



UNIVERSITY
OF WOLLONGONG
AUSTRALIA



LLB 397/ 3397/ 3396 Legal Internship Program

GUIDELINES FOR SUPERVISORS
FACULTY OF BUSINESS AND LAW



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INTRODUCTION

Clinical education programs for law students have been available for many years in some Australian School of Laws. The objective of such programs is to provide an understanding of the human, social and policy contexts of law and legal practice. At the University of Wollongong, this objective is met through the subject LLB397/ 3397/ 3396 Legal Internship.

Internships fulfil an important component of both academic and practical education in law. The integration of professional experience into the learning process is highly effective in developing students' understanding of the law in action, as they are able to observe and perceive the relevance and application of theory to practice. Consequently, the program is not simply 'work experience' but a significant educational experience. In a workplace setting, students are exposed to the reality of the practice of law in all its dimensions - the integration of different areas of law, policy issues, the application and development of skills to the analysis and resolution of client concerns, ethical responses to situations which arise unexpectedly and spontaneously, issues of professional responsibility including responsibility to clients and case management, and the operations of the court system and government in the legal process.

Since the inception of the LLB program at UOW, a professional experience component has been part of the compulsory subject Lawyers & Australian Society and thus of the LLB degree. From 1993-2004, it involved 40 days of practical experience under the supervision of a lawyer, undertaken in two different workplaces. Until 2008 the internship component was known as the Professional Experience Program (PEP).

In 2005 the PEP was modified to accommodate the changing circumstances of students while retaining the essential pedagogical objectives of the original program. One internship experience of 20 days' duration was retained. In 2009, the structure was again changed with Lawyers and Australian Society becoming a 6 credit point subject (LLB197/ 1197) and the internship component established as a separate stand-alone subject (LLB397/ 3397/ 3396). The program is now called the Legal Internship Program (LIP). The subject LLB197 Lawyers & Australian Society or LLB1197 Ethics and Professional Responsibility is a pre-requisite for enrolling in the subject LLB397/ 3397/ 3396 Legal Internship (together with some specified second and/or third year LLB subjects). These subjects provide the theoretical knowledge and ethical framework necessary to appreciate the operation of the 'law in action'.



AIMS AND OBJECTIVES OF THE LEGAL INTERNSHIP PROGRAM

The Legal Internship Program is not designed to teach students how to be good lawyers (or how to be lawyers at all) - it takes more than study at University to do that. The objectives are to:

- expose students to the law in operation in contexts where each student will come to perceive aspects of law which cannot be learned from reading or hearing about it;
- allow students to perceive ways in which the formal learning they acquire at University may be applied in practice and therefore to develop an appreciation of the practical dimensions of legal principles;
- enable students to relate the different areas of legal practice to the importance of developing the skills of legal research, communication, drafting, practice management and problem- solving; and
- enable students to observe and reflect upon the values, ethical standards and conduct of the legal profession in practice and to develop their own attitudes of professional responsibility.
- assist students in exploring and planning their future career.

At the end of their internship, students should be able to:

- appreciate some of the practical aspects and social dimensions of legal problems; and
- relate the application of different areas of legal principle to the application of the different skills of research, communication, and practice that different types of legal work require.

INTERNSHIP REQUIREMENTS

Each student is required to complete an internship of 20 working days under the supervision of a lawyer (the ‘supervisor’) in a location arranged by the Law School or the student. The days worked should be normal working days – 7 hours work time – though, understandably, at times, longer attendance may be required. Where students are undertaking unpaid internships it is expected that students should not regularly be required to work beyond normal office hours.

Before undertaking the internship each student will have completed the subject Lawyers and Australian Society and be in at least the second semester of their second year of the LLB degree. They will be aware of the requirements of confidentiality and the ethical framework that applies to all solicitors and barristers.

At the start of the internship the student will prepare a statement of internship objectives and proposed work activities in consultation with their supervisor. These objectives must be acceptable to their supervisor and then approved by the Law School.

During the internship the student is required to maintain a reflective journal. The approach to maintaining the journal may be discussed with the Subject Coordinator before and/or during the internship. The purpose and assessment of the journal is discussed later in this document.



WHO CAN SUPERVISE A STUDENT INTERNSHIP?

Student interns must be supervised in the workplace by a person who is a lawyer and currently holds and has held a practising certificate for at least three years in the jurisdiction where the internship is being undertaken, or a person who can provide comparable supervision (e.g. Judge, Magistrate, and Tribunal Member).

This requirement does not prevent work being carried out under the direction of or in association with other staff. The supervisor, however, will have responsibility for overall supervision. It is important that students undertake a range of activities including those with client contact.

INTERNSHIP LOCATIONS

While it is recognised that not all law graduates intend to practice as barristers or solicitors, the Legal Internship Program also provides a foundation for student Practical Legal Training. Consequently, the internship should be 'practice-based', enabling students to apply their legal knowledge, and include:

- experience of the types of routines and procedures which are commonly found in offices in which legal services (broadly defined) are provided;
- experience of the dynamics which are commonly found in the provision of legal services;
- contact with and responsibility to the clients of the office or organisation in which professional experience is undertaken;
- experience in the process of becoming a professional.
- Within that context, internships can be undertaken in a wide range of locations, for example:
 - in a firm of solicitors (large or small, city, suburban or rural; specialist practices);
 - in the legal department of a corporation;
 - in the legal department of a government department or statutory authority;
 - in a government policy department or law reform commission;
 - in a community legal centre;
 - with an employer or employee association;
 - with a judicial member of a Court or Tribunal;
 - with a barrister;
 - in the registry of a Court or Tribunal;
 - in a law clinic, legal advice and referral service, or other practical law application project established by or operated in association with the School of Law; or
 - with other approved persons or organisations able to meet the objectives of the internship program.

The internship may include the use of summer clerkships or current employment if the proposed experience meets the internship program guidelines.

Law-related environments such as teaching, legal publishing, and information technology support do not qualify for professional experience internships as they are not practice-based.



WORK ROLES

Specific work roles in the internship could include:

- observing office procedures;
- handling and reading files, including documents associated with them;
- sitting in on interviews with clients;
- sitting in on conferences with Counsel;
- attending Court proceedings;
- undertaking research;
- attending government offices for filing documents;
- preparing forms or drafting straightforward documents and letters;
- discussions with the supervisor about issues arising in cases and files.

UOW CODE OF PRACTICE: WORK INTEGRATED LEARNING (PROFESSIONAL EXPERIENCE)

The University of Wollongong Code of Practice – Work Integrated Learning (Professional Experience) sets out what is expected from students, the University and host organisations in providing internship (student professional experience) programs. It applies to student professional experience programs that form the whole or part of a subject or course offered at the University. The code assists in promoting a productive learning experience for students.

When you apply for an internship with the School of Law you will be asked to sign an acknowledgement to indicate that you have read and understood the Code of Practice – Work Integrated Learning (Professional Experience), noting particularly your responsibilities under the Code.

The following information has been extracted from the Code of Practice – Work Integrated Learning (Professional Experience).

<https://documents.uow.edu.au/content/groups/public/@web/@gov/documents/doc/uow058662.pdf>

STUDENT RESPONSIBILITIES

Prior to the Placement

1. The Student will:

- a) satisfy any reasonable preconditions for the placement program imposed by the Host Organisation, any registration or accreditation body or by legislation (e.g. Police Checks/Prohibited Persons Checks/Medical Checks);
- b) complete any preparatory activities required by the Faculty as part of the course and/or by the Host Organisation, any registration or accreditation body or by legislation;
- c) read and become familiar with the provisions of this Code and any specific provisions applying to the placement program as outlined in the relevant subject outline or placement handbook and/or on the subject Moodle site;
- d) if studying in Australia and undertaking a placement offshore;
 - i. become familiar with any relevant Australian Department of Foreign Affairs and Trade travel warnings via DFAT Smart Traveller,
 - ii. refrain from travel on placement to a destination with a travel alert on DFAT Smart Traveller of “Do Not Travel” (NB: such a destination may not be covered by existing travel insurance), and



- iii. for students who are Australian citizens, register their intended travel via DFAT Smart Traveller;
- e) if studying at an offshore campus and undertaking a placement in another country, take all reasonable precautions with regard to safety and security in the destination country, including refraining from travelling to any high risk destination countries.

While on the Placement

2. The student will:
- a) comply with all requirements for undertaking the placement program (including attendance, dress, behaviour, IT policies and requirements imposed by any registration or accreditation body or by legislation);
 - b) comply with reasonable directions given by officers of the Host Organisation and/or the University in connection with the placement;
 - c) be available to undertake activity during the scheduled hours agreed to between the Host Organisation and the University;
 - d) undertake activity during unscheduled hours only with the prior agreement of the University;
 - e) undertake additional activities as required by the University in the event of absence affecting the student's progress during the placement (whether or not as a result of seeking academic consideration as a result of the absence);
 - f) notify the Host Organisation, the Placement Coordinator and the Academic Supervisor in a timely manner of any unscheduled absences from the Host Organisation during the placement;
 - g) adhere to the standards of professional behaviour appropriate to the student's discipline;
 - h) otherwise behave in an appropriate manner consistent with relevant University policies, codes, standards and rules as detailed in the Student Conduct Rules;
 - i) comply with policies and procedures of the Host Organisation, including those relating to WHS and employment equity and diversity;
 - j) at all times appropriately and responsibly use the resources of the Host Organisation.
 - k) maintain appropriate levels of communication with the University regarding their progress during the placement, including complying with any specific communication requirements specified by the Faculty;
 - l) undertake all assessment activities required in relation to the placement; and
 - m) preserve the confidentiality of information concerning the Host Organisation, its employees, clients and its operations obtained during the placement.

INCIDENTS AND ILLNESS DURING PLACEMENT

3. The student will:
- a. observe the Host Organisation's procedures for responding to any hazards or critical incidents in the workplace occurring during the placement;
 - b. provide advice in a timely manner to the University in relation to the hazard or critical incident affecting the student during the placement;
 - c. where required by the Faculty, provide a medical certificate or other documentation deemed necessary to the University for any absence from scheduled attendance at the Host Organisation of 1 day or more;
 - d. be responsible for applying for academic consideration for any absence during the placement in circumstances outlined in the Student Academic Consideration Policy (see section 7.2 above).



FACULTY RESPONSIBILITIES

Prior to the Placement

4. The Faculty will:

- a) identify, through the Placement Coordinator for the Faculty, Academic Unit or subject and based on relevant supporting information, suitable placement positions for its students and organise and implement placement programs in consultation with Host Organisations and students;
- b) advise the student (for example, by way of information in the relevant subject outline or via Moodle or Sonia Online) of all preconditions applying to the student imposed by the Host Organisation and requirements imposed by any registration or accreditation body or by legislation (including Police Checks, Prohibited Persons Checks and Medical Checks and vaccinations, and any related costs);
- c) if a student placement is being undertaken offshore by a student studying onshore, advise the student of Government services available to travellers via DFAT Smart Traveller;
- d) make this Code available to all students undertaking a placement and to all Host Organisations;
- e) consult, through the Academic Supervisor or their nominee, with the student and with Disability Services regarding any reasonable adjustment sought by a student registered with Disability Services that will or may affect the placement;
- f) identify and communicate to students and the Host Organisation the learning outcomes of the placement program;
- g) by way of a written agreement between the University and the Host Organisation, communicate to the Host Organisation the expectations of the University in relation to Host Organisations including,
 - i) the Host Organisation providing a safe work environment, including relevant supporting evidence of same if required, and
 - ii) the Host Organisation reporting, investigating and resolving any workplace incidents involving students, including but not limited to critical incidents; and
- h) ensure the Host Organisation has all relevant information on the placement program requirements, including:
 - i) information on their obligations and the obligations of students under this Code and access to a copy of this Code,
 - ii) for all onshore placement programs, the Host Organisation WHS Information Sheet outlining responsibilities of Host Organisations (Appendix 2), and
 - iii) for all offshore placement programs, relevant equivalent information on WHS arrangements in that location.
- i) where there is a risk of injury or illness to the student while undertaking the placement, ensure a risk assessment is completed in accordance with the WHS Requirements for Professional Experience Guidelines.

While on the Placement

5. The Faculty will:

- a) facilitate, through the Placement Coordinator and/or the Academic Supervisor, ongoing communication between the University, the Host Organisation and students;
- b) maintain the confidentiality of student information;
- c) organise and plan the placement program with students and supervisors and negotiate on aspects of student progress and assessment;
- d) be in regular contact with all of the Host Organisation's sites at which placement is being undertaken;
- e) be accessible by appropriate means of communication and during office hours to resolve with students and/or Host Organisations any issues arising relating to the placement; and
- f) assist to resolve any issues of concern arising between Host Organisations and students undertaking a placement.
- g) complete a SafetyNet incident report following notification of any incident involving a student while



undertaking placement and undertake follow-up in accordance with the Incident Management and Reporting Guidelines. If the incident involves a serious injury or illness to a student the Safe and Respectful Communities Manager is to be notified by the placement coordinator.

EXPECTATIONS IN RELATION TO THE HOST ORGANISATION

Prior to the Placement

7. The University expects each Host Organisation will:
 - a. nominate an officer of the Host Organisation as a Supervisor to support and liaise with students and the University during the placement;
 - b. advise relevant staff of the Host Organisation about the placement program;
 - c. have in place appropriate insurances including public liability (\$10 million minimum) and professional indemnity cover;
 - d. provide the Faculty with a brief of the professional activities that student(s) might be expected to undertake during the placement; and
 - e. seek the consent of the University (via an authorised officer) before offering or providing any remuneration to a student undertaking a placement.

While on the Placement

8. The University expects each Host Organisation will:
 - a. adequately supervise students unless otherwise agreed with the University;
 - b. provide a safe placement environment for students free from discrimination and harassment;
 - c. comply with responsibilities of a person conducting a business or undertaking as outlined in the Work Health and Safety Act 2011 and Work Health and Safety Regulations 2011, specifically in relation to the health, safety and welfare of students on work experience. This includes providing induction training to students (including WHS induction) at the commencement of the placement;
 - d. put in place adequate support for students to assist in achieving the objectives of the placement, including,
 - i. modelling appropriate standards of professional behavior for the relevant discipline,
 - ii. providing the student with an adequate workspace and with appropriate resources,
 - iii. providing an appropriate range of experiences for the student,
 - iv. where necessary, supporting the student to identify accommodation;
 - e. care for the students and advise the Faculty in the event of any accident, incident or illness affecting the student or on becoming aware of any other critical incident affecting the student;
 - f. provide reasonable access to Faculty staff to the Host Organisation's premises to facilitate assessment and monitoring of student progress; and
 - g. report promptly to the Faculty should it become apparent that a student is having difficulty meeting the objectives of the placement or is otherwise unable to continue with the placement.



INTERNSHIP ARRANGEMENTS

Students undertaking an internship will usually complete the experience during a four week block period over the Summer or Winter recess. Occasionally internships may be completed in two blocks of two weeks, part-time or in other approved attendance patterns depending on the preferences of the internship provider and/or the needs of the student.

There are a number of ways in which arrangements for the 20 day internship may be made. Students

can:

- lodge an application for a Law School-arranged internship experience; or
- use their current employment (paid or unpaid); or
- use an upcoming clerkship or internship experience with an external provider (e.g.: ALRC, ABC etc.); or
- organise their own voluntary or paid practical experience.

Law School-arranged internships will be organised and registered by the Internship Coordinator. Participating students indicate their areas of interest and preferences of locality. Each potential internship is assessed in terms of the:

- nature of the legal work environment and the work undertaken
- time commitments and available staff resources of each organisation/firm
- viability of working to agreed objectives based on the fundamental aims of the program

An appropriate firm or organisation is contacted to discuss the suitability of the proposed student, the preferred internship dates/times and any other relevant issues. All students are asked to contact their internship supervisor one week prior to commencing to confirm that it is proceeding and to make arrangements for reporting on the first day.

Students who wish to organise their own internship must seek approval from the Law School and liaise with the Internship Coordinator to properly register the details of their proposed internship before commencing the experience.

A student's current employment (paid or voluntary), internship experience with a recognised external provider or a Summer Clerkship may be approved for use as a UOW School of Law internship providing the requirements of the internship program can be met by both the student and the supervisor. Again, these options are subject to the final approval of the Subject Coordinator and the formal registration of the details with the School of Law prior to the commencement of the proposed internship period.

Confirmation from the Law School of all internship arrangements and requirements is always made in writing prior to the commencement of the internship.



Please note that internship commitment is not an acceptable reason for non-compliance by a student with any compulsory attendance requirements of subjects in which they are enrolled, nor will it be considered grounds for Academic Consideration in relation to any assessment tasks, including class participation.

CONFIDENTIALITY

Students on internship will be bound by the same requirements of confidentiality in relation to client and office matters as all other employees of the host firm/organisation. Students are required to sign a University of Wollongong School of Law confidentiality agreement. The signed confidentiality agreement must be lodged with the internship supervisor at the commencement of the internship experience. A copy of the agreement is provided in the appendices.

Students must also comply with any additional pre-internship arrangements required by host firms/organisations regarding such issues as confidentiality or security as required.

INSURANCE

The University of Wollongong maintains the following insurance protections which may be applicable to students undertaking internships (student professional experience):

- a. General and Product Liability Protection
- b. Professional Liability Protection
- c. Malpractice Protection
- d. Student Personal Accident Insurance

Students undertaking internships (student professional experience) will fall within the scope of this cover subject to the conditions and exclusions set out in that cover and provided they are not employed by the host organisation and/or do not receive remuneration in respect of their participation in the internship (student professional experience).

More information about the University's insurance policies can be provided upon request.

SCHOOL OF LAW CONTACTS

Any questions relating to the program please contact either the Internship Team via email: law-internships@uow.edu.au

The Academic Coordinator of the Legal Internship Program is:

Dr KATE TUBRIDY

Location: Bld. 67.219

Ph. 02 4221 5772

Email: ktubridy@uow.edu.au



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INTERNSHIP REQUIREMENTS & ASSESSMENT FOR STUDENTS

Students must successfully complete the internship experience and complete the required assessments. All LLB 397/3397/3396 students must submit an Internship Report (more information on the Internship Report is provided below). LLB 3396 students must also complete online modules and assessment quizzes, in addition to the Internship Report.

The internship report has the following compulsory components:

1. A copy of the signed Statement of Objectives.
2. A reflective journal.
3. An internship evaluation.
4. A Record of Attendance form.

RECORD OF ATTENDANCE

Students are required to maintain a record of attendance for their internship experience. We ask that you sign the attendance form at the end of the internship, indicating that the student has satisfactorily completed a total of 20 days professional experience (full working days, not half days) under your supervision.

Students will receive a Record of Attendance form with their internship confirmation letter on which to enter this information. For your reference a copy of this form is also included in the appendices. The Record of Attendance form is also used to report all variations from the agreed internship attendance schedule for insurance purposes. The student must notify the Law School if an attendance pattern is negotiated between student and supervisor that is different to what was initially approved.

ABSENCES FROM THE INTERNSHIP

Students are required to report any absences from the internship to the School of Law. Additional time must generally be arranged in consultation with you in order for them to successfully complete the required 20 days. We ask that you confirm that such arrangements were made by signing the Record of Absence form.

Students will receive a Record of Absence form with their internship confirmation letter on which to enter the relevant information. For your reference a copy of this form is also included in the appendices.

The School of Law requests that students provide a copy of a medical certificate or other relevant documentation for absences of two or more days.

LEARNING OBJECTIVES

At the start of the internship the student must identify learning objectives and work activities for the entire period of the internship experience. This requires consultation with you either before the internship begins or on the first day. The statement incorporates both the learning objectives of the Legal Internship Program and any other objectives you or the student wish to incorporate in the internship experience. The idea of developing the objectives is to give the student some specific goals to achieve during their work placement along with setting the direction and scope of the roles they will be undertaking, having regard to the nature of the



environment in which they are working. This statement must be signed by you and the student. It is to be lodged with the School of Law for approval within the first three days of the internship experience.

For your reference a proforma for the statement of objectives and an example of some internship objectives are included in the appendices.

REFLECTIVE JOURNAL

All students are required to maintain a reflective journal during their internship. The journal must contain:

- at least four (4) journal entries relating to activities and observations occurring in the internship (this should take approx. 2000 words); and
- a final piece in which the student responds to 4 questions on how the internship has influenced their views and understanding of the law in action, analysing the connections/gaps between theory and practice and how the internship has developed their skills and informed their career aspirations (this should be around 1000 words).

The journal is not merely a record of the student's daily activities; they are encouraged to make it a 'reflective process diary' so that they can record and analyse their observations and impressions as they occur during the internship, and while they are fresh. Students may record information about actual cases, to put their impressions in context, although we have advised them to take care to ensure that clients are not identified and their confidentiality is preserved. The notes taken by students of particular incidents or observations will then assist them in assessing their experience and the application of the law in action.

The process of maintaining a journal sharpens the student's powers of observation and awareness of the ways in which the legal system operates, clarifies aspects of theoretical knowledge, and encourages critical thinking.¹ This process also enables each student to reflect on and review their own responses to situations where they have to make value choices in professional situations.

The approach to maintaining the journal may be discussed with the Subject Coordinator before or during the internship.

The journal will be marked according to the following criteria:

- the amount of effort which is reflected in the journal;
- the extent to which the student has been prepared to explore and discuss issues;
- quality of writing – clarity of expression, creativity and diversity of concepts;
- demonstration of learning from the experience, quality of insight, and conceptual depth;
- the journal moves from the descriptive to the critical analysis of the experience;
- making connections between theoretical principles learned at University and the student's own experience and observations of the real and practical application of the law and lawyers in action;
- Reflection on how the internships has helped inform/ clarify the student's career aspirations and how to pursue those aspirations.

¹ R. Ballantyne and J. Packer, *Making Connections*, HERDSA Gold Guide No. 2, HERDSA 1995



INTERNSHIP EVALUATION - STUDENTS

At the conclusion of the internship each student must give an evaluation of their experience. This report need not be long, but should give an indication of the success or otherwise of the internship, particularly in relation to whether the initial objectives were met. For your reference a copy of the evaluation form is included in the appendices.

INTERNSHIP EVALUATION - SUPERVISOR

Internship Supervisors have the option of completing an evaluation. If provided, the evaluation does NOT form part of the student's assessment for this subject. For your reference a copy of the evaluation form is included in the appendices.

INTERNSHIP REPORT DEADLINE

The student must submit their internship report to the School of Law within 14 days of the completion of the internship experience.



APPENDIX

1. Confidentiality Agreement
2. Statement of Internship Objectives - Proforma
3. Statement of Internship Objectives - Example
4. Record of Attendance Form
5. Record of Absence Form
6. Evaluation - Student (Compulsory)
7. Evaluation – Supervisor (Optional)

Forms can be accessed online at:

<https://www.uow.edu.au/business-law/schools-entities/law/current-students/internships/legal-internship-program/>





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