

Episode 32: Summary

Episode name: CLC-ing it, from their perspective

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What topics does this episode consider?

This episode explores perspectives from Haley McEwen from Mid North Coast Community Legal Centre, and Vincent Shin and Nadia Baldassi-Winderlich from West Justice Community Legal Centre in Melbourne, who are also in-school lawyers on:

- the purpose and structure of Community legal centres (CLCs)
- legal issues faced by the community, particularly those in rural, regional and remote areas
- untangling legal and non-legal issues
- collaborative service planning
- capacity
- legal issues faced by young people, in particular debts, employment, sexting, driver's licence issues and family and criminal law matters
- techniques and tips for advising young people.

Why is this topic relevant?

CLCs are independent not-for-profit organisations that provide accessible legal services to the community across a range of issues such as consumer rights, crime, employment, family law, housing and social services, credit and debt, disability discrimination, immigration, mental health, tenancy issues, and legal issues affecting people seeking asylum and refugees.

CLCs provide critical access to justice in Australia, helping people who are experiencing hardship and various disadvantages to access the justice system. Each year CLCs advise over 52,000 people across 30 different locations in New South Wales.

A new area of legal practice, that has arisen as a result of a growing community need, is working in high schools to advise students on a variety of legal areas. The role of these in-school lawyers is to inform students of their rights and responsibilities in different areas of the law that are relevant to young people such as sexting, cyberbullying, employment, consumer law, immigration, criminal law issues and more.

School lawyers not only have much to tell us about the substantive legal issues that affect young people, but they also can inform lawyers of all kinds how advising clients who are young people may differ from advising adult clients, and how to adapt one's style to better advise clients who may be distrustful of the legal system, or face difficulty maintaining regular communication with their lawyer, whether because of homelessness, geographic remoteness, or a lack of internet access.

What are the main points?

- There is more demand for legal services than there is funding.
- CLCs operate under a flat management style, meaning there is no hierarchy - each staff member plays an important part in delivering legal assistance.

- Generalist CLCs provide legal advice to people living in their catchment areas on a range of issues such as compensation, consumer law, crime, employment and family law.
- Specialist CLCs focus on a particular area of the law, such as youth law, environment, immigration or tenancy issues.
- Although there are different types of CLCs, the most common legal issues relate to domestic violence, family law, credit and debt matters.
- People in remote areas suffer certain disadvantages due to the 'tyranny of distance' which refers to the lack of services, public transport and housing that they face.
- CLCs collaborate with other legal assistance sector services to maximise the support available to, and remain active in, their local community.
- School lawyers aim to empower young people in relation to legal issues by helping them to understand how the legal system operates. They use a holistic approach to assist with legal issues and also provide support in addressing non-legal issues, prioritising 'life outcomes' over 'legal outcomes'.
- CLCs are as much about providing legal advice as they are about public advocacy and law reform.
- It's not always possible to meet with a client again or to communicate with them outside the practice due to homelessness, internet issues, remoteness or non-legal issues. When advising clients facing these challenges, it is important to deliver as much advice as possible in the face-to-face time you have together, and give the client tools to progress their legal issues themselves.
- Clients will often be experiencing an intersection of both legal and non-legal issues that can make a situation more complex. It's important to help separate these two categories, and be clear on what you can and can't advise on – but also to be aware of other services that you can refer them to.
- Some community legal centre clients, or vulnerable students, may sometimes have had negative experiences with the law and law enforcement which may cause them to be distrustful of the legal system. Adapting your method of communication, using plain English, giving the client time and space to allow them to share their story when they're comfortable will result in a more positive experience for them that will lead to a stronger client rapport in the long-term.
- Empathy and other 'soft' skills such as communication and problem-solving skills can be learned - they are not innate and are relevant in all areas of the law, not just CLCs.
- Providing advice in non-traditional ways, such as through graphics, flowcharts and diagrams, can be useful to effectively communicate legal advice to visual learners, whether adults or students; what's most important is that the client clearly understands the advice being given.

What are the practical takeaways?

