

Dan Trevanion (Australian Law Students' Association President) Speech Transcript

Australian Academy of Law 'The Future of Legal Education' Conference

DAY 2: FINAL PLENARY (13/08/17)

Thank you for the introduction, Judge. Bill's description of a juris-apocalypse is a hard act to follow – but I'll give it my best shot. I do not intend to speak with any technical authority about legal education - the future of legal education, where it should be in 5, 10 or 15 years – you are all well enough qualified in that regard. My purpose is to speak with the authority of my perspective to inform and influence how you, the Academy, the Educators and the Profession will approach the future of legal education.

I am not abdicating the role law students have in this joint task but I am acknowledging the first matter that you must know. At the moment, the discussion surrounding legal education is impenetrable for law students.

Several months ago, I received the invitation to this conference from Judge Lindgren. I dutifully thought 'Well, it's the 30th anniversary of the Pearce Report – I will go to the library to see what Professor Pearce thought about legal education.' There I was met by four large volumes and a fifth, inaccurately labelled – 'summary' – and I had to work my way through it. I am not suggesting, of course, that I would prescribe the Pearce Report as reading for all law students but my experience does represent some of the barriers that law students have in engaging in this discussion.

Firstly, it represents the weight of history and the breadth of past discussions that has occurred in these forums, concerning legal education – How can we change it? How we can move it on? Even at this conference, a very forward looking one regarding "The Future of Legal Education", we have spent many sessions looking over our shoulders at the past.

A second barrier that the Pearce Report represents is, in my opinion, a lack of national information available for law students. The Pearce Report accurately sets out the national needs of students, the national characteristics of students, their wishes, their peculiarities. It is difficult to think of a contemporary equivalent. We, as students, for example, might read the FLIP report, or news articles explaining the glut of law graduates or statements from CALD clarifying the media's statistics on the number of law graduates. The sources providing relevant information on law students are dispersed. Often times different sources release

conflicting information and sometimes these sources release information that is inaccurate or plain wrong. Who should law students trust? More often than not, law students disengage from the discussion altogether and with a diminished opinion of the motives of all parties involved.

So, what does that mean? It means law students do not engage with the Universities, the Law Societies' or the Profession whom are pushing this information into the public domain. It means that law students have a superficial understanding or an incorrect understanding of their legal education and of their potential legal careers.

Millennials disengaging with the world around them is not new. But it follows that you – the Academy, the Educators and the Profession – have a duty to represent our interests knowing that we cannot accurately or forwardly represent them ourselves.

This is not an unfamiliar concept. Often, it is the uneducated, the disadvantaged, or the vulnerable that will appear on the doorstep of lawyers. I am certain all of you though would share distaste for the lawyer who does not communicate with their client. The lawyer who does not attempt to understand their clients' needs or their interests and instead conducts the case according to their own predilections and prejudices.

My suggestion is to create clear structures in the maintenance of legal education to better engage law students, better represent their interests and create meaningful dialogue. In seeking the changes that you have discussed at this conference, what is missing is the structures in place for students to participate in that endeavour. I am most attracted to the structural design put by Professor Farrar yesterday when he discussed the Council of Legal Education in New Zealand. A structure where all stakeholders are at the table: law students, members of the public, the profession, the law deans and the judiciary.

I have a preference for this approach for two reasons. The first is that as a student representative it provides a certain forum for me and my successors, in an ex-officio capacity, to advocate on behalf of students. We are certain to have a voice and a seat at the table. Secondly, the Council would benefit the general law student as a focus point to receive trusted information about their legal education. I think this would go a long way in reengaging law students in this joint endeavour.

The future of legal education will ultimately be wrought by your hands. I am not asking that you cast away your prejudices and predilections. These are born from your own education, experience and wisdom. My proposal to you is to complement your approach to the future of legal education with the interests of law students and by facilitating structures within which their voices may be influential.

Thank you.