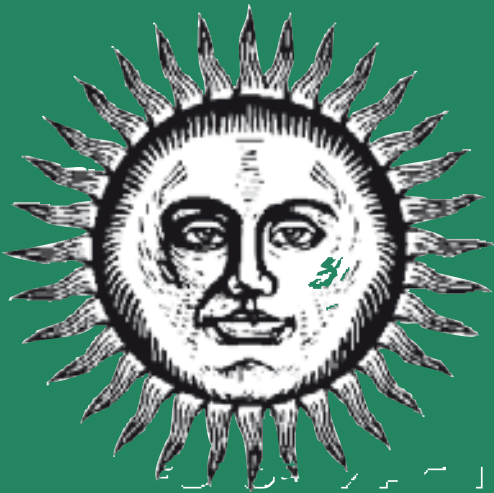


## The Green Issue



**Legal Aid goes green**

# Contents

## Features

- 1 New Attorney General
- 2 Discrimination toolkit
- 5 Wollongong migrants
- 6 New civil lawyers
- 6 Wing warming
- 7 Aboriginal news
- 8 Vale James Dagnall
- 9 Bankstown good service
- 10 Dora in Aurukun
- 11 CLE target blitzed
- 12 Stay healthy program
- 13 Language guide
- 13 ALS fellowship
- 15 Fulbright award
- 16 Schools program
- 18 LawAccess NSW turns 5
- 18 Links for lawyers
- 20 Darfur refugees
- 21 Green eco feature
- 27 Dispute resolution
- 28 Family Relationship Centres
- 29 CASES
- 30 State coroner
- 31 Busy Gosford
- 31 CLSD – new members
- 33 Bye to Billie Brace
- 33 Farewell Peter Cooney
- 36 Family law panels
- 36 Buyers beware!
- 37 Training news
- 37 Veterans—recent conflicts
- 38 Webcams
- 39 Lifestyle change
- 40 Life after Legal Aid
- 41 Fishy story
- 42 Aged care
- 42 Civil training
- 43 & 44 Sport



## Regulars

- 4 New faces—Penrith
- 12 Tongue in cheek
- 14 Profile—Rania Saab
- 20 Omni Eye
- 27 New face—Suzie Cornish
- 32 Who's going where?
- 44 Dear office guru
- 45 Letters

## Case reports

- Case reports
- 34 Civil Law
- 35 Family Law

## Covers

Green feature. See pages 21-26.

Back cover: Strategies for a greener Legal Aid

# Verbals — looking for a new name!

It's been put to a number of us in the Strategic Planning & Policy Division (SPPD) from staff all over Legal Aid NSW that the name *Verbals* is dated (so 80s!) but more importantly – it's not inclusive (as a name only) to many staff working outside the criminal jurisdiction. So, we've decided to do something about it. Without making too big a deal, we've decided to use this opportunity to seek a new name and also ditch the idea of having two separate newsletters (a hard copy *Verbals* and an online *e-Legal Aid News*).

With regard to having just one publication...that's the result of feedback we've received from people outside our organisation asking to go on a *Verbals* mailing list because they enjoy the human interest style of *Verbals* much more than the corporate-style *e-LAN*.

Now, back to *Verbals* and future editions, we will still have the same emphasis on our achievements, case reports, community legal education initiatives etc. We will also still have loved regulars including letters, profiles, *Omni Eye*, *Tongue in cheek*, *Who's going where?*, *Dear Office Guru*, etc. And yes, Miranda will still have to chase you up and send you that first draft (and then chase you up again). It's fabulous to have a hard copy of something regular and familiar, that's not too serious (most of the time) in these ever changing times of CASES, ATLAS and the like.

This re-naming article also gives me the opportunity to state, on the record, that I think Miranda Jakich and designer, Marta Madison, do a superb job with pulling together our staff newsletter and the silver-award winning Annual Report (we are going for gold this year). Miranda seamlessly co-ordinates and distributes over 50 publications,

writes many Legal Aid NSW speeches and media reports, is our photographer, and still finds time to help Kirsten Cameron out with a stack of community legal education stuff.

In the spirit of democracy (Miranda's idea) we are going to have a little competition. The competition is for a new name for *Verbals*. Email or phone your ideas to Richard Funston by end of July 2007. We are seeking a name that is inclusive, modern, stylish, politically correct (no apologies for that) and, in time, a name we will be proud of.

A suitable prize (and the glory) is on offer.

**Richard Funston**  
**Director Strategic Planning and Policy Division**

Peter Pulicino from the Legal Aid Program of the Commonwealth Attorney-General's Department, picked up a copy of *Verbals* while visiting Sydney and shared it with his colleagues back in Canberra. He writes:

**"Verbals is a high quality publication, and a very good read to boot. We actually very much enjoyed reading about the personal stories, those are the real highlights for us. I must say that Issue 45 was read voraciously by most people here. Although your online eLAN is still very interesting, I prefer Verbals as a means of getting people to read what is in there and learning about legal aid culture. It also has the advantage of being in hard copy, making it more inviting than reading eLAN on screen.**

**I found the content in Verbals informative, and useful in keeping up to date with latest developments in your commission, we are often asked here what commissions are doing...**

**Keeping abreast of what's going on, helps us think about the way legal aid is evolving and meeting its challenges."**

# A **new** Attorney General

**Legal Aid welcomes the Hon. John Hatzistergos, BEc LL.M. MLC**

Our CEO Bill Grant met with the new Attorney General, John Hatzistergos on 17 May 2007. Before that Legal Aid had provided Mr Hatzistergos with an extensive brief that included information in relation to our philosophy and priorities, the work of legal aid, measures taken to target assistance to vulnerable client groups, our finances, organisational status, governance, management and staffing, recent initiatives, priorities and upcoming developments and our partnerships with justice agencies.

Mr Hatzistergos is also the Minister for Justice, and therefore the Minister responsible for the Department of Corrective Services. Having been a solicitor in private practice and with the Commonwealth DPP from 1983, and a barrister since 1989, Mr Hatzistergos is well placed to understand our business.

Legal Aid looks forward to working with Mr Hatzistergos in ensuring that people who are socially and economically disadvantaged can understand, protect and enforce their legal rights.

## **Attorney visits Drug Court**

Legal Aid staff (see photo below) at the NSW Drug Court welcomed the opportunity to meet our new Attorney General in May when he attended a special ceremony at the Parramatta Court Complex acknowledging the court's 200th graduate.

The Drug Court program, which commenced in 1999, provides rehabilitation opportunities for serious, long-term repeat offenders from western Sydney.

"Successful Drug Court participants have made long term changes to their lives, and it can be a privilege to witness those transformations," said Senior Drug Court Judge Dive. "They work very hard on their recovery, with the collaborative support of government and non-government organisations, to achieve real change to their lifestyles and offending behaviours."

The Drug Court constantly reviews the progress of participants, and those who are not making progress towards program completion, or who represent an unacceptable risk to the community, are returned to custody to serve their sentence.

"The Drug Court of NSW is a partnership between the criminal justice system and the health treatment system," said Judge Dive. "Over the eight years of the Court's operation, it has protected the public from crime by reducing the criminal activity of those who are likely to recommit offences."

Legal Aid Drug Court lawyer Debra Maher says, "As a Legal Aid lawyer in the Drug Court, there is a special opportunity to witness our clients making profound changes to their lives. There were four graduates at the ceremony witnessed by the Attorney General, and each one of them has transformed their lives in the time on the program. All three male graduates are now in full-time employment and have stable housing. The female graduate has had her DoCS file closed after many years of care issues, and also now has stable housing. Each of them has also started re-connecting with family and friends after many years of isolation. To actually be able to see these rehabilitative changes, rather than simply address the court at sentence on how a client has the potential for this rehabilitation, is a very rewarding experience.

"It is very encouraging that the Attorney General has shown such an interest in our court, and makes us hopeful of the program expanding beyond western Sydney into other areas of need. I would urge all Legal Aid crime solicitors to consider spending some time working in the Drug Court."

*(L to R): Damian Wallace (DPP), Jason Lee (DPP), Denise Sexton (DPP), Faye Austen-Brown (Legal Aid), Rebe Atkins (DPP), Adam Wood (Police Prosecutor), Teena Peters (Legal Aid), Debra Maher (Legal Aid), Alexander Reetov (Legal Aid), Attorney General John Hatzistergos, Sue Jefferies (Clinical Nurse Consultant), Judge Dive, Tracy Reynolds (Legal Aid), Filiz Eminov (Acting Registrar), Jane Muggleton (Clinical Nurse), Angela Mitchell (Judge's Associate), Anton Poder (Attorney General's Department).*



# New toolkit tackles **discrimination**

A new discrimination toolkit has been called 'a brave book that is practical and free' by one of Australia's best known human rights advocates.

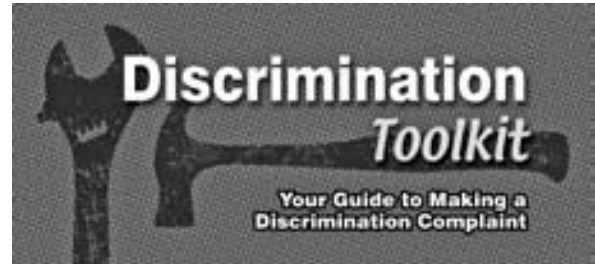
*The Discrimination Toolkit – your guide to making a discrimination complaint*, was launched in Legal Aid's Sydney reception lounge as part of Law Week on Wednesday 28 March by The Hon Elizabeth Evatt AC.

The kit is intended for people who are affected by discrimination and want to do something about it. Containing 150 pages, it guides people through making a discrimination law complaint and taking a discrimination law case to a court or tribunal, and is also available online.

The toolkit is the product of cooperation between several groups, all committed to improving community access to law – Elizabeth Evatt Community Legal Centre (EECLC), Kingsford Legal Centre, Legal Aid NSW and the Australian Institute of Administrative Law.

Its authors, Meredith Osborne (EECLC), Fiona Pace (Legal Aid NSW) and Teena Balgi (Kingsford CLC) have created a resource that, although easy to understand, tackles tricky areas such as choosing between federal and state jurisdictions.

"It steers a course through all this complexity to help people decide how to proceed in individual cases," Ms Evatt says. "It will help those who work directly in the ant-discrimination field, community services which may be asked about the issues, and those who have the courage to take action on their own behalf."



In a sweeping speech, Ms Evatt talked about historical landmarks in the fight against discrimination starting with the abolition of the slave trade, to United Nations conventions, racial discrimination laws in Australia and the High Court Mabo decisions. "But despite the laws, there are gaps in our legal protection against discrimination. Australians do not have the general protection against discrimination of any kind that is called for by international standards. This is not an academic issue. People who experience certain kinds of discrimination fall through the cracks in the system of legal protection. So complex are our overlapping State and Commonwealth laws, that protection will be of little value if it is not known and understood by those entitled. The right to equality before the law and before courts and tribunals cannot be effective without the knowledge and means to proceed. Enter the *Discrimination Toolkit* which will prove to be a valuable resource to everyone affected by discrimination, and to those who are asked for advice and assistance."

CEO Bill Grant says the impressive new kit is an example of what can be achieved through effective partnerships. He thanked the authors for a fine job and also commended community legal centres (CLCs) on the excellent work done in providing legal information, advice and representation for so many people who otherwise would be left unable to insist that their rights be respected.

Ms Evatt also paid tribute to CLCs. "Long may they continue to give a voice to those whose rights need to be represented."

Over 2,000 copies of the kit have already been distributed to Legal Aid regional offices and key service providers and a second print run has been ordered to cope with ongoing demand.

Contact Publications (Tel 9219 5028 for copies) or download from our website [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au) – Publications, Civil Law.

**Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner and acting Race Discrimination Commissioner and John McKenzie from the Aboriginal Legal Service.**





Authors celebrate L to R: Teena Balgi, Meredith Osborne and Fiona Pace.



Above: Authors and speakers L to R: Teena Balgi, The Hon Elizabeth Evatt, Meredith Osborne, The Hon Justice Margaret Beazley, Fiona Pace, CEO Bill Grant.

**“All forms of discrimination violate the right to equality and diminish the enjoyment of rights by the targets of such discrimination. There should be recourse and remedies for all kinds of unfair discrimination.”**

*Elizabeth Evatt*

## Judge backs his learned colleagues

A Wollongong District Court judge has defended the quality of lawyers employed by Legal Aid and the Aboriginal Legal Service.

In a speech to mark the opening of Law Week Judge Paul Conlon said a common misconception he heard was: “It’s only a legal Aid lawyer.” Judge Conlon said about 90 per cent of the public defenders he had worked with in Supreme Court matters were from Legal Aid and the ALS.

“If you really got into that sort of trouble, facing those sorts of crimes, those lawyers from the Legal Aid NSW and the public defenders, you could not get any better representation than that,” he said.

“They are full of not only professional and experienced lawyers, but lawyers who are dedicated to what they do.”

The judge said Law Week was an opportunity to teach the public about those services and dispel misconceptions surrounding the legal world.

## Next edition: Aboriginal focus

**September Verbals will be an Aboriginal edition.**

**If you are involved in Aboriginal projects or services, send your ideas, papers or any questions to Director Aboriginal Services, Carol Thomas by 20 July 2007.**

**We’ll also publish your photos from NAIDOC Week or Aboriginal community legal education sessions.**

**And there’ll be lots of information about inter-agency initiatives happening across the state.**

**Please contribute your ideas!**

## Penrith heroes

Meet the two superheros of civil law in Penrith: Andrew “Incredible Hulk” Langley and Paula “Wonder Woman” Novotna, and our battling legal services officer Robyn Burgum.

This fearless trio is setting up the free civil law advice, which includes referrals as well as representation, to meet the needs of the half a million people in the greater Penrith, Mt Druitt and Hawkesbury/Nepean areas. These heroes straddle the great divide between Parramatta and Dubbo (the next civil office).

In our first three months, with expert guidance from the Head (Office) Command And Control centre, we are keeping apace with our missions. And thanks to Robyn our rescue operations are on target. Here is what we’ve been up to:

### To the rescue...

- With two days lead time, we successfully applied to the Supreme Court to extend a Caveat on behalf of two elderly NESB parents who had been defrauded by their son in the purchase of their unit home. The parents had contributed 2/3rds of the purchase price only to have the son pocket the money and register the property in his name only.
- Drafted statements & submissions to the CTTT for a Sudanese couple being pursued by a non-government Education Office for full arrears in their daughters’ school fees, contrary to an agreement made with the school itself for payment of a reduced amount. The clients were able to negotiate an agreement to pay only \$900 of a claim of almost \$3,500.
- Successfully applied for a hardship variation of a credit card contract on behalf of an elderly widow.
- Took on a race discrimination case of a Somalian mail room worker who was harassed on a daily basis for five years while working in a government department.

### Our helpers

- We announced our presence to other heroes who may join us in our missions through referrals and partnership. We had meetings with local community legal centres (Elizabeth Evatt, Mt Druitt and Hawkesbury/Nepean); with Chamber Registrars at Penrith, Mt Druitt, Windsor and Richmond Local Courts. We also met with the Penrith City Council Community



*Superheroes: Andrew “Incredible Hulk” Langley and Paula “Wonder Woman” Novotna—an unstoppable force in the eternal fight for justice.*

Services Manager and staff; the Blacktown City Council Aboriginal Community Development Worker, and made contact with the Penrith Financial Counselling Service.

- We have worked with Marta Madison, graphic designer, to create flyers promoting the super hero mission, code-named ‘civil law service’ at Penrith. We intend to have regular interagency meetings and have grand plans of co-ordinating a strategic legal services delivery forum in the greater Penrith area.

The heroes are still learning the rules of combat and rescue, as outlined in Legal Aid policies and procedures. We also offer advices on two days each week, take on unsustainable amounts of minor assistance and conduct a periodic outreach advice service to Emu Plains Correction Centre. We are investigating and planning a targeted outreach to Aboriginal clients in the Mt Druitt/St Marys area.

## Parramatta Kid’s Court

The Parramatta Children’s Court opened in November 2006. There are currently three criminal courts and three care courts operating. The Legal Aid office at the court is State of the Art according to Senior Solicitor, Children’s Legal Service, Teresa O’Sullivan, but there are a few teething problems with the courts and the custody areas that need to be sorted out. The CLS continues to operate at Bidura Children’s Court in Glebe, Campbelltown Children’s Court and Cobham at St Mary’s as well as Parramatta.

# Migrants learn about the law

More new migrants are finding out about Legal Aid as our multilingual audio CD embarks on a regional journey.



Matt Turner with migrants Lucina Tu Norrison, Salvator Ndaruhutse and Rebecca Abit. (Photo supplied by Illawarra Mercury).

After its sensational launch in Auburn during Refugee Week (October 2006), the audio visual CD *Welcome to Legal Aid* is now taking centre stage in a series of regional workshops aimed at helping migrants learn about Australian law and legal aid services.

On Friday, 11 May 2007, Wollongong civil lawyer Matt Turner presented a free community workshop at Illawarra Multicultural Services for 53 people eager to find out more about their legal rights and how Legal Aid and Multicultural Services can help them.

Matt presented the workshop with the help of community workers and interpreters who spoke African languages including Dinka, Swahili and Burrundi.

“It is important for everyone to understand that there is always something you can do to deal with legal problems and that you should get advice quickly when things go wrong,” Matt said in an article that appeared the next day in the *Illawarra Mercury* newspaper.

As many participants had left behind very turbulent and corrupt political and legal systems, their questions were coloured with fear, including: Can the police turn up in the middle of the night and take me away? What exactly can the police do in Australia? Others wanted to know how to get a driver’s licence or find somewhere to live and what their rights were as tenants. They were also very

interested to learn that unlike their countries of origin, Australia’s legal system separated the courts from police. Those who had been here longer asked questions about worker’s compensation and immigration.

Matt was blown away by the level of interest from participants who approached him after the workshop for copies of speakers notes.

“I don’t always get that level of attention in a community legal education event,” Matt says. “They were very happy to know where Legal Aid was located and that we were ready to help.”

Even the interpreters were happy. Until now, they had never been paid for providing interpreting services in their languages.

## Other workshops

On Wednesday 13 June 2007, A/Regional Program Coordinator (Family Law) Dina Lioumis and Community Legal Education Coordinator, Kirsten Cameron presented the CD to 120 women from Afghanistan in Bankstown with the Bankstown Area Multicultural Network.

Civil lawyer Jerome McClintock will present a similar workshop in Newcastle, together with Northern Settlement Services. Over 50 people have put down their names to attend.

*Welcome to Legal Aid* has been so popular in its short distribution span (2000 copies in 9 months) that Publications is already re-ordering more CDs. This time there will be three separate CDs, one for people from Middle Eastern countries, the other two divided into two different regions of Africa.

## STOP PRESS • STOP PRESS • STOP PRESS • STOP

The Department of Immigration and Citizenship (in Canberra) saw the story in the *Illawarra Mercury* about the African/ Middle Eastern CD following Matt Turner’s recent workshop. They have ordered our CDs to take to Africa for workshops for refugees pre departure to Australia.

The CD will also feature in the second report of *Quarter way to Equal* as a best practice example of services to migrant and refugee women in NSW. Written in 1994, the first report deals with barriers to access to legal services for immigrant women. The original report made 53 recommendations.

## Civil lawyers get acquainted

The Civil Induction Day held at head office on 26 April was considered a great success by all who participated. Aimed at the new recruits to the newly established civil practices, the day also attracted some new recruits from head office. A busy day was made up of the essential but dry topics of policies, delegations, costs disclosure, trust account procedures and extensions, as well as talks on community legal education, conflicts, what Grants is doing in promoting the civil program to private solicitors, and the role of the Client Assessment and Referrals section.

Evaluations returned at the end of the day indicated a very high degree of satisfaction overall but some concerns about the amount we tried to fit into the day and some regret that it hadn't been possible to do the day closer to the time some people started.



*L to R: Michael Walton, Liverpool; Susan Grey, Gosford; Paula Novotna, Penrith; Mary Lovelock, Gosford; Andrew Langley, Penrith; Megan Pikett, Nowra.*



*Neil Richards gives the new space the thumbs up.*

## Wing warming

**You've heard of the West Wing but now we have the North West Wing, right here in Campbelltown.**

On 12 April 2007 our Campbelltown office formally commemorated the opening of its NW wing. The wing houses the new Civil Section (lawyers Damien Hennessy, Rachel Bickovsky and assistant Bernie Cummins) and care and protection lawyer, Neil Richards. The ribbon was cut by Office Manager Julie Ausburn, described by Damien as "tireless in her efforts of coordinating everything that needed to be done to ensure that we had a fully renovated, furnished and functioning office space". A fantastic time was had by all.



*Julie Ausburn cuts the ribbon to the new wing watched by Damien Hennessy and Rachel Bickovsky.*



# NAIDOC

**This year marks the 50th Anniversary of NAIDOC Week which will be from 8-15 July 2007.**

Legal Aid NSW is about to embark on a new Aboriginal Services Delivery Plan, which includes recommitting to Aboriginal employment. It is timely that regional offices are able to build up friendships and networks with Aboriginal people and organisations.

We have asked each regional office to host or co-host a function with the Aboriginal community during NAIDOC. This could be something small, for instance, a morning tea with community members, co hosting lunch with the local Aboriginal Legal Service, a bbq for the local children etc.

The Strategic Planning and Policy Division will contribute \$200 to each regional office to support their event. More information on NAIDOC can be found at [www.naidoc.org.au](http://www.naidoc.org.au) If you need any additional help, you can contact Carol Thomas (9219 5109) or Kirsten Cameron (9219 5921).

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## 40th Anniversary of the 1967 Federal Referendum

**There are a number of significant dates in 2007, in addition to the 50th Anniversary of NAIDOC. These include:**

- Reconciliation Week 27 May - 3 June;
- A decade since the tabling of the *Bringing Them Home Report* on the Stolen Generations (further information [www.nsd.org.au](http://www.nsd.org.au));
- National Sorry Day on 26 May.

Of major significance is the 40th Anniversary of the 1967 Federal Referendum, on 27th May. This landmark event returned a 90.77% 'Yes' vote to remove two prejudicial references to Aboriginal people from the Australian Constitution: Sections 51 and 127. This allowed the Commonwealth to make special laws with respect to Aboriginal people, and removed the impediment to counting Aboriginal people in the census. As Larissa Behrendt, Professor of Law, UTS, Sydney, has said, it represented a moment 'at which Australians seemed united in their interest in Indigenous equality'. More information on the referendum, its implications, failures and legacies, can be found at [www.reconciliation.org.au](http://www.reconciliation.org.au).



Photo courtesy of ABC TV

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## Aboriginal planning day

**On 1 May, Legal Aid held an Aboriginal Service Delivery Planning Day at Tranby College in Glebe. The day looked at the way Legal Aid delivers its services to Aboriginal people and communities and how we can be more strategic in doing this.**

Both Jody Broun, Director General, Department of Aboriginal Affairs and our CEO Bill Grant spoke on the day. Jody spoke about the directions for Aboriginal Affairs across government and the ways in which Legal Aid could work with those. One of her key messages was the need to work in partnership with Aboriginal people and to be jointly responsible for planning and delivery solutions that meet community needs.

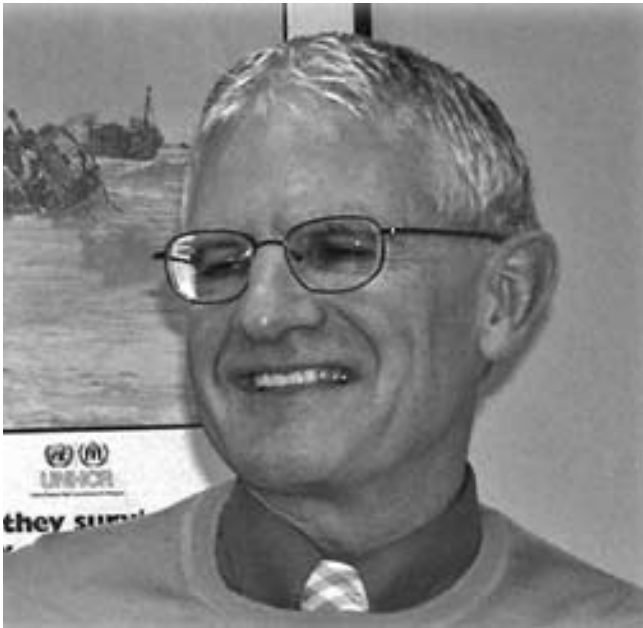
Underlying the day was the need to pick up on the good things that staff across Legal Aid are doing. For instance, the innovative work being done in the Far North Coast with Aboriginal communities and civil law, the operations of the MOU with

the Aboriginal Legal Service and the family law community outreach program.

Importantly though, the day looked at how we can deliver our services better and how we can reach a greater number of Aboriginal people in a way that suits their needs, particularly in service delivery, employment and cultural awareness, partnerships and sector wide initiatives.

A draft plan has been developed following that day which looks at Aboriginal employment strategies, research and consultation and support for staff. The key to the Plan is that Aboriginal services belong to all sections of our organisation and strategies are being developed which will work across Legal Aid.

**We would like to start some type of networking for Legal Aid's Aboriginal staff, even just a contact email, to begin with. If you are an Aboriginal staff member and would like to be part of a network, contact Carol Thomas, Director Aboriginal Services tel 9219 5109.**



## Vale

# James Dagnall:

9 Sept 1955–8 May 2007

**It's been said by someone much wiser than me that the only way you can truly measure someone's life is by the impact it has on others. By this standard, the measure of James Dagnall's life is truly remarkable.**

Jim's working life was involved in the service of others, initially as a social worker and then as a lawyer, where he committed himself to the principles of social justice and the defence of human rights.

Jim joined Legal Aid NSW first as a temporary legal officer on 24 October 1988 and was appointed on a permanent basis on 14 September 1989. He spent the whole of his Legal Aid career in the Administrative Law Section, specialising in immigration and social security law, with a special emphasis on refugees.

It was through this work that Jim had a profound effect on many lives. His philosophy was that everyone, no matter what their background, should be treated with respect and without anyone judging them. He had the utmost disdain for self-important people who believed that being different or being poor made others less worthy of respect.

Jim never refused a client because their story appeared, on its face, to be implausible. He preferred to take the client's side and assiduously discovered the kernel of truth that lay within the story.

Jim was tireless in his efforts to resolve all aspects of his clients' problems drawing on his vast skills as both solicitor and social worker. He was highly respected among refugee and legal networks, and could call on his links to assist clients with accommodation, food, health care and education.

His clients loved him for this. He was often the only one who believed them and did not judge them as being a liar, a queue jumper, a bludger. For these clients in particular, Jim was not only their lawyer but their protector and friend, although he would typically shrug off such suggestions as being hyperbole. They were not.

For his clients Jim changed their lives in profound ways, offering hope for the future where there had previously been fear. Fear of being returned to a place where one could be tortured or killed for what they believed or who they were. Fear that they would never see their spouses and children again. Fear that they would be routinely humiliated by a bureaucratic process asking them to work when they could not. His clients were eternally grateful for his compassion and commitment. We, as his colleagues, were inspired by his work.

We miss Jim terribly. We miss his wicked sense of humour, his calm demeanour, his friendship, his solidarity. We miss the haven that was his office with his gallery of exotic gifts from clients and classical music. The Commission is fortunate to have had Jim as one of its lawyers, and his passing is a great loss to all of us.

A memorial service was held for Jim at Redfern Town Hall on Thursday 14 June.

*Elizabeth Biok & Bill Gerogiannis*

# Good service in **Bankstown**

**The Good Service Forum is a joint initiative of government agencies, to improve access to government services by Aboriginal people.**

Legal Aid has been participating in an interagency project for Aboriginal people about consumer law issues since 2006. The agencies involved are the Anti-Discrimination Board NSW, Office of Fair Trading, NSW Ombudsman, Commonwealth Ombudsman, Energy and Water Ombudsman, Banking and Financial Services Ombudsman and Telecommunications Ombudsman.

There are four forums held in different locations around NSW each year. To date, forums have been held in Newcastle, Nowra, Dubbo and Condobolin.

The most recent forum took place in a metropolitan centre last month when Fairfield lawyers Sarah Burke and Matthew Hazard gave an overview about legal aid services at Bankstown Community Health Centre.

The all-day event was attended by 30 people, including service providers from small or local agencies as well as a good sprinkling of local community members.

Sarah and Matthew gave an overview of Legal Aid's services, emphasising the importance of getting advice early and that it is available to everyone on any issue unlike representation which is limited to matters that fall within guidelines.

"We discussed the fact that the civil law section was often a gateway to many of the other services providers present and that we were happy to help Aboriginal people write complaints and make inquiries about other government services," Sarah says.

Participants were interested to hear that Legal Aid could assist in disputes with other government departments and a number of community members raised the issue that complaints often needed to be in writing creating a barrier for indigenous people.

Others were interested in civil services to prisons and one woman spoke to Sarah at length about a land dispute in Kempsey.

Legal Aid frisbees and wristbands were a runaway success with participants. "People loved getting something that looked funky and was a bit fun," Sarah adds.

Matthew made some interesting links for future reference. "A couple of participants told me about the Aboriginal community in the Fairfield area and that some work was done with Fairfield local council and the community centre located in Villawood. So there is scope for follow up."



*Good service providers one and all. Back L to R: Colin Neave (Banking & Financial Services Ombudsman), Matthew Hazard (Legal Aid) & Bernie Wise (Telecommunication & Industry Ombudsman). Middle: Emma Keene (Energy & Water Ombudsman NSW), Sarah Burke (Legal Aid) & Richard Lindsay (Commonwealth Ombudsman). Front: Ellisha Hill (Commonwealth Ombudsman), Scott Campbell (NSW Ombudsman) & Kate Jurd-Albert (Energy & Water Ombudsman NSW).*

# From ANZSOG to Aurukun:

**Dora Dimos found herself deeply moved when visiting an Aboriginal community as part of a research project.**

Little did I know when I commenced the Australia and New Zealand School of Government (ANZSOG) Executive Masters in Public Administration Program (EMPA) in 2005, the unexpected and fascinating paths that it would lead me to, such as visiting Aurukun in Western Cape York, Queensland in September 2006 for our work based project.

Professor Allan Fels AO, the Dean of ANZSOG has said that: “The Australia and New Zealand School of Government (ANZSOG) was established by a consortium of Australian and New Zealand Governments, Universities and Business Schools who share a vision of creating a world-class institution which focuses on the needs of the government and community sectors.” I was privileged that I was selected to undertake the course, paid for by the Premier’s Department.

## **The Elders work tirelessly to see real improvements for the people.**

When I started the EMPA program, it had been more than 20 years since I had written a university level essay and just as long since I practised the discipline of undertaking a university degree. It was like riding a bike. It did not take long for it all to come back, except this time I was working full time while undertaking the course. The EMPA comprises

10 masters level subjects in public management. To successfully undertake and complete the course, you need commitment, discipline and lots of support from family, work colleagues and organisational support from Legal Aid. In this regard, I am grateful for the support I had from my family, Richard Funston, Legal Aid and the Professional Practices Branch team.

The course involves a mix of research, reading, written essays, a presentation, and sometimes an exam. Some of this work was individual work but there was also much team work. Subjects were taught in Sydney, Melbourne, Brisbane, Canberra and New Zealand by expert academics and practitioners.

Team work involved working with inter state and New Zealand public sector colleagues from diverse government departments and backgrounds, so communication was always a challenge but it was always a rewarding experience that forged good friendships.

## **Emotional intelligence**

Some of the highlights for me included learning about what makes a good leader and how good leaders are emotionally intelligent; researching the media reporting of the Macquarie Fields Riots in a subject taught at Sydney University by Jake Lynch, a BBC reporter and author of “Peace Journalism”; the important strategic challenges facing governments in a subject taught at Sydney University by Geoff Gallop, former WA Premier; writing about government accountability in the context of the High Court’s decision on the challenge to the Federal Government’s advertising spending for work choices; and our work based project on reducing youth re-offending in Aurukun.

*Dora Dimos, at Obon beach near the Aurukun community, standing at the junction of the Ward River and the Archer River.*



# A life changing experience

The work-based project is the cap stone subject of the course, where working in teams over several months; we researched an approved topic, wrote a paper and presented our findings to our colleagues. Our team, comprised public sector people from NSW, ACT, Queensland and East Timor. As part of our research, my Queensland colleague and I travelled to Aurukun in North West Cape York. We presented our project at the Victoria University in Wellington, New Zealand in November 2006.

## Arakun—home of the Wik people

Aurukun is a settlement of approximately 1200 people, approx 90% of whom are Aboriginal, and has a strong connection to language and culture, a thriving art and tourism industry. The traditional country sits on the junction of three magnificent rivers and is one of the most beautiful places I have seen. Aurukun is the home of the Wik people who are renown not only for the significant High Court challenge but also for driving back the Dutch who attempted to alight in their country in 1606.

While the traditional country is spectacular, the township which was set up originally as a mission, is characterised by high cyclone fences everywhere. The community struggles with the challenges of remoteness, little employment opportunities, alcohol and disadvantage. The community has Opal fuel which has been very important in reducing the incidence of petrol sniffing. Continuity of programs is difficult to maintain in such remote communities.

Nevertheless, Aurukun is a strong community and the Elders work tirelessly to see real improvements for the people. Cathy Freeman and Luke Carroll visited Aurukun in their *Going Bush* series on SBS. They both were visibly moved by the experience. Cathy Freeman said “My hope, my dream and my vision is that we see more non-Aboriginal people visiting these communities and visiting the places that we’ve been to - sharing and appreciating and learning and rejoicing. It’s time to share.” It was a very moving experience for me too and I hope that her vision is realised.

I hope that other legal aid staff who are selected to undertake the EMPA find it as rewarding an experience as I did. Other than me, Richard Funston has also completed the course and I know that both he and I are available to share our experiences and tips with anyone else fortunate enough to be undertaking the course. I’d love to go back to Aurukun one day.



*Dora receives her EMPA certificate in New Zealand; pictured here with Professor Allan Fels (left) and Mark Prebble NZ State Services Commissioner.*

## CLE Target **blitzed**

**The corporate target for a 10% increase in the number of community legal education sessions delivered in 2006/07 appears set to be blitzed with an increase in the vicinity of 30%. Congratulations to all staff who have contributed to this surge of activity!**

In the next edition of re-named *Verbals* we will feature some of the stand out CLE projects of 2006/07 and profile some offices/ sections achievements. There have also been two significant improvements to CLEMS (the electronic data base we use to plan and record community legal education). In March CLEMS was simplified so that events can be entered in less than 30 seconds. The improvements include:

- A reduction in the number of mandatory fields which are now indicated in yellow.
- The removal of unfriendly text formatting requirements (eg telephone number formats).
- The addition of defaults to the most common fields.

In May 2007 two new event types were added to the ‘Event Type’ drop down list—Video conference and Web conference/ web ex. Planning is underway for Legal Aid NSW to deliver our first community legal education session via video conference in August 2007 and our first community legal education via web conference later this year. If you identify any opportunities to deliver CLE via video conference or web conference and would like to explore these delivery modes please contact Kirsten Cameron Coordinator Community Legal Education.

# Keeping staff well and healthy

There are many ways Legal Aid will be supporting its staff to stay fit and healthy, explains Nohad Ghibley.



The next few things we are looking at are the feasibility of initiatives such as discounted gym memberships, quit smoking programs, defensive driving skills. HR will keep you posted.

It is all about contributing to the health and well being of our staff. So if you have any suggestions or comments feel free to contact Nohad Ghibely in HR.

*Left: Fluvax nurse Jennifer Ley vaccinates Nella Mitchell from Operational Support. First timer Nella decided 'it was worth a try as a preventative measure against flu'.*

The Commission is currently embarking on implementing many initiatives as part of its Stay Healthy Program. It all started in January when we engaged IPS as our new Employee Assistance Program provider and kicked off WorkLife Essentials which is an internet based source of information and advice on Work/Life balance. We have also been putting up relevant articles from the site on a regular basis on "What's New". You can access all this information on the HR site which is currently being improved for your benefit.

We have also offered our staff flu vaccination and we are happy to report that we had a take up rate of around 150 people which is pretty good for a first year. We anticipate that the staff participation will increase every year.

We have also conducted general First Aid information sessions in May and hope to do a few more if there is an ongoing interest in it.

There's more. We are currently having discussions with the Department of Attorney General's on sharing some health information services such as providing health related tips on the Intranet.

## TONGUE IN CHEEK

### Narky letter

Fairfield lawyer Sarah Burke got a biting response from a law firm representing a finance company that tried to repossess her client's car, with three monthly payments left in a five-year contract. Admittedly, she says, her client was being investigated by police for trying to run over the repossession agent!

The last two paragraphs of the letter said:

*'It is quite extraordinary how some people apparently think they can hide behind consumer and privacy laws, treat our clients staff and agents like dirt perhaps in the belief that they are not people at all but the dreaded agents of big business preying on the supposed weak and unsuspecting.'*

One hopes that as important an agency as Legal Aid, is not also peddling that bunkum and might even be able to maintain a certain level of professional detachment when obtaining and especially acting on instructions."

It was hard to restrain herself and not to reply to that, Sarah admits. Colleague, Wollongong civil lawyer Matt Turner tells what he would have done: "Write back and quote the line from Repo Man: "The life of a repo man is always intense."

### Poor grannie

Fiona McMullin in Coffs was tickled recently when a client, describing her dear relative, said, "My grandmother's not the full squid."

# Let's all speak the same language

## We're now 'Legal Aid NSW'

**There are currently a number of different ways that staff members refer to our organisation in correspondence. Some of these include: LAC, LAC NSW, The Commission, Legal Aid and Legal Aid NSW.**

To promote consistency, the Strategic Planning and Policy Division put a recommendation to the Board that all staff should refer to the organisation as **Legal Aid NSW** in correspondence. This terminology is less cumbersome than referring to the organisation in full, but clear and plain to assist our clients and partners. In April, the Board endorsed this recommendation.

The Legal Policy Branch (formerly Review & Reform Branch) has advised that although it will be necessary to continue to use the full entity name 'Legal Aid Commission of New South Wales' in some cases (eg for GST and accounting purposes) there are no legal impediments to using Legal Aid NSW to refer to the organisation as part of its communication strategies.

## Aboriginal—not ATSI or Indigenous

"The term "ATSI" is not really appropriate in talking about Aboriginal and Torres Strait Islander people," says Director, Aboriginal Services, Carol Thomas. "It doesn't recognise the two distinct cultures and Aboriginal people would prefer not to have an acronym used to describe them. For these reasons and for the need to be consistent in language across the organisation, we have decided to use the term Aboriginal when talking about our Aboriginal programs and services.

"Indigenous" is largely an international term used to describe first nation peoples and is often used by the Commonwealth in referring to Aboriginal and Torres Strait Islander people. Many Aboriginal people in NSW prefer the term 'Aboriginal' because NSW is traditionally Aboriginal land. Carol says, "We would prefer this term to be used unless referring to programs which target Torres Strait Islanders where the preference would be to refer to programs for Aboriginal and Torres Strait Islanders."

# ALS criminal law fellowship

**A new fellowship position at the Aboriginal Legal Service NSW/ACT Ltd (ALS) has been created in Griffith. The vacancy is for an initial 12-month period.**

This fellowship position is a joint enterprise of the ALS and Legal Aid NSW. The majority of the funding is provided by the ALS with Legal Aid NSW providing that part of the salary which upgrades the position to an equivalent Grade IV position within Legal Aid NSW.

Grade I-III permanent inhouse criminal lawyers have been encouraged to apply as the fellowship will give them an opportunity to work for 12 months at Grade IV level in the ALS.

Deputy CEO Legal, Steve O'Connor says the fellowship will help with our regional emphasis on service delivery whilst individual staff members will get the opportunity to work with Aboriginal communities and return with new skills and experience that will assist in Aboriginal service delivery initiatives. The fellowship will be reviewed after nine months to see if it should be continued for another 12 months and become an ongoing opportunity for our lawyers.

## NEW!! Policy Online

**The Strategic Planning and Policy Division and Information and Technology Services are delighted to announce that Policy Online has gone live. The CEO launched Policy Online on Wednesday 20 June 2007 with a morning tea for all the team involved in the project. SP&P and IT Services want to thank everyone who helped with the project and so generously giving their time and expertise to getting the best results.**

**Policy Online provides staff, private practitioners and the community with easy access to our policies. It is easy to use and has useful links within the policies and to external resources and information. Staff using CASES will be able to link to Policy Online through an icon. SP&P will be running training sessions for all staff in the Commission. There is a manual available on the intranet site which staff can also use to assist them with navigating the new site. If you have any questions about Policy Online contact Aideen McGarrigle from SP&P.**

**To visit Policy Online, click on the new Policy Online icon on the intranet or internet.**

# Rania Saab

People with disabilities – or different abilities – have been saying it for years – the greatest barrier to getting a job is employers’ attitudes and general ignorance.

Grants lawyer Rania Saab says negative attitudes are par for the course if you have a disability such as hearing or sight impairment or you’re in a wheelchair. In a *Sydney Morning Herald* careers feature in March 2007 about the employment difficulties faced by people with disabilities, Rania said, “When people find out you have a disability, they think you’re either not as smart or less capable of holding down a job.”

Rania was born with a moderate to severe hearing impairment. She has a combined law-journalism degree and worked as a lawyer at a small firm before getting a job in our Grants Division a year ago as a grants officer. In March this year she took up a position as a lawyer.

“My disability is not a problem here,” she says, “but in general I wouldn’t disclose it to an employer. To reveal that side of me opens the gate to all sorts of behaviours that might make me feel uncomfortable.”

Even at Legal Aid, it took Rania a long time to wear her hair up, “because that meant showing my hearing aid”.

Rania likes making order out of chaos. “I read through Legal Aid Review Committee files and consolidate the information and documents into three- to eight- page reports and I get a sense of satisfaction from presenting information articulately. It must be the lawyer (or, rather, nerd) in me!”

The most challenging part of her job is dealing with clients who are distressed about the refusal of their application for aid. “Whilst most clients are calmed by the assurance that their matter will be re-considered by an independent committee, some are so distressed about their personal circumstances and the effect of the refusal of aid on their lives that they cannot be reasoned with,” she says. “I find that I need to deal with such clients delicately and express sympathy with their situation whilst firmly advising that while I will get their matter before the Legal Aid Review Committee as soon as possible, there really is nothing else that can be done by the Commission to assist them. In those cases, I refer clients to alternative support networks such as the Law Society Pro Bono Service.”

Rania Saab – “my hearing impairment is not a problem here.”



Only admitted as a lawyer 22 months ago, Rania is still trying to find her niche in the law

profession. “I enjoy both family and criminal law. I would like to try court work one day and that all depends on how supportive the court system is to lawyers with disabilities. Depending on how that goes, I may actively get involved in advocating for changes to ensure that people with disabilities have equal access to the legal system. It is not a path that I would ordinarily have chosen but to date, I felt that I have had to be an advocate as change needs to happen and it is something that I am passionate about and enjoy.”

## Tips on communicating with people who are hearing impaired

### DON'T:

- **Shout.** It’s uncomfortable for a hearing aid user and it looks aggressive. Just because a person can hear your voice, does not mean they can understand your words.
- **Exaggerate your lip movements.**

### DO:

- **Talk directly** to the person
- Maintain **face-to-face** or **eye-to-eye** contact
- Get the listener’s **attention** before you start speaking
- **Speak clearly** and at a normal pace (not too slowly)
- Use **natural** facial expressions and gestures
- In a group, speak **one at a time** and ensure you have eye contact before speaking

### IT'S ALSO HELPFUL IF YOU:

- Find a **suitable place** to talk, with good lighting and away from noise and distractions
- Check that the person you’re talking to can follow you. Be **patient** and take the time to communicate properly.
- Are **flexible**. If the person doesn’t understand something, reword it instead of simply repeating it.
- **Remember** that hearing loss does not equate with loss of intelligence.
- **Ask** if the person can hear you and how they would prefer to communicate.



# Fulbright award winner

**A prestigious award will take criminal lawyer Julia Grix (photo, right) to New York to study the central role played by two major organisations in the criminal justice system.**

Criminal lawyer, Julia Grix is one of four outstanding Australians who have been awarded prestigious Fulbright Professional Awards, supporting a 3-4 month program of professional development in the US. The four awards were announced in March 2007 at the same time as 18 12-month Fulbright Scholarships. Julia is the first lawyer from any legal aid commission to win a Fulbright Professional Award.

Julia will work in two specialist children's legal services in New York later in the year. Julia hopes the Fulbright Award will enable her to take up this opportunity for six months, dividing this time equally between placements with the New York Legal Aid Society and The Bronx Defenders. Both organisations focus on an holistic approach to problems faced by young offenders.

Julia has been working for Legal Aid for four years. Before that, she worked in research and academia with numerous organisations, including the Institute of Criminology, the Criminal Law Review Division, the Human Rights and Equal Opportunity Commission, the Australian Law Reform Commission and several community legal centres. She has worked with the Law Faculties at Sydney University and the University of New South Wales, and continues a strong affiliation with both, to this day.

Julia's work with Legal Aid first started with the Children's Legal Service, where she remained for a couple of years. Her permanent position is now in the Indictable section.

"Last year I was fortunate enough to secure a secondment with the Public Interest Advocacy Centre, where I worked on cases involving children seeking redress in the civil jurisdiction arising from their negative experiences in the criminal justice system."

## **Kids in conflict with the law**

Julia's Fulbright project is concerned with the development of a model of best practice for the representation of children in conflict with the law in an era of anxiety about law and order.

"At such a critical time, lawyers working with children (and everyone else!) in the criminal justice system, play a central role in protecting and

*We play a central role in protecting children's rights.*



enforcing children's rights."

Almost a decade ago, the Australian Law Reform Commission and the Human Rights and Equal Opportunity Commission endorsed a model for the representation of children that incorporated multi-disciplinary advocacy. This model has yet to be realised in Australia. In the US, however, organisations such as the New York Legal Aid Society and The Bronx Defenders have shown great innovation in their service delivery to young people in conflict with the law.

"The Fulbright Professional Award will give me a unique opportunity to collaborate professionally with those organisations: gaining practical insight into, and experience of, those initiatives that have resulted in the better, holistic representation of children charged with criminal offences."

## **Thank you dear colleagues**

"I had always associated the Fulbright Award with post-graduate study, and was pleasantly surprised when my project was chosen, especially given my proposed affiliation with grassroots organisations in the US as opposed to tertiary institutions. The fact that my application was successful is very much a measure of the support I received from a great number of my colleagues: in particular, Teresa O'Sullivan, Frith Way, Justin Hutchinson, Richard Funston, Professor Chris Cunneen and Andrew Haesler SC. I am also particularly indebted to the wonderful support provided by The National Children's and Youth Law Centre and the Public Interest Advocacy Centre.

*Senior solicitor, Children's Legal Service, Teresa O'Sullivan says, "The knowledge that Julia brings back can be used to inform how we do our work in the Children's Legal Service in NSW and also how we approach the provision of legal services to young offenders nationally. I am very interested in the approach taken by these services particularly given that the children we see at court often present with many issues of which their criminal matter is one and often not even the most pressing. Congratulations Julia."*

# Reaching hundreds of **young people**

**Most of the time, they explain legal rights to kids after an offence or incident has taken place, but now, for the first time, the Children's Legal Service is focusing kids' minds on crime prevention.**

Children's Legal Service lawyer Louise Sutherland has been running crime prevention workshops in schools, youth centres and refuges around Sydney for the last few months, focusing on the area of young people and group offences. The purpose is to educate young people, particularly those in 'high risk' areas, about what happens if they are out in a group situation and crimes are committed by members of the group while they are present

The main focus is Robbery offences, due to the prevalence of Robbery in Company and Aggravated Robbery offences in the Children's Court. Louise explains both the seriousness of these offences at law and the way the police charge people, under the laws of Joint Criminal Enterprise.

Nearly 1,500 students have taken part so far, attending 55 workshops at 13 different schools and two youth refuges. Training was also run for youth workers in March, with over 100 youth workers attending three separate workshops.

"We have another 14 schools on board, with workshops booked solidly through June and July, and we estimate that around 3,500 students will attend workshops over the project duration," Louise says.

Run in partnership with youth workers, the workshops are highly interactive and use role plays, improvisation and skits to illustrate the principals of Joint Criminal Enterprise.

"Kids love the workshops and are clearly interested in the topic; it is overwhelmingly clear that the topic is tapping into a major issue."

As Louise suspected, kids have no idea that rolling someone is a robbery, and no comprehension of the seriousness of "rolling" offences. They also have no comprehension about how the law ascribes criminal responsibility in a group situation. They believe that you have to be "actively involved" to be charged

The corollary of this is that the non-active or passive offenders in Robbery in Company situations often don't understand that they have

committed a crime – if contacted by the police, they would be under the impression that they are a witness not a suspect, and will be inclined to ignore legal advice and make what they believe will be an exculpatory statement.

## **Alarming results**

CLS has surveyed around 400 young people so far on the topic of group offences and found some very alarming results:

- 86% believed that a Common Assault was more serious than Robbery in Company.
- 74% believed that only those actively involved in a robbery type offence (ie- those who attack the victim, make threats, hold the weapon, demand or take property) could actually be charged with the robbery offence. They did not believe that standing over the victim, to back up the main offenders, in itself would attract a robbery charge.
- When given a scenario where a group assault escalates and leads to a death, 64% believed that only the individual who personally caused the injury could be charged with murder or manslaughter. They believed that the rest would be charged with assault only.

Aside from these survey results, a number of key issues have emerged through these workshops which make it clear that there is a need for a major crime prevention strategy in this area.

*Louise Sutherland, Jamie Alford and David from Barnados and Steve Tsaridis (Deputy) with students from Punchbowl High School.*



“These offences and situations are highly prevalent” Louise says. “Almost all the kids in the workshops are familiar with rolling offences and state that they are very common amongst young people.”

“They have no idea how serious these offences are, especially the Robbery in Company offences which involve intimidation or threats rather than actual violence.”

### **Understanding how kids think**

Louise says that one of the biggest challenges of the project has been trying to understand how kids think about these issues, and working out what the underlying assumptions are.

“When asked to compare the criminality, or the harm to victims, in different sorts of situations, young people always focus on actual violence. For example, many will say that a physical assault is more serious than threatening someone with a knife. Implicit in this is a lack of understanding of the harm which can be caused through threats.”

“We try and get them to think about the implied threat to a victim when three or four people are standing over them asking for property. Kids understand it when you spell it out, but often we sense that it is the first time they have really thought about it.”

In fact, one of the key issues which has emerged is that the idea that threats are different and somehow far less harmful than physical violence. Louise believes that this is in part why they don't understand that those who stand over victims in robbery offences, to back up the key offender, are charged as principal offenders.

To try and tackle this, the workshops touch on victim empathy, and the psychological trauma which can be caused by threats. “It is about making them understand that these sorts of crimes are legally regarded as serious personal violence offences, even where there is no physical harm,” says Louise.

In relation to the law of joint criminal enterprise, Louise uses the analogy of a bank robbery, where each member of the group has an ascribed role, to explain the logic of the law and why each



*Students from Sydney Secondary College, Balmain campus acting in role plays.*

offender in these group offences should cop the same penalty. “The kids understand this” Louise says, “but it is about translating that logic to a rolling type offence, explaining that each person is regarded as a necessary part of the team.”

### **Skewed perceptions**

Whilst the focus of this project is on Robberies and group offences, Louise is trying to address other areas where young people may not know that they are committing a crime. For example, getting into a car they suspect is stolen or buying cheap or suspicious mobile phones or other goods.

“Lots of other issues are coming up,” says Louise. “For example, in talking about assaults, many young people have no idea that taking a swing at someone, or spitting at someone is an assault. They also have a skewed perception of self-defence. Many think that if someone hits you first, you are automatically allowed to hit them back”

One of the real achievements of this project has been forging such a successful partnership with the youth sector. “We have a really amazing team of youth workers working on this project,” says Louise. “We are working in partnership with a number of services including Barnardos, Youthzone, South Sydney Youth Service and Bondi Outreach Project. Their contribution to the workshops is critical to their success”.

This project is really forging ahead into new territory for CLS, and is part of a drive to take a more holistic approach to the delivery of legal services to children and young people.

# LawAccess turns 5

**In just five years, one of our main partners has assisted over half a million people, and its 41 staff are brimming with new ideas for the future. Director, Jane Pritchard reports.**



LawAccess is coming up to its fifth birthday, celebrating the anniversary of the official launch on 17 June 2002. Commencing in September 2001,

LawAccess has assisted 550,000 customers and provided over 65,000 legal advice sessions. We have come a long way since our inception with five customer service officers and three legal officers huddled down one end of the contact centre. We now have 41 full time and part time staff, including 14 full time equivalent customer service officers, 5.4 full time equivalent legal officers, and a Summer/ Winter Clerkship Program. There are some familiar faces from the old Legal Aid Helpline with Lance Hird, Michael Halloway and Julie Carrington still part of the LawAccess team. LawAccess assists people by providing legal information, referrals and in some cases legal advice to anyone with a legal problem in NSW. LawAccess provides its services through its contact centre at Parramatta and via its website LawAccess Online [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au).

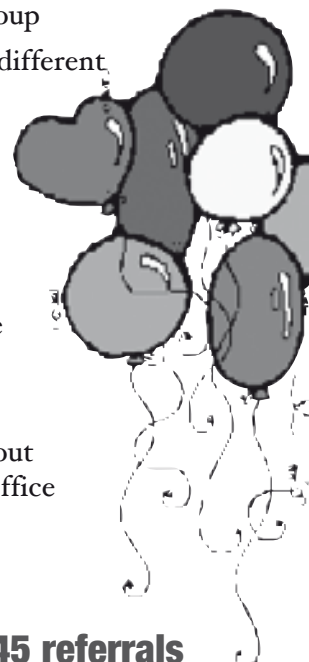
LawAccess Online, indexes plain language online resources from over 100 government agencies including the Commission. In 2006 LawAccess Online received over 202,900 visitors.

## Happy customers

Lots of people are using the service, but are they getting the assistance they need? In the 2007 Customer Satisfaction Survey 92.5% of customers were highly satisfied with the services provided by LawAccess NSW. 96% of customers stated that they would refer family or friends to LawAccess NSW

## What we know about our customers

- 62% are female
- 25% are in the 55 and over age group
- 24% were born overseas from 55 different nationalities
- 3% are Aboriginal
- 12% have a disability
- 12% have carer's responsibilities
- 44% receive a benefit or pension
- 40% said their weekly take home pay was less than \$400
- 55.6% live outside Sydney
- 12.1% of customers found out about LawAccess through a Legal Aid office



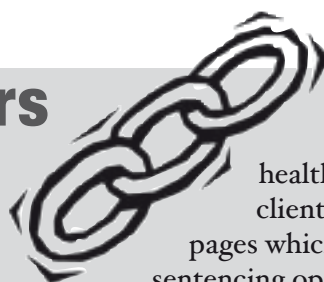
**In the last 12 months, 21,545 referrals were made to Legal Aid services.**

## Links for Lawyers

**Legal Aid is the lead agency for a new project of the Criminal Justice Research Network (CJRN).**

The CJRN was initiated in 2004 by the Standing Committee of Criminal Justice System CEOs to promote evidence-based policy making across the justice sector.

The 'Links for Lawyers' project involves identifying and publicising existing mental health web resources for legal professionals. The project will see the creation of a web page for legal professionals with information and referral resources for clients with a mental illness. Legal and judicial officers will be able to identify mental



## project

health service options for their clients by referring to web pages which may assist the court in sentencing options, thereby improving the outcomes for those people with a mental illness

The need for the web resource was identified by legal practitioners attending a CJRN forum in July 2006. In particular, the lack of a central information source that listed services in a particular region or for particular illnesses or behaviours was identified.

It is anticipated that the project will be completed in October 2007 with a view to launching the new resource in conjunction with Mental Health week.

LawAccess works very closely with Legal Aid and other legal assistance services. The Director, LawAccess NSW recently presented two papers at a three-day seminar on Legal Dissemination in Hanoi, Vietnam organised by the Human Rights and Equal Opportunity Commission and the Vietnamese Ministry of Justice. The presentation focused on co-operative service delivery models and developing plain language legal resources.

On a daily basis LawAccess customer service officers assist customers to assess whether they are eligible for legal aid assistance and refer customers to Legal Aid clinics and appointments in accordance with the referral protocols. In the last 12 months, 21,545 referrals were made to Legal Aid services. The key referral destinations being: Head Office, Parramatta, Newcastle, Burwood, Wollongong and Lismore for regional areas.

**Other ways LawAccess and the Commission work together include participation in:**

- LawAccess induction programs explaining the services provided by Legal Aid and the Eligibility Guidelines;
- Cooperative Legal Service Delivery Model;
- NSW Legal Assistance Forum;
- Conflict of Interest protocols;
- Joint working parties.



LawAccess is passionate about empowering people to understand what to do next about their legal problems. Our customer service officers use the *Law Handbook*, plain language resources on LawAccess Online and LawPrompt to assist customers

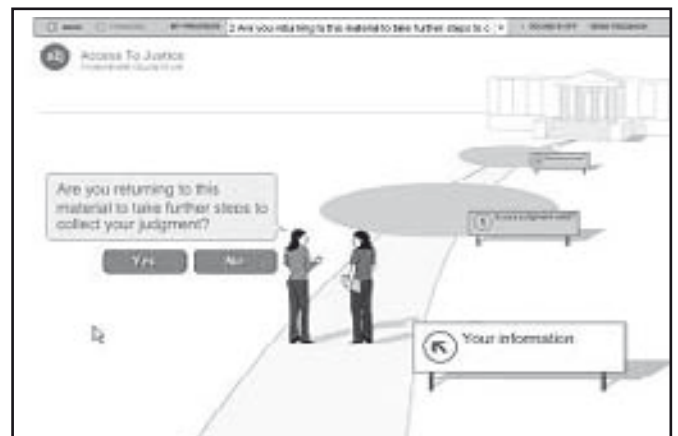
LawPrompt is an internal knowledgebase with over 40 legal topics. LawPrompt covers gaps in legal information, details changes to law and enables consistency in the information provided.

LawAccess is currently developing an online interactive tool to provide an additional 24/7 service channel for customers, called LawZone. The first Lawzone module will be a 'step-through' guide for both creditors and debtors, with links to relevant websites and fact sheets. The aim is to make the best use of existing online resources produced by specialist services.

The editorial committee for the first LawZone module includes representatives from Legal Aid NSW, Local Courts, Legal Information Access Centre, Law and Justice Foundation and Consumer Credit Legal Centre.



LawPrompt



LawZone



## Round-up of news from our versatile, hard-working cousins—community legal centres.

### Big moves

May saw the Combined Community Legal Centre Group (CCLCG) State Office in a state of transition. Two new CCLCG programs are being launched - the Training Program, and the Aboriginal Legal Access Program (ALAP), and each involves employing a new worker. Renee Williamson has started as the Aboriginal Legal Access Program Coordinator and Joanna Mantziaris as the new CCLCG Training Program Coordinator.

To accommodate growing numbers of staff, the State Office is saying goodbye to Surry Hills and moving to new premises in Ultimo. From Monday 4 June you'll find us at: c17 99 Jones Street, Ultimo, NSW 2007. Tel 9212 7333.

### Hawkesbury rail transit case

Hawkesbury Nepean Community Legal Centre successfully defended penalty notices issued to two clients by RailCorp transit officers for allegedly hindering and obstructing "authorised officers" in the performance of their duties under the *Rail Safety 2002*, and for the use of offensive language.

In the (unreported) case, the Local Court found that the transit officers had not been authorised

under their delegations from the CEO of RailCorp to commence legal proceedings for an offence under the *Rail Safety* or to recover any debts that become due under this. On this basis, the matters were dismissed by the court.

This is important for any client who has been issued similar penalty notices by a RailCorp transit officer, because until the delegation is amended, if someone is issued with a court attendance notice or elects to have the infringement determined by a court, Rail Corp lacks the authority to commence proceedings and accordingly, the matter before the court should be dismissed. For more information contact Pip Davis of Hawkesbury Nepean CLC on 4588 5618.

### Finding a Way—case studies in disability discrimination law

On the 7 February the Disability Discrimination Law Centre (DDLCC) launched a new book of disability discrimination law case studies. The book aims to give practical tips about what to expect when dealing with disability discrimination law. Copies of *Finding a Way* are free, subject to postage costs, and can be obtained by emailing [info@ddlcc.org.au](mailto:info@ddlcc.org.au) or calling 9310 7722.

## Refugees from Darfur

Director Family Law, Judith Walker, Julie Fellowes (Blacktown) and Sarah Burke (Fairfield) attended the launch of Darfur Australia Network (DAN) at the Blacktown Local Council on Friday, 11 May 2007. The DAN is 'a not for profit community organisation run by members of Australia's emerging Darfur refugee community and concerned volunteers. The main aim of DAN is to raise awareness of the crisis in Darfur, aid the resettlement of refugees from Darfur in Australia and advocate for appropriate public policy responses in Australia "to protect the people of Darfur from ethnic cleansing and crimes against humanity".

The launch was attended by more than 150 refugees



Sudanese dancers in a beautiful show of colour and movement.

from Darfur and a large range of community service providers. Blacktown and Fairfield have the

largest Sudanese populations in NSW and both Legal Aid offices have identified this emerging community as a target for community legal education.

The evening featured speeches from Darfur representatives, the Local Federal Member, Blacktown Police and Caritas Australia. Speeches were followed by a traditional dance, dinner and a play which depicted the violence perpetrated against the people of Darfur.

Back: Assefa Bekele, Ethnic Community Liaison Officer, Blacktown Police; Julie Fellowes, family lawyer Blacktown Legal Aid; Sarah Burke, civil lawyer, Fairfield Legal Aid; Muhammed Haroum, Darfur Australia Network Member. Front: Judith Walker, Director Family Law, Legal Aid NSW; Haviz Mansour, Chair Darfur Australia Network; Linda Aceska, Ethnic Community Liaison Officer, NSW Police.



# Legal Aid—how **GREEN** are we?

**If you watched *Catalyst* on the ABC a few weeks ago, you may have seen an eco-office building to blow your mind\*. It's called Council House 2 in Melbourne's CBD, and its design principles have been taken from nature. It consumes only 15% of the energy and about 30% of the water of a regular building**

CH2 is an example of a new movement in architecture called bio-mimicry...buildings that mimic nature to reduce their impact on the environment.

But how many of us are likely to experience the satisfaction of working in such a sustainable building? The task facing June Woolcott, Manager, Operational Support, is how to make our existing buildings as environmentally sustainable as possible, until of course, she can move us all into utopian bio buildings.

## **What have we done?**

There are four main areas that the Government is concentrating on making things greener and Legal Aid has achieved benchmarks in each.

## **Managing energy**

The Government Energy Management Policy (GEMP) looks at how much energy we use through lighting, petrol and any other energy use such as gas. The Government has determined that all government agencies are to use a minimum of 6% green power from the government contract supplier for our electricity needs. "We have met the target and are looking at increasing the amount of

greenpower we buy," June says. "By upgrading the lighting at our city office we've reduced energy consumption levels with carbon reductions of 223 CO<sup>2</sup> tonnes yearly as well as planting 200 trees to help make the place greener."

We also have automatic power savers on all our computers and copiers, lights are turned off an hour earlier at night and Operational Support purchase only star rated equipment. "And we encourage the use of bicycles by providing space for them in the basement and showers for the riders," June says.

## **Less waste**

All State Government agencies must have a plan to reduce waste and increase the purchase of recycled paper products, toner cartridges, landscaping material and building materials.

A large amount of that comes from offices. Much of this waste paper could be reused or recycled – a potentially valuable resource lost forever.

Most of the 210,000 tonnes of office paper consumed yearly in Australia is non-recycled paper. The NSW Government is a major consumer of paper, spending over \$18 million on paper contracts. Currently, much of this paper does not contain recycled content.

Our purchasing policy only allows for suppliers that have a high recycling content. Our highest office use is paper and only 100% green paper is ordered and used at Legal Aid.

Since 1989 Operational Support has introduced many programs to conserve our natural resources. Recycling paper was introduced in 1989.

By 1997 we had exceeded the Government wide target of a 15% reduction in energy levels. Ten years later we are still contributing and increasing environmental sustainability levels. As part of the lease negotiations for 323 Castlereagh Street, recyclable carpets were requested and installed to raise the environmental sustainability level.

## **Our city office is Greenhouse rated 4 stars**

Under government policy any premises over 1000m<sup>2</sup> has to meet the industry practice of 3 stars, or better, where possible. The lighting upgrade helped increase our rating to 4. By installing waterless urinals, and hand activated taps our water consumption reduced 50%.

*\*[www.abc.net.au/catalyst/stories/S1901482.htm](http://www.abc.net.au/catalyst/stories/S1901482.htm)*

## **DID YOU KNOW?**



**40% of total energy consumed is consumed by operating buildings.**



**About 600,000 tonnes of paper and cardboard are sent to landfill in NSW each year.**



**Between 1993 and 2003 Sydney's waste generation increased by 161%. If current trends continue, the Total Environment Centre predicts that Sydney will produce more than eight million tonnes of waste per year by 2020.**

## Legal Aid has reduced water consumption by 50%

Soon, time switches for the hot water heaters will be installed and computers turned off at night.

### Cleaner cars

The Government expects all agencies to have a plan for fleets too. The Astra was selected as Legal Aid's corporate car because of its high environmental rating of 13 out of a possible rating.

We have also purchased a Toyota Prius car (the green car) to meet the Government wide Environmental Policy, which stipulates 1 green car for every 40 cars. Operational Support are buying a second green car and during 2006 there was a decrease in petrol consumption of 6%.

### How to lighten your office footprint

- Separate your foodstuff from recyclable materials such as paper, glass and batteries.
- Turn your lights off when not needed.
- Use the green car.
- Recycle as much as possible.
- Report leaking taps.
- Purchase high recyclable content office items.
- Send us your ideas.

### What next?

Watch for the *Eco Newsletter* that Operational Support will issue to let staff know the latest developments and tips.

Cut out the Simple strategies for a greener Legal Aid—back cover—and keep them near your desk for inspiration and guidance!

## HOME HABITS

**Four families show how small changes can make a big difference to our use of the planet's resources.**

**“My first climate control action was rugging up instead of plugging in the heater.”**

Liverpool family lawyer **Donna Strong** thinks she'd fail an energy audit, but if everybody applied her list of dos and don'ts, there'd be hope for the planet!

“I would like to know more about what offices can do to reduce environmental impact, but again, I guess our office does the usual, i.e. turn off lights when no one is in the room/office and try to reduce unnecessary paper use. There seems to be so much that out of our control, such as sealed buildings requiring air conditioning and heating that may be in excess of that required. I think we should have a 'green' competition to find out what other offices are doing and learn from sharing our achievements.” *...more stories next page.*

*Ed. Good idea Donna! Donna and Verbals invite you to enter the Greenie Competition (inside back cover).*

## BENCHMARKS • BENCHMARKS • BENCHMARKS

- 4 minute or less showers
- turn off taps while brushing teeth
- save up loads of clothes & dishes before washing
- rinse veggies in a bowl of water (not running water)
- hang laundry out to dry
- drive less & walk more
- when using the car make an errands circuit
- use public transport when appropriate
- reuse & recycle everything I can or donate to some entity
- purchase energy efficient appliances
- never litter and often pick up other's litter
- use the microwave or BBQ instead of turning on the oven
- turn lights off when not in a room
- turn off appliances in standby mode unless it requires a complete reprogramming to do so
- use energy efficient light bulbs
- use canvas carry bags instead of plastic bags in the majority
- rug up or take something off instead of using energy as my first climate control action and take part in eco challenges.

### IN OUR NEXT NEWSLETTER:

- What is a carbon offset? Do you practise this?
  - Green strategies for tenants
  - More tips for everyone
- Send your ideas to Miranda Jakich.



# “Reducing my family’s carbon footprint involves sacrifice but it makes me feel good”



**Kylie Dummer of Nowra committed to reducing her carbon footprint on**

**New Years Day, 2006.** She writes: “While the 20 visitors staying with us, including Sally Bryant from the Coffs office, nursed hangovers, and wandered around in pyjamas, my husband, Matthew Nott started reading Tim Flannery’s *The Weathermakers*.”

## Our community

First Matt organised a human sign spelling the words “Clean Energy for Eternity” on Tathra beach. Three thousand people turned up, in a town of 1,200. It did help that Matt, an orthopaedic surgeon, has fixed a hell of a lot of knees and hips, and does not come across as a greenie. The day was a huge success: aerial photos were taken and put in as many newspapers as we could manage. Similar events followed: other human signs in Canberra, Jindabyne, Broulee, and soon in Bondi and Manly; 1000 old washing machines in a paddock which looked like a cyclone; and many, many talks and meetings. This culminated in Bega Valley Shire Council adopting a 50/50 by 2020 target. That is, that we reduce our CO<sub>2</sub> emissions by 50% and use 50% renewable energy by the year 2020. The target has been adopted by other councils as well.

The Clean Energy for Eternity Group then convinced the local council to pay for half the cost of solar panels and a wind turbine on the roof of our surf club. It would be safe to say that Tathra Surf Club is the first in the world to be self-sufficient with its energy use.

With the \$4000 rebate from the Government, the Surf Club installed solar hot water. Now the plan is to extend this nation wide, in this the Year of the Lifesaver.

## Home and work

As I’m employed to work as a family lawyer at home, that means my work is covered too. Eighteen months ago we were typical consumers; we have a pool, a 4WD, a big house (though it is 105 years old and therefore “recycled”), travelled overseas regularly and didn’t think about what we were doing at all.

## Some things will be hard

We may have reduced our carbon footprint considerably, but we aren’t all the way yet. We did just take the three kids to Vietnam for a holiday and donated \$600 to the surf clubs solar panels to off-set our emissions. It’s unlikely we will be leaving the country again as flying is about the worst thing we can do. I’ll have trouble accepting that. We do still have our 4WD to tow our camper trailer, but we take the hybrid car everywhere, and jam all five of us in. As I work mainly from home, the 4WD doesn’t do many kilometres, but some of our surfing spots can only be accessed with this monstrosity

We haven’t finished yet. We still plan to:

- ☉ install a wind turbine on the roof (about \$7,000)
- ☉ install watertanks
- ☉ install grey water recycling (quote for \$7,500)
- ☉ start growing our own veggies (free)
- ☉ install solar hot water (\$7,000)

Having done this has not made us complacent—we are in a race with ourselves all the time. It feels good!



Above: Kylie’s son Lewis and friend at the Tathra surf club next to a wind turbine nose cone.

Below: 3000 people turn out in May 2006 on Tathra Beach (Tathra has a pop of 1200) to create “Imagine”.

Next page: Kylie Dummer (left) and friend Louise Maude pause for a well-earned rest right after shifting washing machines.



# BENCHMARKS

## Kylie's 18 month campaign:

- Replaced light bulbs with energy efficient bulbs (free)
- Signed up to ensure our electricity came from renewable sources (\$1.50 Per week)
- Started to compost all food scraps
- Recycle more aggressively
- Purchased solar panels (\$13,000, though our last electricity bill was a credit)
- Purchased a hybrid car (\$30,000, did need a new car, petrol about 1/5 of what we used to pay)
- Turn off standby appliances at the wall every night
- Stopped using the dishwasher altogether
- Turned off the spare fridge and freezer
- Eating less beef and now cooking same meal for kids and us, rather than separate meals
- Trying not to buy food grown outside of Australia
- Limiting flights
- Insulated the house and have no heating, or cooling, except for an energy efficient wood fire.

## "I plan to use plastic olive barrels to make a cheap water tank"



**John Moratelli (civil lawyer) calls himself an aspiring greenie. He has low energy bulbs, including downlights, throughout his house, dual flush toilets, AAA rated shower heads, trigger grips on the hoses, three composting bins, a worm farm and lots of native plants.**

"The worm farm has been an almost total failure," says John "I just don't have the time to sort out the food the worms like from food they don't like such as citrus and onions. Because I like to compost anything that will break down, I've moved to a system of three anaerobic compost bins. Being fully enclosed, these bins take longer to break things down than bins open to the air (aerobic bins). This is why I need to have three bins. However, they are totally vermin proof so that anything that will break down, including things like meat and cheese, goes in. This means that we only generate about two plastic shopping bags worth of non-recyclable garbage a week, for a family of three. We also get heaps of compost for the herbs and veggies."

John has recently become a member of a local Sustainability Street, group supported by Willoughby Council. Based on a concept pioneered in Victoria it brings together residents interested in reducing their environmental footprint to swap ideas and assist each other. "The group meets monthly around tea and cakes with a person from council present. The group hasn't been going very long but so far has helped organise a very well attended free screening of Al Gore's *An Inconvenient Truth* at a local oval, and a bus trip to visit a sustainable house. It is a great information exchange—a member of another group worked out how to connect used plastic olive barrels to make a cheap water tank, an idea I want to try out. The group has also circulated information about how to find the best green power package from the myriad available and has established a lending library. Group members list what they have to offer to other members—I've offered to show people my low energy downlights, and how to build incredibly effective beer traps to catch snails and avoid poisoning the local blue-tongues with snail bait."

Although John rides a bike he found in a council clean-up to the bus stop, and uses public transport as much as he can, he feels bad about having two cars for a family of three. "I'd like to get rid of my car but I can't use my partner's work car except when she's in it," says John. "I had a look at one of those schemes where you join up and rent a car by the hour when you need it, but they didn't have many collection points when I looked about six months ago. It's probably time for me to have another look."



## BENCHMARKS

- Low energy downlights
- Dual flush toilets
- AAA rated shower heads
- Trigger grips on the hoses
- Three composting bins
- Worm farm, lots of native plants
- Cycles to bus stop
- Catches public transport





**Lurline Dillon-Smith and partner Giles made a tree change seven and a bit years ago, when she accepted the job as the half-care/half-civil position at the Lismore office**

At the time we were living in the heart of Redfern around the corner from the “block” where my partner worked with the Aboriginal community. In the whole three years we lived in the area I had never been mugged until after I accepted the job at Lismore so it was definitely time to leave. We now live in a beautiful house surrounded by rainforest and with views to the Mount Nardi National Park. It is 10 minutes to Nimbin and about 45 minutes to Byron and 40 minutes to work in Lismore.

The house is fully solar powered and there is enough power to run TV, washing machine, DVD, lights whitegoods etc.

Our water is either spring water from an underground spring up in the hills or else from our rainwater tank which holds a lot. The water is gravity fed to the house so we don't need to use a pump.

We also have a composting toilet which scares most city visitors

## “Can anyone beat a composting toilet with wandering wildlife?”

until they realise it is as friendly on the nose as a flush toilet, except a bit more work (you need to use sawdust instead of just pushing a button)

Our grey water goes into a reed bed system and is absorbed into the reed bed and so does not go into the ground water or run off into creeks.

We have regenerated a lot of the surrounding bush by planting native plants to encourage wildlife back into the area. The valley we live in has a rule that there are no dogs or cats allowed (there are two hippy communities).

Instead, we have native pademelons (miniature wallabies), echidnas, goannas, and bandicoots coming right up to the house. We are wildlife carers and currently are caring for two baby possums (the ones up here are jet black) and three wallabies. Wallabies we have released here come to the house every day to say hello. We are members of the Northern Rivers Wildlife carers group and on the weekend we will be picking up two sugar gliders to care for and then release. Being vegetarian, we created a veggie garden but this is a constant source of stress, because it would appear my thumb is not at all green.

We love living where we are and the only regrets are leeches and

*Meet possums Guna and Garangi, mountain Boeuck possums who have lived with Lurline and Giles for six months and are about to be released.*

ticks (there are millions of them) and the naughty pythons that are always trying to eat the animals we release.

We are organising to buy some land out near the border ranges national park so we will be able to release endangered species.

I am also thinking of changing my name by deed poll to Fairy Princess, Hippy Dippy Star Light Tree Top, Gaia Goddess Dillon-Smith.

Benchmarks: Too many to count!

*Lurline's partner Giles, an environmental scientist feeds Una the orphan wallaby.*



# Staff reduce their global footprint

When staff got wind that *Verbals* was addressing environmental issues, letters rolled in with questions the Publications Unit simply couldn't answer. Therefore, we invited Manager, Operational Support, June Woolcott to respond.

## ***"I'd like an eco audit" says 'concerned world citizen working at Legal Aid'.***

I'm writing from a regional office to raise the issue of energy and resource use in Legal Aid's buildings. I'm wondering whether we're as efficient as we could be, and that guidelines, policies or information about how to conserve resources in the most effective way would help. Many people working at Legal Aid want to take steps to address these issues, but find it difficult to identify exactly what should be done and gain support from all of our co-workers to ensure that this occurs.

I wonder if Legal Aid could obtain an audit from someone qualified to make recommendations about resources and energy use in office buildings? There are many consultants who specialise in this area. Their report could involve things as simple as suggesting that the air-conditioning/heating computers etc in offices are turned off on the weekends, to more technical issues, such as the most sustainable fittings for buildings. Once we had this audit report, guidelines could be developed and put in place to ensure that we do everything necessary to make our energy footprint as small as possible.

Although Legal Aid offices form only a small part of the energy consuming community, our role as a public department makes it important for us to do everything we can about the

problem of global warming and resources consumption.

**June replies:** Wherever we can, Legal Aid is taking the lead to help maintain a cleaner environment. At our city office, many steps have been taken to comply with the Government's Greening program. Since 1989, we have been recycling with our Commission-wide use of Visy recycling boxes to separate our paper from the general rubbish.

The government's guidelines have been incorporated with our procurement and facility programs. Through our preferred supplier, Corporate Express, we only use 100% recycled paper and whenever there is a new office to be set up, we request energy efficient lighting for the premises. When we buy electricity for a regional office, we make sure that the contract includes a minimum of 6% green power.

A facility maintenance program is in preparation and part of this will be to report on the air-conditioning plant and equipment. At regional offices through our contracts have been contributing towards controlling global warming by purchasing green power and using recycled paper.

## ***"We can't let NZ beat us," says another global citizen***

I read in the *SMH* that the Castlereagh St headquarters of HREOC is going green, taking measures to reduce energy use by 20%. And in NZ the PM has given a speech in Parliament

saying the government is moving towards a carbon neutral public service. Can we match HREOC and is the Australian public service aiming as high as NZ?

**June replies:** Legal Aid NSW has been going green since 1989. We have already saved 50% in energy by installing a new lighting system at our city office and we are requesting T5 lighting for any new office we set up in the regions.

We have saved 50% on water consumption by installing waterless urinals and hand sensor water taps, and by cutting the flush levels by half at our city office.

Legal Aid is aiming to be a good 'corporate citizen', and intends to increase the amount of green power it purchases from 6% to at least 50%, as well as installing time switches on our hot water heaters and turning off all our computers at night.

To neutralise carbon emissions we have purchased a Pirius car as part of our fleet, to make the environment cleaner. Bicycles are welcome and showers are provided wherever possible. We will surpass HREOC and NZ, and look to our staff helping with environmental sustainability.

Also, when we chatted, you said that although the govt required a switch to 6% green energy, in our case we're considering going to 100%, including regional offices.

... continued on inside back cover

# Results through **negotiation**

**Alex Wearne explains how a lengthy nine-day hearing was avoided when our Family Dispute Resolution Conferencing service helped achieve a shared parenting arrangement.**

Recently, a complex family law matter listed in the Albury Circuit of the Family Court was able to be resolved through a series of family dispute resolution conferences.

The proceedings involved very serious allegations made by the wife against the husband. There had been a hiatus in the proceedings of almost two years while the police considered the allegations made by the wife. During this period of time, the children spent no time with the husband. Ultimately, no criminal proceedings were brought, and an expert report prepared in the family law proceedings indicated that there was no risk to the children in spending time with their father, with whom they previously had a very good relationship.

Due to the complexity of the case, it was referred for specific case management to the Family Court in Melbourne, as it was not a matter which could be accommodated in a Judicial Circuit. A total of 23 witnesses were to be called. The matter was listed for nine days, on a date to be fixed in Melbourne.

Given the expert's recommendations, the Independent Children's Lawyer (ICL) arranged a family dispute resolution conference through the Commission's FDR Section to discuss with the parties the option of the children spending some supervised time with their father. The parties agreed to attend a conference and agreed on supervised visits. At the end of the conference, the parties indicated their willingness to review those arrangements in three months' time, at a further family law conference. The parents asked the ICL to meet the children before the next conference and ascertain their views on spending time with their dad.

The children's time with the husband went well, and at the next conference, the parents and ICL agreed that the children could spend unsupervised time with him, progressing to overnight stays. The parties again asked if we could convene a further conference in three months time, to consider further arrangements. Again, the ICL would speak with the children prior to the conference to obtain the children's input into the progress of visits with their father.

Two further conferences occurred on this basis, and each conference resulted in a significant progression in the children's time with their father. The matter

has now been finalised, by agreement between the parents, with the children living in a shared care arrangement: five nights per fortnight with their father, and nine nights per fortnight with their mother. All parties, and especially the children, are very happy with the outcome. They have an arrangement which addresses everyone's needs and concerns – and Legal Aid has saved considerable resources in avoiding a nine day trial in Melbourne through using the Family Dispute Resolution program.

## **New face:** Suzie Cornish



*Suzie Cornish finds herself at the cutting edge of family dispute resolution.*

### **At the centre of dynamic change**

Although I'm not a lawyer I have usually worked in legal environments, most recently in court administration. I spent six years at the Family Court, initially as a Judicial Associate and then as the Team Leader of Judicial Support for NSW and ACT. After that I spent a year with the NSW Attorney General's Department, coordinating judicial support for the

District Court. I'm now on secondment to Legal Aid in the temporary role of Policy Officer in the Family Dispute Resolution section, which was previously known as Alternate Dispute Resolution.

I was pleased to take this position as I enjoy working in family law, and family dispute resolution is an important element of the legislative changes which are taking place in the family law environment. From 1 July 2007 parties wishing to commence family law proceedings will need a certificate to prove that they have made a genuine attempt to settle the matter through family dispute resolution, unless an exemption applies due to such factors as family violence. The Commonwealth has designated Legal Aid NSW as an authority mandated to issue these certificates for the family law conferences we convene.

My role in FDR is to assist the Manager, Family Dispute Resolution (Elaine Harrison) with preparation for these significant changes and the key role Legal Aid will play as an FDR provider. This involves policy and project work such as producing procedural manuals for conference organisers, and Family Dispute Resolution

L to R: Julie Fellowes, Blacktown; Susan Davitt, Fairfield; Jenny Brown, Family Relationships Centre, Penrith; Nicole Dwyer, Wagga Wagga and Alan Scally, Newcastle.



## Working with Family Relationships Centres

In 2006 Family Relationships Centres (FRCs) were established in Lismore, Penrith, Wollongong and Sutherland. On 1 July 2007 more centres will be established in Blacktown, Campbelltown, Fairfield, North Ryde, Nowra, Newcastle and Wagga Wagga.

Legal Aid is committed to establishing working relationships with the Centres and ensuring that our clients are being appropriately referred from our organisation to the centres and that the centres are referring appropriate clients over to us.

Last month, senior family lawyers from across the State attended an information-sharing day at the Sydney office to share their experiences of working with FRCs.

Mary Gleeson, Paul Ryan and Richard Hughes provided great feedback on their positive working relationship with the centres that had opened in their regional areas. It was important to work hard at providing information on the work done by Legal Aid NSW, manage referrals to the Centres, and act as a valuable referral point for the FRCs.

Jenny Brown, Parenting Advisor and Family Dispute Resolution Practitioner from the Penrith FRC explained how clients will be assessed and assisted by the centres. "It was great having her there, giving us the chance to share experiences and discuss our ongoing working relationship with FRCs," says Dina Lioumis, Regional Program Coordinator, Family.

The forum devised a plan for working with FRCs which will be applied across the State.

Practitioners (FDRPs, formerly known as Conference Chairpersons), updating publications to reflect the changes in legislation and terminology, and establishing a panel of FDRPs whose qualifications meet the new criteria determined by the Commonwealth.

**Family dispute resolution is an important element of the legislative changes taking place in the family law environment.**

FDR is particularly important for Legal Aid as there can be a significant reduction in costs to the Commission when a matter settles at a conference rather than proceeding to court. (See separate story regarding Alex Wearne's experience with a matter which settled at a conference, thus avoiding a nine day hearing.) There is also a considerable benefit for the clients in reaching their own agreement without the distress which can be caused by litigation and having a judicial determination imposed.

I'm enjoying my work in FDR and have felt very welcome in the section and in the organisation as a whole. The FDR Conference Organisers work hard to provide a sensitive and efficient service to our clients and the non-legally aided other parties. I find this to be typical of the professional and dedicated approach demonstrated by staff throughout Legal Aid, which is one of the main reasons I was interested in coming to work here.

# CASES rollout begins

After many months of preparation and planning, the rollout of Legal Aid's new case management system, CASES, is now in full swing.

In a staggered rollout that began on 14 May, CASES is being introduced first to Sydney Office and one or two other Sydney locations. This first stage runs until 27 June, to be followed by a progressive introduction into regional offices from 2 July until 20 August.

Full details of the deployment timetable showing startup dates at each location are available on the Intranet. Just click on the ATLAS/CASES icon on the Intranet home page to go to the ATLAS/CASES page, then click on Revised Deployment.

When fully rolled out, CASES will be used by all legal officers and legal support officers across the Criminal, Family and Civil Law Divisions, except in the ADR section where it will be introduced at a later date.

## Training

Running in tandem with the deployment, all staff who'll be using CASES are receiving a full day of training at the Sydney Office. The aim is to train each staff member within the two-week period just before CASES is introduced at their workplace, so the training will still be fresh when people start using the system.

Training is being co-ordinated by Lisa Watson from the IT Branch. Lisa is contacting all Solicitors in Charge (regional offices) and Senior Solicitors (Sydney Office) to give them a list of dates when CASES training will be available for staff from their workplaces.

Feedback from training sessions held so far has been very positive, both about the training and about CASES itself.

## Ongoing support

Support for users of CASES doesn't end when they complete their training. As with any new system, it will take time for staff to become fully comfortable with CASES, and ongoing help is readily available.

Every workplace has a CASES on-site expert, who's the first port of call if you need help. The on-site experts are the Office Managers at regional offices and the Team Leaders at Sydney Office.

If an on-site expert can't resolve a problem, they have backup support from the CASES Co-ordinator, Bronwyn Chamberlain, as well as from the three CASES Program Consultants: Paul



*The fabulous CASES team: Seated: Kylie Beckhouse, Program Consultant Family Law and Rob Wheeler, Program Consultant Civil Law. Standing L to R: Bronwyn Chamberlain, CASES Coordinator; Paul Hayes, CASES Project Manager and Program Consultant for Criminal Law and David Cox, Change Manager.*

Hayes (Criminal Law), Kylie Beckhouse (Family Law) and Rob Wheeler (Civil Law). The IT Help Desk is available to assist with IT-type issues such as log-in difficulties or screens freezing.

Further training can also be arranged for staff who feel they need it. Speak to your on-site expert if you think you're in this category.



## We want your feedback

The CASES Project Team is keen to hear your views on CASES, whether they be on things you like about it or on problems and things that could work better. The system can be fine-tuned to make improvements, and your feedback will help bring that about.

If you've got suggestions or comments, send them to your on-site expert or enter them directly into the online suggestion box that's being set up on the ATLAS/CASES Intranet page. Either way, your feedback will be passed on to the CASES Focus Group, a body with representation from the Criminal, Civil and Family Law Divisions that's been set up to receive staff feedback.

The Focus Group, in turn, makes recommendations to the CASES Steering Committee, another body whose role is to oversee the implementation of CASES.

## More information?

You can see who's on both the Steering Committee and the Focus Group, as well as lots more about CASES, by going to either the CASES Frequently Asked Questions or the CASES Newsletter. Both of these are online and accessible from the Intranet's ATLAS/CASES page.

If what you want to know about CASES isn't there, contact **Bronwyn Chamberlain on 0419 693 416.**

# NSW gets **first** female coroner



*Mary Jerram pauses in her new role to reflect on heady days as a Legal Aid lawyer.*

**Magistrate, former legal aid lawyer and union delegate Mary Jerram is now the new state coroner, replacing John Abernathy.**

Mary Jerram was the first female lawyer working at Legal Aid to be appointed a magistrate back in 1994, and now she becomes the first woman to be appointed state coroner. A strong advocate for women's rights, Mary says, "The message here is that women can do anything...and I mean anything."

Mary's appointment came after months of speculation. "Yes," she laughs. "I was pretty much speculating along with everybody else because I only found out a week before it was officially announced."

Mary has served 13 years as a magistrate and as a deputy chief magistrate of the local court. She has experience as a children's and industrial magistrate. Before her appointment in 1994, she spent eight years with Legal Aid as a duty solicitor and Senior Advocate, interrupted by a secondment to an industrial inquiry into prisoners and prison officers.

Her experience in coronial cases is limited, but she is looking forward to the challenge. "I make no secret of the fact that I love working in criminal law, especially the criminal jurisdiction out at Burwood where there's a terrific team and you get every type of case. However, I've been doing that for a long time now and I could either wind down altogether or take a new challenge, and I've decided it will be this new challenge"

Only weeks into her five-year contract, Mary finds her new role very different to the one of a Local Court magistrate. "In local courts, you never get out of court and matters come on in quick succession. In the Coroners Court, there is much

more lead time and a huge number of matters don't go to inquest unless there is criminal negligence, a suspicious death or the case could result in the system being improved."

The fact that the Coroners Court is often in the public eye dealing with controversial matters of more public interest is something "I'll certainly bear in mind."

Her most important consideration will always be for the grieving families. "My first duty of care is to the living," she says. "Families are looking for some finality about what cause their loved one's death."

On a larger scale, she must be prepared and briefed for any national disasters ("heaven forbid") such as the Granville train disaster and the Strathfield massacre.

It was Mary who coined the phrase "Legal aid lawyers are the unsung heroes of the legal world" and today she says, with an affirmative sweep of her hand, "I would still describe them that way. Legal Aid has always had a high standard and that hasn't changed."

Legal Aid was her first job in criminal law, coming after an industrial law career and she remembers it with great affection. "I loved it and took to it like a duck. Legal Aid was a terrific mixture of hard work and fun and it was great for morale to be surrounded by so many fantastic advocates fighting for justice for their clients."

## CRIME STATS•CRIME STATS•CRIME STATS•CRIME STATS• CRIME STATS• CRIME STATS• CRIME STATS• CRIME STATS•

**The Bureau of Crime Statistics and Research's recent Contemporary Issues in Criminal Justice, Number 108 of March 2007, The psychosocial needs of NSW court defendants, presents the results of face to face interviews with 189 defendants in two Local Courts, to assess how they could be helped by having better access to social and therapy services. Among their findings:**

- 21% reported that they had "difficulties reading or writing".
- 65% of the sample reported had been in full-time paid employment for less than 13 of the previous 52 weeks.
- High rates of alcohol and drug dependence, insecure housing and experience of personal injury

*Download the full report at [http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll\\_bocsar.nsf/vwFiles/CJB108.pdf/\\$file/CJB108.pdf](http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/CJB108.pdf/$file/CJB108.pdf)*



## Central Coast update: **Beating down the door at Gosford**

**The new civil law section at Gosford started in January 2007. Without any marketing or publicity, their advice sessions were booked out for about five weeks in advance.**

The civil law team Mary Lovelock, Susie Grey and Trevor Horn jumped straight in to dealing with a range of matters, mainly Centrelink, housing and debt. There are also some Supreme Court proceedings in the pipeline where Legal Aid is seeking to set aside the mortgage transaction where the borrowers never had any capacity to repay the debt (often they are on Centrelink benefits) and the lender could eventually take possession of their house.

Mary Lovelock comes from a background in private practice, but most recently was the lawyer for the New South Wales Nurses Association. She does admit to having had a previous stint with the Commission in crime which was obviously not enough to deter her from coming back.

Susie Grey was admitted as a solicitor in 2006 and comes from a background in Welfare Rights and Community Legal Centres whilst Trevor has been with the civil division at head office for many years and was happy to transfer to Gosford after commuting for a period.

“Trying to accommodate the initial demand was a bit crazy,” Mary says. “It was like that baseball movie with Kevin Costner – “Build it and they will come”. It has just started to settle down in the last couple of weeks which is finally giving us a chance to get out and liaise with different groups.”

The other (continuing) challenge is coming to grips with the secret workings of LA Office and the ‘unfathomable tome of clauses. Mary and Susie’s only comment in relation to this aspect is “Trevor will NOT be going back to head office under any circumstances”.

*Gosford civil lawyers run off their feet L to R: Mary Lovelock, Susie Grey and Trevor Horn.*



## Central Coast and Blue Mountains join up

The partnership that brings together government, community and private sector agencies in a regional and cooperative approach to delivering legal services, is expanding to include two more regions in NSW.

The Cooperative Legal Service Delivery Program (CLSD) presently covers four CLSD Regions: Central West, Northern Rivers, Albury Wagga Wagga and the Hunter. In July, the program will be rolled out to include the Central Coast and the Blue Mountains, Katoomba to Orange. By 2010 there should be 10 CLSD regions established in NSW. Next month, the CLSD Program Unit (Louise Blazejowska and Kim Gabler) will consult with key services in the new regions to inform them about CLSD and secure their commitment to the Program as well as help them determine the boundaries of their CLSD region. Early

this year, each CLSD region developed a two-year plan targeting people with mental health problems, Aboriginal communities in care and family law matters, women from culturally diverse backgrounds, women experiencing domestic violence and people dealing with employment issues. Using money from the Commonwealth Attorney General’s Department, CLSD has funded legal education workshops (Northern Rivers), helped with the establishment of a Criminal Justice Support Network for people with disabilities in contact with the justice system in Albury, and funded a Legal Expo in Newcastle during Law Week.

Central West CLSD has plans to hold a community legal education session for Aboriginal grandparents to assist them when dealing with the Department of Community Services and Centrelink.



## Who's going where?

### 1 March 2007 to 31 May 2007

#### Coming on board – new faces

**Paul Walkden**, Legal Officer Grade IV, Family Law Relief, Head Office

**Kannika Po**, Legal Assistant, Clerk Grade 1/2, Grants Division, Head Office

**Vivien Carty**, Legal Officer Grade I-III (Care & Protection), Coffs Harbour

**Susan Grey**, Legal Officer Grade I-III, Civil Law, Gosford

**Andrew Langley**, Legal Officer Grade IV, Civil Law, Penrith

**Paula Novotna**, Legal Officer Grade I-III, Civil Law, Penrith

**Susannah O'Reilly**, Legal Officer Grade I-III (Care & Protection), Newcastle

**Megan Pikett**, Legal Officer Grade IV, Civil Law, Nowra

#### Coming on board – temps become permanent

**Andrew Blackman**, Grants Officer Clerk Grade 3/4, Grants Division, Head Office

**Carmen Thomson**, Grants Officer Clerk Grade 3/4, Grants Division, Head Office

**Denis Doyle**, Records Officer Clerk Grade 1/2, Grants Division, Head Office

**Mirela Butina**, Legal Support Officer Clerk Grade 1/2, Family Law Division, Head Office

**Todd Wheeler**, Legal Support Officer, Inner City Local Courts, Head Office

**Lucy Maranga**, Legal Officer Grade I-III, Criminal Law, Parramatta

#### Going up

**Deirdre Boss-Walker**, Family Law Solicitor, Legal Officer Grade IV, Grants Division, Head Office

**Lynda Elmir**, Senior Audit & Review Officer, Clerk Grade 7/8, Grants Division, Head Office

**Elaine Harrison**, Manager ADR, Legal Officer Grade VI, Family Law Division, Head Office

**Katherine Hawes**, Legal Officer Grade IV, Grants Division, Head Office

**Rebekah Rodger**, Legal Officer Grade V (ICLC), Criminal Law Division, Head Office

**Paul Townsend**, Solicitor Advocate, Legal Officer Grade VI, Criminal Law Division, Campbelltown

**Stuart Devine**, Legal Officer Grade V (ICLC), Criminal Law Division, Head Office

**Stephanie Wood**, Team Leader Clerk Grade 3/4 (Committals), Criminal Law Division, Head Office

**Mary Lopez**, Grants Officer Clerk Grade 3/4, Grants Division, Head Office

#### Going, going, gone

**Sarah Davies**, HRM Assistant Clerk Grade 1/2, HRM Branch, Head Office (Resigned)

**Sam Fallah**, Budget Analyst, Clerk Grade 7/8, Finance Branch, Head Office (Transfer to Public Service agency)

**Christopher Livingstone**, Clerk Grade 1/2, Operational Support Branch, Head Office (Resigned)

**Billie Brace**, Legal Officer Grade III-IV, Civil Law, Burwood Office (Resigned)

**Tom Bruce**, Records Officer Clerk Grade 1/2, Grants Division, Head Office (Resigned)

**Leonie de Boer**, Legal Assistant Clerk Grade 1/2, Grants Division, Head Office (Resigned)

**Maurice O'Halloran**, Grants Officer Clerk Grade 3/4, Grants Division, Head Office (Resigned)

**Louise Baker**, Legal Officer Grade III-IV, Family Law, Manly (Resigned)

**Karolyn Eaton**, Legal Support Officer Clerk Grade 1/2, Sutherland (Retired)

**Julie Fleming**, Legal Support Officer Clerk Grade 1/2, Newcastle (Resigned)

**Paul Gallagher**, Legal Officer Grade IV, Family Law, Lismore (Resigned)

**Deborah Lynch**, Legal Support Officer Clerk Grade 1/2, Newcastle (Resigned)

**Kim Meredith**, Legal Support Officer Clerk Grade 1/2, Wollongong (Transfer to Public Service agency)

**Peter Skidmore**, SIC, Legal Officer Grade IV, Criminal Law, Manly (Resigned)

**Ammata Viravong**, Legal Officer Grade I-III, Family Law, Head Office/Campbelltown (Resigned)

## All the best Sophia

Sophia Beckett left the Commission on Friday 20 April. In her farewell speech Sophia explained how she first became addicted to criminal law whilst working in private practice.

After an 'eye opening' time with the Aboriginal Legal Service, she joined Legal Aid where her 12-year career spanned Inner City Local Courts, Indictable and finally, Appeals where she was Senior Solicitor.

Although Sophia was drawn to crime "because of the stories", there's more to it. She was a great believer in the criminal justice system and became very angry when the rules of that system were compromised. An inhouse expert on sentence, she was always available to discuss the law, tactics or just the story. Legal Aid has lost a great advocate and dedicated employee. However, as Sophia is going to the bar, I am sure she will receive many well-earned legal aid briefs and we wish her well.

*Michelle Crowther*

# Goodbye to a **loyal employee**

**After 37 years of working for Legal Aid in some shape or form, Peter Cooney has retired. Peter has held several roles in civil and crime, served as Senior Solicitor of Wollongong and Manly offices, and most recently (the last 12 years), was a duty lawyer in Inner City Local Courts. In all that time he has never been tempted to work anywhere else.**

Peter started as a clerk in his final year at Sydney University Law School with the Public Solicitor's Office, back in the days when the office was so small that everyone knew each other. As the years rolled by, he saw many changes, most markedly the rise in the number of clients and the complexity of their mental and health problems. The key though to dealing with clients in this situation is to be positive, professional and show respect.

Duty work is known to be tough and relentless. Peter's strategy for sustaining his commitment over the years has been to 'organise your day and week in advance – take regular holidays, read widely in areas not related to the law'.

The most satisfying features of working for Legal Aid have been the "comradeship and high ideals of staff, especially the younger staff" as well as being able to make a difference to clients. He thinks Legal Aid has got stronger over the years and is in good hands, especially with all the energetic and dedicated young

lawyers coming through. His advice to them is, "Be courteous, keep your sense of humour, keep fit!"

The challenge for Legal Aid in the future is work volume and increasing complexity. "Despite changes, there is so much more work to do and clients are presenting with greater personal problems."

Retirement, well-earned and sweet. "My wife and I will travel, participate in bush care, church work, bush walking, reading and gardening."

*L to R: Paul Johnson, Peter Cooney, his partner Sue, Steve Doumit, Kerry Robinson, and Yamil Watson at the back.*



*Drinks and dinner in Billie's honour held at Coronation Club, Burwood on 1 June 2007.*

## **Billie Brace retires**

Billie Brace (seated centre front) has retired from the Commission in her 20th year at the Mental Health Advocacy Service. This is, in fact, Billie's second career: previously she was science mistress at Cheltenham Girls High School.

Billie gained a reputation for her fearless representation of patients across Sydney, and became a legend at Rozelle Hospital. She took great pride in the comment often made by Tribunal members that if they were in hospital, they would want Billie to represent them. We wish Billie all the best in what we know will be an active retirement, and thank her on behalf to the thousand of clients she has represented.

## Case report Civil Law

### Federal Court success in DSP case

**The Federal Court has handed down a decision that is important for all Disability Support Pension (DSP) cases where the question of whether a condition has been properly treated is an issue.**

One of the main criteria for qualification for Disability Support Pension (DSP) is that a person must have an impairment rating of 20 points or more for their medical conditions, as assessed under the Impairment Tables in the *Social Security*. However, in order for a condition to be given an impairment rating it must be "permanent", which is generally defined as a condition which is diagnosed, treated and stabilised.

Our client had applied for DSP and stated that she suffered chronic pain arising from, amongst other things, severe osteoarthritis. Centrelink's assessment of the client suggested that there was some other treatment she could have tried to alleviate her chronic pain syndrome, even though she had undergone other treatments in the past and had not improved. Centrelink argued that the other possible treatments suggested the condition was "temporary", and so her pain could not be given an impairment rating under the Tables.

The Administrative Appeals Tribunal agreed with Centrelink's argument, even though it accepted that our

client was disabled by chronic pain, that she had a present inability to work and that no vocational training would render her fit to work in any capacity available to her.

The Federal Court (Justice Gyles) held that an applicant for DSP does not have to try all possible treatments for a condition in order for it to be considered "permanent".

The Court held that:

It is troubling that an applicant presenting with a long standing diagnosed condition being treated in a conventional fashion should be rejected for a benefit, not because of any identified defect in diagnosis or treatment but, rather, upon the basis that further examination by another medical practitioner or other practitioners might suggest some other diagnosis or some other treatment. My initial impression, having read s94 of the *Social Security 1991* and the Tables, was that the AAT should not have rejected the application on that basis...I remain of that view. (para 17)

The decision has been appealed by Centrelink to the Full Federal Court. The appeal will be heard on 14 August 2007.

*Harris v Secretary, DEWR (NSD1308 of 2006; [2007] FCA 404)*  
*Bill Gerogiannis, Civil Litigation*

## Barbara on the frontbench

**After six years of service to her Auburn electorate, State Labor MP Barbara Perry has been elevated to the frontbench and given two portfolios – Juvenile Justice and Western Sydney (the third biggest economy in Australia).**

Barbara worked for Legal Aid as a family lawyer for 12 years and regards her work with disadvantaged clients during that time as critical in helping shape her views on social justice.

Barbara was the first woman of Lebanese descent to be elected to the Legislative Assembly.

In October last year, Barbara officially launched Welcome to Legal Aid, a multilingual audio CD for African and Middle Eastern emerging communities. At the launch, she spoke highly of her ex-Legal Aid colleagues. "Legal aid workers go beyond the call of duty. Today I pay tribute to them and to the traditions, culture and achievements of our newest communities who will benefit from the CD."



*Barbara Perry with Legal Aid's audio CD during Refugee Week 2006.*

**"I'm proud of my Legal Aid background and know it will help me do the best job I can for the people of New South Wales.**

**I am extremely grateful for the support of my friends at Legal Aid."**

# Case report Family Law

## Client's trauma is over

**Lismore family lawyer Hazel Manson helped a client achieve safety by using the defence of "grave risk".**

Two years ago, a young Australia woman fled Europe with her six-month old baby without the consent of the father. She returned to her family in Australia and ended up in the Lismore Advice Clinic one quiet Monday afternoon armed with "some papers" she had received the day before. "No worries," I said confidently.

The application was for the immediate return of the child to the European country, under the Hague Convention (International Child Abduction) Regulations. It was listed in two days time. "Right then," I said, not so cheerily...I was getting sweaty and feeling a little demented.

Life had not been easy for our client in the last few years. She was married to a self-destructing, drug addicted European national. She had strong evidence about his bizarre and violent behaviour leading up to and just after their only child was born.

For a while she lived in a refuge but the father found her there and threatened her with a petrol can and a lighter, saying he would burn everyone inside and then himself.

Our client was suffering post traumatic stress disorder, could only speak a few words of the language, and was isolated from close friends and family. Finally, she left with the baby for Australia without seeking approval from the father or the Courts.

She relied on a defence available under the Convention Regulations (Reg 16 (3) (b)), which provides that a Court may refuse to make an order for the return of a child if... "there is a grave risk that the return of the child under the Convention would

expose the child to psychological or physical harm or otherwise place the child in an intolerable situation;" .

We gathered evidence about her psychiatric state, the domestic violence and the father's history. We had obtained information from the relevant Embassy which provided crucial information about government entitlements should our client be forced to return to the European country. This letter eventually became crucial to our client's case.

At trial, the defence of "grave risk" was established, however discretion was exercised to order the return of the child to Europe. The return was subject to strict conditions. These conditions if met, were meant to alleviate the "grave risk" and allow the safe return of the mother and child to Europe. The conditions included that the mother be provided with a visa, income, suitable housing legal aid and health care assistance sufficient to maintain the child.

Weeks later, the Court varied the conditions of return so substantially that the safety of the mother and child would have been seriously compromised if they were forced to return.

## Our appeal was heard near the end of last year.

The finding of "grave risk" remained untouched by the Court. The decision was based on issues around the conditions of return set out in the final orders and the significant variation of those conditions weeks later. The Court found that if conditions are to be imposed they must be clearly defined and capable of being objectively measured as to compliance, and, in this case, the conditions needed to neutralise the risk to the child of return. These matters were not met in our case.

The Full Court upheld the appeal and dismissed the application for return of the child. Our client was successful.



*Safe in Australia, a happy client brings her daughter in to say thank you to Hazel Manson (left).*

## Family law panels

An important milestone in the roll out of the Commission's panels of private lawyers was celebrated by staff of the Professional Practices Branch (PPB), Grants and IM&T at a morning tea on 7 May 2007. Building on the panels which have already been implemented for Children's Criminal Law, Care and Protection, Independent Children's Lawyers, Court of Criminal Appeal and Veterans' Law, the opening of the General Family Law panel for applications from private lawyers in the Greater Metropolitan area, signifies a move into the larger areas of law.

The PPB expects to receive around 2000 applications for appointment to the Family Law Panel from individual lawyers in private practice. To make sure such a substantial exercise will work efficiently, PPB staff have worked closely with IM&T staff to ensure that private lawyers have easy access to a streamlined, simple process for lodging panel applications online.

Each application is assessed by a selection committee comprising nominees of the Law Society of NSW, The NSW Bar Association, the Family Law and Grants Divisions.

On appointment to the panel, private lawyers will sign service agreements and agree to adhere to



L to R: Heang Cheng (IM&T), Dora Dimos (Grants) Katherine Hawes (PPB) and Wayne Gale (IM&T).

the Family Law Practice Standards. The practice standards, which have been drafted in consultation with the Family Law Division, apply equally to our inhouse staff and private lawyers. The Law Society and Bar Association were also consulted with regard to the practice standards and the implementation of the panel. Appointments to the panel are for five years.

Practitioners outside the Greater Metropolitan area will be submitting applications for the General Family Law Panel from 16 July 2007.

More information about panels is available on the Commission's For Legal Practitioners web site.

## Warning to car buyers

Wollongong civil lawyer Matt Turner wants to alert the public about problems associated with "no interest" finance loans, encouraging them to seek legal advice from Legal Aid if they are engaged in one of these contracts or thinking about becoming so.

One particular finance company recently opened an office in Wollongong, and Matt is concerned that consumers who are unable to obtain finance from mainstream credit providers (i.e. Code regulated) will enter into transactions with this company. Indeed, the Wollongong and Newcastle civil law practices have had a number of clients with loans like this already.

"Typically, the finance company operates by selling cars to the public with tied finance," Matt says. "Contracts usually state they do not impose interest, and therefore do not provide purchasers with any of the information required to be provided under the Consumer Credit Code.



This is because the finance provider linked with the finance company believes that their transaction falls within an exclusion for credit supplied without charge. This view is yet to be challenged in the courts, as to date the finance company has settled all matters in our clients' favour. Matt also plans to write fliers and distribute other educational material at key locations to alert consumers about this issue.

The problem is not limited to Wollongong. Fiona Pace in our Lismore office is dealing with similar issues and thinking of the best way to alert the community so they know they can talk to Legal Aid before being hit by hidden costs.

# Meeting training needs

**The Training and Development Unit has the mandate to oversight and coordinate activities in order to provide a strategic approach to learning and development across the Commission, to ensure:**

- it is effectively, efficiently and strategically managed;
- staff records are kept up to date; and
- statistical data is available for reporting purposes.

In late 2006 and earlier this year, the Manager of Training and Development, Sandy Degrassi conducted a review, by evaluating data from courses run in 2006; a voluntary survey of staff; and interviewing senior managers. The survey found that the most convenient times to schedule training was overwhelmingly 9.00 or 9.30 am to 4.00 or 4.30pm Tuesdays – Thursdays which is exactly as courses are currently scheduled.

Asked to rate a list of topic areas by degree of need, and provide comments in relation to specific courses/topics, the majority client service as the most pressing area for training.

The top 12 topics identified were:

- Dealing with mental illness
- Working with clients affected by drugs and/or alcohol
- Disability awareness
- Working with Aboriginal clients
- Customer service and complaint handling
- Dealing with aggressive and violent behaviour
- Cultural/diversity awareness
- Dealing with difficult clients
- Managing critical incidents (e.g. suicide threat)
- Legal Aid policy
- Resolving conflict and staff grievances
- Working with Muslim clients

Training and Development currently runs programs in eight of these areas. The four not currently offered are: cultural diversity, disability awareness, resolving conflict and staff grievances, and working with drug and alcohol affected clients. These are being actively sourced/developed in 2007. For more information on the review see the intranet training site.

Many exciting new initiatives are being trialled to assist staff to achieve their learning objectives without unnecessary travel from regional locations. A number of sessions have been web cast to regional offices and more trials will occur in 2007-2008. Keep your eyes on the training intranet site for more news!



## Veterans get help

Recent press reports have highlighted the difficulties faced by servicemen who have returned from Iraq, Afghanistan and East Timor and

are suffering from psychiatric disorders. These difficulties include the adequacy of treatment available within the military, the negative consequences of reporting any psychological symptoms while still in the military, the lack of services and information available after discharge and the impossibly complex system of compensation and other benefits that may be available to those suffering mental illness as a result of their military service.

Our Veterans' Advocacy Service has assisted a young man who had been medically discharged from the Navy as a result of a psychiatric illness developed while on operational service in Bougainville. Despite the Navy being aware of his symptoms he was sent on further operational deployments to the Persian Gulf. Not surprisingly, his condition worsened and he was admitted to a Navy hospital on his return to Australia. Despite a year of periodic admissions to the Navy hospital, his condition did not improve. The Navy arranged for him to be medically discharged. He and his parents were not provided with any information regarding access to medical treatment after his discharge, nor were they given any information regarding possible compensation benefits. His mother described his return home "with a box of pills and little else"

Following his discharge the young man was granted a small superannuation pension. He received no compensation and the government offered no assistance or advice in regard to his medical care. His condition worsened. He began to abuse cannabis and alcohol. He eventually deteriorated to the point where his mother sought assistance in admitting him to a civilian psychiatric hospital. The cost of this admission and treatment was huge. The mother had to remortgage her house. Fortunately his mother was referred to VAS by one of our volunteer network. VAS was able to assist the mother apply for compensation through the Department of Veterans' Affairs on behalf of her son. The claim was readily accepted and the young man was granted a temporary TPI pension and the Government accepted liability for his ongoing medical expenses.

The VAS provides advice and assistance to all current and former servicemen and their dependants. If you have a client, friend or family member, who has served in the military or is the widow of an ex-serviceman, please encourage them to contact VAS if they are unsure of their entitlements.

# Almost like **being there**

When staff from Family Litigation were faced with organising at short notice a seminar on an important legal development, they turned to training and development and IT for solution.



*Ron Kessels from KGA Lawyers became part of our web cast trial when he delivered an MCLE on Immigration Issues for Criminal Lawyers in May. Ron is pictured here with Tim Smith from Civil Litigation. The session was web cast to regional staff who expressed an interest in attending. Copies of the paper can be obtained from Sandy Degrassi in Training and Development.*

Sandy Degrassi of Training and Development had recently been investigating the use of webcams as a way of introducing innovative ways to assist in the delivery of MCLE. When Kylie Beckhouse from Family Litigation asked for her assistance in arranging for a seminar to be broadcast across all Legal Aid offices in NSW, Sandy jumped at the chance to conduct a trial.

Kylie was put in touch with IM&T and preparations quickly commenced for a trial web conference to

take place broadcasting a seminar by well regarded Sydney barrister Suzanne Christie. Suzanne had recently appeared before the Full Court of the Family Court in the groundbreaking case of Goode and Goode.

What resulted was the seminar *Is Goode good for children? Shared parenting and interim hearings in the new world* on 3 April, 2007. The seminar involved 25 participants attending at head office and over 30 remote participants across 15 regional offices (plus one participant at home).

Participants from regional offices commented that they felt very included and the session was a convenient way of getting information without needing to travel.

## **WHAT IS A WEB CONFERENCE?**

A web conference is a meeting, seminar or other event that takes place using the internet. Web conferences may be interactive (where each participant interacts with the presenter and each other), or more like a lecture or seminar (where everyone listens and watches the speakers presentation – maybe asking questions during or at the end of the session).

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## Wealth of information: **WDVCAP database**

The new Women's Domestic Violence Court Assistance Program (WDVCAP) Database has been fully operational since 1 July 2006. The database has greatly improved the ability of Schemes to record and manage client data and assess their performance against specified outcomes. It is much more closely aligned with the concept of a legal matter and more clearly links the provision of services to Apprehended Domestic Violence Orders (ADVOs) and criminal charge processes and court outcomes.

The new database has enabled Legal Aid's WDVCAP Management to extract reports on the performance of specific schemes and the Program generally. In the future, this will assist the Commission to identify systemic justice system issues impacting on client outcomes. For an analysis report, please contact Ella Kucharova, WDVCAP, on 9219 5792.



## City to bush **seachange**: living the dream

**Civil (and once upon a time city) lawyer Fiona Pace says working in Lismore is a blessing and a joy.**

In September last year, after three and a half years in Sydney, the last two of which I spent working in the Human Rights Unit in head office, I moved to the North Coast of NSW and started a position in the civil law division at Lismore.

The personal and professional changes that have come with that move are many and varied but all feel positive.

Most importantly for me on a personal level, the move means that I am now a drive rather than a plane ride away from my family in Brisbane. And after a day at work, I now drive home through lush green hills to a house on 78 acres of forest and wildlife with ocean views – as opposed to coming home battling Sydney public transport wearing headphones to block out the city hustle and bustle.

On a professional level, the move has provided me with a wonderful opportunity to diversify my areas of practice. It has also been great working in a smaller geographical community where we are able to better identify and address the specific needs of the community we are servicing. The Cooperative Legal Service Delivery program provides a useful

tool for Legal Aid to work with other community service providers to achieve this, and is particularly important in this region where there is a huge unmet need for civil law services.

One of the best things about working at the Lismore office is the strong links that staff have clearly developed with the local Aboriginal population over the years, thereby increasing access to Legal Aid services by Aboriginal people. The Lismore staff have created an office environment in which both Aboriginal and non-Aboriginal clients feel comfortable, and have made continuing efforts in conducting outreach to Aboriginal communities.

And luckily for me the Lismore staff are wise in the ways of the bush. Lurline Dillon-Smith deserves a special thanks. While discussing a case with Lurline after my lunch by the river during my first few weeks in the job, she noticed, quickly removed and disposed of two large ticks crawling in my hair who were, no doubt, about to begin burrowing into my scalp!

Ticks aside, blessed am I that the North Coast is now my home sweet home...and that Sydney is there for the visiting!

*Pastoral bliss – Fiona Pace at home with a dog called Ella.*



# Life after Legal Aid

## Going private in Newtown

Two years ago family lawyer Kate Escobar looked at her life and decided it was time for a career change. For 14 years she had worked in the 'legal aid comfort zone', enjoying her work and thriving in a social justice environment alongside supportive colleagues. But maybe there was more to life.

"There are great advantages to working for Legal Aid but I wondered whether one day, I'd regret not taking a risk and making a change. I was interested in practising different areas of law than those practiced at Legal Aid," she says. "It's actually good for me to feel a bit uneasy for a while. I'm a firm believer that personal and professional growth comes from placing yourself in a situation where you have to learn new skills and do something new."

Kate found her change in a two-person law firm in the Sydney suburb of Newtown.

"I can confidently say that the body of skills I acquired at Legal Aid made me very transferable and that anything is possible," she says. "I always tell young lawyers to gain experience at Legal Aid where you learn to think quickly on your feet and are thrown into advocacy early in your career. It's the best place to become a good litigation lawyer and to learn within a supportive environment."

## Different clients

Working with disadvantaged clients over 14 years, Kate now finds herself in a gentrified inner city suburb dealing with middle income people who present with a variety of issues arising out of relationships, including financial and children's matters. "I'm dealing with people who have good jobs and want a fair bit of involvement in the process. It's different for Legal Aid clients who are often terribly disadvantaged and have little or no control over their lives."

Very quickly, she had to brush up on her business knowledge, especially in property and finance after being under-exposed to the financial world for 14 years. Her current practice covers areas such as property division for heterosexual and same sex couples, issues in relation to donors and non-biological mothers, pre-nuptial agreements, contracts, wills, leases and licenses and drink driving matters.

Kate now spends less time in court and more time drafting letters and settlement documents. Clients either walk in off the street or come in through community referrals or word of mouth. As a Legal

Aid lawyer Kate never had to tout for business. "Legal Aid stands as a big organisation on its own merit but in our tiny practice you are it and you have to put yourself out there."

The demographics of Newtown raise interesting legal issues. Kate has many same sex couples as clients in both property and children's matters. Same sex couples often seek advice about the definition of parents and the interplay with donor



fathers' and non-biological mothers' position in children's lives. This also gives rise to child support issues. "I'm seeing more single sex donor families and people wanting to protect their assets through cohab agreements. It's very interesting work."

The new Family Relationship Centres with their focus on shared parenting and settling disputes through counselling have also had an impact on her practice. "I find that people often want to see me before they go to a centre so they know their rights and don't settle to their disadvantage," she says.

## Keeping contact

These days, Kate's main contact with Legal Aid comes through referrals to her practice made by the Grants Division and family law conferences, still her main source of legal education (MCLE) together with Young Lawyers forums and College of Law seminars.

"Without exception, my dealings with everyone in Grants are incredibly professional. People are very helpful and invoices are paid promptly. Grants staff are a good front for Legal Aid."

# Something **fishy** in the state of **Coffs**

**Tim Jones – an organic fish farmer and a civil lawyer in Coffs Harbour says there’s nothing fishy about his perfectly balanced lifestyle.**

Tim Jones completed an honours degree at Sydney University majoring in marine ecology and after graduating, studied the ecology of tropical reef fish on the Great Barrier Reef. He spent most of his time underwater collecting data. Then he moved on to prawns, helping to establish a prawn hatchery at Yamba and conducting research into prawn trawling in the Clarence region. He was the principal of the National Fishing Education Centre of TAFE before deciding to practise law.

“I’d always had an interest in law and was accepted into law after finishing school but decided to do science instead.



*Organic fish. Courtesy of the Commonwealth Department of Agriculture, Fisheries and Forestry.*

I started my law degree when I was working for the University of Sydney and continued it externally through Macquarie University while working on the trawlers and at TAFE. Initially I saw it as a means to become involved in policy development for fisheries management. Later I realised I would have to move back to Sydney to have any serious involvement in fisheries

management but didn’t want to live in Sydney.’

His first job as a lawyer was in private practice in a small firm in Grafton, gravitating towards running cases in environmental law. In 2002, a Churchill Fellowship allowed him to investigate environmental management of water in China and the USA. At the same time he and his partner, who is also a biologist, established a fish farm on their property 30km south of Grafton on the Orara river.

## **The skills and practice in biology and law are in many ways similar.**

“As a student at university I found the idea of aquaculture appealing. After the grant funded position at Sydney Uni finished I wanted to live on the North Coast. I heard that prawn farms were being built around Yamba so I visited the farm and was offered a position. It was a great opportunity I worked with a small team of keen biologists. We worked long hours but as the hatchery was close to the ocean we also were able to surf regularly.”

### **Science and law**

It is interesting that although biology and law are quite different, the skills and practice are in many ways similar. In both you analyse information within a framework of principals and paradigms to achieve an outcome. In biology it may be assessing the impact of trawlers on unwanted “discard species” so you have to establish a survey methodology, collect the information, analyse the data and



*Tim Jones and partner Anne Montgomery measure water quality in the pond, a daily task. Courtesy of the Commonwealth Department of Agriculture, Fisheries and Forestry.*

present it to your peers. In law you identify your client’s needs, collect the relevant information, analyse it to determine whether there is a legal remedy and then present the case in court.

“I’m very interested in a number of aspects of civil law, obviously environmental law is one. I also enjoy the challenges of working with disadvantaged clients to achieve outcomes against large corporations so legal aid is a great place to be.”

I’m really enjoying my work with Legal Aid. I am finding that there is a great opportunity to assist people who you could not help in private practice. The legal issues are interesting and challenging which I find rewarding. There is a great group of people working in the Coffs office and they have made me feel very welcome.”

And does Tim take his work home and share it with the fish?

“Ah, that is the beauty of fish – they are such good listeners and not at all judgmental.”

You can find out more about sustainable organic fish farming by visiting Tim’s website

[http://www.organicfish.com.au/About\\_OFA\\_P5.htm](http://www.organicfish.com.au/About_OFA_P5.htm)

## Condobolin forum

Just weeks after joining Legal Aid as a graduate, Eloise Schnierer conducted her first community legal education session in consumer law.

Along with Dubbo's Patrick Latham, Eloise represented Legal Aid at a good service forum held at Condobolin RSL Club on 21 March, where they gave a presentation on legal aid to a crowded room. Other presenters were the State and Federal Ombudsman, Anti-Discrimination Board, Electricity and Water Ombudsman, Department of Fair Trading and the Banking Ombudsman (ex-Legal Aid Colin Neave).

*Good service forum in Condobolin (Patrick and Eloise are standing back left).*



## Aged care conference

**Legal Aid NSW and LawAccess NSW held an information stall at the recent NSW Aged, Home and Community Care Conference.**

The conference of 700 delegates was held at the Sydney convention centre, Darling Harbour on 14 and 15 May 2007.

The information stall

was a great opportunity to meet aged care service providers from as far afield as Quirindi and Moree.

Attending the stall were from Legal Aid: Sue Emery, Annabelle VanDenHout, Anne Miller and Kirsten Cameron; and from LawAccess: Justin Sing, Julua Hamel and Gemma McKinnon.



*Genna McKinnon, Indigenous Client Service Officer, LawAccess NSW.*

*Phyllis Orcher Aboriginal and Torres Strait Islander Worker (Educator/ Advocate) from the Aged Care Rights Service and Kirsten Cameron, Community Legal Education Coordinator,*



## Civil training day

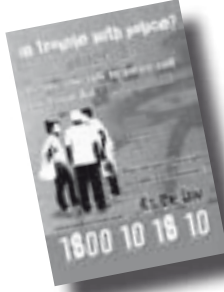
The Civil Law Division provided training over two days in March. Staff came from the Grants Division, Strategic Policy and Planning, and community legal centres. After adding about 10 new civil lawyers in regional offices (see article on 'Civil Law Induction'), the Park View Training Room was full. Our most experienced lawyers (present and former) delivered sessions on their special subjects:

- John Moratelli with Rachel François: defending mortgage possession claims
- Lynne Wilkins: residential tenancy essentials
- Bill Gerogiannis on an overview of appeals and other common problems under the *Social Security*
- Paul Batley: on unlawful discrimination in employment.

The Training Committee was also very pleased to secure as speakers:

- Leonie Walton (Acting Prothonotary of the Supreme Court) and Joanne Gray (Registrar, Supreme Court): the way in which the Court manages its Possessions List
- Andrew Stone (barrister): current interpretation of 'reasonable prospects of success' in litigation affected by the *Civil Liability 2002*
- Jackie Finlay (Welfare Rights Centre): appealing against the recovery of overpaid social security benefits
- Pat McDonough (Inner City Legal Centre): job security under the *Workplace Relations 1996*.

Papers from the training days have been posted to the Civil Law part of the Intranet under 'Resources – conference papers'.



## Youth Hotline is very hot

The CLS Youth Hotline has been running hot! The number of calls is ever increasing as police are now more aware of their duty to call the Hotline before interviewing a young person. Wendy Tran, the Hotline Information Officer, does an amazing job taking the calls during office hours and putting them through to the solicitor on duty. She has become an expert in keeping police officers and children calm at the police station. The after hours calls go straight through to the lawyers on duty to midnight during the week and 24 hours on the weekend and public holidays. The Hotline is a very important part of the work carried out by the CLS and it is available to young people all over NSW. The Hotline number is 1800 10 18 10.

## CREATIVE TEAM



A group of Diploma of Business (Group 9) participants demonstrated their ability to work as a team by putting together this incredible construction followed by a discussion/debrief of the roles taken in the process and implications for their practice as managers.

*Pictured, clockwise from top left, Amanda Zerbst, Deborah Sheehan, Ellen Downing, Matthew Greenaway, Carolyn Dean, Matthew Hazard, PC Reddy.*

## Picnic day

Legal Aid's picnic day in March was a great success thanks to the hard work of Peter Krisenthal and Tony and Allison Lynch in organising entertainment and games for children and adults alike. These photos show that not everybody lolled about under a tree.



*Peter Krisenthal: hero of the day!*



*L to R: Jasmine Lewis, Nella Mitchell, David Fenech, Laraine Hibbert, Murray Bruce.*

## A new way out

Comradeship and commitment is what David Fenech and his crew Laraine Hibbert, Murray Bruce, Nella Mitchell and Jasmine Lewis showed as they got ready to changeover 500 security passes on the 14 May 2007 at our city office. After a few strategic meetings, David was full steam ahead with Jasmine taking photos, Laraine and Nella checking the information on the cards, and Murray staying many weekends to make sure the hardware was just right. Staying back until 2am one morning to check all the card details, then turning up at 7 am on the morning of the changeover showed David's commitment to making sure nobody was locked out.

Congratulations on a good job!

# That Championship Game

**Audie Willert has waited a lifetime to be a champ.**

Okay, it's not the major leagues, or a win at Yankee Stadium or, but boy did it feel good. On Tuesday, 6 February 2007, the Defenders defeated the Pink Mitts 11 to 9, capturing first place in the Gay and Lesbian softball league.

This ragtag team, made up of lawyers from Legal Aid, Public Defenders, and Aboriginal Legal Services, to name a few, came in dead last 2006. I'd love to say I was instrumental in this zero to hero turnaround, but modesty prevents me.

Richard Button of the Public Defender's Office stepped in to replace Lester Fernandez, to lead the Defenders to this unparalleled turnaround.

Richard played with the line-ups, putting weak batters in front of stronger ones, as well as giving us the scouting reports on who were the other team's dangerous hitters. All this while he was playing! We also had little Scott, who not only led the league in home-runs, but hit a home-run in every game, *and* a grand slam in the final game.

It should be pointed out that Michael (Mr Clutch) Betts, also hit a grand slam when we were down by six runs, setting the stage for Scott's heroic slam to put us ahead for good.

Finally our pitching staff must be mentioned. As the

old softball saying goes, every team lives or dies by its' pitching.

We were lucky to have three great ones, Sasha, Anne, and Julian from Aboriginal Legal Service. They were able to get timely strikeouts, and make great plays when the games were on the line. Our platoon of infielders and outfielders, Sheila, Sandra, Regina, Taylor, Dagmar, have to be applauded for their playing, timely hitting, and timely walks to get those runs in. It was truly a team effort.

It's taken a long time for me to be part of a championship team, and before I get maudlin, let me say that dreams can come true—you might have to wait 40 years, or move to a different Continent to achieve them, but they do come true!

Thanks again to Scotty, the "Sultan of Swat"; Michael Betts "Mr Clutch"; and Richard Button "Blind Eye Button" for making a New York kid very happy at last.

*Just a short addendum: The Defender's went on to win all their play-off games to become the 2007 undisputed softball champions.*



*Audie Willert (far right) couldn't be happier with the win.*

## Dear Office Guru

Greenies go away!

**Q:** It's never been easy for me working with idealistic people who believe in social justice. It wears me out. Now I have to put up with greenies who talk about nothing except saving the planet. Then there's the health nuts who's morning ritual is to slap nicotine patches on each other. Who wants to be green and healthy anyway? I'm an individualist. I'd rather be turquoise and not be reminded of my bad habits.

**A:** I recognise you as the same person who wrote in last year complaining about staff obsessed with fitness and healthy eating at Penrith. I suspect you're also the saboteur who tried to run off with the flu vaccine except Nohad Ghibley found a suspicious bag in the compactus full of dyed paper, cigarettes, Tim Tam wrappers and a note saying, "Monday, remember to stuff up the StayHealthy program. Tuesday, turn all the lights back on after everyone's gone



home, Wednesday, smoke in the toilet." Nohad thinks he's seen that bag somewhere before. It's only a matter of time before he figures it out.

If you want to be happy here, you need to turn over a new leaf, get some nicotine patches, drop the cream buns, get vaccinated, do breathing exercises at your workstation, and always turn the lights off when you're the last to leave. And just remember, you may have peeled the photo off your new security pass but we have it on our master file. And don't kid yourself—we know how long you *really* take on your smoke breaks!

You want to be the turquoise saboteur as opposed to the scarlet pimpernel. It's far better to be green than mean when you work in a model work environment like Legal Aid.

*Disclaimer: The views in this column in no way whatsoever reflect management policy.*

## Eco-letters continued...

**Dear Eco-Verbals:** I would like to know more about what offices can do to reduce environmental impact, but again, I guess our office does the usual, i.e. turn off lights when no one is in the room/office and try to reduce unnecessary paper use. There seems to be so much that isn't within our control, such as sealed buildings requiring air conditioning and heating that may be in excess of that required. I would nominate the Parramatta office as a green office due to their size and number of people who are committed to making a difference to the environment.

**June replies:** That is a great start, turning off lights when no one is in the room, and reducing paper use. Each office already uses 6% of green power for their electricity needs and 100% recycled paper.

As we go into new offices in the regions, buildings that provide energy efficient lighting are given priority, and Blacktown and Coffs Harbour are the most recent.

The Parramatta Justice Precinct (PJP) at George and Marsden Sts is already rated 4.5 stars, and we will move towards creating a greener Legal Aid at all our locations across the state.

## Enter the Legal Aid Greenie Competition

**Email 100-400 words to Miranda Jakich on this topic:**

*'My office/section is the greenest one of all because...'*

Offices/sections are encouraged to self-audit and measure waste reduction and green contributions over July and August, then send in a tally sheet. The winner will be the office/section with the most exhaustive and creative list. The prize will be the 2007 Eco Achievement Award and the satisfaction of contributing to slowing down environmental degradation.

## Clients write...

**Dear Frances Neilsen (Parramatta)**

*I am writing to bring to your attention the exemplary, professional attitude and outstanding services of your employee Ms Anne Himmelreich...*

*Ms Himmelreich should be commended on her professional manner and thought to details, her hard work and exceptionally high standards of excellence that also included the respect, care and kindness she has shown me throughout every conference, appointment, telephone conversation and court appearance.*

*I have no hesitation in recommending the Parramatta Legal Aid office and in particular the services of Ms Himmelreich to anyone in need of the Legal Aid service.*

*Thank you for your time and for the excellent professionalism displayed through the services of your caring staff.*

K.F.

**Dear Julia Grix (Children's Legal Service)**

*For someone with your obvious intelligence and abilities, to take the decision to work with children and pursue the purpose instead of the dollar is so heart-warming. We're thankful there are people like you in the world... all your efforts go far beyond the expectation of just doing your job.*

*It's been great to be given a second chance in life, which most people don't get. Now there isn't a day that goes by where I'm not grateful for my freedom...*

*Besides all the negative things that have happened...I learnt many positive things, and it's good to be in control of my life.*

O.

**Dear Teresa O'Sullivan (Children's Legal Service)**

*I want you to know how much I appreciate your support this last year, and how lucky I was to have drawn you as a solicitor when I went to apply for bail while I was in custody...Everything has turned around for the best since I've gotten bail...I know you've done a lot more than your job to help me...I am forever grateful for your efforts and determination to keep me free.*

G.

**And from G's parents...**

*The last 12 months has allowed us to re-connect with G and we can now see a future for him. You have given us that gift and we will always be thankful. In G's words - you're 'a legend'.*

# Simple strategies for a greener Legal Aid

Small changes to our lifestyle can have a tremendous accumulative effect on the environment. Here are 10 simple, inexpensive ways to go green.

## 1. Recycle, recycle, recycle



Perhaps the simplest step to save the environment. Simply dump your paper in recycling bins. Easy!

## 2. Use both sides of the paper and recycle printer cartridges.



Only 11% of office paper is recycled in Australia, so much for being a paper-less society. A ton of recycled paper equals or saves 17 trees in paper production. - if offices throughout the country increased the rate of two-sided photocopying to 60%, they could save the equivalent of about 15 million trees. It takes 2 to 3.5 tons of trees to make one ton of paper. Production of recycled paper uses 80% less water, 65% less energy and produces 95% less air pollution than virgin paper production. When printer cartridges run out, recycle them. Don't add to the 18 million cartridges that are thrown into landfill in Australia every year.

## 3. Ditch the Styrofoam coffee cups



Next time you buy a Cappuccino, bring your ceramic mug and ask them to use that instead. Your coffee will taste better and you will feel better because you'll be saving the environment.

## 4. Change your printing habits! Think before you print from the computer.

Some companies now have a standard blurb at the bottom of all emails that says "please consider the environment before you print this." We should be thinking this every time we think about printing something.

- Change your default font to Georgia 12pt (easiest to read on a computer screen)
- Think before you print – try to have paperless meetings, only print things that you need to keep as records, write agendas on a board, use both sides of paper, switch to recycled paper products.
- Put up a TIPS sheet up in your area with paper-friendly tips.
- Do a Word course, or speak to IT about a quick refresher for your team—does everyone know the “long edge” set-up to print documents double sided? Do you know how to just print a few pages of a PDF to save printing the whole thing?

## 5. Use the half flush on the toilet (unless a full flush is required of course!)

## 6. Turn off the lights.

Put a sign up in your area to remind the last person to leave each night to switch off the lights.



## 7. Decline plastic bags whenever possible.

Shopping on your lunch break? Grabbing veggies from Paddy's Markets for dinner? One plastic bag can take up to 500 years to decay. Each year, Australians use almost 7 billion new plastic bags – we are practically suffocating the planet. Always use a green shopping bag instead. Keep some green bags in your desk in case you forget.



## 8. Drive less.

Walk, bike, carpool or take public transport more often. You'll save 1.5kg of carbon dioxide for every 5km you don't drive. And don't forget there is space allocated for bike parking in the basement. Contact Operational Support.

## 9. Walk more.

Need to go to court? Need to grab something on your lunch break? You'll be surprised by how quick a journey on foot can be once you get going. Lot's of Legal Aid employees are already walking and cycling to work, they say it keeps them fit, is a great way to start the day AND they can feel good about becoming carbon neutral. Keep some sneakers at work to avoid blisters!



## 10. Hungry? Switch to organic or local produce where possible.



Less chemicals (fertilisers) are put in to the environment during organic food production, and with is less refrigeration and transport, there's also a reduction in associated CO2 emissions. A recent UK study indicated that organic goods require on average 30% less carbon emissions to produce. Consider also, that some overseas imports are not subject to stringent regulations regarding pesticides and hygiene, so you don't always know what you are eating.

**Just a small start to get us all thinking greener at Legal Aid. Have you got a green tip? If so, email Miranda Jakich. The Next issue of *Verbals* will focus on greening up the home.**