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THE IMPACT OF PRO BONO LAW CLINICS ON EMPLOYABILITY AND WORK READINESS IN LAW STUDENTS

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Abstract

The benefits of involving law students in practical learning exercises and clinical experience have been well documented. Undeniably the implementation of law clinics in university law schools has significant advantages for students, including practice-based learning, general skills improvement and preparation for the workplace. It has become more important than ever to prepare law students for practice, and employability initiatives have become the focus of many law schools. One of the ways in which student employability can be boosted is through a pro bono law clinic. Not only do law students entering the competitive work environment benefit significantly from practical work experience gained during the course of their law degree, but there is evidence that it could also increase self-confidence, practical knowledge and, consequently, employability in students. However, there has been little empirical research interrogating the connection between graduate skills development and clinical experience. This article continues the discourse on the link between graduate employability skills and law clinics. It focuses, first, on the benefits of pro bono law clinics for students in the context of work readiness; second, it examines the results of a survey administered to law students pre- and post- law clinic training within the theoretic grounding of the Graduate Employability Indicators prepared by Oliver et al. (2011); and in conclusion, it considers the future implications for law schools and the need for further research in this area.

Keywords

Graduate employability; GEI; clinical education; legal education; pro bono law clinic

Introduction

A pivotal role of law schools is to prepare students for their future roles as legal practitioners, which will require a wide range of skills, not all readily accessible through traditional classroom education. It has been noted that there is significant agreement on the broad categories of desirable graduate capabilities cited by institutions, employers and industry bodies, including what are often referred to as the 'generic' or 'soft' skills, such as communication skills, teamwork, critical thinking, problem-solving, self-management, digital literacy and global citizenship (Jorre de St Jorre & Oliver, 2017; Hajkowitz et al., 2016).

In a previous article the author enumerated the benefits of involving law students in a pro bono law clinic, acknowledging the differences between Clinical Legal Education ('CLE') and purely voluntary pro bono clinics. Aside from the well documented benefits of clinical education (Evans et al., 2012) it was found that pro bono experience – like clinical experience obtained for academic credit – can also be of significant benefit to students as it promotes characteristics of altruism, community service and enhanced work ethic, in addition to developing practical workplace skills, communication skills and increased self confidence (Cantatore, 2015). However, it was acknowledged that further research was necessary in this area to determine whether students leave their clinic experience with enhanced workplace skills.

To this end a pilot study has been undertaken with a group of law students pre- and post- clinical experience in a pro bono teaching clinic, based on a survey utilising the

Graduate Employability Indicators ('GEI') (Oliver et al., 2011). A widely-accepted definition of graduate employability is the achievement of 'the skills, understandings and personal attributes that make an individual more likely to secure employment and be successful in their chosen occupations to the benefit of themselves, the workforce, the community and the economy' (Yorke, 2006, p. 8). In this article the author sets out to explore whether previous findings and the anecdotal evidence provided in earlier research (Cantatore, 2015) are supported by empirical research findings derived from the Graduate Employability Survey ('the survey') (Oliver et al., 2011). The article will consider, first, how students may benefit from involvement in pro bono law clinics in the context of work readiness; second, it contextualises and examines the findings of the survey, as compared with results from a control group of law students at an equivalent point in their law degree; and finally, it will conclude by noting the future implications and challenges for law schools, as well as the need for future research in this area.

The Pro Bono Law Clinic and Employability Skills

A pro bono teaching clinic can provide a secure and nurturing environment within which students can hone their practical work skills. This pre-supposes that adequate controls and supervision are in place to ensure that the experience is a worthwhile one for both students and clients attending the clinic. At the university law clinic which is the subject of this research study ('the Law Clinic') all students are supervised by experienced legal practitioners, as well as academic staff (when conducted at the

university), and client appointments are screened and scheduled in advance of clinic times.¹

The [Law Clinic Program]

The [Law Clinic Program] consists of four clinics, namely the Commercial Law Clinic, the Community Law Clinic, the Human Rights Clinic, and the Criminal Law Clinic. All of these clinics - which are the subject matter of this research - are pro bono clinics, i.e. not for academic credit. In previous research the author focussed on the Commercial Law Clinic and discussed the numerous advantages of faculty run clinics. Not only do such clinics provide the faculty with experiential learning opportunities for students at a low cost, but they also offer pro bono work opportunities for local legal practitioners, as well as render a valuable community service. Other benefits to students include: interaction with 'real' clients and cases; development of social responsibility, empathy and interpersonal skills; networking and integrating with legal professionals; and promotion of ethical behaviour in students (Cantatore, 2015).

It was acknowledged that a distinction can be made between CLE and pro bono programs, as they have generally been regarded as 'separate and distinct entities' (McCrimmon, 2003, p. 76). Although there is significant overlap, the main

¹ The Law Clinic has been operating since September 2013 and provides free legal advice for small businesses and not-for-profit organisations. It has serviced approximately 430 clients as at the date of this article. The clinic runs every semester (three semesters per year) on a bi-weekly basis over a period of 12 weeks. To date more than 100 students have volunteered at the clinic, and overall, more than 250 students have participated in all the clinics offered by the program.

distinguishing factors between the two models lie in the following characteristics (Cantatore, 2015, p. 148):

- a) CLE programs attract academic credit (Evans et al., 2012, p. 23), as opposed to purely voluntary non-academic reward arrangements for pro bono students;
- b) 'Pro bono' is voluntary work done out of a sense of professional responsibility, where the primary motivation for the work is a concern for justice or reasons of kinship or friendship, as opposed to securing gain (Corker, 2005, p. 5);
- c) CLE programs have a *teaching* focus whereas pro bono programs have a *community service* focus (Corker, 2005, p. 6);
- d) Usually pro bono programs are at no financial cost to students as opposed to academic fees being payable for CLE programs; and
- e) CLE programs are required to have formal assessment procedures to produce specific learning and teaching outcomes whereas pro bono programs generally implement informal feedback and reflective practices.

Student pro bono work has been described as a situation where students, without fee, reward or academic credit provide or assist in the provision of services to enhance access to justice for low income and disadvantaged people or for non-profit organisations that work on behalf of members of the community who are disadvantaged or marginalised, or that work for the public good (National Pro Bono Resource Centre, 2004, p. 8). However, although pro bono programs intrinsically have

a community focus and imply that volunteers are altruistically motivated, or are participating out of a sense of justice, it is clear that the benefits of such participation are more far-reaching. In addition to gaining practical work experience, pro bono clinics also help students acquire fundamental professional values, as opposed to merely focusing on the acquisition of legal knowledge (Booth, 2004). Ethical behaviour and understanding of social and cultural interaction with clients also become part and parcel of the student experience in the pro bono clinic. Corker (2005, p.7) identifies the following objectives of pro bono clinics (in addition to the social justice aspects): to introduce law students to the workings of the legal profession and to meet, observe and work with practising lawyers involved in public interest work; to assist students to develop interpersonal skills in a professional environment; and to provide students with practical experience in research, writing and advocacy in a legal environment.

All of these skills contribute to the student's maturity and employability when he/she enters the workplace. In a recent study conducted by Trina Jorre de St Jorre and Beverley Oliver (2017, p. 9) it was also found that students value the involvement of employers, industry representatives or professionals in the design and delivery of their learning. It was noted by the authors that students also spoke highly of work-integrated learning and professional networking opportunities. They identified strategies such as work placements, internships or volunteering as effective ways of engaging in skills development:

‘Internships are great for developing these kinds of skills but they are highly selective. Volunteering is a great way for other students to develop skills that employers want’.

The interaction between students and legal professionals in the clinic is therefore conducive to developing practice skills, which would not have been accessible to students in a traditional classroom context.

Previously, it has been acknowledged that there is merit in both CLE and pro bono clinics – the CLE model which is for academic credit, and the more informal pro bono program without formal academic credit - but that a ‘hybrid’ model incorporating both pro bono work and specific learning and teaching outcomes provides students with an optimum practice-based learning experience. Furthermore, if such a program is conducted at the university faculty premises, rather than externally, the benefits are enhanced due to the interaction of students, lawyers and academics in the Law Faculty environment (Cantatore, 2015, p. 162). It was then demonstrated that the Commercial Law Clinic had the attributes of such a hybrid clinic, in providing a pro bono opportunity for volunteers, with the concomitant benefits of experiential learning derived from interviewing real clients under supervision by experienced legal practitioners, researching the law, and drafting advice, which is signed off by supervising lawyers. Thus, this clinic model incorporated elements of community service together with the development of employability skills in students. In addition, as a Commercial Law Clinic, the clinic was an initiative that challenged existing

models of CLE programs and pro bono services, by merging pro bono service and experiential learning in a *commercial law* context.

The remaining three clinics consist mainly of off-campus volunteering with law firms and institutions on pro bono matters but they share the following characteristics with the Commercial Law Clinic:

- a) All clinics constitute volunteer activities which involve community service elements;
- b) None of the clinics are for academic credit;
- c) All clinics promote access to justice (whether for individuals, small businesses or not-for-profits); and
- d) All clinics offer students experiential learning opportunities through interviewing, drafting and preparing advices or briefs.

Thus, even though they may serve different purposes from a community service perspective and the clinic models differ in some respects, all of these clinics under the [Law Clinic] Program share common goals and objectives, which include developing students' real-world employment skills. The research discussed below attempts to determine whether these objectives are realised – and if so, to what extent – in respect of developing employment skills through students' pro bono clinic experience.

The Research Project

Theoretical Grounding

The research project underlying this article was conducted within the theoretic grounding of the GEI set out by Oliver et al. (2011) for an Australian Learning and Teaching Council Report. The Report relied on seven clusters of attributes identified by universities including: written and oral communication; critical and analytical (and sometimes creative and reflective) thinking; problem-solving (including generating ideas and innovative solutions); information literacy, often associated with technology; learning and working independently; learning and working collaboratively; and ethical and inclusive engagement with communities, cultures and nations.

Based on these attributes, the survey included in the Report allows for the systematic collection of evidence of stakeholders' views of graduate achievement of employability skills (Oliver et al., 2011, p. 8). The survey expands the list of attributes mentioned above further, by focussing on fourteen attributes, skills and personal qualities drawn from a number of related surveys (Kuh, 2001; Coates, 2009a). The GEI can be used to determine the effectiveness of courses in preparing students for the workplace, by administering a survey to various stakeholder groups.

In this pilot study the GEI survey has been applied in the context of law students attending a pro bono teaching clinic over the course of a semester, by measuring their perception of competency against a control group. Students typically volunteer in the

clinic for a semester, without academic credit, and are appointed based on their academic record, curriculum vitae and an application letter. The experience exposes students to the realities of a job application, real client contact and interacting with their peers and supervising lawyers. In the survey students were instructed to indicate their level of competence in respect of each attribute rated from 0 – 100. A copy of the GEI survey is attached as Annexure A.

Methodology

The research project involved the collection of both quantitative and qualitative data, from the survey as well as discrete qualitative survey feedback received from students post semester through Survey Monkey. In conducting this pilot study, the established model proposed by the GEI was used to survey the law clinic student stakeholder group ('Group 1') over the course of two semesters in 2016, and compare the results of the survey with those of a control group of students ('Group 2') over a similar period in 2017. Participant students of both groups were in the third to fourth semester of their law degree. Group 1 consisted of students attending one of four pro bono clinics, whereas Group 2 consisted of students with no clinical experience. The group numbers were fairly evenly balanced, with 33 and 34 participants respectively. Qualitative data was collected from Group 1 students to provide additional insight into their law clinic experience and perceived employability skills enhancement through their experience.

The Survey

Table 1: GEI Survey Content

Abbreviated title	Full text in the GEI
1. Knowledge	<i>Work related knowledge and skills</i>
2. Writing	<i>Writing clearly and effectively</i>
3. Speaking	<i>Speaking clearly and effectively</i>
4. Thinking	<i>Thinking critically and analytically</i>
5. Quantitative	<i>Analysing quantitative problems</i>
6. Using ICT	<i>Using computing and information technology</i>
7. Teamwork	<i>Working effectively with others</i>
8. Independent Learning	<i>Learning effectively on your own</i>
9. Intercultural Understanding	<i>Understanding people of other racial and ethnic backgrounds</i>
10. Problem-solving	<i>Solving complex, real-world problems</i>
11. Values & Ethics	<i>Developing a personal code of values and ethics</i>
12. Community Engagement	<i>Contributing to the welfare of your community</i>
13. Industry awareness	<i>Developing general industry awareness</i>
14. Social contexts	<i>Understanding different social contexts</i>

Contents of the Survey: As noted above, the survey listed fourteen attributes, skills and personal qualities on the instrument in abbreviated form, set out below, and students were instructed to indicate their level of competence in respect of each attribute rated from 0 – 100 (Oliver et al., 2011, p. 10).²

² Instructions on the survey stated: “For each of the 14 points add a dot to indicate how competent you would feel in each if hired today as a legal practitioner (0=not at all competent, 100=absolutely competent).”

Participants and process: The representation of clinic participants in the survey is set out in Tables 2 and 3 below:

Table 2: Group 1

Student group	Number of participants
Commercial Law Clinic	19
Community Law Clinic	5
Human Rights Clinic	4
Criminal Law Clinic	5
Total number	33

Table 3: Group 2

Student group	Number of participants
Non-clinic law students	34
Total number	34

To provide consistency, the same survey was administered to both groups in weeks four and 12 of the semester, thereby recording students' responses early in the semester (for Group 1, at the start of their clinic experience) and late in the semester (for Group 1, at the end of their clinic experience). The Group 2 control students were engaged by sending an email to law students, which provided an opportunity to win a mini-iPad. A copy of the email invitation is attached as Annexure B. Following the email invitation, 34 usable responses were received from students (i.e. where both the first and second surveys were completed, and students were non-clinic students.)

Group 1 surveys were distributed to clinic students at the beginning and end of semester by an administrator who collected and stored the surveys securely. Student

identification numbers were obtained instead of names in order to (a) allow for 'blind' viewing of data; and (b) enable collation of the second survey data with the initial survey. For Group 2 surveys it was necessary to obtain an email address in order to distribute the second (end of semester) survey to participants. This procedure was consistent with the ethics approvals acquired prior to commencing the study, with no identification of participants in the research findings.

General findings:

- a) *Group 1:* Overall, the 33 pro bono law clinic students reported an average 13% increase in their graduate skills from beginning to end of semester. More than 42% of students showed an overall increase of over 10%, and approximately 15% reported a more than 20% increase in their competency. The most significant increase reported was a 44% increase by one participant. Broken down further by individual clinic, Commercial Law Clinic students showed an average increase of 16% as opposed to the Community Law Clinic and Human Rights Clinic (both 10%) and the Criminal Law Clinic (6%). Only one Criminal Law Clinic participant reported a perceived overall *decrease* of 2% in their competency.
- b) *Group 2:* In comparison, the control group of non law clinic students showed a perceived overall increase in their graduate skills of 2.7%, with 17.6% of students indicating an increase in competency above 10%. Only one participant reported an increase of 13%, which was the maximum increase

reported. Significantly, more than 26% of students reported a perceived decrease (ranging from 1% - 14%) in their competency in these skills.

Discussion of findings: In comparing the findings for both groups, the following observations can be made:

- a) There was a significant difference between the perceived average increase in competency in the two groups, with Group 1 students showing an overall average increase of 13%, as compared with Group 2 students with an overall average increase of 2.7%, i.e. a difference of 10.3%.
- b) The Commercial Law Clinic students attested to a higher average increase in competency than other law clinic students. Significantly, 74% of Commercial Law Clinic students were above the total Group 1 average increase percentage, indicating a perception of elevated competency in skills in these students.
- c) Surprisingly, the control group (Group 2) results showed that a significant number (26%) of students reported a decrease in their perceived competency in graduate skills by the end of semester.

Whilst it could be argued that other factors may play a role in the low increase in Group 2, such as pre-exam stress at end of semester, the same stress would apply to Group 1 students (arguably perhaps more so with the additional time commitment to volunteering). Further, the control group responded to an email with the possibility of winning an iPad mini, which had the potential for them to inflate their increase in competency in case it would be a factor in choosing the winner (which it was not).

However, from the lower results reported, it seemed evident that, overall, participants in Group 2 did not inflate their increase in competency. It must also be noted that many students in the second group reported a high competency level in the attributes to start out with, and then maintained that level by end of semester, or decreased slightly. It should be noted that, in the Group 1 students, many also started off with high competency levels but these generally increased by the second survey. Another observation in relation to the Group 2 students is the possibility that they may also have been engaging in part time legal work (whether paid or unpaid) as many students do. It would be interesting to know if this was the case, yet they still continued to report lower levels of competency. If so, it could be because the Bond Law Clinic environment is more nurturing and supportive (thus engendering a sense of self-confidence) as compared to law firms where students may often feel quite inadequate as a clerk or paralegal. In the clinic students can enjoy the satisfaction of actually servicing a client with tangible needs and be involved from start to finish, whereas in a law firm students often work on a very small part of the matter, their work is often more administrative than legal, and they sometimes do not get to see the final product they contributed to. As a result, it may be difficult for students to build up their confidence during work experience to ask for more challenging work. Asking what extracurricular or employment activities the control students are involved in might provide an interesting point of comparison in a future study.

Group 1 students showed a marked overall increase in their perceived competency level, with Commercial Law Clinic students reporting significant improvements over the course of the semester. One may observe, as an aside, that an important characteristic acquired in the clinic appears to be a sense of improved self-confidence, which is reflected in their perception of increased general competency. Whilst it is difficult to say with certainty whether the skill levels reported by the students are later manifested in the workplace without feedback from future employers, it is evident that clinic participants have, at a minimum, an increased sense of competency in the GEI set out in the survey.

Group 1 Qualitative Feedback: In order to further explore the pro bono student experience, additional feedback was obtained from students in the Commercial Law Clinic.³ The qualitative data obtained through this additional survey – while not representative of all the pro bono clinics discussed here – provides some insight into the student experience and benefits derived from volunteering. It also highlights student perceptions of how the clinic experience affected employability skills.

There has previously been anecdotal evidence to support the success of the student experience in a pro bono commercial law clinic (Cantatore, 2015, pp. 168-169), where several students commented on their increased confidence and improved communication skills, as well as the clinic's role in helping them to obtain

³ By way of a Survey Monkey survey sent to students by email post-clinic experience.

employment.⁴ Additionally, supervising lawyers in the clinic provided positive feedback about the work readiness value of the clinic, with comments such as:

‘The more experience a student has with real life cases and client interaction the better. Further, to be accepted into the program is also evidence of the student’s excellence in their studies, initiative to apply, ambition to further their education by volunteering their time and willingness to learn from and make connections with legal professionals in practice.’

and

‘Employability often goes hand in hand with confidence and personality. The more experience the student has the more practice ready they will be, because their confidence in different legal situations with actual clients is increased by their experiences at [the Law Clinic].’ (Cantatore, 2015, p. 170)

In the present study discussed in this article, it was found that students expressed similar sentiments to the previous clinic volunteers, as set out above. A brief discussion of their comments follows below.

⁴ Examples of comments from students:

“The [Law Clinic] was crucial to giving me the confidence in interviews to demonstrate I have had practical experience outside the classroom. It provided a level of comfort for me to attack and approach a client’s case because of the different challenges I faced with the clinic. Interviewing clients, writing letters of advice and doing legal research, were all key components which I felt were beneficial for my current position.” (email from Law Graduate); *“I am currently undertaking an internship as a paralegal and also secured three clerkships with three different top tier law firms. The [Law Clinic] a significant role in enabling me to obtain all of these things”* (email communication from Law Graduate): Cantatore, 2015, pp. 168-169

Survey Monkey Feedback of Participants: In the post semester survey administered as a matter of course to pro bono clinic students, they were given the opportunity to rate their clinic experience and to provide detailed feedback if they chose to do so. All responses were anonymous. Responses included the following comments by students where the practical benefits of the clinic were highlighted:

In relation to “real world” experience:

‘The Clinic provided me with a fantastic insight into the real legal world. It allowed me to get first-hand experience dealing with clients and their files, as well as giving me experience in writing fact sheets which are then published and used in the Clinic.’ (Survey Monkey, April 26, 2016);

In respect of putting theory into practice whilst providing a community service:

‘[The Law Clinic] gives students the opportunity to dive into practical legal advice. As a student advisor, you think on your feet and get a practical context for the concepts you've learned about in class. Being exposed to highly competent lawyers, learning from their client interaction and how they convey legal advice, is an invaluable experience you can't get from a textbook. On top of all that, you're making a difference in the community and helping real people solve real problems. Why wouldn't you do it?!’ (Survey Monkey, April 22, 2016);

In providing a memorable learning experience:

‘[The Law Clinic] provided the opportunity to apply applicable course content to real clients. The learning curve is steep, and the potential for skill development is present. It was fascinating to not just learn about the law in its everyday application, but to also learn about the people involved with the specific legal issues. [The Law Clinic] was a fantastic experience.’ (Survey Monkey, April 21, 2016);

By developing drafting skills and interacting with real clients:

‘[The Law Clinic] is a great experience for any law student. I learned practical skills in both client interviewing and drafting letters of advice that I haven't learned in the classroom. In addition, it was a great opportunity to interact with real clients and to help choose what type of commercial law I want to practice after graduation. I would highly recommend volunteering here.’ (Survey Monkey, August 26, 2016);

and

By building students' self-confidence

‘[The Law Clinic] provides students with an excellent opportunity to apply their knowledge to real problems. Meeting with clients and assisting them in answering their questions builds confidence and skill.’ (Survey Monkey, August 26, 2016).

Another law student communicated her feedback by email, describing her journey in the law clinic experience:

'My first day at the [Community Legal Centre], I was thrown into the deep end, facilitating client entry interviews and drafting letters of advice for clients with a vast array of legal problems. Such an intense practical experience fosters the most rapid and effective development of the leadership and communication skills that all future lawyers should build upon early in their degree. Taking part in the [Community Law Clinic] has broadened my outlook towards legal practice and the skills needed to be a successful advocate for clients. I would absolutely recommend participation in this outstanding program; I have grown so much not only as a student of law, but as a member of the [university community].' (personal communication, May 10, 2016).

Some of the perceived benefits derived from the students' clinic experience and recorded in this research are set out in Table 4:

Table 4: Perceived benefits of the Law Clinic experience

Student comment	Skills
Improved client interviewing and legal drafting skills.	Speaking, writing
I believe my client interviewing and writing have improved since beginning the Clinic.	Speaking, writing
I have gained a better understanding of general legal efficacy, interacting with clients and how to approach a broad range of commercial matters.	Knowledge, thinking, speaking, industry awareness, problem-solving, social contexts
I have learnt to look at problems from a less strict legal sense and a more commercial sense. I have also enhanced my client interviewing skills.	Knowledge, thinking, speaking, problem-solving, social contexts
I've learnt so much from participating in the clinic and it has been great experience.	Knowledge, problem-solving
I feel a lot more comfortable with writing letters of advice now that I've had to write several.	Writing, problem-solving
Improved real world application of the skills from classroom and how to implement these in a legal practice.	Knowledge, industry awareness, problem-solving
It gave me the opportunity to see first-hand how client interviewing works and I found my ability to draft legal advice developed throughout the weeks.	Knowledge, speaking, writing, problem-solving
I feel more confident communicating with clients on commercial law matters, providing summaries to the supervising lawyers, and drafting advice.	Knowledge, speaking, writing, problem-solving, social contexts

It appeared from this research that students specifically recognised an increase in their knowledge, speaking, writing, problem-solving and industry awareness skills. However, the development of these skills is also underpinned by quantitative problem-solving skills (individual clients' problems), community engagement, and

the values and ethics associated with the legal profession. As students work closely with supervising lawyers, all of these skills are strengthened simultaneously. It can also be noted that other skills such as teamwork and intercultural understanding are inter-related with the skills mentioned, as students work in team situations and deal with a variety of clients during their clinic experience.

Conclusion

Despite the fact that pro bono clinics are generally regarded as having a primary focus of community service (Corker, 2005, p. 6), and instilling future graduates with a community and public service rooted mentality (Booth, 2004, p. 280), they present considerable learning opportunities for students. It has been shown that the habits of mind, work ethic, behaviours and professional identity learners develop through experiential opportunities in higher education are critical to their graduate employability (Yorke & Knight, 2006). Pro bono law clinics offer such experiential prospects. This research shows a significant average increase of 13% in perceptions of competency in students after attending a semester long pro bono law clinic. In a faculty run clinic such as the Commercial Law Clinic, students reported even larger average improvements in their graduate capabilities of 16%. These results were supported by qualitative data collected in follow-up surveys, where students mentioned amplified levels of skill in attributes such as knowledge, writing, speaking and problem-solving. In comparison the control group showed only a minimal

increase of 2.7% in competency, with a number of students experiencing a decrease in their competency.

Whether the results of the surveys are borne out by students' future career success can only be established through further research and more extensive studies, which would involve employers and continue into the graduate lawyer's working life. Oliver et al. (2011, p. 7) set out guidelines for conducting such research, and comment that there is no routine and systemic collection of evidence of other stakeholders' views of graduates' achievement of employability skills in Australian higher education, even though reports suggest that employers are often less than satisfied with graduate skills.

This may be as a result of the constraints in conducting such research. It is acknowledged here that employers are an independent voice who can provide highly valuable feedback on graduate outcomes (Coates, 2009b), however, there are challenges associated with such further research, for example: the length of the research phase and funding considerations (as the research would need to be conducted over a considerable time period to assess a group of students during and after their law degree); close monitoring of the migration of participants (keeping track of their whereabouts over an extended period); and – as acknowledged by Oliver et al. (2011, p. 7) – the difficulty of engaging respondents in surveys. Nevertheless, such further research would show whether the employability skills obtained during their clinic experience helped graduates in the real-life workplace, how the skills assisted the graduates, and whether the graduates' personal perceptions were borne

out by their future employers. It would also assist higher education institutions to re-evaluate learning and teaching outcomes, and implement programs which promote graduate employment skills. In the absence of such data, and based on the results of this pilot research, it seems clear that there are definite skills benefits associated with a pro bono law clinic, provided that it is structured appropriately, managed effectively and that students enjoy constant professional supervision.

From a law school perspective, it has been noted that there are a number of challenges involved with establishing and running pro bono clinics to promote employability skills, such as: securing enough pro bono lawyers for supervision in the clinic; engaging external organisations; involving academic staff with already heavy workloads in pro bono activities; administration of the clinic; qualification of applicants; insurance and risk considerations; and ongoing student engagement and management (Cantatore, 2015, p. 165). However, the benefits derived from running a pro bono clinic, for both the community and for law students, and the opportunities for networking and engagement with the profession, validate the additional efforts of progressive law schools in equipping their students for the workplace. What is needed is a proactive commitment from Law Deans to support and encourage pro bono initiatives and to provide the infrastructure for these clinics to operate effectively.

Reference List

Booth, T. (2004). Student pro bono: Developing a public service ethos in the contemporary Australian law school. *Alternative Law Journal*, 29(6), 280-284. Retrieved from <http://search.informit.com.au/fullText;dn=200501436;res=APAFT>

Coates, H. (2009a). *Engaging students for success: Australasian student engagement report*. Melbourne: Australian Council for Educational Research.

Coates, H. (2009b). What's the difference? A model for measuring the value added by higher education in Australia. *Higher Education Management and Policy*, 21(1), 1-19.

Corker, J. (2005, July). *How does Pro Bono Students Australia (PBSA) fit with clinical legal education in Australia?* Paper presented at the Third International Journal of Clinical Legal Education Conference and Eighth Australian Clinical Legal Education Conference, Australia.

Evans, A., Cody, A., Copeland, A., Giddings, J., Noone, M.A., Rice, S. (2012). *Best practices Australian clinical legal education* (Report, Australian Government Office for Learning and Teaching). Retrieved from Council of Australian Law Deans website https://www.monash.edu/_data/assets/pdf_file/0003/591042/Australian-CLE-Best-Practices-2012.pdf

Hajkowicz, S., Reeson, A., Rudd, L., Bratanova, A., Hodgers, L., Mason, C., & Boughen, N. (2016). *Tomorrow's digitally enabled workforce: Megatrends and scenarios for jobs and employment in Australia over the coming twenty years* (Report, CSIRO). Retrieved from CSIRO website http://www.csiro.au/~media/D61/Files/16-0026_DATA61_REPORT_TomorrowsDigitallyEnabledWorkforce_WEB_160204.pdf

Jorre de St Jorre, T. & Oliver, B. (2017). Want students to engage? Contextualise graduate learning outcomes and assess for employability. *Higher Education Research & Development*, 1-14. doi: 10.1080/07294360.2017.1339183.

Kuh, G. D. (2001). *The national survey of student engagement: Conceptual framework and overview of psychometric properties*. Bloomington, IN: Indiana University Center for Postsecondary Research.

McCrimmon, L. (2003). Mandating a culture of service: Pro bono in the law school curriculum. *Legal Education Review* 14(1), 53-76. Retrieved from <http://search.informit.com.au/documentSummary;dn=894035261278188;res=IELHSS>

National Pro Bono Resource Centre. (2004). *Pro Bono and clinical legal education programs in Australian law schools* (Information paper). Retrieved from National Pro Bono http://www.nationalprobono.org.au/publications/documents/PUBLISHEDVERSION_000.doc

Oliver, B., Whelan, B., Hunt, L., Hammer, S., Jones, S., Pearce, A. and Henderson, F. (2011). *Introducing the Graduate Employability Indicators* (Report, Australian Learning and Teaching Council). Retrieved from Assuring Graduate Capabilities website <http://www.assuringgraduatecapabilities.com/uploads/4/5/0/5/45053363/introducingthegei.pdf>

Yorke, M. (2006). Employability in higher education: what it is - what it is not. *Learning and Employability Series*. Retrieved from [http://www.employability.ed.ac.uk/documents/Staff/HEA-Employability_in_HE\(Is,IsNot\).pdf](http://www.employability.ed.ac.uk/documents/Staff/HEA-Employability_in_HE(Is,IsNot).pdf)

Yorke, M., & Knight, P. (2006). Embedding employability into the curriculum. *Learning and Employability Series*. Retrieved from http://www.employability.ed.ac.uk/documents/Staff/HEABriefings/ESECT-3-Embedding_employability_into_curriculum.pdf