

Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

legcon.sen@aph.gov.au

22 September 2009

Dear Mr Hallahan,

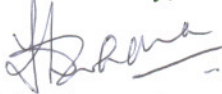
Inquiry into Access to Justice – Questions on notice

Thank you for the opportunity to appear before the Senate Committee in the Inquiry into Access to Justice on 11 September 2009. We write to provide further information in response to the questions taken on notice on that day.

Specifically, the NSW Young Lawyers Human Rights Committee was asked to provide further information about the resource we published “New Land, New Law” and other resources promoting awareness about the law and peoples’ rights. Please find this information attached.

We again reiterate the need for Legal Aid and Community Legal Centres to be adequately funded in undertaking the important work they do to ensure access to justice for socially and economically disadvantaged people.

Yours faithfully,



Claire Hammerton
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“New Land, New Law” and other Publications

New Land, New Law: A Guide to the Legal System is a publication of NSW Young Lawyers Human Rights Committee produced with the financial assistance of the Law and Justice Foundation of NSW. It is in its second edition. It covers a variety of topics within civil, criminal and family law. It is written in plain English and is available in English, Arabic, Farsi and Chinese. It can be accessed at:

<http://www.lawsociety.com.au/idc/groups/public/documents/internetyounglawyers/027209.pdf>

Different subcommittees within NSW Young Lawyers have produced other publications. For example: *Older People and the Law; The Debt Handbook; What About Me? Your Pets and your Will*. Like *New Land, New Law*, these publications are for information only and are not designed to provide legal advice. They have been produced with the assistance of the Attorney General’s Department of NSW and/or the Public Trustee NSW. They can be accessed at:

<http://www.lawsociety.com.au/community/publicationsandfaqs/index.htm>

Community Legal Education

Legal Aid NSW, Community Legal Centres and the Law and Justice Foundation, NSW have produced many posters, leaflets, booklets and other resources educating people about the law and their rights. These resources are written in plain English, sometimes in a pictorial format and may also be available in a variety of languages.

The Senate Committee requested some examples. These are provided below.

- Publications available from Women’s Legal Services NSW, including publications in a pictorial format: <http://www.womenslegalnsw.asn.au/publications-womens-legal-services-nsw.htm#WLSPublications>
- The websites of individual Community Legal Centres within NSW can be accessed at <http://www.nswclc.org.au/clcs.html>
CLCs provide a wealth of plain English publications, many of which can be downloaded from their websites
- Legal Aid NSW also provides a wealth of plain English publications:
<http://lacextra.legalaid.nsw.gov.au/publications/publications.aspx>

Self-empowerment and the law

In our submission, the NSW Young Lawyers Human Rights Committee alerted the Senate Committee to resources which have been produced to aid members of the public in preparing court documents. For example, the divorce kit.

As is stated in the divorce kit, it is still important that people seek legal advice before deciding what to do. However, the forms are designed to simplify the process.

Some people would be able to complete these forms with minimal legal advice. However, more assistance would be required, for example, for people with difficulties with literacy, people from CALD backgrounds, and/or where there are circumstances of domestic violence and/or difficulties with effecting service.

Some examples of other information kits include:

- *Mortgage Stress Handbook* by Legal Aid NSW and NSW Government
- A self-help kit for parents to obtain a recovery order – *My ex-partner has taken our children without my permission...what can I do?* – by Legal Aid NSW
- *The Discrimination Toolkit: Your Guide to Making a Discrimination Complaint* – produced by Legal Aid NSW, Kingsford Legal Centre and Elizabeth Evatt Community Legal Centre

The NSW Young Lawyers Human Rights Committees welcomes the publication of resources which respond to particular needs, such as the information kits referred to above. These serve as a good starting point and guide for persons who may not be familiar with what services are available, where they can seek more information or even how to characterise their particular issue. These resources should be available in a variety of languages. They are not seen as a substitute to legal advice.

Membership of NSW Young Lawyers Human Rights Committee

It is estimated that between 10-15% of our members are law students.

NSW Young Lawyers Pro Bono Policy

NSW Young Lawyers does not currently have a formal pro bono policy. However, we understand that the NSW Young Lawyers Executive Council will be working to develop a comprehensive pro bono policy and a workable pro bono program in the near future in consultation with the Law Society of NSW.