

Justice for All

*A History of the Victorian
Community Legal Centre Movement*

'It's forgotten now, how confrontational community legal centres' approach and model of operation were...It was extraordinarily radical at the time'.¹



CLCs Victoria poster, Federation of CLCs Victoria collection

The materials in the exhibition were collected and are displayed as part of the broader project *Justice for All: A History of the Victorian Community Legal Centre Movement*, funded through an Australian Research Council Grant. This project's chief aim is to establish the historical and continuing importance of Community Legal Centres (CLCs) to the legal profession, law

¹ Interview with Mary Anne Noone (Melbourne, 4th November 2009).

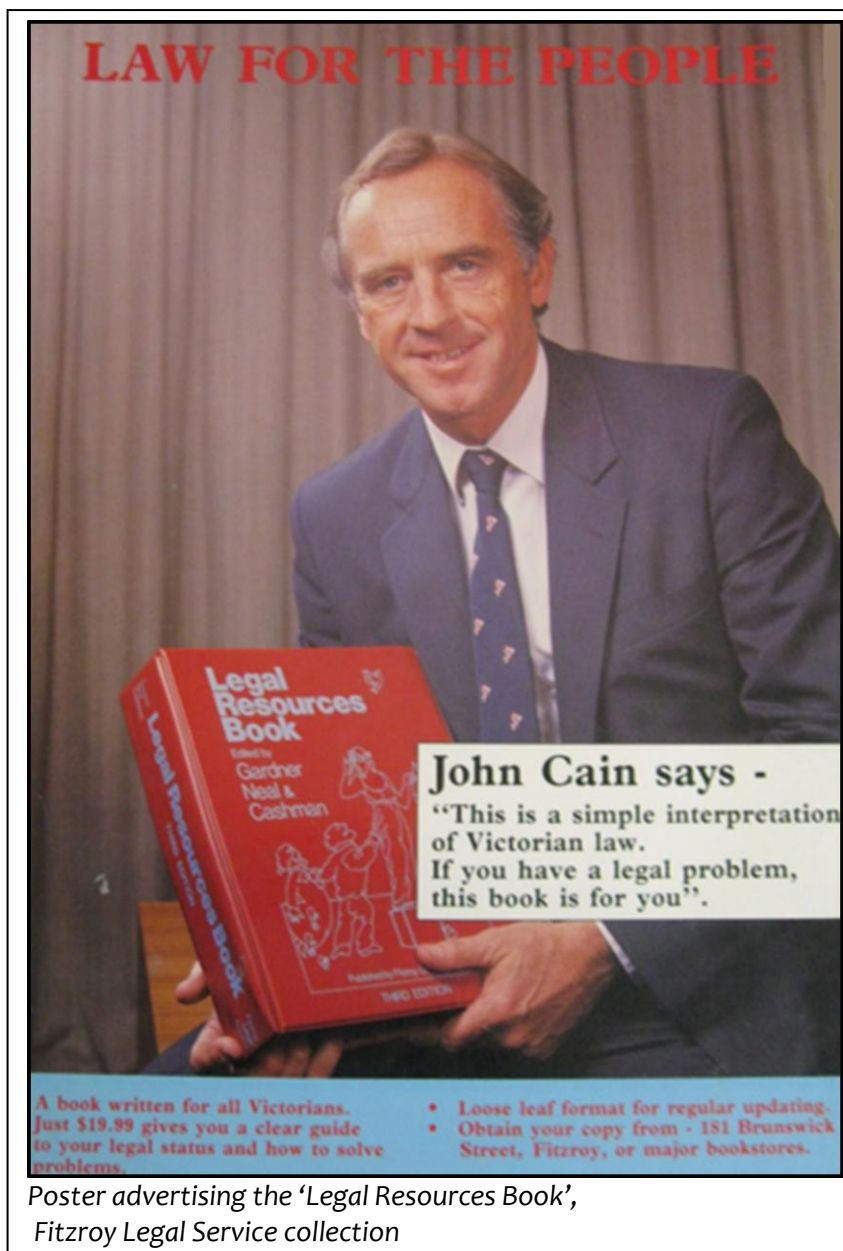
reform and social policy, and to set this within the broader context of ideas, debates and arguments about citizens' access to justice.² History provides an opportunity to pay respect to the legacy of earlier generations of CLC workers and volunteers and to consider how this legacy might be carried forward. Despite this, and despite the insistence of those like CLC pioneer Simon Smith, who argues 'that every successful organisation or "movement" needs a narrative',³ there has been relatively little written about the history of CLCs.

Separated from their history CLCs might be seen as a cheap or even second-rate service for those who can't afford 'real lawyers'. An understanding of the history of CLCs demonstrates the ways CLCs negotiated the gap between law and justice, creating new ways of doing justice and new understandings of law, politics and social change. While success is hard to measure and injustice still abounds, there is no doubt that over the past forty years CLCs have expanded *possibilities* for justice and recognised the legal needs of people previously excluded from the benefits of the law. Poor people; young people victimised and criminalised by police; people with mental health issues; people with disabilities; migrants; refugees; prisoners; and women routinely positioned outside the circle of the law's protection: all of these have an important place in the CLC story.

Community Legal Centres were founded in response to government and market failures to provide the benefits of the law to the poorest and most marginalised. They can be located within a transnational history of protest, social change, and civil and legal rights movements that grew out of the

² The history of the Indigenous legal service movement is both long and rich, and it does intersect with the history of the broader CLC movement. However, in acknowledgment of the fact that it is in many ways a very distinct history that demands treatment in its own right, we have limited our study to the non-Indigenous CLC movement.

³ Email from Simon Smith to Jude McCulloch (21st September 2010).



radical 1960s. From modest beginnings in the early 1970s they have spread across Australia: now, approximately 200 community legal centres operate nationally. Prior to CLCs, there was no national legal aid scheme and state schemes were extremely restrictive and difficult to access. As a result, there was very little legal assistance available to low-income people or for the types of legal matters that they most often confronted. Their inability to afford legal advice and representation meant that many people found themselves effectively without legal rights.⁴ The inability to access lawyers meant that the legal needs of those typically excluded from legal assistance

⁴ Ronald Sackville for the Australian Government Commission of Inquiry into Poverty, *Law and poverty series: legal aid in Australia* (Second main report, 1975).

were largely hidden, officially unacknowledged and often poorly understood even by those inclined to be sympathetic. Even people experiencing what might be considered from today's perspective a legal problem might not conceive the problem in legal terms when there was no legal remedy within reach.⁵



Tim McCoy and Simon Smith of Springvale Legal Service during their c1987 record-making trip to CLCs Victoria wide, with Tim Jordan at the Tenant's Union, Robin Banks collection

For nearly four decades now, CLCs have been providing advice, representation and advocacy for people previously excluded from law's shelter and exposed to its harshest consequences. From their inception

⁵ Sackville, above n4, pp146-147.

CLCs have confronted the problems of law in Australia and pursued its radical potential, challenging longstanding prejudices and injustices and, in the process, reshaping people's expectations, experiences and understandings of the law. In their attempts to redefine relationships between law, politics and economics in pursuit of a broader social justice agenda, CLCs have helped people articulate previously ignored grievances and demands that are now embedded in our justice system: consumer rights, welfare rights, police accountability, the right to know, and, perhaps most profoundly, access to justice. CLC's achievements are ambiguous, yet valuable in ways that defy easy measure.



Until the birth of CLCs in the 1970s there was no concept in Australia of public interest or community lawyers. When lawyers worked for free it was considered charity. For most people seeing a lawyer was an extraordinary event, and for lawyers assisting the poor was rare.⁶ One anecdote from the early days of CLCs, offered by the Fitzroy Legal Service's (FLS's) first paid

⁶ Jeffrey M. Fitzgerald, *Poverty and the legal profession in Victoria* (1977).

lawyer, Julian Gardner, underlines the readily assumed link between social respectability and lawyers that existed then:

[There was an] old codger in the pub in Fitzroy who we overheard one night saying to this bloke at the bar, ‘My lawyer told me...’. And the other guy said, ‘What do you mean, your lawyer? You haven’t got a lawyer!’ And he said, ‘Yes I have, my lawyer told me...’. That story to me epitomised ... here was this old guy who’d never had a quid to his name, who was able to say, ‘I’ve got a lawyer!’⁷

To fully appreciate how radical CLCs were and the challenge to the status quo they represented, it is necessary to understand legal culture and practice at the time they began. The legal profession was composed largely of wealthy, private school-educated men from Anglo-Saxon backgrounds.

It also included strong ‘hereditary and tribal aspects’.⁸ At the time, to adopt Kerry Greenwood’s colorful turn of phrase, the profession ‘operated like an Old Boys’ Club where all the members had fond memories of grinding each other’s faces on the football field’.⁹ With no national legal aid system the profession acted as gatekeepers for legal services to those who couldn’t afford them.

CLCs have come into the legal mainstream over the years. As one CLC pioneer, Mick O’Brien, observes:

A mate of mine who was the coordinator of the Prisoners’ Aid Society – now VACRO [The Victorian Association for the Care and Resettlement of Offenders] – an Irishman, Matt Derham, he said to me, ‘Mick, this legal service you’ve started,’ he said, ‘It started as a maverick, and it just is getting so established and such a

⁷ Interview with Julian Gardner (Melbourne, 30th September 2008).

⁸ Mary Anne Noone and Stephen Tomsen, *Lawyers in conflict: Australian lawyers and legal aid*. (2006) p34; Michael Sexton and Laurence W Maher, *The legal mystique: the role of lawyers in Australian society* (1982) pp8 -9.

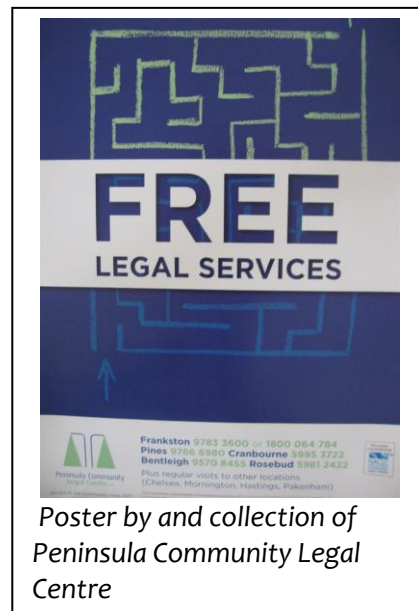
⁹ Kerry Greenwood, *It seemed like a good idea at the time: A history of the Springvale Legal Service 1973-1993* (1994) p3.

good name, you'll soon be respectable.' And I guess in a sense that that's the way it turned out.¹⁰

Many of the strategies first used by CLCs are now taken for granted as part of the legal landscape. In fact, during the 1990s, in a clear signal that CLCs had 'arrived,' the then-federal government committed to funding a number of new CLCs in rural and regional Australia. Admittedly, this commitment seems to have been prompted by the recognition that CLCs are an extraordinarily cost-effective solution to meeting a legitimate need for legal advice and assistance among lower-income groups, rather than by gratitude for their work in advocacy and agitation for law reform and social change. But it's a mark of how far CLCs had travelled over a very short period of time: in the 1970s, simply the existence of a service providing free legal advice to all comers was startling enough to make news headlines.¹¹

Ian Boag, a founder of the Frankston North Legal Service, recalls the time before that service began in 1977:

Legal advice wasn't accessible, it was too expensive. It wasn't available [to locals]. It was something they didn't understand. It was an enemy rather than a friend.¹²



¹⁰ Interview with Mick O'Brien (Melbourne, 18th September 2008).

¹¹ John Chesterman, *Poverty, law and social change: the story of the Fitzroy Legal Service* (1996).

¹² Victoria Erlichster, *From humble beginnings: a brief history of Peninsula Community Legal Centre 1977–2007* (2007) p8.

Emerging out of activism and lawyer radicalism CLCs broke ranks with the charity model of professional (ir)responsibility towards the poor. During the 1960s and early 1970s the United States and Australia were controversially involved in the Vietnam War and young men were called to serve amidst a storm of protest.¹³ It was also the heyday of civil rights movements.¹⁴ Civil disobedience and clashes with police were common as ‘protest and youth became synonymous’.¹⁵ Rapid cultural change and the unprecedented size of the youth demographic created a (generation) gap between the happening present and the moribund past. The position of women in society also changed dramatically, as feminists demanded a redefinition of the boundary between the public and the private and recognition of women’s human rights.¹⁶

Ageing patriarchs and conservative government frustrated the changes demanded by young radicals. Sir Robert Menzies, Australia’s longest-serving Prime Minister, an extreme Monarchist and enthusiastic Cold War warrior, dominated politics from 1949 until he retired in 1966 in his seventies. Conservative rule finally ended with the election of the Whitlam Labor government on 2 December 1972 under the slogan ‘It’s Time’. Within three weeks FLS opened its doors. John Finlayson recalls:

In the late sixties and early seventies we’d had a very conservative legal system, a living system. Under successive Liberal party governments that were very conservative. I’d probably qualify that a bit and sort of say Gorton was a bit different to all the others. But generally speaking they were very

¹³ Barry York, ‘Baiting the Tiger: police and protest during the Vietnam War’, in Mark Finnane (ed), *Policing in Australia: historical perspectives* (1987) pp171–187.

¹⁴ Gary Foley, *Black Power in Redfern 1968–1972*, (2001), The Koori History Website <http://www.kooriweb.org/foley/essays/essay_1.html>; <<http://www.kooriweb.org/foley/images/history/1970s/emb72/embassyindex.html>> at 14th October 2011.

¹⁵ Robin Gerster and Jan Bessett, *Seizures of youth: the sixties and Australia* (1991) p43.

¹⁶ See Donald Horne, *Time of hope: Australia 1966–72* (1980). In particular, see Chapter 3 on the protest movements.

very conservative, and the structures were conservative, the financial markets were conservative, everything was very straight.¹⁷

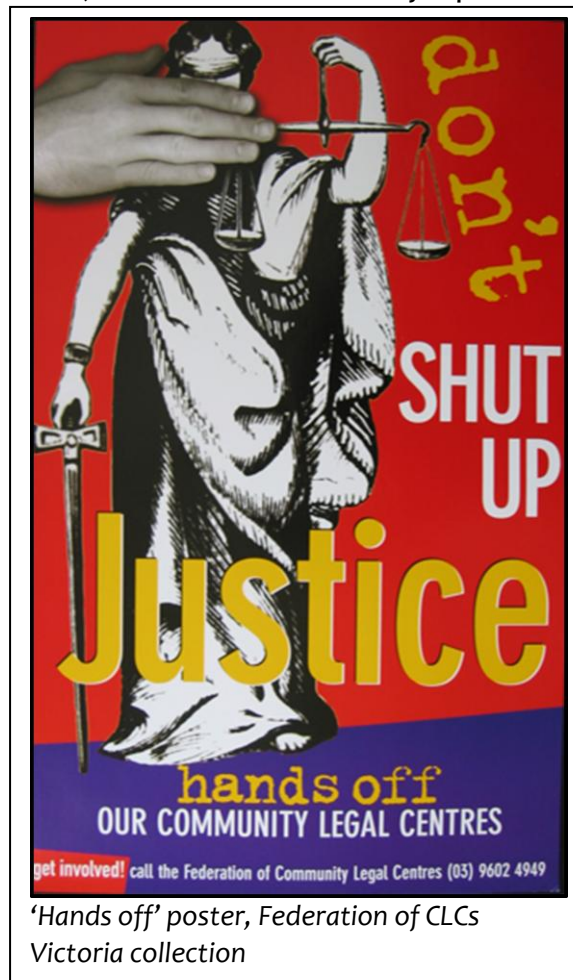
While anger and disappointment with conservative governments and structures was one element fuelling the emergence of CLCs, the forging of novel alliances was crucial in turning that anger into organised action. The anti-war movement created links between activists and lawyers. Two of the founders of FLS, youth worker John Finlayson and barrister Peter Faris, for example, met when the latter represented the former on an anti conscription related offence. The campaign to prevent the hanging of Ronald Ryan in Victoria 1967 also created important new alliances. Geoff Eames, who was to become an important figure in CLCs' early years, was active in that campaign as a law student.¹⁸ Lawyers combined with activists to found CLCs and once they were up and running many more became volunteers. Protests and passion for social change created fertile ground for CLCs and inspired others to join once they began.

In the inner city, CLCs were well serviced by barristers and local professionals. In some outer suburbs, such as Broadmeadows and Frankston, 'housewives' were often the driving force. The university connection, particularly access to law students, was significant in the formation of West Heidelberg and Springvale. But while local conditions created the circumstances that underpinned the beginning of CLCs, international precedents also helped set the scene. The early CLC movement was aware of protest movements and developments in the United States. Some CLC pioneers drew inspiration from Martin Luther King

¹⁷ Interview with John Finlayson (Melbourne, 30th September 2008).

¹⁸ For the anti-hanging campaign generally see Mike Richards, *The hanged man: the life and death of Ronald Ryan* (2002); for Geoff Eames's involvement in the campaign see pp313–314. For Geoff Eames at the Fitzroy Legal Service, see David Neal, *On tap, not on top: legal centres in Australia 1972-1982* (1984) p55; Chesterman, above n10, p31.

and the civil rights movement in that country. Others were aware of law programs in the US aimed at assisting the poor. Unlike Australia, the US had progressive Democrat presidents during the 1960s. In 1962, President John F Kennedy set out an agenda for consumer rights and two years later his successor, Lyndon B Johnson, declared ‘War on Poverty’. As part of this ‘war’ networks of ‘neighbourhood law offices’ were established in the poorest areas.¹⁹ The US neighbourhood law offices were not, however, the model for CLCs.²⁰ The US offices were a product of government ideology and funding. CLCs, on the other hand, were a grass roots, bottom up movement, unstructured, unfunded and fired by a passion for justice.



'Hands off' poster, Federation of CLCs
Victoria collection

¹⁹ Ronald Sackville, *Economic Opportunity Act 1964*, ss 201–11, 78 Stat. 516–20, p5.

²⁰ That the United States provided the model for Australia is often incorrectly assumed. See, for example, Frederick H. Zemans and Aneurin Thomas, 'Can community clinics survive? A comparative study of law centres in Australia, Ontario and England', in Francis Regan, Alan Paterson, Tamara Goriely and Don Fleming (eds), *The transformation of legal aid: comparative and historical studies* (1999).

CLCs worked to create a bridge between ordinary people and the law and to distinguish themselves from the establishment. The workplaces in which they were set up, their hours of operation, the relationship they fostered between lawyers, clients and non lawyers, the ways in which they conceived legal problems, the language they used, and their dress codes were all aimed at making law and lawyers accessible and distancing CLCs from the mainstream profession. In contrast with the mystique and elitism of broader legal culture, CLCs were informal, non-hierarchical and open to all. Out of necessity, CLCs set up in frequently shabby begged and borrowed spaces, often bunking in with other groups. They opened in the evenings to serve people who worked during the day – which also suited volunteers who often had day jobs.



Robin Inglis, Domenico Calabro and Jon Faine outside Fitzroy Legal Service, Domenico Calabro collection.

CLCs forged new relationships between lawyers and non-lawyers. The involvement of non-lawyers in providing legal services was an innovation closely linked to an holistic approach to legal problems.²¹ CLCs also sought to change the relationship between lawyers and clients – in the common language of the day, to ‘empower’ people to manage their own legal problems. The approach was *client-* rather than *lawyer-*centred and focused on a broad spectrum of social justice-related concerns. The incomprehensibility of legal language was another barrier CLCs strove to overcome. One of the ‘primary points of distinction of early community legal centres was that they were going to produce information and tell people about the law’.²²



²¹ For a discussion of the holistic approach see Mary Anne Noone, “They all come in the one door” The transformative potential of an integrated service Model: A study of the West Heidelberg Community Legal Service’ in Pascoe Pleasence, Alexy Buck and Nigel J. Balmer (eds) *Transforming lives: law and social process* (2007) pp96–97; Liz Curran, ‘Making connections: the benefits of working holistically to resolve people’s legal problems’ (2005) 12 *E Law – Murdoch University Journal of Law*, <http://www/Murdoch.edu.au/elaw/issues/v12n1_2/Curran12_1.html> at 14th October 2010.

²² Interview with Noone, above n1.

CLCs advertised their services and talked to the media, activities that were considered unethical for lawyers in the 1970s. CLC lawyers also dressed differently. Casual, even outlandish clothes separated them from what had, until then, been a uniform(ed), suits and ties profession. Sartorial statements were made in technicolour. According to one early CLC worker, Dick Gross, 'it was a complete fashion parade at legal service conferences. It was nose rings, earrings, blah blah blah'.²³ The clothes worked to distinguish CLCs from other parts of the legal profession: '[i]t was using clothing ...like a statement about our cultural and political differences'.

Upsetting the establishment did not impede the growth and popularity of CLCs – quite the contrary, it was a good thing, creating solidarity, and giving them something to fight against.²⁴ Kerry Greenwood, writing about the early days of the Springvale Legal Service, maintains: 'Every client sent away happy was a blow in the face to the Law Institute, who refused to recognise them, and the Victorian Legal Aid Committee which oppressed them'.²⁵

CLCs were not part of any articulated, overriding plan. The early centres, to use key words of the time, were 'unstructured', celebrated 'spontaneity' and operated in the spirit of 'do your own thing'.²⁶ Pioneers were making it up as they went along. Things were shambolic and there was a sense of fun. Legal service pioneers were inspired. It was 'a very exciting time'.²⁷ 'It was a

²³ Interview with Dick Gross (Melbourne, 24th September 2008).

²⁴ David Neal, Interview with Phil Molan. See Neal, 'Interviews: some founding mothers and fathers' in Neal, above n18, p62.

²⁵ Greenwood, above n9, p5.

²⁶ Horne, above n16, p42.

²⁷ Interview with Neil Cole (Melbourne, 26th August 2008).

great time. It was the best of times.’²⁸ The inaugural FLS newsletter confesses: ‘[t]his first edition is largely experimental, and certainly in haste’, and readers are extolled to ‘contribute, suggest, or complain, whatever your thing is’.²⁹ The title of Greenwood’s history of Springvale CLC, *It seemed like a good idea at the time*, likewise evokes the spirit of the times, claiming that when the service started in 1973 its ‘operational principles were basically intuitive and expedient’.³⁰ CLC pioneers were energised and inspired and it was infectious. Renata Alexander, a longstanding volunteer at St Kilda Legal Service, recounts:

We had a speech by Peter Faris [at Monash], who’s now a QC, and Peter had just done a stint in the Northern Territory [at the ALS] that a lot of lawyers were doing in the 1970s ... And I remember going home and saying to my parents, ‘I either want to work for Legal Aid, or the Aboriginal Legal Service, or some sort of community legal centre.’ So he was very inspiring about that.³¹

In synch with the times the CLC demographic was young, particularly in the inner suburbs. Many of those volunteering were young lawyers and non-lawyers and law students. Young people are often more fearless and idealistic and some CLC pioneers look back in wonder at how brave, naïve and passionate they were. One remembers she ‘wanted to change the world’.³² Neil Cole, the founder of Flemington/Kensington Legal Service, reflects on his younger self and how productive his inexperience was in tackling difficult or even seemingly impossible issues:

I was very naïve, and for that reason, because I was naïve, actually quite effective, because you didn’t think about [difficulties], you’d just run into brick walls literally and run through the brick wall in order to achieve what you achieved.³³

²⁸ Interview with Peter Gordon (Melbourne, 30th September 2008).

²⁹ Fitzroy Legal Service, ‘Editorial’ (1974) 1 (1) *Legal Service Bulletin*, pp2–3.

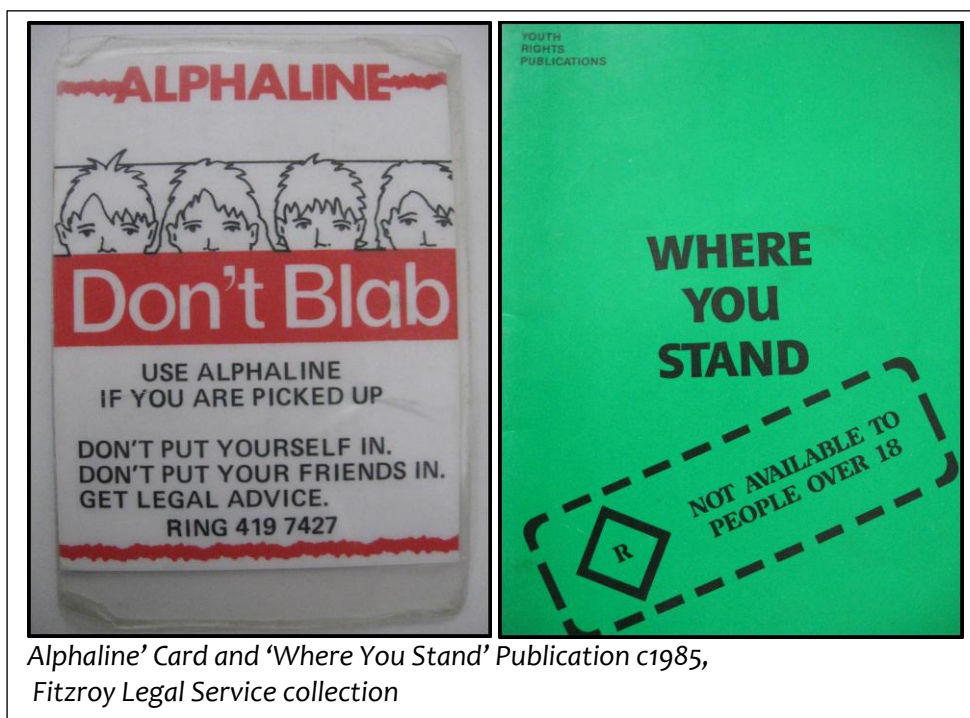
³⁰ Greenwood, above n9, p17.

³¹ Interview with Renata Alexander (Melbourne, 13th March 2009).

³² Interview with Alexander, above n29.

³³ Interview with Cole, above n27.

The early activities of CLCs were highly creative. CLCs were trailblazers in terms of packaging legal information: t-shirts, wallet-sized cards, condom wrappers, comics, posters, music video clips, pamphlets, and easy to read but detailed guides to the law were amongst the plethora of groundbreaking community legal education tools developed by CLCs.

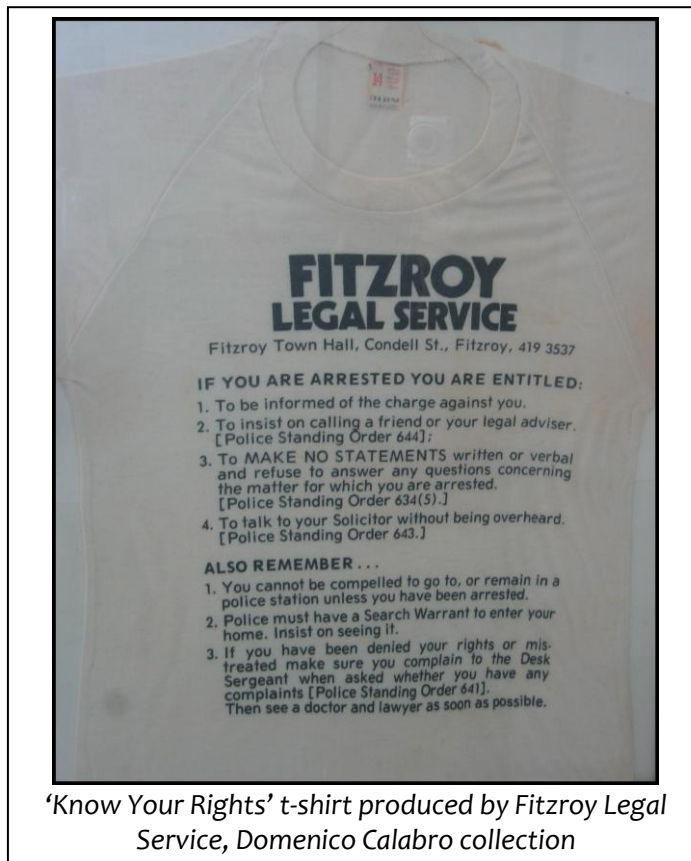


Alphaline' Card and 'Where You Stand' Publication c1985, Fitzroy Legal Service collection

Julian Gardner describes the stir that the first “Know Your Rights” t-shirt’ created:

Police Standing Orders were the only basis on which you could find the law written out which says you have a right to remain silent. It wasn't written anywhere else. The police standing orders were secret. Now we got a copy that fell off the back of a truck. And I came up with the idea of printing the relevant provisions on the front of a t-shirt. Now, that might not seem radical, but nobody had actually seen words on a t-shirt before, or almost never. T-shirts in those days were just one colour. And to have what looked like a paragraph on a t-shirt, people said, 'Oh, you've got words on it!' . . . I remember standing in a Fitzroy Post Office in Brunswick Street and all of the customers and all of the staff were having a discussion about your rights under arrest, because I was wearing this t-shirt. It was just magic. That sort of grass roots community education was just so new.³⁴

³⁴ Interview with Gardner, above n7.



'Know Your Rights' t-shirt produced by Fitzroy Legal Service, Domenico Calabro collection

Art was integrated into the campaign tactics of CLCs in entirely new ways. Street theatre was also used to great effect to make points. CLC lawyer Dick Gross remembers some of the many cases and stunts designed to attract media attention in which he was involved:

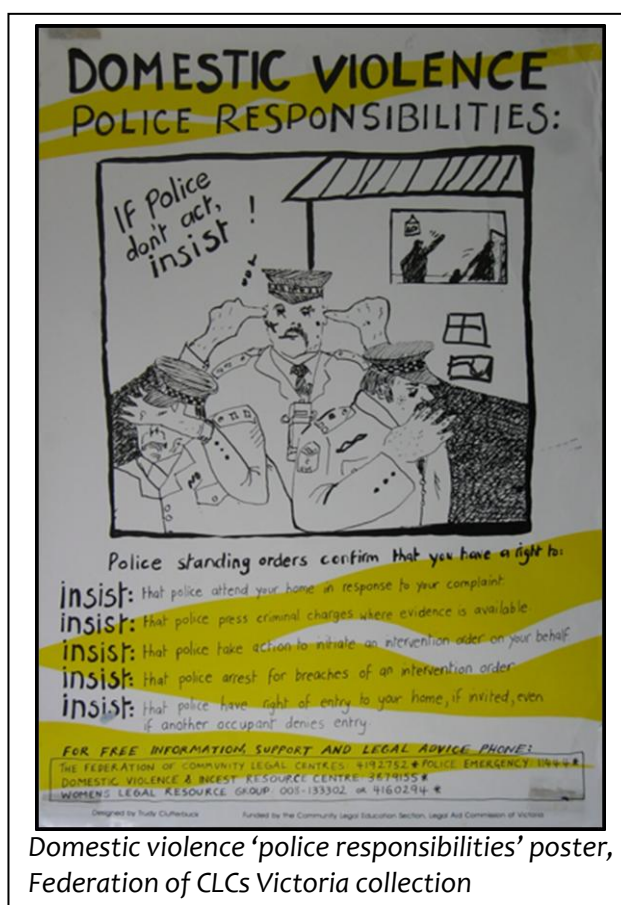
We would do anything to get into a stupid costume. I wore tights on so many occasions it didn't matter. Hanging was the most notorious, on the spurious basis that you might as well hang people as imprison them. It had no nexus to the Imprisonment of Fraudulent Debtors Act whatsoever. I still can't make the nexus in my own mind, but it looked good on the telly.³⁵



Vigil outside Fairlea Women's Prison c1992, Amanda George collection

³⁵ Interview with Gross, above n23.

Gross's lighthearted words belie the real seriousness of CLCs' work and the careful planning and dedicated effort behind the stunts. The list of CLC achievements and campaigns is long and cannot be honoured adequately here, but it includes achieving mandatory third party motor vehicle insurance; putting a stop to Waltons department stores' insidious debt-collecting practices; ending the use of chattel mortgages as security for low income earners' debts; working to make public and identifiable the problem of family violence, and to support victims of family violence;



Domestic violence 'police responsibilities' poster, Federation of CLCs Victoria collection

campaigns against police violence, including the long-running 'police shootings' campaign; campaigns for prisoner rights, including the campaign to keep Fairlea Women's Prison open; and achieving recent changes to guardianship and administration laws that now give VCAT the scope to appoint guardians to administer the affairs of missing persons. According to Mick O'Brien, one of the greatest achievements of CLCs is also one of the

most fundamental: he suggests that it is largely because of the work of CLCs that legal representation is now seen as a basic right in serious criminal matters.³⁶



Signs used in 1990 protests outside the Coroner's Court, during the 'police shootings' campaigns, Flemington Kensington Community Legal Centre collection

This exhibition showcases just a small number of tangible but fragile records of CLCs' work over forty years, drawing upon ephemera that has been stowed in individual centres and stored in workers' and volunteers' homes. It includes samples of the creative and artistic community development and education work undertaken by workers and volunteers at different centres: posters celebrating justice and protesting injustice; cards and clothing proclaiming legal rights, promoting advocacy initiatives and heralding victories; legal information booklets (controversial comics and all); and mementos and markers of campaign work. Finally, we showcase

³⁶ Interview with O'Brien, above n10.

the abilities of workers to forge relationships and alliances with sugar - diplomacy cake and chocolate éclairs.

Above all, this collection is intended as an opportunity for us to reflect upon CLCs' growing body of work and to celebrate their history of irreverent rule-breaking, having fun, carrying on, managing through chaos, being brave, failing spectacularly, winning against impossible odds, making

Residents' fears becalm wind farm

Despite a world campaign to halt global warming, plans for our largest wind-power farm are on hold.

Grand Prix case dropped

Lack of money yesterday forced a Middle Park resident to drop a Supreme Court appeal, ending her three-year fight for Australian Grand Prix Corporation.

Girls challenge law over ice hockey ban

Two teenage girls are challenging the law that allows sports to ban females from playing ice hockey.

Child-care centres fighting to survive

Many non-profit community child care centres are struggling against closure in areas identified by the Victorian Council of Social Services as Melbourne's poverty "hot spots".

Court threat on hanging points

The Government faces legal action following private deaths in prison.

Mentally ill refugee facing deportation

The Federal Government is about to deport a mentally ill refugee to his home country.

Gay man claims insurer bias

A Victorian man has claimed that his life insurance policy was unfairly cancelled because of his sexual orientation.

Attorney-General's report

The Attorney-General's report on the legal system is expected to be released soon.

SIT DOWN GIRLIE

A woman has been charged with sexual assault after a trial and attempted to link them to the trial.

HIGH COURT HIJINK

Friday the 13th of February was certainly a lucky day for Heather Oland.

Public Interest Law Clearing House referrals in the media, 'Annual report 1997-1998' p10. Public Interest Law Clearing House Collection.

mistakes (lots of them), and having a go. It is a history made up of epic tales of what long-serving CLC volunteer and worker Charandev Singh calls ‘giant-slayers’: the volunteers, lawyers and activists in the most materially humble sector of the legal profession, who took on powerful corporations and institutions and won. It also incorporates what Singh terms small, everyday ‘lessons in powerlessness’ as CLCs struggled to redress or ameliorate gross injustice for individual clients and seek change at a broader, systemic level.³⁷ CLCs have survived for over four decades, retaining a connection to community as many other community services were forced to amalgamate and adopt corporate forms. They have maintained a commitment to social justice and most importantly a passion for justice. Using photographs and the testimony of individuals, we conclude here with the memories and insights of just some of the people who make CLCs and without whom they would cease to function.



Jude McCulloch, Megan Blair and Bridget Harris

³⁷ Interview with Charandev Singh (Melbourne, 28th May 2010).

Helen Constas – Chief Executive Officer, Peninsula Community Legal Centre



Helen, pictured at Peninsula Community Legal Centre

I have been privileged to be a part of the Victorian CLC movement since 1981, and have witnessed the sector strengthen and become more sophisticated in addressing barriers to justice, as well as providing high quality free legal services. I am pleased to see the pioneering spirit of CLCs still intact today, with bold test cases being run, fearless advocacy on law reform issues and innovative education and community development projects commonplace.

CLCs play a vital role in our justice system – not only in relation to the provision of free legal advice, casework and representation; but

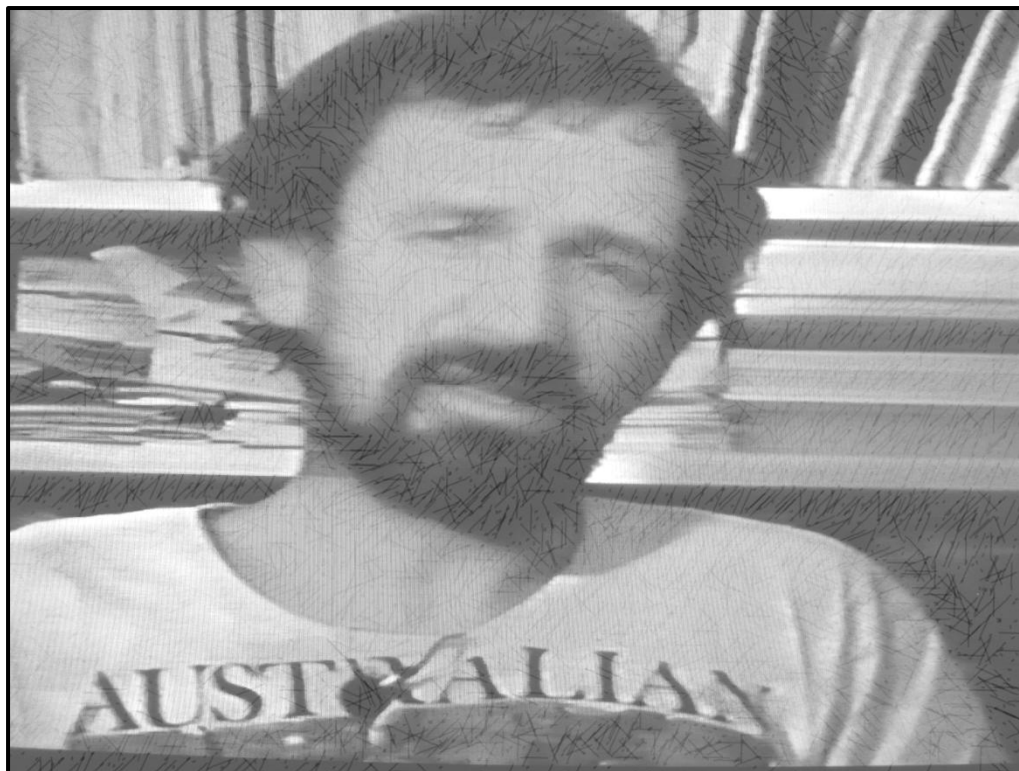
increasingly as a prominent and respected voice on law reform issues. CLCs do this whilst maintaining strong connections to their local communities, where they are an invaluable resource.

We are not likely, in our lifetimes, to see the fulfillment of our ultimate aspiration – to make ourselves redundant through education and empowerment of the community. However, we can take comfort in the knowledge that we have improved the lives of many people who had nowhere else to go, and served the interests of justice.

I have dedicated my career to improving access to justice for disadvantaged members of my community and more broadly. I

hope that all CLC workers and volunteers feel as proud of our work as I do.

John Finlayson – CLC pioneer: Involved Fitzroy Legal Service, Flemington Kensington Community Legal Centre, North Frankston Legal Service and Youthlaw



John, while being interviewed for a video produced by Fitzroy Legal Service

When we created the first community based free legal service at Fitzroy in December 1972, we knew that there were unmet legal needs within the local community, particularly with young people. From the outset all the lawyers and non-lawyers involved were volunteers. Within days of opening, the unmet legal needs and demands of the wider community became apparent. More than 100 people per night were queuing to access legal services, which were located in the basement of the Fitzroy Town Hall. I believe this was the spawning of the community legal centre (CLC) movement in Australia.

I will forever remember all those magical people, be they lawyers, non-lawyers, students and members of the community who were prepared to freely give their time, knowledge and energy, which created the formation of the CLC movement. Initially, there were many risks taken by these people to create this movement.

Within a few years the CLC movement became a reality. The provision of legal services to the community transformed the way the legal profession related to the community in the early seventies. It was my observation that the legal profession was stuffy,

removed, exclusive, authoritarian and imbued with prestige and power. Access to lawyers was definitely beyond the reach of the poor, marginalized and disadvantaged.

The outcomes are that the peoples of Australia have gained access to not only legal representation but also information about the law and the legal processes which impacts upon their lives. Justice and human rights is now available.

Without the CLC movement, free legal advice & representation, law reform, legal education and participation in legal process would not be readily available to the community. For example, there are now 49 Community Legal Centre's currently operating throughout Victoria.

I recall Justice Michael Kirby saying to me when he was a Justice of the High Court of Australia, "I think that the most significant law reform in Australia is the formation of the community legal centre movement." I believe that the CLC movement creates possibilities for transformation to occur in the law that overcomes

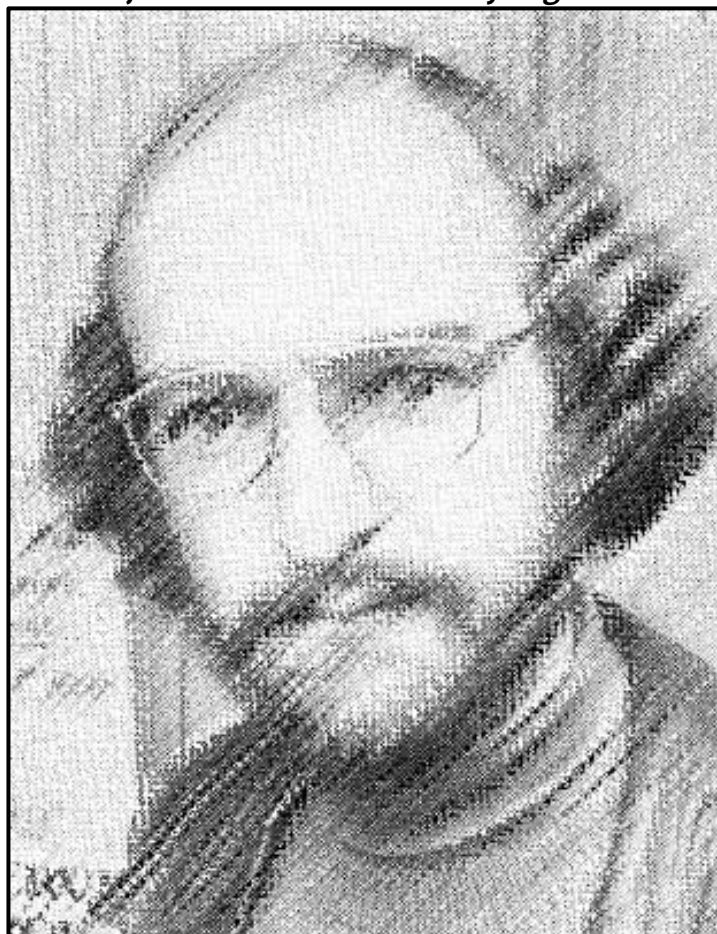
injustice, inequality and the denial of human rights.

From my experience voluntary participation by lawyers and non-lawyers is the talisman of the CLC movement. The other characteristic that I think is unique to the life of the community legal centre movement is the ongoing participation of the local community in the operations of the CLC. The Flemington & Kensington Community Legal Centre is a good example of what I believe is a dynamic CLC because the local people are its life-blood. They own it.

Over a period of more than 30 years I was blessed to be part of the CLC movement. I was fortunate to work and be with so many dynamic lawyers, non-lawyers and community members who really care for and love people. They know who they are. I gained so many insights about the law and became even more enrolled because of these inspirational people.

I celebrate the CLC movement. May they continue to flourish, embrace justice, uphold human rights and provide legal service across Australia.

Julian Gardner – First full time worker at Fitzroy Legal Service



Julian, featured in the 1975 'Fitzroy Gazette'

It was serendipitous good fortune to have been in Fitzroy in the 70s and to be part of the nascent Fitzroy Legal Service: to be where change was happening and to a part of that change. For me it was a chance to make the law work creatively having by then spent five years in the law, an institution that I saw protecting property, privilege and power, that had remained unmoved by the Age of Aquarius and flower power and which was assisting to coerce those who said “no” to the Vietnam war.

It was a time of opportunity to make the law a positive force: to make it an agent for social change. It followed a period of stolidity against which the opening of a community legal service was initially seen as threatening the establishment, while almost anything we did was seen as new and original.

Undoubtedly, the energy and enthusiasm of those who volunteered in the new FLS was directed by some clear principles and policies. However, to suggest that there was a coherent articulation of a theory or model

would be to reconstruct history using hindsight. The reality was a chaotic experiment.

When I started work as the only full time CLC lawyer I could never have contemplated that this experiment would not only

survive almost 40 years but that it would be replicated elsewhere and would thrive. That it did is testament to the energy and skills of those who have worked and continue to work in CLCs and the fact that there remains a long way to go on the road to justice for all.

Amanda George – Involved with Women’s Legal Resource Group, Northcote Legal Service, Fitzroy Legal Service, West Heidelberg Legal Service, Essendon Legal Centre, Federation of Community Legal Centre Victoria, Disability and Discrimination Legal Service, Brimbank Community Legal Service, Western Suburbs Legal Service



Amanda, ready to address a rally on women and prison on the steps of the Parliament House, dressed as a bride hoping to bypass police lines

CLC life...

Strong and long friendships made

Sharing a politic and working where we do, because of it

Feeling the shared commitment of wanting to make a difference and being unafraid to challenge the state and the hands that feed us

Taking the time it needed to work with clients

Being inspired by the extraordinary women in the sector. Women had key roles, worked collaboratively not competitively, horizontally not vertically, worked creatively with other sectors

Management committees that respected the experience and integrity of workers to inform the work of the CLC

A sector that was activist and supportive of anti prison work

because they understood that people in prison epitomize the injustices of poverty, sexual abuse, violence in the family, homelessness, entrenched racism and compounded inequality

Seeing the light bulbs go on for people in CLE sessions

Working in centres that had CD workers and learning their skills to enhance all our work

Feeling the excitement at National Conferences, knowing that as soon as the band started we'd all be up dancing

Being able to use posters, spraycans, street theatre, leaflets, whatever it took to get our message out

Being able to take my dog to work, seeing how much it relaxed

clients having a pat and seeing stressed workers smile

Having a credible voice with the community, politicians and media because we are LEGAL centres

Going to working group meetings and coming up with mad and fantastic ideas

Knowing that you were politically supported by others in CLCs and that we are big picture thinkers not narrow legal rails travellers

Using your fury

Being supported by committees to write, speak, advocate and do media releases – without having to get prior approval - being trusted to make mistakes

Laughing together at the rise of the suit, not laughing as their mentality seeped in

Robin Inglis – Chief Executive Officer, Fitzroy Legal Service



Robin, working 'Alphaline' at Fitzroy Legal Service

I've worked in and out of CLCs over the last 31 years.

They are special to me for their independence; their multi skilled work force-including volunteers and their capacity to tackle justice issues in diverse and sometimes creative ways.

Independence is important if you are going to have the flexibility to critique governments and other powerful stakeholders in the justice field.

A multi skilled work force drawing on different skills and experience is essential if you are going to conduct advice, community legal education, campaigns, casework, test cases, legal and extra legal

advocacy, law reform and community development.

The capacity for CLCs to cross pollinate ideas within a diverse practice happens within centres and between centres. In the last decade the capacity of CLCs to work more effectively with other legal aid sectors and with other community and business organizations has continued to develop.

Each legal centre that I have worked with has had some common issues but they have had some issues which are innately part of their history and geography and the nature of the community they serve. They all have differences and strengths.

My time at the Victorian Aboriginal Legal Service highlighted the enormous strengths of people in that service and that community and the incredible challenges they face from Government, the legal system and direct and indirect discrimination by many non Aboriginal Australians.

This highlighted for me the importance of respect for culture and the importance of legal pluralism. It also introduced me to work of Professor Larissa Behrendt and need to keep working towards both formal and substantive Equality.

More generally it has been an opportunity to work with many fantastic friends and colleagues.

Genevieve Nihill – Longtime Flemington Kensington Community Legal Centre worker and volunteer



Genevieve, as featured in a 1980s report produced by Flemington Kensington Community Legal Centre

Community legal centres can change lives. They certainly changed mine. Floundering, not knowing why I was studying law, I found legal centres. CLCs gave me an immediate and practical reason for learning the theory, they gave inspiration, energy and focus, a sense of purpose, a community of immense breadth and diversity, satisfying work, lifelong friends.

CLCs punch way above their weight. I remain amazed at how

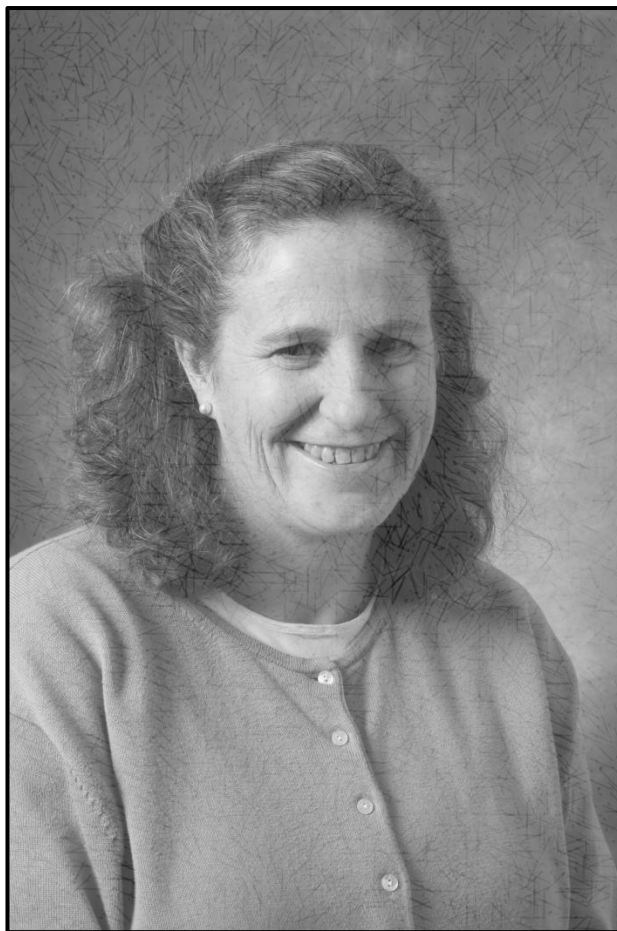
much they do with how few resources. CLCs run large caseloads and complex, demanding law reform and education work on truly tiny budgets. The work is often exhilarating – big test cases and campaigns, successful because of the commitment and energy of those who work and volunteer in CLCs, and because of the huge capacity CLCs have for drawing in support from other community agencies, the wider legal

profession, academics. The work is also often quietly satisfying – legal work done carefully and well for people who would otherwise not have access to a lawyer – the privilege of being able to offer whatever is needed without having to worry about generating an income from the relationship. And looking over the long term it is encouraging and sustaining - seeing unjust laws, policies and practices slowly changing, largely because of the consistent, optimistic, principled and persistent efforts of community legal centres and the people who have been (or are) workers or volunteers in them.

Laws have always looked more complicated than they really are,

and CLCs have long been experts at making them comprehensible to people. I think CLCs are so good at this, as at so many other challenging tasks, because they are made up of and open to the most diverse possible mix of people and skills and ways of thinking. They draw on the wisdom and expertise of thousands of workers, volunteers, clients, board members, supporters, community representatives, allies and donors. They bring this complexity of experience and freshness of vision to unfair, uncomfortable, unjust pressure points in the legal system. We are lucky to have them.

Mary Anne Noone – Involved with Tenants Union, Springvale Legal Service, West Heidelberg Legal Service



Mary Anne, at La Trobe University

Community Legal Centres have been an integral part of my working and personal life for the last 33 years. I have been a volunteer, community lawyer, management committee member, academic researcher and clinical legal educator. I feel privileged to have had the opportunity to work in CLCs and am thankful for the friendships and camaraderie that have been a constant aspect of my adult life.

Reflecting on the history of Victorian CLCs reveals many examples of creative responses to

unmet legal need, innovations in legal service delivery, and dogged pursuit of injustice. Some of those that I was involved include: in 1978 the Tenants Union organised a sophisticated tenancy law reform campaign; at Springvale during the 1980s legal support was provided to activist housing and squatting groups and community development initiatives; Federation working groups developed a range of innovative community legal education projects and law reform campaigns; and the establishment of the Welfare Rights Unit created

a distinct service delivery model to address an area of unmet legal need.

The CLCs approach is now mainstream as illustrated by the Commonwealth Government's current National Partnership Agreement on Legal Assistance. The agreement encourages preventative legal services, collaboration, resilience (empowerment) of clients and early intervention.

However, substantial issues of inequity in housing, income security, health and education remain in Victoria. As those who work in CLCs know, and empirical

research now confirms, there are often links between legal problems and other aspects of an individual's life. A significant achievement of CLCs is that they have given voice to the legal concerns of the poor, disadvantaged and those suffering discrimination. Drawing on a legacy of activism, the major challenges facing CLCs in the future are how best to provide services that continue to recognise and address the complex nature of people's problems as well as working to redress the underlying systemic issues that impact on the poor and disadvantaged.

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The Federation of CLCs Victoria, Casey Cardinia Community Legal Service, Fitzroy Legal Service, Flemington Kensington Community Legal Centre, Public Interest Law Clearing House and Peninsula Community Legal Centre, who shared their history and collections.