

WEST HEIDELBERG COMMUNITY LEGAL SERVICE

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

Dear Chair,

Re: Inquiry into Access to Justice

Introduction

The focus of this submission is on those people in our community who have the least access to justice. It will examine the initiatives and processes and learnings that come from client and advice seeking behaviour and use these to inform improved, seamless and more integrated service delivery. This submission specifically addresses Terms of Reference (TOR) a, e, and f of this Senate Committee.

I. Background to the West Heidelberg Community Legal Service

The WHCLS commenced operation in 1975 with the volunteer legal services of John Cain, the former Premier of Victoria. Informed of the high levels of legal need in the area¹ he offered his services to the newly established West Heidelberg Health Service on a Monday night. The legal service is based within the Olympic village of 1956, the facilities of which were handed over for public housing. Today, due to tightly targeted, segmented waiting lists, many but not all, of the clients of the service come from significantly disadvantaged social backgrounds including families fleeing domestic violence, newly arrived and older migrant communities with a large proportion of people from the Horn of Africa, people with some form of disability or mental health issues, people with poor income support or on social security benefits.

West Heidelberg is one of the most disadvantaged communities in Victoria, Australia. In research into social disadvantage in Victoria conducted in 2006, West Heidelberg was ranked twentieth in the 40 highest-ranking postcodes (out of a total of 726) for general disadvantage. This level of disadvantage was similar in 1999 and 2004. This research looked at 24 indicators, the major ones being computer use, internet access, low-income families, post-school qualifications, disability/sickness support, interventions by State child protection agencies, early school leavers, low work skills, year 12 incomplete, dependency ratio and criminal convictions.²

In the early days of the legal service the health service would refer clients who had legal problems. After discussion with the nearby university, La Trobe University, a lecturer in Legal Aid, Phil Molan was appointed (in addition to his lecturing role at the university) to deliver legal services to clients along with the students at the West Heidelberg Legal Service. This was the commencement of the three-way partnership between the legal service, the health service and the university which continues today. In 1979 the legal service received its first government funding and now employs staff alongside the La Trobe Law Lecturer/Solicitor who delivers legal services to the community through a student law clinic.

The legal service operates on a holistic model of problem-solving, appropriate referral, representation and advice, and active involvement in law reform and community education emerging out of identified client problems and emerging systemic issues. It is co-located with the health service. The legal service may take on test cases to improve outcomes for community members however its capacity to do this is constrained due to its resources. The main areas of assistance of our legal service relate to criminal law with some representation, debt, fines, social security law and domestic violence. The WHCLS sees clients mainly from the West Heidelberg area but extends its catchment to include referrals made from other

¹ M Cass, R Sackville, *Legal Needs of the Poor*, Australian Government Printing service (1975); M Noone and S Tomsen, *Lawyers in Conflict: Australian Lawyers and Legal Aid* (2006) 216 and J Dickson, '25 Years of Clinical Legal Education at La Trobe University' (2004) 29(1), *Alternative Law Journal*.

² Vinson T, *Dropping off the Edge: The Distribution of Disadvantage in Australia*, Jesuit Social Services Australia (2007) 66-70.

areas. It has to limit its coverage as it receives very modest funding and as indicated above there are high levels of need.

TOR (f) : The Adequacy of Funding and Resource Arrangements for Community Legal Centres

2. Our partners in endeavouring to extend reach and an integrated service

The legal service has been fortunate for thirty years to have the Clinical Legal Education Program of La Trobe University which provides client advice through law students and a law lecturer/clinical legal education supervising solicitor, Peggy Kerdo. This partnership enables the WHCLS to be involved in the practical education of students of law and raising their awareness of issues around disadvantage and social justice but also encouraging students to see community and public interest law as a career option. The clinical program has also enabled the legal service to reach more clients than it would otherwise be able to with its core funding and so we value this long term partnership with La Trobe University highly.

Integral to the legal services approach is its ongoing relationship and co-location with its other key partner, the Banyule Community Health Service (BCHS). The health service provides health, allied health and social welfare services. It employs doctors, nurses, nutritionists, dentists, psychiatrists and psychologists and also broader professionals including drug and alcohol counsellors, problem gambling support services, financial counsellors and neighbourhood renewal personnel. The health service "promotes a multidisciplinary approach to community health through team work and cooperation with other health and welfare providers." It "encourages those in necessitous circumstances to have access to the range of health and welfare services provided, providing health and welfare services promoting a preventative and educative approach".³ It is due to this model of operation that the legal service being co-located with BCH has been able to reach clients who are unlikely to seek legal assistance and to adopt a holistic approach to resolving client problems.

With the one off injection of resources from the Commonwealth Government mid – year 2007 we are now able now to develop a strategic and operational plan about how we might reach people with the least access to justice as is the mission of our organisation. The 'one- off' Commonwealth funding has enabled the legal service to better position itself to review its procedures, determine how it moves forward however our concern remains that with its limited core funding base this will inhibit the sustainability of what it might achieve and into the future will place pressures on what is a small community based organisation. This is because it will be difficult to build on and ensure service delivery into the future beyond short term one off projects. Currently we provide the ongoing legal advice clients who come to the

³ For information around such an integrated approach see Dr L Sherr, A Sherr, R Harding, R Moorhead, Dr S Singh, 'Reducing Poverty: Welfare Rights and Health Inequalities: An Evaluation of Primary Care-based Specialist Welfare Rights Advice- Provision in Lambeth, Southwark and Lewisham', *A Stitch in Time – Accessing and Funding Welfare Rights through Health Service Primary Care*, Department of Primary Care and Population Sciences, Institute of Advanced Legal Studies, School of Medicine, University of London, (February 2002), 9 Banyule Community Health Service Inc, *Your Health Service* (brochure) (2003).

legal service or through BCH referrals, but, the opportunities for ongoing community development, social inclusion strategies, awareness raising and community legal education engagement are not maximised due to the limited funding base. It is our submission that a solid community legal centre contribution can be made both by case work as well as legal education, law reform and advocacy. Legal education, law reform and advocacy can play a vital role in reducing the demand for legal services.

TOR (2) : The ability of people to access legal representation

3. Gaps in Access to Justice

Many people in our community have some trepidation about going to lawyers, but so too do many service providers. In addition, due to a lack of understanding of the legal system not only do patients/clients lack sufficient knowledge to classify a problem as legal but so too do many service providers. This means that many people risk not being appropriately referred and as a result do not have access to legal services. This is a phenomenon now recognised in recent international research.⁴ This research recognises that people susceptible to having problems capable of being resolved with a legal solution often have not just one but many problems and problems often occur in clusters. In addition, there is some suggestion in research that people's unresolved legal issues cause anxiety and stress which can lead to health problems.⁵

It is the legal service's experience that many people fall through the cracks, and that interlinked services on one site, such as those that the West Heidelberg Community Legal Service with its collocation with an array of professionals in health and social

⁴ P Pleasence, A Buck, N J Balmer, R O'Grady, H Genn and M Smith, 'An Integrated Approach to Social Justice', *Causes of Action: Civil Law and Social Justice*, Legal Services Commission (2004a) 105-107, A Buck, N Balmer and P Pleasence, 'Social Exclusion and Civil Law: Experience of Civil Justice Problems Among Vulnerable Groups' (June 2005) 39 (3) *Journal of Social Policy and Administration* 302, 318-320 and see C Cournarelous, Z Wei and A Zhou, *Justice Made to Measure: New South Wales Legal Needs Survey in Disadvantaged Areas*, New South Wales Law and Justice Foundation <<http://www.lawfoundation.net.au/report/survey2006>> and L Curran, *Ensuring Justice and Enhancing Human Rights: A Report on Improving Legal Aid Services to Reach Vulnerable and Disadvantaged People*, La Trobe University and supported by the Victorian Law Foundation, December 2007, R Moorhead and R Harding, *Quality and Access: Specialist and Tolerance Work under Civil Contracts*, Stationary Office, Norwich (2004), R Moorhead, M Robinson, and Matrix Research and Consultancy, *A Trouble Shared - Legal Problems Clusters in Solicitors and Advice-agencies*, Cardiff Law School, Cardiff University (November 2006), R Moorhead, M Sefton and G F Douglas, 'The Advice Needs of Lone-parents' (2004) 34 *Family Law* 667 and A Buck, P Pleasence, N Balmer, A O'Grady and H Genn, 'Lone-parents and Civil Law: An Experience of Problems and Advice-seeking Behaviour' (2004) 38(3) *Journal of Social Policy and Administration* 253-269, A Buck, T Tam, and C Fisher, 'Putting Money Advice Where the Need is: Evaluating the Potential for Advice provision in the Different Outreach Locations' (LSRC Research paper No 16, Legal Services Agency, 2007) and R L Sandefur, 'The Importance of Doing Nothing: Everyday Problems and Responses of Inaction', in P Pleasence, A Buck and N J Balmer (eds) *Transforming Lives: Law and Social Process* (Papers for the Legal Services Research Centre's International Research Conference, Transforming Lives, Queen's University, Belfast, April 2006) Legal Services Commission (2007) 112..

⁵ P Pleasence, N J Balmer, A Buck, A O'Grady and H Genn, 'Civil Law Problems and Morbidity', (July 2004) 58 (7) *Journal of Epidemiology and Community Health*, 552 and N J Balmer, P Pleasence, A Buck and H L Walker, 'Worried Sick: The Experience of Debt Problems and their Relationship with Health, Illness and Disability', (2006) 5(1) *Journal of Social Policy and Society* 39

service disciplines at the BCHS, have enabled access for people who might not otherwise have received help so they can address their problems more effectively.⁶ We are aware that even with the advantage of being a co-located service there are still issues which pertain to these services being overloaded with case work and not being able to maximise how when we work together better client/patient outcomes and greater ability to reach people can occur.

This submission argues that, for other legal aid services (a definition which includes community legal centres) which are not co-located or sufficiently networked with other disciplines, due to limited funding and narrow field specific service models there is an even greater impediment to reaching those in most need who are more likely, based on the research, to access non-legal services for help with their problems some of which may be capable of a legal solution.⁷

Our legal service does not perhaps do as much outreach as is needed but this is mainly due to limitations of staff and resources. We are one of the smallest legal services in Victoria in terms of our funding by Victoria Legal Aid for the number of staff. This has placed limitations on our ability to extend our services. The La Trobe University partnership has enabled the legal service to use research to inform and students to undertake law reform initiatives which have then been sent to key decision-makers. Written feedback has confirmed that this work has informed many policy developments of key decision-makers.

4. Difficulties for clients at court in accessing legal services

The WHCLS is a unique legal service in that it provides ongoing case work and has the services of its Principal Solicitor, Gary Sullivan who has significant legal experience and has been with WHCLS for twenty eight years. Because of the Principal Solicitor's court experience he has been able to represent clients at court who are unrepresented in this way this legal service has been able to provide a service to members of our community who fall through the gaps in court representation. Such situations may arise when Victoria Legal Aid has a conflict of interest and or when the judge desperately needs the assistance of a lawyer, and in summary matters where a client is clearly unable to represent themselves. It is not unusual for Mr Sullivan to provide his service at court in response to these requests which often occur when the situation is urgent or issues of threat present. In addition, there are a vast number of summary matters where people continue to appear unrepresented and cases which involve people who have mental health or

⁶ See M Noone, 'They all come in one door' – The Transformative potential of an integrated service model: A study of the West Heidelberg Community Legal Service' in *Transforming Lives: Law and Social Process: Papers from the Legal Services Research Centre's International Research Conference, April 2006* (eds) P Pleasence, A Buck and N J Balmer, Legal Services Commission (2007), 93-111 and see L Curran, 'Making Connections: The Benefits of Working Holistically to Resolve People's Legal Problems' (2005) 12 (1, 2) *E-law Murdoch University Electronic Journal of Law* <http://www.murdoch.edu.au/elaw/issues/v12n1_2/Curran12_1.html>.

⁷ R Moorhead, M Sefton and G F Douglas, 'The Advice Needs of Lone-parents' (2004) 34 *Family Law* 667 and A Buck, P Pleasence, N Balmer, A O'Grady and H Genn, 'Lone-parents and Civil Law: An Experience of Problems and Advice-seeking Behaviour' (2004) 38(3) *Journal of Social Policy and Administration* 253-269, A Buck, T Tam, and C Fisher, 'Putting Money Advice Where the Need is: Evaluating the Potential for Advice provision in the Different Outreach Locations' (LSRC Research paper No 16, Legal Services Agency, 2007)

disability issues and where those people slip through the service provision and assessment processes. Often the matters are urgent or involve risk or violence. It is not unusual for our legal service to represent such people before the court where there is no other service available and the clients or the court does not want the client self-representing.

The legal service through its clinical program also prepares many clients to self represent before courts and tribunals where there is no pro bono assistance and no legal aid available.

5. Impact of VLA conflicts of interest on client coverage

Sometimes, local legal centres and Victoria Legal Aid have conflicts of interest either because they have acted for the other party or because they are privy to information that may be prejudicial in a case. As West Heidelberg is in a very poor area, when such instances occur, often the local private profession are unwilling to take on such matters even though they are legally aided because they involve too much work for 'little remuneration.' WHCLS often assists in such matters rather than 'ringing around' local law firms to get a negative response (which wastes our limited time and is so often fruitless). The legal service is sure that in other areas of Australia with poor populations the inability of clients to pay and the administrative work for reduced rates of legal aid funding is a deterrent for firms acting for clients in these poor areas.

WHCLS is not criticising the conflict of interest requirements but seeks to note that this issue can often see clients shunted around from service to service, just give up, or go to court unrepresented. Such cases highlight some of the very real need for community legal services such as ours be provided, often but not always, a way in which these gaps in service can be filled. Often such matters are taken on at short notice, with little time to prepare and with a significant number of adjournments already on the books and so they can be matters of urgency. This places significant stress on client and lawyer alike. This issue demonstrates how some members of the community can still receive 'rough justice' through no fault of their own.

6. Multiple problems and issues of referral

The legal service can report that many of its clients do not come with one legal problem. Often they have several legal issues to be resolved. In addition, unfortunately, because clients have so many other pressing issues in their lives created by their precarious socio-economic position, legal issues are often secondary and are neglected as they respond to perceived more pressing issues such as housing, a sick or disabled child and so on. This means that often by the time they get to the legal service they have either been forced to do so by being sued by a financial institution of the State or only after number of referrals.

The legal service often sees clients after they have been wrongly referred by other external agencies. This reflects the lack of awareness in many service providers of the place of legal advice in their repertoire of referral. In much of the social welfare and health referral information and procedures of agencies, it is rare for legal services to be mentioned. Significantly, more effort needs to go into raising the

awareness of people in other disciplines about the role legal services can also play in resolving people's problems. This will be discussed in more detail later in this submission.

For our clients who often lack modes of transportation or who suffer from physical disabilities or both this wrong referral process can be taxing. There is international research that recognises 'referral fatigue' and notes that if a person is referred more than three times they are likely to just give up. This is why we would argue that time and space for agencies and their employees to develop, train and update referral sources should be reflected in service delivery models. This is because as it is so important that 'hard to reach' people get the help that they need. Greater clarity in referral processes is needed not just on what services are provided but what services are not provided. Often we receive a referral from an external agency on matters which are clearly not within the remit of a community legal centre nor in our referral materials. Information on where to refer needs to be up dated and not just available across legal agencies but across the different disciplines where clients are likely to present.

We are fortunate to be based at the Banyule Community Health Service which being a 'one stop' shop averts much of this problem but we also see many tired, upset, or disgruntled people after they have been referred to a number of external agencies before they have reached our doors.

TOR (e) Alternative Means of Delivering Access to Justice

7. The critical role of early intervention and prevention

International research reveals that people who are socially excluded or vulnerable are more likely to either not seek help for their legal problems or else not seek help from a lawyer to solve them. The lack of understanding, confidence and capacity of many community members that might enable them to access their rights is a barrier to them seeking legal services and accessing justice.

There may be a range of reasons for this but one clear issues anecdotally in our own community is that many people do not have an awareness of their legal and human rights and so would not contemplate or know where to seek help to resolve them. In addition, there is great fear in the community in general of lawyers and so this can increase people's reticence to seek legal help.

One thing that is critical, if people are to either avoid problems or escalation of their problems (which for many of our clients are multiple), is the availability of community education about how they can navigate or understand better a complicated legal system. This advice will not work if it is a one off training but should be provided on an ongoing and within a community development framework. The reality in service agencies is that staff turnover can be high and therefore one-off training is not enough. It needs to be ongoing, regular and target both service providers and members of the community. Some people will only seek help when they are forced to and others will act on knowledge if they have it. In our community there are also significant language barriers, few use computers and many

of our clients can neither read nor write. Therefore, written information provided over the internet is of limited value.

Good educational pedagogy shows that for some people they need information to be provided in a variety of formats to suit how they absorb or process information. This is why there is a need for provision of community development and community legal education in communities based at places where those members of the community are likely to congregate or seek help. The Legal Services Research Centre in the UK has stated:

not doing anything about the problem points to the lack of knowledge about the seriousness of the problem and what action to take, and being able to handle a problem alone requires expertise, confidence and also monetary resources. It is certainly the case that sometimes people are more than able to deal with problems alone, and sometimes it might be reasonable to make no attempt to resolve the problem. No one strategy to deal with problems can be universally prescribed. However, particularly for those people who face problems of social exclusion, and may be the least able to solve problems themselves, clear information and assistance may be vital to enable them to escape from civil justice problems that might well act to entrench or even worsen their predicament.⁸

Another area that this legal service is exploring is the use of restorative justice/problem solving approaches in resolving disputes or to avert disputes arising in our community. This will involve bringing together different members of the community and local agencies in contexts where often adversarial approaches are taken due to stereotyping, a lack of awareness of context and different perspectives or a failure of different groups to think more laterally or flexibly about solutions using the BCH space and local council. The international experience with properly run restorative justice programs (and our own experience at forums in the past) has been that when communities and agencies are brought together to share experiences and perspectives it can avert the criminalising of young people⁹, reduce misunderstandings and conflict and reduce social exclusion.¹⁰ We hope to bring together local agencies such as the office of housing, care and protection workers, newly arrived communities (with interpreters) people with disabilities, families, young people, police and our local council with whom we have a good relationship. Evidence suggests that restorative justice also has a role in increasing community participation and improving agency engagement. Key areas we would seek to explore restorative justice approaches would be in youth crime, issues where criminal consequences are not the only solution,¹¹ educational issues around exclusion and suspension, use of public space and housing issues.

⁸ Buck et al, above n 44, 302, 320.

⁹ See C Smith, 'Children's Rights; Judicial Ambivalence and Social Resistance' (1997) *International Journal of Law, Policy and Family*, 103-109 and Ministry of Social Development, *Achieving Effective Outcomes in Youth Justice, An Overview of Findings*, Final Report (2004) 18

¹⁰ G Bazemore and M Umbreit, *Rethinking the Sanctioning Function in Juvenile Court: Retributive or Restorative Responses to Youth Crime, Crime and Delinquency* (1995), 296-316, J Braithwaite, *Crime, Shame and Reintegration* (1989), M King and J Wager, 'Therapeutic Jurisprudence and problem-solving judicial case management', (2005) 15 *Australian Journal of Judicial Administration*, 28-36

¹¹ A Freiberg, 'Problem-oriented Courts: Innovative Solutions to Intractable Problems, 11 (1) *Journal of Judicial Administration*, 2001, 1 and A Freiberg, 'Problem-oriented Courts : An Update, 14 (4) *Journal of Judicial Administration*, 2005, 196 and Magistrate H Hannam,

In considering alternative ways of delivering access to justice the Senate Committee might wish to consider restorative justice opportunities that might exist in local communities such as the ones we are exploring.

8. Impact of legal stress on wellbeing and client health

Being based in a health centre we anecdotally can see the strong link between anxiety and stress caused by legal problems and emergent or exacerbated health problems.

Case Study: A young boy of fourteen years of age had been soiling his bed and clothes, suffering from sleeplessness and was very anxious. He confidentially saw the doctor. It emerged that he had been hiding a significant mobile phone bill from his parents and was distressed. The doctor referred the boy to the legal service's student clinic. The legal service was able to nullify the mobile phone contract the boy on the basis that the mobile phone company had not followed proper process for a minor. Once the legal service took the matter on and made it clear it could be resolved, the boy's medical condition was resolved.

Case Study: An elderly woman with a serious heart condition had the care of two intellectually disabled grandchildren and another who was not disabled. She lives in a two bedroom office of housing flat. Her grandson had been pursued relentlessly over a three year period by a large law firm which was acting as a debt collector for a small amount of money they alleged was owed by her severely intellectually disabled grandson. The law firm was acting for a local council (which, ironically, was delivering disability services to the grandson). The debt had significantly increased over the years because of the lawyer's fees. The grandmother came to see the legal service (on foot) on the Thursday before Easter with a letter (wrongly) threatening seizure of their household items. She and her grandson were deeply distressed about the debt. The lady when she arrived was extremely stressed and noted that her heart condition had worsened due to her worry. She explained that she and her grandson had not come to the legal service earlier because they were too ashamed.

On examination of the material the grandmother had bought with her, it was clearly evident that the debt was never owed and that the claims on behalf of the debt collector about what they could do were erroneous, threatening and likely to intimidate. A terse letter was faxed to the law firm, a phone call made by the legal clinic on behalf of the lady, a threat to highlight the issue in local media and by the end of the day the law firm confirmed in writing that the debt was not owed.

'Problem-solving and Therapeutic Jurisprudence in the Children's Jurisdiction', (paper presented at Children and the Courts Conference, National Judicial College of Australia, 5 November 2005, 1).

It is our submission that, if legal problems are able to fester and go unresolved, they can significantly impact on a person's health. This is a further reason to ensure access to legal services and that legal services work closely with health and welfare agencies so that early intervention and prevention occurs. Through improved education and awareness-raising in the community and of service providers, the chances of people receiving timely legal advice and intervention are increased.

The example of the grandmother above also highlights the lack of confidence people in community have and how fear and shame can work as barriers to their seeking legal help. It is our submission, in line with the international research, that legal aid services may need more funding to be able to develop and operate more innovative legal service that reach out and go into communities where people likely to need help are likely to be. By working with those services likely to be accessed by people most in need rather than continuing to work on the traditional appointment and attendance basis only, may extend the reach of many legal aid services. This is not to say that appointments and offices do not still have a place - but - to reach those people with the least access to justice more flexibility and service delivery models informed by research about people's advice seeking behaviours and the factors in their exclusion are needed.

Recommendations:

a. **Valuing the importance of CLCs role in catching those people who fall through the legal service provision net. (TOR (f))**

The critical value of community legal centres (CLCs) should be acknowledged and valued. CLCs play an important part in picking up the clients when other legal services fail to do so for a variety of reasons. These including - conflicts of interest; the dearth of private lawyers who have the relevant expertise in areas affecting the poor (e.g. social security cases); a lack of private lawyers willing to take on work in poor areas because of the prospect of little remuneration or because of the difficult nature of the clients or their problems. The West Heidelberg Community legal Service's integrated model has lawyers working alongside other disciplines to resolve issues and access clients who might otherwise have legal needs but never access appropriate assistance. It demonstrates how an alternative model of operation to the more traditional or narrowly prescribed modes of delivery of legal services can overcome some of the obstacles members of the community have in resolving legal issues.

b. **Funding and service provision models and the manner in which services are managed need to acknowledge the importance of relationship development between different agencies and different legal and non-legal disciplines. (TOR (a))**

Funding models for service provision both at a State and Federal level are often too circumscribed and limit the capacity of service providers to find the time and scope to adopt a holistic approach in how they work with clients. Similarly if more community agencies reflected on such collaboration in the longer term it is

likely to lead to sustainable and multiple positive outcomes for people in the community.

c. Early intervention (TOR (e))

As the research cited in this submission highlights, community development processes that work towards social inclusion, awareness raising and community legal education are critical aspects to enable early intervention to prevent the escalation of problems to crisis point. It is our submission that a solid community legal centre contribution can be made through case work as well as legal education, law reform and advocacy. Legal education, law reform and advocacy can play a vital role in reducing the demand for legal services, enabling people to have greater control over their lives, wellbeing and health outcomes.

d. Improvement in referral processes and knowledge (TOR (a))

Time, scope and space for agencies and their employees to develop, train and update referral sources should be reflected in service delivery models and in funding. This is because it is so important in ensuring clients get the help that they need speedily and before they give up. Greater clarity is needed not just on what services are provided but what services are not provided. The research reveals that non legal service providers often see lawyers in narrow roles such as in criminal law and so are not aware of the range of areas (for example consumer advocacy and social security law or discrimination or remedies where inappropriate conduct by agencies is involved) and avenues in law that a client/patient might avail themselves of. The information on referrals needs to be available to different disciplines where clients with legal issues are most likely to present.

e. Innovation and flexibility of legal aid service to be located where the people likely to have legal problems are likely to be. (TOR (e))

Legal aid services primarily community legal centres may need more funding to be able to develop and operate more innovative legal services that can reach out and go into communities where the people most likely to need help are. By working with those services likely to be accessed by people most in need, rather than continuing to work on the traditional appointment and attendance basis only, may extend the reach of many legal aid services. This is not to say that appointments and legal service offices do not still have a place - but - to reach those people with the least access to justice more flexibility and service delivery models informed by research about people's advice seeking behaviours and the factors in their exclusion are needed.

Conclusion

We hope that this submission will prove helpful to the Senate Committee in its Inquiry.

Please do not hesitate to contact the writer should you have any further questions.

Yours faithfully,

Dr Liz Curran
Director