Victoria Legal Aid to community legal centres. This may well reflect the perceived attractiveness of employment conditions and opportunity.

CEOs also highlighted challenges associated with recruiting and retaining staff who reflected the diversity of the communities they served. This included challenges recruiting people from specific cultural, religious or ethnic backgrounds, as well as in some cases younger staff, male staff, and those with direct personal experience of the issues clients present. Some respondents noted that diversity related challenges were not uniform across Victoria and often entailed a geographic dimension. Others stressed the potential of student programs as a way to enhance diversity by encouraging and mentoring those from diverse and/or less well-off backgrounds.

Joining the community legal sector

Prior to working in a community legal centre, respondents brought with them a breadth of experience from work in various settings, including private law firms, non-government organisations, other community legal centres and government agencies and departments.

The most common reason for joining a community legal centre was to help those facing economic, cultural or social disadvantage. This was followed by wanting to make access to justice more equitable and making a positive impact on society. Focusing specifically on the workplace, respondents also sought opportunity to work with like-minded people with shared values.

For the most part, respondents indicated that community legal centre work met their expectations. They described collegiality, cohesion and a positive culture within the sector, paired with the opportunity to make real-world impact. However, some respondents also reported surprise at the level of need in the community and complexity of legal and related issues the community faced. Some were also taken aback by what they saw as the high level of responsibility sometimes assigned to junior and new staff. Surprise was also expressed at a lack of technology, variable management or governance practices, and the lack of and insecurity of funding. Regardless of respondents' experiences, positive and negative, organisational commitment was demonstrably high, with 92.2 per cent of respondents indicating that they thought they were achieving something important through their work, and 91.3 per cent that they were proud to tell others who they worked for.

Working in the community legal sector

Those surveyed had been working in community legal centres for six years on average. It was also relatively common to have worked (or be working) in multiple centres. While 55.6 per cent had only ever worked at one centre, 22.6 per cent of survey respondents had worked at two different centres and 21.8 per cent worked at three or more.

Not surprisingly, intention to continue working in their current community legal centre was significantly influenced by whether respondents were employed as a casual, on a fixed-term contract, or in an ongoing or permanent position. This reinforced CEOs views on the retention difficulties associated with an inability to offer ongoing contracts and permanent positions.

Over two-thirds of respondents believed they could build a career within community legal centres. Those who thought their career options were limited, however, cited low pay, short-term contracts, flat organisational structures, and limited opportunities for professional development as barriers. Some respondents also pointed to the lack of, or insecure, funding as the root cause of these issues. For some, a lack of career options was the impetus to leave the sector.

When asked if they aspired to work at other organisations or agencies in the future, 42.4 per cent indicated that they would like to work at another community legal centre, followed by government organisations or agencies (40.3%), Victoria Legal Aid (37.4%) and non-government organisations or agencies (34.9%). A quarter also aspired to work in courts or tribunals, and slightly fewer in private law firms (17.6%) or self-employment (15.3%).

Leaving the community legal centre sector

Just over one-third of survey respondents who were currently employees were thinking of leaving their current community legal centre, with the percentage highest for those employed in legal roles.

Where respondents reported having already started formally looking for another job, the most frequent destination was seeking a position in a government organisation or agency (64.1%), followed by another community legal centre or Aboriginal legal service (53.8%), Victoria Legal Aid (46.2%) and a non-government organisation or agency (44.9%).

Overall, nearly one in five (17.5%) community legal centre employees were found to be actively looking for another job, however more than half (53.8%) were at least considering a job within community legal centres.

Reasons for looking for another job were in keeping with observations elsewhere in the report, centring around career progression, reward and security. Most frequently reported reasons for seeking a change in employment were to advance careers (65.4%), get better pay, conditions or entitlements (43.6%), seek new challenges (39.7%) and get a permanent position (35.9%).

6.2 Implications

Workforce sustainability and funding

This report is part of a series stemming from the Community Legal Centres Workforce Project, which surveyed those working in and managing community legal centres across Victoria. The report describes how and why people come to work at community legal centres, what they find when they get there, their experiences and career path, their long-term aspirations and, for those looking to leave, their reasons and potential destination. These are all issues that affect community legal centre workforce sustainability, and where greater insight and understanding is central to effective leadership and policy response.

Previous reporting of the Workforce Survey also demonstrated the gendered nature of the Victorian community legal centre workforce.¹⁰³ Based on the survey findings, women comprise 76.9 per cent of the community legal centre workforce. Like other female dominated employment, such as the so-called 'caring professions' of education, childcare, nursing, and community services, the findings here demonstrate that the Victorian community legal centre workforce faces similar funding and sustainability challenges. The findings here point to community legal centre funding, short-term funding cycles and fixed-term project and program funding, and security of employment tenure as ongoing threats to staff retention and centre sustainability. As the findings demonstrate, many working in community legal centres find exactly what they expected – opportunity to have a positive impact, make a difference, to work with others in pursuit of shared values, and commitment to extending community access to justice. They are united in assisting some of the most vulnerable and marginalised members of the community – those who stand to benefit the most. It is of little surprise that the vast majority of those working in community legal centres are committed to their centre, their work and their clients. Many go on to build long and fulfilling careers in the sector.

The report documents many positive experiences, though positivity was far from universal, and the spectre of an under and insecurely funded community legal centre workforce was consistent across the findings. One stark finding about the reality and experience of those working in community legal centres was just how many respondents were surprised, and struggled with, the sheer level of need, and how little they felt they could do given the funding and resource circumstances and the service environment they faced. There is a significant access to justice gap around the world,¹⁰⁴ including in Victoria. Need for legal assistance significantly outstrips supply, and soon VLF's Public Understanding of Law Survey¹⁰⁵ will provide new quantitative insight into just how wide the gap is in Victoria.

The reality of community legal centre work is that many in need, and those most likely to benefit from legal

¹⁰³ Kutin et al. (2021b).

¹⁰⁴ Task Force on Justice (2019); World Justice Project (2019); OECD/Open Society Foundations (2019).

¹⁰⁵ <https://victorialawfoundation.org.au/research/puls>.

assistance, must go without. This underpins a frontline service environment that is constantly striving to do more to stretch resources and further extend services; whilst feeling undervalued and having to prove the worth and value of services provided. Lack of funding is at the heart of this.

But as the findings further demonstrate, lack of funding (and insecure funding) not only affects those with legal (and related life) problems, it also has a profound impact on the sustainability and resilience of community legal centres. Lack of funding has an impact on the experiences, careers and lives of those working in community legal centres. Funding issues create real challenges for recruitment and retention – they limit the wages and form of contracts that can be offered, and consequently the security of employment. Funding issues also inhibit opportunities to make and progress careers in community legal centres, and limit professional and workforce development. The adequacy and viability of remuneration renders community legal centres a less attractive career option. For some, the net effect was seeking to leave the sector as they reflected on a perceived lack of fairness in salaries, benefits, conditions and opportunities.

Funding that is circumscribed and recurrent, but not driven by the full range of factors affecting community legal need, ensures ongoing tension between service capacity and staffing. This leads to familiar arguments about the need for increased and sustainable funding to provide for workforce investment to support responsive, adaptable and thriving community legal centres – issues familiar in successive access to justice inquiries and reviews.

It is in this funding context that community legal centres are forced to make the tough operational choices. This report paints a clear picture of a workforce drawn to the sector through passion and principles, for social justice and having an impact on the lives of the most marginalised and vulnerable people, who are often facing some of the most difficult episodes of their lives. It is for these clients where legal assistance can make a critical difference.

Circumscribed funding not only impacts service delivery, but also has a profound impact on the workforce. Passion can only sustain the workforce for so long so. Funding constraints limit remuneration, contract type, employment security and career development. In turn, this leaves community legal centres with invidious choices. Without adequate funding, any increased service capacity (in the short term) tends to come at the expense of workforce sustainability (in the long term).

Another important implication of the relationship between workforce sustainability and funding stems from funding arrangements. Insufficient core funding threatens workforce sustainability. Haphazard and piecemeal funding injection, tied to specific service objectives, service models, target client groups and legal issues may bolster service capacity yet do little to bolster centre sustainability. Increased funding often comes with increased service and reporting expectations.¹⁰⁶

Building and maintaining a sustainable workforce

Funding issues are inextricably related to community legal centre sustainability, resilience and sustainability. It can create better career opportunities, and more secure employment and remuneration in line with the workforces' unique expertise, skill, and ability to connect with the communities they serve.

Respondents pointed to a lack of understanding beyond the sector of what community legal centres do, and a lack of recognition of both their importance, and the expertise of their workforce. They saw these issues as exacerbating core funding challenges, as well as negatively affecting their working conditions and prospects. Funding is widely seen as both cause and solution to challenges around community legal centre workforce wellbeing and sustainability. Findings point to a need for further education about the sector beyond the sector, as well as recognition that the skills required for effective community legal work are sophisticated, specialist and transferable. In the case of lawyers in community legal practice, this may merit investigation of the advantages and disadvantages of recognising community lawyering as an accredited specialisation on a par with those available in legal practice areas such as administrative law, commercial tenancy law, family law, mediation, property law, personal injury and taxation.

¹⁰⁶ See further McDonald et al. (2020).

Australian community legal centres have been held up as a global example of 'what works' in access to justice.¹⁰⁷ They provide the foundations for building community access to justice from the bottom-up, for providing community legal assistance that is community-focused, and implementing innovative services and solutions tailored to the diverse needs and capabilities of the communities they serve. To continue to do this, the sector needs to run on more than fumes, it needs to be resilient and sustainable. This ultimately means recognition, respect and funding in line with its critical contribution.

¹⁰⁷ Task Force on Justice (2019).

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