

Access Services 2010-11

The Legal Services Commission provides the professional legal resources to enable fast access to the justice system for those seeking information or advice about their personal legal rights.

The Access Services Program has been developed as the major part of an early intervention strategy provided through the Legal Services Commission and accessible to anyone in South Australia. It complements the Commission's Representation Program and is available for the assistance of people in the early resolution or clarification of their legal problems.



Christopher Boundy, Manager, Access Services

Between 1 July 2010 and 30 June 2011 Legal Services Commission staff provided more than 95 000 advisory services through the Access Services Program to people seeking legal information or advice about their personal legal rights.

Advice

Advice from qualified lawyers is provided by telephone as well as through interviews by appointment. A free legal information and referral service is also provided by para legal and legal staff.

The Legal Help Line is the Commission's widely publicised 1300 free call number which is generally the first point of contact for many clients.

More than 66 000 calls were handled through the Legal Help Line in the past year. This valuable, free resource is available to the public from 9am to 4.30pm each business day, and provides the opportunity for people to obtain

legal advice in an early timeframe, and to be better informed about their rights and responsibilities. Many callers are able to receive the legal information that they require straightaway, or they can be referred to a specialist agency appropriate to their particular legal needs.

For the consideration of more complex matters, more than 28 000 booked advice appointments were provided during 2010-11, most of which were face to face, but a number of them were provided by telephone so as not to disadvantage regional or remote clients, or those with mobility issues. Documents that may be relevant can be provided electronically prior to a booked appointment if necessary.

Personal appointments are available at each of the Commission's offices located at Adelaide, Noarlunga, Elizabeth, Holden Hill, Port Adelaide, Mount Barker, Whyalla and Port Augusta. Regular outreach services are provided at Murray Bridge. Clients can also gain access to extensive legal information through the Legal Services Commission's Law Handbook on-line.

The Legal Service Commission's Advice Staff provide general legal advice and specialist advice in areas of high demand. Specialist advice is given in respect to migration law, domestic violence situations and Centrelink matters. Advisers regularly visit metropolitan prisons to provide information and advice to inmates on family law and child support matters. In the past year more than 1200 of these services were provided.

Specialist Services

Migration

The demand for advice and assistance in migration matters remained high throughout the year. In each application for assistance a 'merit test' ensures that the Commission's resources are allocated prudently, and this also reflects in the high rate of success achieved on behalf of visa applicants.

Migration lawyers received growing numbers of requests for assistance with onshore protection visa applications, as well as permanent spouse visa applications made pursuant to the family violence provisions. The Legal Services Commission has developed a profile within the South Australian community as the appropriate referral point for this type of visa applications, and it is anticipated that the need for assistance in these type of matters will continue to increase. In addition, specialist legal assistance was provided to asylum seekers located at the Inverbrackie Detention Facility, Woodside.

Through a regular process of tender and contract the Commonwealth government provides the framework and financial support for the Legal Services Commission to provide migration advice and assistance to eligible visa applicants living in the community. This is referred to as the Immigration Advice and Application Assistance Scheme (IAAAS). In response to increased demand, funding of \$40 000 under this scheme

in 2009-10 increased to more than \$90 000 in 2010-11. Many of the beneficiaries of this specially funded legal service were victims of domestic violence needing advice and assistance with visa applications.

Domestic Violence

Domestic violence is experienced by people in many sectors of the community. As part of its Access Services Program, the Legal Services Commission employs experienced legal and para-legal Advisers to provide expert assistance and referral support for victims who find themselves in such circumstances.

Centrelink

Specialist legal advice on Centrelink entitlements is provided at our Adelaide office, and at the Administrative Appeals Tribunal (AAT) for clients involved in litigation with Centrelink. A legal adviser is also available to provide pre-hearing advice to those unrepresented applicants who are due to appear at the AAT in Commonwealth workplace injury compensation matters.

Family law and child support advice in prisons

Commission staff visit the Adelaide Remand Centre, Yatala Labour Prison, the Adelaide Womens' Prison and the Mobilong Detention Centre. A pre-booked telephone advice service is available for prisoners in rural and regional prisons.

Public Service Association Legal Services Scheme

The legal advisory service provided by the Legal Services Commission to members of the Public Service Association (PSA) has been in operation for more than nineteen years. The service was implemented following negotiations between the Attorney General's Department, the Legal Services Commission and the Law Society of South Australia.

The legal advice and referral service covers a diverse membership, including government departments and statutory authorities, and all financial members of the PSA. Also included are members of the Community and Public Sector Union/State Public Services Federation (SA Branch) which is the principal trade union representing workers who provide community services to South Australians.

During the year the Commission's role was expanded to include the management of the scheme on behalf of the PSA (including supervision of the referral work to panel solicitors) as well as the provision of general legal advice and information through the telephone advice line for PSA members.

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Library

The library at the Legal Services Commission is a highly valued resource which enables legal staff at the Commission and private practitioners undertaking legal aid matters to access cases and other legal resources. The Librarian and a Library Assistant provide staff with training in legal research and on-line facilities, as well as information and updates on case law and legislative changes, news of recent legal publications, and alerts about topical legal events.

In 2010-11 the Librarians dealt with almost 800 requests for assistance. Of these requests approximately 70% were from Commission staff members, and 20% from private lawyers working on legal aid matters.

Community Legal Education

Community legal education is one of the important functions of the Commission pursuant the Legal Services Commission Act 1977, which requires the Commission and its staff "*...to promote an understanding by the public (and especially those sections of the public who may have special needs) of their rights, powers, privileges and duties under the laws of the Commonwealth or the State*".

In 2010-11 legal information and education sessions were delivered to over 8,800 people through the Community



New Migrant Legal Education Program, Legal Education Officers, (L-R) John Mugabushaka and Alice Hall.

Legal Education (CLE) program, which has been designed to bring legal and civic education to identified groups in need, and to those community sector providers who work with socially and economically disadvantaged people.

One of the desired outcomes of the National Partnership Agreement (NPA) struck between the Commonwealth and the State and Territory governments in 2010, has been the targeted delivery of preventative legal services such as community legal education, legal information and referral. In response to the NPA, and in accordance with other stated outcomes in the Agreement, the Commission has produced a new Community Legal Education Strategic Plan through which the Commission aims to deliver legal assistance services to people who experience, or who are at the risk of experiencing social exclusion: new migrants, young people, older persons and Aboriginal people.

This strategic plan guides the work of the Commission's lawyers and educators

in their delivery of legal education and information to meet the needs of hard-to-reach audiences, including the priority client groups. We are continuing to investigate the unmet legal education requirements of marginalised groups, such as people with a disability, prisoners, and those with chronic health issues.

Highlights

- The Commission is a member of a strategic group of legal aid commissions across Australia responsible for developing legal educational materials for new migrants who attend Adult Migrant Education classes. A DVD entitled *What's the Law* will assist new migrants to learn about Australian law through ten photo stories covering a broad range of legal topics, including such things as buying a car, dealing with Centrelink, and ways of responding to family violence.
- A new *Workers' Rights* booklet and a series of sixteen factsheets about workplace entitlements have been produced to assist employees understand their rights and obligations, and to provide information about common work related problems. The *Workers' Rights* project has been a joint initiative between the Legal Services Commission and the

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Working Women's Centre SA, and it was funded by the Australian Government through a Fair Work Ombudsman initiative to produce educational materials about the Fair Work Act 2009.

- A series of Free Legal Information Sessions (FLIS) on topics such as juvenile justice, Wills and Advance Directives, child support and family law have been presented at the Adelaide Campus of TAFE SA, and at other sites, and broadcasted via videoconferencing facilities to metropolitan, rural and remote sites around South Australia. This year, the Commission introduced an on-line registration system for FLIS registrants resulting in a huge increase in attendances, with some sessions booked out.
- Access Services staff set up a display at the Sir Samuel Way Building (District Court) as part of the Courts Open Day during Law Week in May. Staff volunteers promoted the Commission's services, including the Legal Help Line, and supplied brochures and pamphlets to assist members of the public with their enquiries.
- The Director, Hamish Gilmore, joined staff and colleagues taking part in an early morning 'Walk for Justice' in May to help raise funds for JusticeNet SA, a pro bono clearinghouse that facilitates access to justice in South Australia.



Expect Respect! Youth Legal Education Program.

- As part of the Commission's drama-based sexual assault prevention initiative *Expect Respect*, a youth friendly resource, 'Sex, Consent and the Law', was produced and widely distributed. The pocket sized booklet proved to be one of the Commission's most popular publications, with 10 000 copies handed out in schools and agencies across the youth sector.

Youth Education

The Commission has continued to expand its delivery of performances of *Expect Respect* promoting respectful relationships amongst young people. Over 2400 young people have now attended a live *Expect Respect* performance workshop in a school or youth centre in Adelaide, or in regional centres.

Expect Respect was selected as a finalist for the prestigious *2010 Premier's Awards for Excellence in Public Service* under the category of 'Building Communities'. The nomination provided important

recognition for this fresh approach to engaging young people in a dialogue on sensitive topics such as sexual assault and consent. Following keen interest in the *Expect Respect* program from interstate legal aid commissions, the Commission has proposed undertaking a national tour to seed similar projects across Australia.

Expect Respect has in the past received funding from the Office of the Minister for the Status of Women, the Hon Gail Gago MLC, including funding and encouragement to extend the program to Aboriginal young people and young people with a disability. The Commission hopes to continue providing this drama based education for young people, and will explore new programs to focus on topics such as knife crime, the consequences of offending, cyber safety and relationship violence.

Another initiative of the Commission in the youth sector has been the conduct of juvenile justice training seminars to assist youth workers to better

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Juvenile Justice Seminar 2011: presenter, Senior Solicitor, Lana Chester

understand the legal issues facing young people, and the likely consequences of youth offending. These seminars were attended by over 250 youth sector workers.

Migrant education

CLE staff members delivered educational sessions to over 3000 new migrants in the past year, the highest number of session attendances since the Commission began its migrant education program in 2004. The legal education staff undertook extensive consultation with migrant community groups to ensure that sessions were suitable to the needs of their constituents. As a result, we achieved greater awareness of our services and at the same time improved community relations across South Australia by responding to the community education requests from within the multicultural sector. Much of the educational work focused on the needs of the Bhutanese Community, the African Women's Federation, the Muslim Women's Association, Afghan women,

the Overseas Chinese Association and the Burundian community. Partnerships were also developed with specialist training service providers such as English Language Services (TAFE), LM Training Specialists, the Multicultural Communities Council, Centrelink Multicultural Forums, Australian Refugee Association, the Migrant Resource Centre and Lutheran Community Care.

The Commission hosted an Open Forum on Sharia Law for Muslim women and community workers from migrant and domestic violence services. With an emphasis on the inter-relationship between Sharia Law, Family Law and efforts to combat Domestic Violence, the forum highlighted the complexity of the problems encountered by Muslim women when dealing with the family law system in Australia.

'Need Legal Help' cards were printed in the following community languages: Albanian, Amharic, Arabic, Bosnian, Burmese, Chinese, Croatian, Dari, Dinka, Filipino, French, Greek, Hindi, Italian, Kirundi, Khmer, Kurdish, Nepali,

Persian, Polish, Russian, Serbian, Somali, Spanish, Swahili, Thai, Tigrinia, Uighur, Vietnamese.

Commission staff also participated in a series of seminars and consultations convened by Multicultural SA, Attorney General's Department, and in collaboration with representatives from Commonwealth, State and local government departments and agencies, explored how best to coordinate settlement services for humanitarian entrants in South Australia.

The Commission's commitment is to continue to assist new migrants in South Australia by improving their understanding of the law, and how to access legal assistance.

Aboriginal education

The Commission is part of an enterprising pilot program teaching legal studies at TAFE to young Aboriginal people in Port Augusta. The scheme provides support for Aboriginal young people to study and gain work experience as an introduction to careers in law. The Commission will provide teaching through the *Law for Community Workers* course, and placements for Aboriginal students at our Port Augusta office.

One student commented:

'I honestly have to say this would be one of the few classes that I have felt comfortable in during my years of schooling, and I'm actually excited to go to every class because of all the knowledge everyone has to offer and share. I look forward to attending future classes.'



Law for Community Workers Course: rear-centre: *Liz Ahern, Legal Education Officer, with students in Port Augusta.*



Legal Community Workers 2010 Presentation. (L-R): *Christopher Boundy, Manager, Access Services and Priscilia Abonge*

ANANGU Work Expo

Legal Education Officer, Liz Ahern travelled to the APY Lands in April 2011 to attend the ANANGU Work Expo in a ten day whirlwind trip of over 3000kms. As part of the travelling Expo, Liz visited six remote communities over five days, setting up a display in each place, providing information about the Legal Services Commission, especially its services for Aboriginal people (legal advice and court circuits) and discussing career and training opportunities with young people.

The Commission's yellow Pitjantjatjara business cards were handed out to approximately 800 people across the Lands as were the fridge magnets and cards promoting the Commission's Whyalla/Port Augusta offices.

The presentations in each community were very well received, and as a result many more Aboriginal people now have information about not only the Commission's varied services, but also of the prospective career paths available.

Law for Community Workers course

The Law for Community Workers course consists of weekly two hour lectures per semester of 21 weeks in two accredited subjects in the TAFE SA certificate IV in Justice Studies. The course was originally developed in 1989 for Aboriginal Legal Rights Movement field officers and the Commission's paralegal staff, and since 1996 has been video-conferenced across the state to allow rural and remote students to attend. Staff from both original organisations still attend to enhance their knowledge along with a wide range of community workers (an average of 40 enrolments) across the state annually. Each year half a dozen scholarships are provided to students from new and emerging communities.

Aboriginal Law Cadets at the Legal Services Commission

The Commission's five law cadets continued their university studies in 2010 and spent 12 weeks' placement at various Commission offices over the long vacation. They shadowed a variety of lawyers in their daily work—giving legal advice, observing them in trials and attended hearings in a variety of courts and tribunals in addition to gaining some customer service and administrative experience.

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Information and Referrals

The Library and Community Legal Education staff continued to ensure that all Advisers had access to the legal knowledge that they required to maintain their skills and to provide effective advice. In 2010-11 this work included the maintenance of the Law Handbook Online.

Law Handbook Online

The popularity of Law Handbook Online [www.lawhandbook.sa.gov.au] grew 24.4% with an average of 46 270 visits each month, and it is widely acknowledged as the premier resource for free legal information in South Australia. The Legal Services Commission website [www.lsc.sa.gov.au] experienced user growth of 10.69% with an average of 11 515 monthly visits.

Website

The Commission recognises that it is important to actively maintain its public profile with stakeholders and the community. The website enhances the provision of information about the Commission's services and the promotion of the value of legal aid to the community. New on-line improvements include an ordering facility for publications, a seminar registration form, and a services directory for referrals to other legal and non-legal services. The services directory is a searchable database containing some 270 services available to clients.

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Website Page-views

	2009-10	2010-11
Law Handbook online	-	1 818 962
LSC site	-	403 627
Total	2 177 414	2 222 589
State Law	1 271 081	1 388 585
Commonwealth Law	906 333	834 003
Criminal Law	421 783	592 783
Civil Law	1 455 793	1 222 608
Family Law	299 839	407 198

CLE Sessions by attendees

	2009-10		2010-11	
	Attendees	Info Sessions	Attendees	Info Sessions
Criminal Law	844	30	2021	46
Civil Law	812	33	696	31
Family Law	1117	47	973	60
The Law in General	5083	141	5182	182
Total	7856	251	8872	319
by State	4198		5308	
by Commonwealth	3658		3564	

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*Law Week 2011:
Courts Open Day –
Sir Samuel Way Building*

Publications Distributed

	2009-10	2010-11
Family Law	44 300	41 800
Criminal Law	10 300	15 300
Civil Law	65 750	75 800
Total	120 350	132 900
State Law	76 050	91 100
Commonwealth Law	44 300	41 800

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Community Engagement

We maintain strong professional relationships with:

- Aboriginal Legal Rights Movement
- Aboriginal Family Violence Legal Services
- Aged Rights Advocacy Service
- Alliance for the Prevention of Elder Abuse
- Community Legal Centres
- Domestic Violence services
- Financial counselling services
- Housing Legal Clinic
- JusticeNet SA
- Law Foundation of South Australia
- Law Society of South Australia
- Magistrates Court Legal Advice Service
- Migrant community groups
- Settlement services
- TAFE SA
- Women's Legal Service

We promote awareness of our services and improved community relations across South Australia by:

- delivering community education sessions
- attending multicultural festivals and events
- working with local services and Community Legal Centres in regional areas
- attending multicultural forums and networking with multicultural sector representatives
- providing information through publications and training sessions
- providing editorials and advertisements in community newspapers and magazines.

Other items

The Commission has introduced a Continuing Professional Development Program to help legal staff to comply with the new mandatory professional scheme in South Australia. A CPD Training Calendar and Register has been developed to deliver suitable training and to record staff attendances at internal and external events.