

REDFERN LEGAL CENTRE

REPORT ON THE FIRST YEAR OF OPERATION

Introduction:

The Redfern Legal Centre commenced operations on the 14th March 1977 from rooms provided by the South Sydney Municipal Council in the Redfern Town Hall. The Centre developed from an initiative by members of the staff and students at the University of New South Wales Law Faculty and some city solicitors who wished to provide legal services to people in need. It was felt that, despite the increase in government legal services, there was an unmet need, particularly in the South Sydney area, for legal advice and assistance to be provided to people unable to afford a private solicitor. The concept of the Centre was that it should be a firmly community-based service, working closely with other community groups and relying on enthusiastic and regular volunteer solicitors supplemented by a small full-time staff.

The Centre is an independent voluntary association of the lawyers, law students and lay people who work at the Centre. The legal services are provided by the individual solicitors who attend on the volunteer roster or who are on the full-time staff. The Centre has a Management Committee which meets fortnightly and controls administration. A company limited by guarantee, Redfern Legal Centre Limited, has been set up to hold the licence agreement for the premises in the Redfern Town Hall and to receive and administer funds and other property.

Legal services are provided by the volunteer legal practitioners each evening of the week from 6-9.30 p.m. as well as Tuesday and Thursday afternoons from 2-6 p.m. These lawyers are assisted by law students, who also staff the Centre each weekday from 9 a.m. to 6 p.m. to do follow-up work, answer the telephone and handle general inquiries. These volunteer lawyers and law students are supported by a full-time social worker, three solicitors and a secretary whose functions are described more fully below.

Range of work:

The Centre gives advice in any area of the law, and provides follow-up services in all areas except conveyancing, probate, business ventures and transactions and the like. The guiding principle for follow-up assistance is that it should be provided to someone who is not able to afford a private solicitor for the problem, and who would not normally be able to get full assistance from other legal aid agencies - e.g. a woman wishing to enforce a maintenance order, a tenant in non-controlled premises involved in a dispute with the landlord. An analysis of operations reveals the following breakdown of matters handled by the Centre:

No. of files opened - 14.3.77 to 31.3.78	=	2124
No. of files current at 31.3.78	=	1190

Rough breakdown of matters: (as of 14.1.78)	<u>Number</u>	<u>Percentage</u>
Family	318	20.8%
Criminal	275	18.0
Tenancy	178	11.7
Wills	86	5.6
Motor Vehicle (personal injury & property damage)	134	8.8
Debts	81	5.3
Complaints (lawyers, doctors etc.)	66	4.3
Social Welfare	59	3.9
Consumer	45	2.9
Employment	42	2.8
Contracts (Hire purchase)	35	2.3
Immigration	16	1.0
Other	192	12.6
	<u>1527</u>	<u>100.00%</u>

The Centre's involvement varies from area to area. For example, the bulk of family law matters involve advice or referral only, while most tenancy matters involve negotiations or court representation. Besides its full time solicitors, the Centre draws upon a small but willing pool of solicitors and barristers to do free representational work, particularly in the tenancy and criminal law areas. Extensive use is made of other legal aid agencies where possible. Although there is no means test on people coming to the Centre a person's financial situation and the likely cost of the service needed are considered, to determine whether he/she could afford a private solicitor. If this is the case, the matter is referred to one of a panel of private solicitors.

Come case illustrations:

The Centre has had a number of notable successes in cases it has pursued. For example:

- 1) A fourteen year old girl was being interviewed by police on a break/enter and steal matter. Other legal aid agencies were unable to assist, but the Centre was able to arrange a solicitor on very short notice to attend the police station. The solicitor managed to convince the police that their case was weak, and no charge was laid against the girl.
- 2) A migrant client was taken advantage of in respect of a hire purchase agreement on a coloured TV set. A Centre lawyer was able to negotiate a termination of the agreement, with a waiving by the company of payments for our client's three months use of the set.
- 3) A totally blind invalid pensioner was visited at her flat by a representative of a funeral service, who persuaded her to sign a contract for a funeral plan costing \$490.00, on which she paid \$10.00 deposit. When this lady changed her mind about the agreement, the Centre negotiated with the funeral organisation, and succeeded not only in having the lady released from the contract, but also in obtaining the return of her \$10.00 deposit.

4) Among the tenancy cases, the Centre has successfully prevented eviction proceedings, enabling clients to continue occupation of premises under a lease. In other tenancy cases, an extension of time has been obtained, to allow the tenants to find other accommodation.

5) The Centre's social worker and some of the students have broken new ground in New South Wales by appearing on behalf of clients in appeals to the Social Security Appeals Tribunal. Redfern is the only agency in Sydney to provide this support. The appeals in which the Centre has been involved have been largely successful.

#### Legal Practitioners:

Currently, some 34 legal practitioners are rostered on a weekly or fortnightly basis to give legal advice or assistance to the public, every week night, and on Tuesday and Thursday afternoons. The practitioners give advice to clients, and supervise follow-up work. They work on a voluntary basis, and are drawn from private practice or the staff of the University of New South Wales Law Faculty.

#### Law Students:

There are over 90 law students currently rostered on a fortnightly basis at the Centre, covering each weekday between the hours of 9.00 a.m. and 9.00 p.m. The students are responsible for making initial contact with a client and taking down an initial statement on the case. They do follow-up work under supervision, research work, answer the phones and general enquiries, assist with representation at the Social Security Appeals Tribunal and the Consumer Claims Tribunal, file court documents, and generally make themselves an integral and indispensable part of the Centre's service. In turn, the students generally regard the work as extremely useful and rewarding.

One student, involved in helping a Centre lawyer with a neighbourhood fight situation which was coming to a hearing in the local court, was confronted one afternoon with our client suddenly appearing at the Centre, hotly pursued by the other party. The student managed to calm down the parties and work out an amicable settlement on the basis of which the summons was later withdrawn and a court confrontation averted.

Another student accompanied a lady to a meeting with the Parole Board, as this lady's husband was due for consideration of release on parole, but our client was in fear of her safety and the safety of her children, following very serious assaults on her by her husband. Our client was highly anxious and inarticulate in the face of the 'officials' of the Parole Board, and the student was able to ensure that she put her case as fully as she wished.

Full-time staff:

The Redfern Legal Centre now has several full-time members of staff, who comprise the core of its activities. The social worker, Clare Petre, is funded by South Sydney Council to develop the social welfare and non-legal aspects of the Centre's operations. Clare coordinates contact with other community agencies, supervises the provision of social welfare assistance to clients at the Centre, organises the social security interest group at the Centre, is involved in plans for a community legal education programme, supervises publicity, and attends meetings relevant to the social aspects of law.

A grant of \$20,000 from the Federal Government in August, 1977 enabled the Centre to employ a full-time solicitor, John Terry, and a secretary, Susan Davitt. John supervises and coordinates the delivery of legal services by volunteer practitioners, assisted by the law students. He also provides court representation for clients who do not get assistance from other legal aid agencies. He will also work on providing more effective legal assistance to the community through the community legal education programme and the production of legal assistance material.

Susan Davitt does the Centre's typing as well as providing continuity in the reception of clients and the maintenance of office procedures.

Virginia Bell is a solicitor who started work at the Centre on a full-time basis this year under the general supervision of John Terry. Virginia assists in the legal casework, provides court representation for a number of clients, and is involved in provision of legal services for special groups, e.g. women and prisoners.

Garth Symonds is the third full-time solicitor who has a strong interest and expertise in community legal education programmes, as well as provision of legal back-up support for other community groups. Garth is working on legal education programmes which include videos on various aspects of the law, columns in local newspapers, and other written material aids.

Who are the Centre's clients?

A rough breakdown of statistical information as at 14.1.78 revealed the following information about the Redfern Legal Centre clients:

	Total cases analysed:	1,125
		<u>Percentage of total</u>
<u>Sex</u>		
Male		55.3
Female		43.5
Couple		<u>1.2</u>
		<u>100.0</u>

Percentage of totalMarital status

Married	41.2
De facto	3.5
Single	30.8
Separated	11.6
Divorced	6.5
Widowed	6.4
	<u>100.0</u>

Occupation

Pensioner	28.0
Unemployed	15.8
Home duties	8.5
Student	6.1
Other(1)	9.4
Employed(2)	32.2
	<u>100.0</u>

Ethnic Group

Australian	58.3
Aborigine	1.5
UK/Ireland	4.4
Italian	2.8
Greek	10.4
Yugoslav	3.5
Lebanese	2.3
Other (3)	16.8
	<u>100.0</u>

Housing

Owned	20.0
Rent (Private)	53.2
Rent (H.C.)	9.0
Board	2.8
Institution	5.9
With parents	6.0
Other(4)	3.1
	<u>100.0</u>

Place of Residence

South Sydney Municipality	39.5
Near north area (5)	10.3
Near south area (6)	6.9
Near east area (7)	6.1
Near west area (8)	8.9
Other areas (9)	24.6
Other States	0.4
Prison	3.3
	<u>100.0</u>

Footnotes

- (1) Occupation - 'other' includes prisoners, Workers Compensation.
- (2) Occupation - 'employed' - Those in employment were predominantly non-professional, e.g. process worker, carpenter, labourer, taxi driver, machine operator.
- (3) Ethnic Group - 'other' - Includes French, Turkish, Spanish, Polish, Dutch, Maltese, Chinese, Latvian, Hungarian, Egyptian, German, Chilean.
- (4) Housing - 'other' - includes women's refuges, squatters, homeless, staying with friends.
- (5) Near north - predominantly City Council area.
- (6) Near south - includes Botany, Marrickville areas.
- (7) Near east - includes Randwick, Waverley areas.
- (8) Near west - predominantly Leichhardt Council area.
- (9) Other areas - much of the contact from these areas was by phone.

Some features of these statistics are worthy of note:

1. Marital Status. The number of people who appear to be in the position of coping alone, i.e. single, separated, divorced and widowed, is markedly high. A number of those who are categorised under 'married' came to the Centre for advice about separating from their spouse in the near future. If the categories of single, separated, divorced and widowed are added together, they represent 55.3% of the Centre's clients.
2. Occupation. The number of people who do not have a job is extremely high. They are therefore placed in a position of dependency on some other person, or the state or federal governments. If the categories of pensioner, unemployed, home duties, student, and 'other' are added together, they represent 67.8% of the Centre's clients.
3. Ethnic Groups. The Centre has assisted a large number of people who have migrated to Australia. Lack of fluency in the English language is most likely to aggravate any difficulties migrants have in a new country, especially where legal problems are encountered. People from non-English speaking countries make up 35.7% of the Centre's clientele, and the Centre appears to be answering a real social need in this area.
4. Housing. Unlike the figures for the Australian population at large, where home ownership is the norm, the clients of the Centre are overwhelmingly housed in rented accommodation - other people's homes, boarding situations, institutions, and in some cases, homeless. If the categories of rent (private) and rent (Housing Commission), board, institution, with parents, and Other, are added together, they represent 80.0% of the Centre's clients.

5. Place of Residence: While the Centre has a general policy of not giving legal advice over the telephone, a large number of calls are received from all over Sydney seeking help. For many of these people it would be difficult for them to travel to Redfern to see a solicitor in person. As a result, the category of 'Other areas' includes a large number of telephone contacts.

Most non-legal people are very confused by the separation of legal aid services between Commonwealth and state, and often find their way to Redfern Legal Centre through the phone book. Where there is a suitable legal aid office in their area, people are referred to that office.

However, the majority of clients visit the Centre in person. The natural drawing area of the Centre is the inner city region, and if the categories of South Sydney municipality near north, near south, near east and near west are added together, they represent 71.7% of the Centre's clients.

Is the work increasing?

The Centre has made a conscious and active effort to make its services known to the community. A breakdown of case referrals on a monthly basis shows a steady increase in work.

Number of cases opened each month

1977

March	53
April	85
May	121
June	132
July	89
August	102
September	202
October	211
November	252
December	210

1978

January	210
February	254
March	208

As part of the statistical breakdown conducted in January 1978, figures showed that the majority of clients found their way to the Centre as a result of publicity, other clients' recommendations, referral from other social agencies, the telephone book, friends and relatives, and general knowledge (which might have been obtained from any of these other sources).

Future Directions of the Redfern Legal Centre:

The Centre will continue to provide its existing legal aid services. Now that the Centre has become better known, we expect that demand will remain constant, and probably increase over time. We should be able to cope with an increased demand for legal services given the number of legal practitioners who are volunteering to come on to the roster, although this also means increased pressure on office space and other facilities. The employment of a full-time solicitor means that John Terry is able to act as coordinator for the roster of volunteer practitioners, thus allowing the Centre to perform a great deal of work on a comparatively small budget.

One priority for the Centre during its second year of operation is an expanded community legal education programme. Some of the activities will be aimed at groups such as pensioners, migrants, and young people. We hope to use tools such as printed material, small group discussion, columns in local newspapers (both English and other languages) and visual materials such as video or film. Following the Centre's involvement in several cases where aged pensioners got into difficulties with door-to-door salesmen and contracts, the Centre is preparing a pamphlet warning pensioners of the dangers of door-to-door selling, unsolicited goods and the like. This pamphlet will be distributed in cooperation with a tenants group from the local housing commission flats. Lawyers will also attend a large meeting of housing commission and other tenants to answer questions on a whole range of legal problems.

Another important element of the Centre's development will be the publication later this year of the New South Wales edition of the Legal Resources Book put out by the Fitzroy Legal Service. This book will be published by the Redfern Legal Centre and its aim is to provide a comprehensive guide to the law and means of resolving legal problems, for non-legal people (social workers, teachers, community groups and the like), lawyers involved in legal aid work, and interested individuals. There has been already a good deal of interest expressed in the book, and a large number of enquiries have been received directly at the Centre as to the date of publication.

The Centre sees as a very important priority the provision of legal back-up and support for other groups in the community. It is felt that resources can be extended more fruitfully if workers from community agencies can contact the Centre on behalf of their clients and follow up the case themselves with the help of legal advice. This system requires that the Centre be as accessible as possible to workers from other agencies, and inspire sufficient confidence in these agencies for Redfern Legal Centre to be seen as part of the network of services, offering the sort of service



required by the community groups. Judging by the large number of referrals which come from community agencies, and the large number of contacts made by workers on behalf of their clients, it seems that the Centre is seen as offering legal support to a large number of groups.

In order to assist people whose first language is not English, the Centre has gratefully accepted the offer of a Greek-speaking volunteer to come to the Centre for a session each week to assist Greeks in their dealings with the solicitors. This has proved a most valuable service, and it is hoped that other sessions can be arranged when resident interpreters in the other major languages will be available. We are very pleased that a very good relationship has been established between the Centre and the Telephone Interpreter Service and the Ethnic Affairs Commission.

The Centre has established close working links with a number of organisations in the community. These include the Sydney Social Security Appeals Tribunal, the Department of Consumer Affairs, the Ethnic Affairs Division of the Premier's Department, the Australian Council for Social Service, the NSW Council of Social Service, Department of Youth & Community Services, Tenants Union of NSW, Law Foundation of NSW, Fitzroy Legal Service, the Australian Legal Aid Office and Public Solicitor, as well as local organisations such as the Greek Welfare Centre, South Sydney Community Aid, Redfern House (Health Commission), and a number of other community health centres and neighbourhood centres.

For some months the Centre has published a newsletter to keep information flowing to the students and practitioners who staff the Centre, and also to interested groups and individuals. The mailing list is now well over 250 newsletters, and the response has been very favourable, particularly from some of the community organisations. The newsletter will continue to be a regular feature of Centre activities.

From its first year of operations, we believe that the Redfern Legal Centre has shown itself to be servicing a very real social need. Many thanks are extended to South Sydney Council, the Federal Government, the University of New South Wales, the NSW Law Foundation, and all other groups and individuals who have assisted Redfern Legal Centre.