

Community legal centres

National Overview

1992

This year marks the 20th anniversary of the establishment of community legal centres in Australia. The picture presented by the following State roundups demonstrates the valuable ongoing contributions made by community legal centres to the legal profession and to the Australian community.

Despite the many successes achieved over the years a threat of funding cuts has been posed by the Federal Opposition. Community legal centres, ever since their beginnings, have had to prove themselves over and over again and to fight increasingly for their share of the rapidly disappearing legal aid dollar.

The future may look bleak for community legal centres but this is an opportunity to commend and acknowledge legal centres nationally for the valuable work they have done over the past 20 years.

NATIONAL ASSOCIATION

This is a brief history of how community legal centres got together, kept working and got some resources to keep going.

Going through the notes and agendas of past conferences is very interesting and well worth more work by a community historian. There are many themes and issues which can be seen developing from year to year. I have picked up one thread — information about the development of the National Association.

The National Association of Community Legal Centres (NACLC) is the association of State community legal centre organisations. Its members currently are (in postcode order) Darwin Community Legal Service, Combined Community Legal Centres Group (NSW), Welfare Rights and Legal Centre (ACT), Federation of Community Legal Centres (Victoria) Inc., Queensland Association of Independent Legal Services (QAILS), South Australian Council of Community Legal Services (SACCLS), Federation of Community Legal Centres of Western Australia, and the Tasmanian Association of Community Legal Centres (TACLCL). Together these State organisations represent 112 organisations nationally.

The first recorded formal motion to set up a national legal centre organisation was put forward and agreed at the first national independent law centres conference which was held at Jindabyne in April 1979. This conference was a BYO CKFS (BYO cup, knife, fork and spoon) weekend. Notes from that conference reveal that the 14 organisations which attended were determined to set up a national organisation, but were only beginning to debate aims and objectives. Would it assist information exchange and resource sharing or would it aim for a more activist role as a 'lobby group, mouth-piece or watchdog in the arena of legal aid delivery'?

Mention of the Association is not recorded in the notes I have of the 1981 conference held at Tallebudgera Creek — perhaps Caxton Legal Service in Brisbane has an interesting archive on this — but the 1982 conference, held at Mylor (yes, the conference with the empty bottles stashed in the boat — please don't tell us the story *again*) in the Adelaide Hills, resolved that the annual CLC conference would form itself into the National Association of Community Legal Centres and that the annual conference would be the policy making body for centres on national issues.

Without resources at a national level, one centre was nominated to carry the

burden of being the national information clearinghouse. The conferences were by now an established annual event, and formed the focus of discussion and activity around national issues. At each conference a more formal meeting of the Association was held to focus particularly on funding and related issues.

The conferences always took on board agendas including law reform policy development, information sharing around current issues, training, and work around community legal education issues.

The mid-1980s saw an increase in funding for CLCs by the Commonwealth Government, and by some of the State Governments. Gareth Evans, the then Attorney-General, spoke to the 1983 conference in Lane Cove, Sydney (the conference where Dominic, unable to cope with the harbour cruise, jumped off the boat and swam home to Balmain). Clearly in his days pre-reconstruction, Senator Evans advised that the Commonwealth was keen to get 'more bang for the buck' in relation to legal funding, but he did go on to talk about increasing the Commonwealth's support to CLCs. And this he later did. At all conferences over the next four years, centres talked about getting funds to support State representatives meeting between conferences. But resources were scant, and face to face meetings

were rare, or occurred as a sideline around other issues.

Funding, who got how much and why, created a lot of very heated debate at the 1984 conference, held at Greenhills, near Canberra. Stories I have been told of this conference indicate that it came close to forming the plot line for a brilliant thriller titled 'It was Nearly Murder at the National Conference' and the debates lasted well into the night. A look at the resolutions that flowed from that conference shows that at least some discussion concentrated on the need for the National Association to improve national organisation, to assist in policy work around the legal aid system, the relationship between legal aid and CLCs and, of course, funding.

The conference also called on the Commonwealth Government to lift its allocation to CLCs to \$2 million annually (it was then \$1 million) — and to 'separately fund advocacy services for social security claimants'. (As an aside, in 1992-93 the welfare rights services have been allocated separate Commonwealth funds.)

Centres recovered and at the 1985 conference held in Brisbane the National Association resolved to seek funding from the Commonwealth for a national secretariat. The Commonwealth said no. The conference was also concerned about the demise of the Commonwealth Legal Aid Council and the new mechanisms that would be established to decide issues around CLC funding. NACLCL called on the Attorney-General to maintain a representative advisory body on matters affecting legal aid in Australia.

At the very cold 1986 Kyneton conference, agreement was not reached about developing and funding a national secretariat. Then, in 1987, at the very, very cold Hobart conference, issues around the national secretariat failed to make the agenda in response to a national survey seeking conference agenda items. In 1987 the National Legal Aid Advisory Committee and the National Legal Aid Representative Council were established, and Senator Tate was sworn in as Minister for Justice, with responsibility for legal aid, including community legal centres. At the same time the Commonwealth established the Office of Legal Aid Administration (later to become the Office of Legal Aid and Family Services).

At the fairly cold 1988 conference

held at Richmond, west of Sydney, all States agreed to put a submission for the funding of a national secretariat to Senator Tate. The submission was unsuccessful, but all States now strongly supported the need for resources to assist a national organisation. It was then decided to seek funds through a system of levies, but low levels of funding to centres and the high level of organisation needed to get it all together defeated us.

The wonderfully warm 1989 conference held on the Sunshine Coast in Queensland concentrated more on debates around the NACLCL response to the National Legal Aid Advisory Committee's Discussion Paper on 'Legal Aid in Australia'. It was also decided to formalise the rules of the NACLCL.

During 1989-90, work proceeded on a set of Rules, which were further discussed and adopted at the national conference held at Deakin University in April 1990.

The NACLCL's objectives are to provide a forum for CLCs; to undertake research related to increasing the community's access to justice, the provision of legal services, community legal education and related areas of law reform; to develop and co-ordinate national CLC policy; and to advance the interests of CLCs in Australia.

The NACLCL has worked on *A Study of Four Community Legal Centres in New South Wales and Victoria* which was undertaken by the Commonwealth in early 1991, and responded to the Commonwealth in relation to issues around the CLC Funding Program. In July 1991, at the Adelaide conference, funding was in the air and in the conference caucus rooms. In the August Budget Senator Tate announced a \$2.5 million increase in funding to CLCs, nearly doubling the Program to \$5.2 million, and advising of further increases in the following two years.

This increase in funds, combined with the past decisions of the Commonwealth not to fund a national organisation, led to the decision to levy all CLCs funded by the Commonwealth CLC Funding Program. A levy rate of 1.4% was set, and funds finally became available to the NACLCL early in 1992.

As a result of discussions around the CLC Funding Program, NACLCL decided in May 1991 that there needed to be a comprehensive review of the Commonwealth Funding Guidelines. Centres had already decided to partici-

pate in discussions and work around the introduction of a national statistics scheme for CLCs. NACLCL has dedicated the resources acquired through the CLC levy to employing a Project Worker to assist with this work during 1992.

The NACLCL has just appointed its first co-ordinator, Keith Williams, to assist with the next stage of the development of the Association. Themes which run through many years of work at the national level will no doubt continue to be discussed. Apart from funding, we are currently concerned to ensure that government provides an integrated and well resourced legal aid system, and that centres are supported in the full range of their work and for their multi-disciplinary, multi-functional approach to legal service delivery, law reform and legal education work.

If you go back to the records you will find that these have been among the Association's primary concerns over the last 14 years. The 1992 national conference held in Canberra alerted us to major issues about the possible future of centres and legal aid. The NACLCL is now better resourced and organised to assist centres to survive and develop.

Information derived from

Resolutions and Papers from the National Community Legal Centres Conferences, 1979-1992.

Minutes of the Meetings, National Association of Community Legal Centres (including representatives' reports).

Steele, John, 'The National Secretariat: One More Try', June 1988 (with apologies for having to precis important parts).

Conversations at NACLCL meetings and conferences.

RHONDA FADDEN

Rhonda Fadden is Treasurer of the NACLCL, and the Co-ordinator, NSW Community Legal Centres Secretariat.

QUEENSLAND

In the last few years Queensland has experienced something of an explosion in the development of community legal centres (CLCs). Since the mid-1980s the relationships between the State Association (QAILS), the Legal Aid Commission and the Grants Committee of the Queensland Law Society (our Law Foundation) have steadily improved and, as a result, established centres have received significant increases in funding and new centres

have received some measure of support.

We now have about 20 operational centres which vary from a few that are still entirely voluntary organisations running evening advice sessions such as the Arts Law Centre and centres with minimal administrative resources such as Sunshine Coast Community Legal Centre, to centres with over a decade of history and struggle such as Caxton Legal Centre, South Brisbane Immigration and Community Legal Service and Youth Advocacy Centre. Our newest centre is in Cairns and has been funded by a direct allocation from the Commonwealth Government. Its main origin is a prisoners support group.

It is difficult to estimate the number of people employed in CLCs in Queensland because many of the organisations combine a CLC function with other services (e.g. Queensland Advocacy Incorporated is an advocacy centre for people with disabilities and the legal section is a small part of the organisation). However, over 40 people are employed, largely in genuine CLC positions in the State.

At the request of the Legal Aid Commission Queensland (LACQ), QAILS developed a proposed funding program for CLCs which was delivered to all interested parties, including the State Government, in February 1990. The document contained historical information, proposed funding guidelines and principles and a clear funding formula.

Our suggestions were accepted by the LACQ and Grants Committee and this package formed the basis of our funding for the 1991-92 financial year when \$1 725 960 was received by CLCs from the combined sources of the Grants Committee, the Commonwealth Funding Program and the LACQ. A sum of \$45 000 from the State Attorney-General was also in kitty being the balance of \$100 000 in emergency funds provided by him out of his surplus at the end of the previous financial year when a number of centres faced financial crisis. The average salary for workers in CLCs in the 1991-92 year was estimated to be about \$27 359.

The decision of the LACQ to provide funding substantially in accordance with our formula was strongly disliked by the Commonwealth Government which felt that the State Government should be contributing to the program. As a result we were in the middle of a dispute over which we had no control and the

Commonwealth's cheque to Queensland was delayed a few weeks in the first quarter causing a degree of concern.

It was distressing and alarming to witness the lack of commitment and support for the development of a secure funding program demonstrated by the Goss Labor Government. Prior to Labor winning office in the 1989 election, the policy of the Queensland Labor Party was to ensure funding for CLCs. This policy was reaffirmed at the 34th ALP Queensland State Conference in July 1991:

A State Labor Government, in recognising that community legal centres have an essential role will ensure adequate funding so that centres can function fully to serve those sections of the community which they were established to assist.

It must be remembered that Queensland has a unique political history. The National Party (sometimes with help from the Liberals) was in power in our State from before the Berlin Wall was erected until after its destruction.* Many people active in CLCs have no living memory of any other government. Activists in the community were a tightly knit group who had risked or endured arrest and had persisted in a push for reform against social and political oppression.

There was a feeling of excitement and personal triumph in the community sector, in general, and in CLCs, in particular, with the victory of Labor. Many CLC people had worked on the election campaigns of the victors, not only in 1989, but in previous years and a number of those who came to power had used their involvement in CLCs to develop a profile in the State. We expected a high level of understanding of the importance of and need for the broad range of work undertaken by CLCs.

Three years later we are disheartened and exhausted from being forced to campaign aggressively for funding from the State Government and are still shocked by the refusal of any audience at all with the Premier. Countless meetings with the Attorney-General and his advisers have led to assurances that we will be included in budget bids but the only moneys which we have received have come from his unexpended reserves.

Because of the generous support of the current LACQ and the Grants Committee our funding in 1991-92 reached record heights. But for this level to be continued we had to win the

support of the State Government and this has not eventuated. On current indications some centres may have to put off staff in the next few months and the future of funding looks bleak because of our heavy reliance on the LACQ which, like legal aid organisations across the nation, is facing drastic internal budgetary problems.

What course is most likely to give us political success? Threaten to close all of our doors on a given date unless we receive State Government funding? Go easy on our criticism of the law reform agenda in this State? Or should we just bleed slowly to death struggling to maintain services to our clients while the Government makes us provide yet another permutation of our daily workload, statistics and financial affairs and asks what it is we all do all day.

ZOE RATHUS

Zoe Rathus works at the Women's Legal Service and is the State Representative for CLCs in Queensland.

**Borrowed from my friend Fleur Kingham.*

NEW SOUTH WALES

For most of the last decade Community Legal Centres (CLCs) in New South Wales have been working in an environment of increasing pressure on the legal aid system. While the money provided to CLCs has increased substantially over this period, the demand on CLC services continues to grow and the more work done the more areas of unmet need are exposed.

There are now 28 members of the Combined CLC Group in New South Wales. While individual CLCs maintain their autonomy, a commitment to group activity is well established. Individual CLCs continue to pursue social change through a mixture of individual case-work, legal education and reform. The Combined Group has provided a forum for the development of larger education and reform projects and an information sharing network. Part of the reason that CLCs have developed cohesively as a group has been the important work of the New South Wales CLC Secretariat which services the group very effectively.

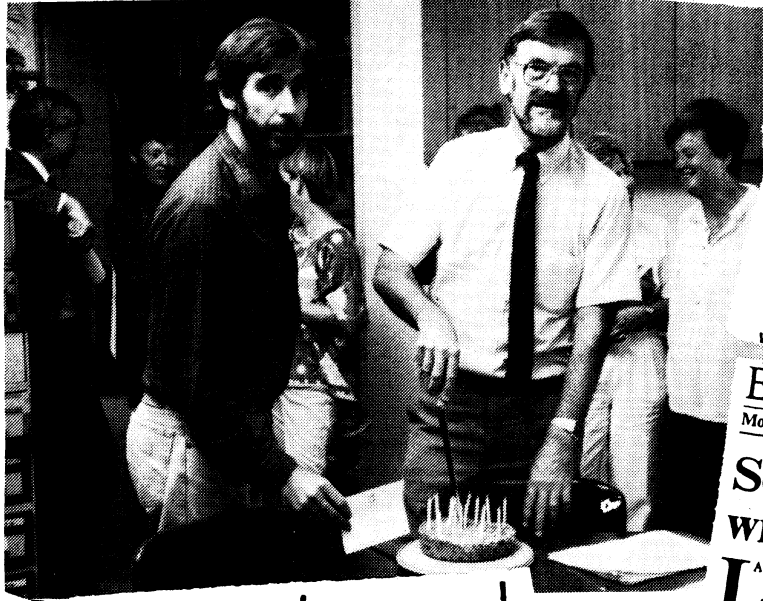
Funding to CLCs in New South Wales comes from a wide variety of sources. State and Commonwealth Government departments provide considerable funding, either as recurrent funding, one-off funding for particular projects, or assistance with premises or

Free legal service

set up at S'vale

Removing the cost barrier to justice

Andrew McCutcheon (Victorian Attorney-General) and Simon Smith celebrate Springvale Legal Service's 15th birthday in 1988.



LEGAL SERVICE NEARLY BROKE

Springvale Legal Service is going broke! The service, set up over a year ago, has legal service for thousands of residents, but has...

Law for the poor

MARCH 1973 Herald

By STEPHEN PHILLIPS

THERE are no plush carpets, no piped music, no expensive office furniture, no paintings on the walls...

EDITORIAL OPINION Monday 24 April 1989

Settling disputes without lawyers

LAWYERS are invariably eloquent in defence of their perceived self-interest or their professional importance. Hence the outpouring of pained indignation by spokesmen for barristers and solicitors...

LIONEL MURPHY Attorney-General of Australia

Yours sincerely, Lionel Murphy

Legal aid calls for help

Herald 7/12/78

By PAUL ORMONDE

LAWYER Julian Gardner is concerned that the law will fall into disrepute if men are not equal before the law.

Fitzroy legal service

By PRUE INNES

Compulsory car insurance can reduce costs and end hardship

lots up client 30,000

Legal service clients 23/9/89 Age top 40,000

from S. Bailey, solicitor, Fitzroy Legal Service. The State Insurance Office has again highlighted the rising cost of car insurance as a major problem...

they are responsible for the cost of repairs to the other vehicle. Third party property damage insurance costs about \$100 per year. Unlike comprehensive insurance, it is not cost that causes so many vehicle owners to go without it but rather confusion about the difference between compulsory personal injury and voluntary third party property cover and a failure to fully appreciate the consequences of driving without the latter.

The premium pool but it would minimise the losses now incurred by insurers when they are unable to recover from uninsured third parties. Such savings could be passed on through reduced comprehensive premiums.

Almost all countries with vehicle ownership levels comparable to Australia operate efficient and equitable compulsory property insurance schemes. Compulsory insurance represents a common sense way of containing insurance costs and spreading those costs fairly throughout the community.

Simon Bailey

A lawyer with the service, Mr Jeff Giddings, said the constant problem of the past 17 years had been lack of money. "We are open five days and nights each week, and the demand for assistance just never stops."



Prime Minister Bob Hawke with Adrian Evans at the opening of new premises for Springvale Legal Service in 1988.

Can you do legal aid? PILE-UP OF CASES HITS FREE FITZROY SERVICE

equipment. In addition, some CLCs receive support from local government in the form of accommodation or recurrent funding. Significant funding is also available to centres through the Law Foundation of New South Wales.

The Community Legal Centres Funding Program of the New South Wales Legal Aid Commission and the Commonwealth Attorney-General's Department provides the greatest source of recurrent funding for centres. In 1991-92 the total CLC funding administered by the Legal Aid Commission was approximately \$2.5 million. This included funding for 19 centres under the CLC Funding Program and for two special projects of the New South Wales Legal Aid Commission, the Domestic Violence Advocacy Service and the New South Wales CLC Secretariat.

In 1991-92 two new centres were funded under the CLC Funding Program. The Hunter Community Legal Centre, based in Newcastle, and the Accommodation Rights Service which had been operating for several years, but was first funded under the Program in 1991-92.

In 1992-93 the Commonwealth has allocated an additional \$219 000 on top of a CPI increase to the CLC Funding Program. This has allowed funding for a new service in Richmond and for the expansion of existing services. Notably, this increase has also allowed the Legal Aid Commission to fund its standing policy for a regional loading to remote CLCs. This funding is approximately \$3000 per worker and has been allocated to centres which are located in remote areas (Illawarra, Hunter, Campbelltown, Blue Mountains) and those which have a demonstrated commitment to servicing remote regions (Women's Legal Resources Centre).

Over 40 positions are funded through the CLC Funding Program in New South Wales. However, the number of full and part-time paid positions at all CLCs numbers over 100. In addition to this many CLCs use volunteer labour in their service delivery, a fact favourably commented on in *A Study of Four Community Legal Centres in New South Wales and Victoria* (OLAFS and Commonwealth Attorney-General's Department, 1991). New South Wales CLCs have approximately 500 volunteer workers involved in service delivery, providing the equivalent of around 40 full-time positions.

In a political environment which applauds and applies 'management' phi-

losophy it is not surprising that issues around the funding, management and accountability of services have become increasingly important. This has prompted both self-examination by CLCs and increasing interest in CLCs from external bodies. This period has seen the 1991 Study referred to above, continuing debate around statistics and accountability programs and CLCs successfully pursue funding for a Management Support Project. Internally, CLCs have spent a great deal of time and angst debating the structure and decision-making processes of their group work. Examinations of CLCs invariably affirm the value of our work and the way we do it and recent developments have made justification, as opposed to accountability, less of an issue for CLCs.

JONATHON DUGNAN

Jonathon Dugnan is State Representative, New South Wales Combined Community Legal Centres Group.

NORTHERN TERRITORY

Darwin Community Legal Service (DCLS) is the only community legal centre in the Northern Territory. It began operation as a voluntary service on 10 August 1991 and was granted federal funding, and assistance in kind from State agencies, soon after. Two staff were employed from February 1992 and its legal advice service was expanded to three sessions each week. The legal advice service has made use of 80 volunteers, including about 50 lawyers, and advised 678 people to 31 August 1992. It is now advising people at the rate of about 1000 interviews per year.

The service does not have sufficient staff to undertake any significant amount of ongoing casework. It has placed its priorities on community legal education and the development of new services. Notable community legal education activities include the publication of a Northern Territory *Law Handbook* (due February 1993), 'Legal Writes' — a regular question and answer column in the Sunday newspaper, and training of community workers.

The service has established Domestic Violence Legal Help, an advocacy service for applicants for restraining orders, and is likely to soon become the auspice agency for the Top End Advocacy Service, an advocacy service for aged people and those with a disability. The service has commenced a sepa-

rately funded project to develop a model for an alternative process to court for young offenders suitable to the Territory. The service has applied for funds to employ a community educator to work with people from a non-English-speaking background and for a welfare rights worker.

The service is conscious of the needs of Territorians who do not live in Darwin. Its submission for additional funding for 1992-93 was on the basis that outreach services and/or a 008 telephone advice service would be considered. Despite the fact that our request for additional funding was only partially met, the service has taken steps to establish a weekly legal advice session staffed by volunteer solicitors in Alice Springs. At 1500 kilometres, is this the world's furthest legal advice outreach service?

DCLS will receive \$98 500 for 1992-93 from the Commonwealth CLC Funding Program. It has received additional support from the NT Attorney-General (rent free premises). The Public Purposes Trust Fund (equivalent to southern States' Law Foundations and 'Westpac' Funds rolled into one) has made grants for capital equipment purchase, some of the costs of publication of the NT *Law Handbook* and for seminars and pamphlets. The NT Legal Aid Commission has supported DCLS in a number of ways, most significantly through agreeing to become joint publisher of the NT *Law Handbook* and pick up a good share of the cost, and by funding Domestic Violence Legal Help for a pilot period of six months.

GORDON RENOUF

Gordon Renouf is the Co-ordinator of the Darwin Community Legal Service.

TASMANIA

Tasmania now has four generalist and one specialist centre, all relying for the most part on Commonwealth funding, as there is little scope for funding from State Government or other sources at present.

Due to the increased financial commitment from the Commonwealth, Devonport Community Legal Service serving the north-west was opened in December 1991, and Derwent Community Legal Service, serving the predominantly Housing Commission areas of Bridgewater/Gagebrook, north of Hobart, was opened in February 1992. The two new centres received \$52 033.43 and \$69 043.87 respectively

in 1992-93 Commonwealth grants. The five centres operate with a total of six full-time and six part-time staff. All centres rely heavily on volunteer lawyers and community workers to operate legal advice sessions or provide community-based management committees. At present 94 lawyers, 77 community workers and 30 law students volunteer statewide, as well as approximately 30 people from other backgrounds on management committees.

The Tenants Union of Tasmania (TU) operates from Hobart and is the only specialist centre in the State. This was the first centre in the State and began operation in 1975 funded under the Australian Assistance Program with a grant of \$17 395. The service has recently moved to bigger premises and expanded its services to five days a week, although still only part-time. As well as providing a tenancy information service to clients the TU is actively involved in the seemingly never-ending struggle to achieve meaningful tenancy law reform in the State. The TU has recently begun a small claims court service where a legally qualified volunteer is available to assist clients going to court with background and technical information. They have also expanded their community education program to include a wider geographical area and new target groups including the police and social workers employed in government agencies. This service received a Commonwealth grant in 1992-93 of \$40 025.07.

Hobart Community Legal Service (HCLS) is the largest of the five CLCs in the State, producing the first edition of the *Law Handbook* in 1989. A second edition is planned for 1993. The service manages a separately funded child support lawyer and, in conjunction with the new centre at Derwent, has established a Prisoners Legal Service. The service has been instrumental in establishing three mediation centres in Hobart, provided training for workers in the field through a lay advocacy course, and currently operates a self-supporting clinical program similar to that operated at Springvale Legal Service in Victoria. HCLS produces pamphlets on various legal issues, the most recent being on Criminal Injuries compensation and the Small Claims Tribunal. This service received a Commonwealth grant in 1992-93 of \$96 060.58.

The Northern Community Legal Service is situated in Launceston and serves the north and north-east of the State. Starting in 1986 as a part-time

operation under the auspices of the Uniting Church, the service is now autonomous and employs a full-time coordinator, a part-time legal officer and a full-time administrative worker (funded by the Jobskills program). Community legal education is currently undertaken through workshops and information sessions, e.g. youth and the law, women and the law, human rights, family law, to government agencies such as Skillshare and TAFE, and newly arrived migrants (Department of Immigration, Local Government and Ethnic Affairs). Law reform initiatives have focused on the domestic violence area and recent changes to legislation that affect police powers when dealing with domestic violence. The centre received a Commonwealth grant in 1992-93 of \$75 048.05.

MARTIN NICHOLLS

Martin Nicholls is the State Representative for CLCs in Tasmania.

AUSTRALIAN CAPITAL TERRITORY

There is only one community legal centre in the ACT. This is the Welfare Rights and Legal Centre Ltd.

This centre provides free advice and information on legal rights and entitlements, assists people in legal difficulties and gives information about welfare services to people on low incomes. The centre specialises in such areas of law as: income support (e.g. social security and Austudy); tenancy, both public housing and private tenancy; consumer credit; contract matters; and legal aid appeals.

The service began operating on an *ad hoc*, volunteer basis in 1982. It opened its doors in May 1983 with two paid full-time staff members. In 1983-84 additional funding resulted in five full-time and one part-time staff members.

In 1992 the centre employs nine staff members: two full-time and one part-time solicitors, one full-time administrator, two full-time and one part-time paralegal support staff, one part-time clerical support staff and one part-time librarian.

The centre is funded jointly by: the Commonwealth Legal Aid Commission (CLC Funding Program — 1992-93: \$119 086), the Law Society of the ACT (statutory interest account — 1992-93: \$95 000), and the ACT Government (Community Services Grants Program — 1992-93: \$94 140).

Over the past ten years there has been a steady increase in funding, with a spurt in Commonwealth funding in 1991-92 and 1992-93 enabling the centre to employ an additional three staff members part-time. This enabled the centre to consolidate the work currently being carried out by improving the office support systems, e.g. organising our library resources, and improving our paralegal/support work; and employing an additional solicitor (part-time) to assist the centre and to expand its service on consumer credit matters.

Law reform

Law reform involvement has been in the following areas:

- private tenancy (the *Landlord and Tenant Act* 1949 is currently under review by the ACT Government),
- ACT public housing,
- social security legislation,
- *Credit Act* legislation,
- other areas of law directly affecting the clients we serve, e.g. essential services, cost of justice.

Publications

- *Annotated Social Security Act* (editions 1-5).
- *Annotations to the Social Security Act 1991* (Edition 1) (1992).
- *Annotated Commonwealth Employees' Rehabilitation and Compensation Act 1988* (1991).
- *Whose Money Is It Anyway? A Users' Guide to Social Security* (March 1989).
- *Private Residential Tenancy Law in the ACT* (February 1990).
- *Social Security Papers*. A series of papers on aspects of social security law (1989).

Community legal education

Workshops have been held in the areas of:

- social security,
- Austudy,
- private and public tenancy,
- consumer credit.

Other developments

- Introduction of new laws and new systems with the transition to self-government in the ACT in 1989.
- Development of emphasis on being a specialist centre.
- Night time legal advice service. The centre opened a night time legal advice service in January 1992. This was made possible by the availability

of a volunteer who was willing to co-ordinate the service on a regular basis. It is open one night a week 6 – 8 p.m. This service may be expanded in the near future if required and the support is available to maintain it.

Current issues facing the centre include accommodation. We have no room to move. While staff numbers have increased, our floor space has not. We are working in very cramped conditions and are desperately looking for more space or alternative accommodation.

We are also involved in:

- *Credit Act* reform, social security issues, *Landlord and Tenant Act* reform, and
- many problems associated with a shortage of public housing.

JULIE WHITMORE

Julie Whitmore is the State Representative for CLCs in the Australian Capital Territory.

SOUTH AUSTRALIA

The South Australian Council of Community Legal Services is comprised of nine CLCs, seven funded under the Commonwealth CLC Funding Program, one through the State and the new Welfare Rights funding, and one is run on a voluntary basis. These services are primarily based in local geographical areas providing generalist legal services and are complemented by two specialist centres: the Welfare Rights Centre and the Environmental Law Community Advisory Service.

The seven generalist services and their approximate funding levels are:

Bowden/Brompton	\$130 000
Marion	\$130 000
Noarlunga	\$130 000
Norwood	\$130 000
Para Districts	\$130 000
Parks	\$130 000
Kilburn/Enfield/Prospect	\$75 000

(newly funded this year).

Most of the services provide legal outreach programs. Bowden Brompton, Noarlunga and Norwood also have mediation/neighbourhood dispute services; Norwood and Noarlunga have financial counselling services and Parks and Noarlunga have child support services.

The three mediation services have for most of this year jointly funded an alternative dispute resolution training and development officer position. Duties

have included training programs for new mediators, development of policy papers, developing standardised statistical collection procedures and assisting in seminars in specific dispute areas of interest to clients, mediation services and referral agencies. South Australia does not have any country-based services although Noarlunga covers the Fleurieu Peninsula area.

The major issue for South Australian services over the past year has been a contracting labour force which, combined with contracting legal aid guidelines, has resulted in major increases in the numbers approaching CLCs for assistance. Other ongoing issues include changes to minor civil action legislation, work on housing trust (commission) evictions and the development of an independent appeals tribunal.

South Australia does not have a funded secretariat and in a year where much discussion and work has occurred on the National Funding Guidelines and national statistics consultancy, there has been reduced time available to all services to contribute to law reform and other development projects.

Overall, the CLCs have consolidated their service provision during the last year, developing outreach programs and updating technology systems to cope with the increase in numbers applying for assistance.

PAUL HARRIS

Paul Harris is the State representative for CLCs in South Australia.

WESTERN AUSTRALIA

Currently in Western Australia there are 10 community legal centres which are members of the State Federation of Community Legal Centres. There are further fledgling services which, at present, are not members of the Federation. Of the existing services, only two are in non-metropolitan areas, one in Geraldton and one in Bunbury.

The majority of the CLCs in Western Australia offer 'generalist' advice and services. However, three specialised services have evolved. These services are the Youth Legal Service, the Consumer Credit Legal Service and the Tenants Advice Service.

One of the first CLCs to originate in Western Australia was the centre now known as Financial Advice and Welfare Service (FAWS) which comes under the umbrella of the Fremantle City Council. FAWS originated in 1979 and in 1980

was officially brought under the administration of the Fremantle City Council. In 1982 Fremantle Council's Social Welfare Centre was joined by the Financial Advice Service. The Financial Advice Service was operated by one financial counsellor.

The Financial Advice and Welfare Service has continued to provide legal and paralegal services to Fremantle and surrounding areas.

The balance of CLCs in Western Australia evolved during the 1980s. Bunbury has been the most recent centre in Western Australia to be added to the Commonwealth CLC Funding Program.

Services offered by the CLCs are of the legal and paralegal kind with many centres providing a greater proportion of the latter. A number of centres within the metropolitan area are also co-ordinating a night-time legal service which offers free legal advice to members of the local community. The night-time services operate one or two nights a week at each of the centres and are staffed by volunteer lawyers from a variety of sources, including private legal firms and Legal Aid Commission offices in the metropolitan area.

Perhaps one of the biggest concerns to CLCs in Western Australia is the lack of funding and resources available to existing centres and for the creation of new centres. At present in Western Australia, nine CLCs are funded by the Commonwealth Funding Program and in 1992-93 the Commonwealth provided to these centres \$621 120. The State CLC Funding Program has recently been increased from \$30 000 to \$150 000. Funds from the State CLC Funding Program have yet to be distributed. Three centres are funded by the Public Purposes Trust of the Law Society. This funding is non-recurrent.

Western Australia as yet does not have a funded Secretariat and, consequently, the work of the State Federation and the position of State representative to the National Association of CLCs is borne on a voluntary basis by the workers from each member organisation of the State Federation. Despite this, the Federation of Community Legal Centres (Western Australia) Inc. maintains a high level of activity and participates in a number of projects at both State and federal levels.

Over the past 12 months the Federation of CLCs has participated in the development of National Funding Guidelines and the National Statistics

Consultancy among other things through the National Association of CLCs. In addition, it has had input into several law reform and policy review processes at a State level, including the review of the *Residential Tenancies Act* and the review of the Homeswest Independent Appeals Tribunal.

The State Federation is continuing to work towards developing funding guidelines for use within Western Australia and is continuing to lobby for funding to establish a State Secretariat. A funded State Secretariat will greatly enhance the activities in Western Australia.

PATRICIA BLAKE

Patricia Blake is the State representative for CLCs in Western Australia.

VICTORIA

CLCs in Victoria operate from the belief that the legal welfare of our communities is dependent on the active integration of a number of roles and functions. These fall primarily into the three objectives of the Federation of Community Legal Centres, namely to provide legal assistance, to provide legal education and information, and to promote the reform of laws and procedures which inhibit justice.

CLCs in Victoria acknowledge that a person's relationship to the law cannot be separated from the socio-economic circumstances of their lives. Structural inequality has been institutionalised by the legal system, and structural change is essential to overcome this.

It is this commitment to a holistic and integrated approach to service delivery that sets CLCs apart from mainstream, user-pays legal services. And it is this difference which must be protected, promoted and advanced.

CLCs in Victoria have formed a network, through the Federation of Community Legal Centres and its working groups, which has allowed the varied and extensive skills, local knowledge and special areas of expertise to inform local, regional and statewide activities. Additionally, CLCs work very closely with other peak organisations and community groups, the Legal Aid Commission of Victoria, and, before its untimely demise, the Law Reform Commission.

It is these combined elements of our ideological commitment, the strength of our networks, and the local and community base of CLCs which have led to major achievements over 20 years of operation.

These achievements include:

- important reforms to the residential tenancy legislation;
- credit law reform and the rescission of the fraudulent debtors legislation;
- changes to the conditions for women in prisons;
- advocacy and support for community members in dealing with boards and tribunals, e.g. Mental Health Review Board, Residential Tenancy Tribunal, Small Claims Tribunal, Social Security Appeals Tribunal;
- increased public awareness and concern regarding police shootings in Victoria;
- major reform to sexual assault legislation and procedures.

The 40 CLCs in Victoria include both rural and urban centres and 16 specialist centres covering Aboriginals, women, students, people with disabilities, people with mental health problems, refugees and migrants, tenancy, consumer credit, environment and planning, domestic violence and labour law. Victorian centres assist in excess of 40 000 people annually in terms of advice, referral and casework services, and provide community legal education and information services which assist many more.

CLCs in Victoria clearly recognise that Australian society is not homogeneous and people's needs for information and education cannot be satisfied by a broad-brush, universal approach. Nor is the preparation and delivery of information and educational services value neutral. A pluralistic society requires a culturally sensitive and diverse approach to the information and education needs of its members.

It is therefore critical that culturally sensitive, community-specific materials regarding legal rights continue to be developed. The *Law Handbook, Girl's Own*, special material in areas such as mental health, tenancy, domestic violence, labour law, immigration etc. are, and must remain, community and culturally responsive.

While improvements and positive changes have been achieved over the last decade, clearly much still needs to be done to ensure all people are treated equitably before the law, have access to justice and the right to protection and promotion of legal rights in all areas of their lives, including at work, at school and in the home.

CLCs in Victoria will struggle to maintain a strong vision about their pur-

pose into the 1990s, and their commitment to a role which must incorporate all the functions essential to achieve this: remedial, preventive and change. To achieve this, the network of CLCs also needs all of its component parts: local centres, special purpose centres and its federating and co-ordinating body. Anything less would relegate CLCs to the role of providing casework on the cheap.

ELSJE VAN MOORST

Elsje van Moorst is the State representative for CLCs in Victoria.

NACLCL

The focus for the National Association of Community Legal Centres in 1992 was, again, funding issues. The struggle community legal centres have had over the past two decades to consolidate funding bases and to see realistic funding levels saw some progress during this last year.

1991/92: The Minister for Justice, Senator Michael Tate announced substantial increases in funding for community legal centres nationally. This increase was a culmination of many years of lobbying by legal centre workers on funding issues and an acknowledgement that community legal centres perform a viable service to the community. Total funding for community legal centres nationally in 1992-93 is \$5 788 000.

A new source of funds for Welfare Rights Centres nationally was also announced this year. A total of \$500 000 for January to June 1993 will be distributed to support these centres.

NACLCL has developed a set of funding guidelines for the Commonwealth CLCs Funding Program. All States have agreed to support these guidelines which will now be debated with the Office of Legal Aid and Family Services and the Ministers' Advisory Committee and hopefully settled before the funding round for 1993-94.

A major concern for CLCs is the recent press release from the Opposition stating its intention to take back the increases in funding achieved in 1991-92. This can only mean severe reductions in services available to those in need.

CHRISTINE BUTLER

Christine Butler is the national representative for CLCs.