

## It Seemed like a Good Idea at the Time: A History of The Springvale Legal Service 1973-1993

by Kerry Greenwood; *Springvale Legal Service, Springvale, 1994; 102 pp; \$15 (\$12 concession) plus \$2.50 postage, softcover.*

This is a lively contribution to the ever-growing literature on community legal centres and alternative lawyers in Australia. In the hands of an energetic novelist like Kerry Greenwood, Springvale Legal Service's (SLS) history is presented in a very readable style.

The reader is taken on a guided tour back to some of the remarkable events, successes and struggles which are SLS's history: the opening of the organisation in February 1973; the development of the professional practice subject at Monash University in July 1975, following which law students could work at SLS for academic credit; and the publication of the landmark *Lawyers Practice Manual* in 1985. Throughout the book are the recurring themes of crises of funding and morale, which were specific to SLS but which are familiar to all community legal centre workers. These crises seemed terminal at the time, yet all were somehow overcome. Meanwhile, of course, clients have received assistance at SLS in numbers greater than at any other community legal centre.

Greenwood's approach is quite consciously not academic. Her work is based on her reading of the primary sources in the SLS archive (consisting of minutes of meetings, letters and newspaper clippings) and on the nine interviews she conducted. These sources are rarely mentioned in the text. Nor do they often appear in footnotes, which are generally reserved for witty asides. The book is arranged into ten chapters, and follows a strict chronological format. The main events for each year provide the basis for a series of connecting narratives.

Greenwood does not attempt to construct any broad arguments about the existence of SLS. She clearly, and with reason, argues that the law and society need organisations like SLS but her analysis does not go any further. There has been no great effort made to situate SLS's history into the broader political context of the last two decades. References are made to Whitlam, the Australian Legal Aid Office (ALAO) and the Legal Aid Commission of Victoria, but

they are more asides than informative discussions.

This is one aspect of the book which I found disappointing. In the preface, Greenwood writes that her book aims to interest anyone who wants to know what the 1970s were like. In this, she is only partially successful. The book will undoubtedly and deservedly hold interest for those people who were involved in the legal centres movement in the 1970s. But for those who were not, there is little, aside from the specifics of SLS's history, that will add to their understandings of the times.

In order to know what the 1970s were like, consideration might have been given to a range of questions. Why did legal centres suddenly start to spring up in the early 1970s? Why was their establishment seen by those involved to be a radical political action and not an act of philanthropy? What did legal aid consist of prior to this time? Why did Lionel Murphy establish the ALAO? How did this, and the existence of community legal centres, change legal culture in Australia?

## Voices Behind the Razor Wire

*The Sansbury Association Inc. and Patricia Tresize; Sansbury Association and the Aboriginal Legal Rights Movement, November 1994.*

## 107 Recommendations — Have They Been Implemented?

*Aboriginal Legal Rights Movement and Aboriginal Justice Advocacy Committee, September 1994.*

*Voices Behind the Razor Wire* is a response to the South Australian Government's 1993 implementation report on the recommendations of the Royal Commission into Aboriginal Deaths in Custody. It deals specifically with recommendations relating to prison experience and is written by the Sansbury Association and Patricia Tresize. The Sansbury Association is made up of Aboriginal prisoners at Yatala gaol in South Australia. Tresize at the time was a lawyer with the Aboriginal Legal

Rights Movement who dealt with prison issues. The report provides a first hand account of how Aboriginal prisoners at Yatala are experiencing whatever changes are said to have occurred as a result of the Royal Commission recommendations. It is clear from the report that a new State Government in 1993 and a new regime in prisons has outweighed any progressive changes which might have been implemented as a result of the Royal Commission's recommendations.

This point aside, Greenwood has written a book which deserves to be read. Her talent as a writer is unquestionable. Particularly worthy of mention are her character descriptions, where her skill as a novelist is in full flight. For example, in describing Simon Smith, an SLS worker for 15 years, she writes: 'Simon Smith was striking. He still is. But in 1977, tall, thin, with a saturnine countenance (later enhanced by the 1982 addition of a black pirate's beard), straggling black hair, white teeth and his Auntie Peg's wobbly hand-knitted jumpers, he could not be ignored.' Greenwood's tribute to another community legal centre hero, Tim McCoy (who died in 1987) is particularly moving.

At the back of the book is a 40-page timeline which has been prepared by Lynn Buchanan and Judy Taylor. This, and the cartoons by Judy Horacek and Stuart Roth, which appear throughout, add enormously to the book's appeal.

*It Seemed Like a Good Idea at the Time* is an eminently readable account of the events and people who have contributed to the life of an extraordinary organisation.

JOHN CHESTERMAN

*John Chesterman is a PhD student at Melbourne University who is writing a history of the Fitzroy Legal Service.*

*Voices Behind the Razor Wire* deals with issues specific to Yatala, yet anyone familiar with contemporary conditions in prisons across Australia will immediately recognise common themes. As the members of Sansbury note, prison is about power and it is 'this day to day power over the lives of prisoners which is the most common source of complaint' (p.1). The issue of dehumanisation and the lack of dignity afforded prisoners is one which runs through the report covering a range of complaints from the way requests by prisoners are dealt with to the lack of accountability for actions taken by prison officers.

Specific issues are also mentioned including concern about the ineffectiveness of cultural awareness training for prison officers; problems in enabling prisoners to attend funerals; restrictions on the meetings of the Sansbury Association; the functioning of the prisoner assessment committee and parole board; and issues relating to home detention and day leave.

The South Australian 'Truth in Sentencing' legislation, which came into operation in 1994, is clearly a source of concern with its abolition of remissions for good behaviour and its increased role for the parole board. The new political rhetoric on prison has stressed work for prisoners. However the reality has been that work opportunities have actually decreased as prison numbers have risen and funding cuts have been instituted.

*107 Recommendations — Have They Been Implemented?* is a joint report from the Aboriginal Legal Rights

Movement and the Aboriginal Justice Advocacy Committee which also responds to the South Australian Government's 1993 implementation report. The joint report argues that at a fundamental level the requirement that negotiation and consultation with Aboriginal communities and organisations has not been adequately met — either because organisations such as police and corrections have been resistant or because the type of consultation engaged in has been minimal, tokenistic and reactive (p.5).

The joint report is divided into three parts. The first section deals with the role of the Aboriginal Legal Rights Movement (ALRM) and the Aboriginal Justice Advocacy Committee (AJAC). Of particular importance is the transformation of the AJAC from a State Government-based committee into an Aboriginal-controlled and independent committee.

The second section of the report considers a number of specific issues including corrections, juvenile justice, land, liquor licensing and prisoner health. There is inadequate space in this review to summarise the points raised, so I will restrict myself to some comments on juvenile justice. The report notes that new South Australian juvenile justice legislation came into effect in the beginning of 1994. The new legislation abolished the previous panel system and replaced it with a system of police cautions and police referral to family group conferences as an alternative to an appearance in the Children's Court. The report acknowledges that at the time of writing it was too early to see what effects the new system was

having in relation to Aboriginal young people. However it is noted that the 'new legislation has given the police enormous discretionary powers without, as it appears, any form of control or vigilance over their discretion' (p.23).

The final section of the report considers in more detail the 107 Royal Commission recommendations which the South Australian State Government maintains it has implemented. The ALRM and the AJAC question the extent of the implementation of many of the recommendations including those relating to dealing with intoxicated persons, police bail, the availability of pre-sentence reports, commencement of proceedings for breaches of non-custodial orders, the availability of non-custodial sentencing options, consultation with communities concerning sentencing alternatives, fine default options, the delivery of medical services in police custody, and many others. The report concludes that the recommendations have not been fully implemented either because of improper consultation or through failure to comprehend the intent of the recommendations.

Both reports provide a counterpoint to official reactions to the implementation of Royal Commission recommendations. The reports provide an important Aboriginal perspective on what needs to be done for the recommendations of the Royal Commission to be adequately addressed.

**CHRIS CUNNEEN**

*Chris Cunneen teaches law at the University of Sydney.*

