



University of
South Australia

Legal Advice
Clinic

LEGAL ADVICE CLINIC ANNUAL REPORT 2018

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LAW DEAN'S MESSAGE



The University of South Australia Legal Advice Clinic (“the Clinic”) has been operating for over seven years and has performed strongly during that period. Since its inception, the Clinic has provided free legal assistance to people who might otherwise be denied access to justice because of financial or social disadvantage.

The Law Foundation has assisted the Clinic in maintaining its current staff resources, which are vital to the support of the Clinic’s outreach services. We are grateful for that support, without which the Clinic would be unlikely to continue in its current form.

The Clinic is currently staffed by Matthew Atkinson (Lecturer/Managing Solicitor), Paraskevi Kontoleon (Lecturer/Solicitor), Debra Morriss (Academic Services Officer: Legal Advice Clinic), and a team of casual supervising solicitors.

The Clinic provides its service at City West campus, and at the Port Adelaide and Elizabeth Magistrates Courts. Most recently, in collaboration with the Salvation Army and the University of South Australia School of Health, it has commenced a pilot health and justice multidisciplinary service, helping the indigent at the Salvation Army community support centre at Pirie Street, Adelaide.

In 2018, the Law School changed its law curriculum to make the Clinic part of the Honours capstone courses. The Clinic is now an instrumental part of the law program, where all University of South Australia law students can choose a placement in the Clinic at its City West campus and outreach services. 77 students completed a placement in the Clinic in 2018.

The Clinic continues to be recognised nationally if not internationally as providing a ‘best practice’ model for clinical legal education. Clinical legal education pedagogy continues to be infused in the broader law school curriculum with the use of de-identified client files for a number of its courses. This integration assists with fostering a pro bono culture amongst all University of South Australia law students and undoubtedly has a positive impact on the legal profession and the wider community as these students graduate and enter the workforce.

To date, the Clinic has provided a placement to over 400 law students, performed over \$1.9m worth of pro bono work. The total pro bono work for 2018 has been calculated as \$189,000. It has provided legal assistance to over 2,222 South Australians since it opened its doors in 2011.

The assistance of the Law Foundation is greatly appreciated, and necessary, if not essential, for the proper functioning of the Clinic.

Sincerely

Professor Rick Sarre,

Dean of Law

MANAGING SOLICITOR'S REPORT



In 2018 the Legal Advice Clinic was embedded into a capstone course in the Law School curriculum. This saw a significant increase in student numbers and in turn the volume of free legal services provided to the community. In this year, 77 students completed a placement at the Clinic and over \$189,000 of pro bono legal work was performed. We also expanded the number of clinical supervisors – Tina Bruno, Eloisa Calabio and Victoria Danambasis were all involved throughout different periods of the year. Of course, the continued generous support of the Law Foundation of South Australia has helped to make this expansion possible.

The other important milestone this year for the Clinic is its involvement in the Health Justice Clinic pilot project. This new initiative is an interdisciplinary practice that aims to reduce social exclusion, provide access to justice and promote better health and wellbeing. Under close supervision of legal and health practitioners, UniSA students - law, physiotherapy and podiatry - combine to provide free health and legal services to persons experiencing or at risk of homelessness at the Salvation Army on Pirie Street, Adelaide. This type of service is an Australian first – not only does it provide a holistic service, it also assists legal and health practitioners to better understand how their respective professions can work together to assist the community.

In addition to Health Justice, the Clinic continues its outreach work at the Port Adelaide and Elizabeth Magistrates Courts. Law students have been instrumental in helping people resolve a range of legal problems in the criminal and civil jurisdictions. An example of the impact our service has had for individuals is highlighted in this email extract from a former client, "I just wanted to say thank you ... so much for your time reviewing my situation and for providing your conclusions. After reading your letter I slept ... better that night!" It goes without saying that I am proud to continue to be involved in a service that helps law students to develop into well-rounded, ethical professionals and benefits the community.



Matthew Atkinson

Managing Solicitor/Lecturer

VISION, MISSION & VALUE STATEMENT

Vision

The UniSA Legal Advice Clinic will develop a reputation as the most innovative, most respected, best resourced, most research-active clinical legal education program in Australia. It will be recognised as a national leader in clinical legal education in its teaching, research and community involvement, and an international authority on clinical legal education. The Clinic will be the focus of the UniSA law degree's 'capstone' year, providing all law students with the benefits of clinical legal education and will be recognised nationally and internationally as providing a 'best practice' model.

Mission

The Clinic's Mission is:

- To provide an educational environment which promotes access to justice, fosters a 'pro bono' culture, and encourages law students to be client-centred, ethical practitioners.
- To provide an educational framework which assists law students to develop practical legal skills and adopt ethical practices.
- To provide competent and timely free legal advice to members of the public, particularly to those who might otherwise be denied access to justice because of financial or social disadvantage.
- To provide a referral service to members of the community where the Clinic is unable to assist (for both legal and non-legal services).
- To develop and consolidate relationships and generate synergies with other organisations in a manner which is mutually beneficial for those other organisations, clients, students and the School of Law.
- To strengthen a research culture which promotes the Clinic as an international leader in clinical legal education.

Values

Values drive an organization's culture and priorities and provide a framework in which decisions are made.

The values of the Clinic are:

- Innovative, interesting and challenging educational opportunities for law students.
- A commitment to ongoing research and innovation.
- A belief in, and a commitment to, access to justice for everyone.
- An educational environment where all students are encouraged to ask questions and learn from their mistakes.
- A commitment to reflective practice.
- A pedagogy that encourages the development of practical legal skills and ethical legal practice.

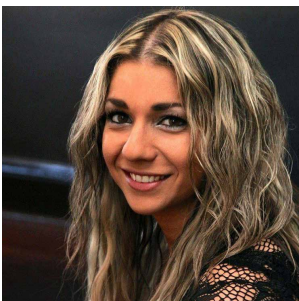


Mr Matthew Atkinson is a Lecturer and the Managing Solicitor of the Legal Advice Clinic. He has been involved in the Legal Advice Clinic since its inception and his teaching experience includes Clinical Legal Education, Criminal Law, Legal Ethics, Legal Skills: Interviewing and Work Integrated Learning. Matthew holds a Bachelor of Business (BBUS) from Charles Darwin University and a Bachelor of Laws and Legal Practice (LLB/LP Hons) from Finders University. He is currently undertaking a Graduate Diploma in Digital Education where he intends to build on his current research interests in clinical legal education and ethics in a digital era.

Matthew has extensive experience in the legal profession and the community legal centre sector, having practised in a variety of areas of law including family law, criminal law, consumer credit law and dispute resolution. Prior to taking up his current position Matthew was the Principal Solicitor at the Northern Community Legal Service Inc, and he has worked in the community legal centre sector for approximately ten years. Matthew has significant experience in providing legal assistance at the coal face with some of the most vulnerable people in our community.

Matthew's current research interests include clinical legal education, experiential learning, access to justice and criminal law. Matthew has published numerous journal articles on a variety of areas of law, legal ethics and legal education.

Matthew is a member of the Indigenous Law Students Mentoring Committee and the Law Society of South Australia.

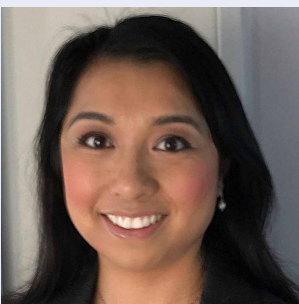


Paraskevi Kontoleon is a Supervising Solicitor and teaching academic at the School of Law, who has always had a keen interest in undertaking pro bono work. She graduated from the University of Adelaide with a Bachelor of Laws (Honours), Bachelor of Arts and Graduate Diploma in Languages (Modern Greek), and has practised as a Solicitor since 2005. Prior to joining the Legal Advice Clinic in 2014, Paraskevi worked as a legal practitioner in the field of civil litigation. Since commencing employment with the University of South Australia, Paraskevi has taught a variety of law courses. Despite her main role being in teaching, Paraskevi is an active researcher in the fields of Education, Intellectual Property and Clinical Legal Education. She is the author of a book entitled *'Music and the Law'*. Paraskevi is an avid supporter and contributor to the entertainment and arts scene in South Australia. She is a musician, and features in a number of local bands playing in Adelaide. In conjunction with the Legal Advice Clinic, 2015 welcomed the first of a series of free seminars run by the Clinic in the field of Arts Law. The seminar series, entitled 'Keeping it Legal' has been a huge success and the Clinic now provides young and emerging artists with advice on arts law matters.

STAFF



Ms Tina Bruno is a Supervising Solicitor in the Legal Advice Clinic. She has a broad range of experience in the legal sector including in community services and in private practice. Tina has a Bachelor of Laws (with Honours) and a Bachelor of Economics from the University of Adelaide and has been admitted as a Solicitor and Barrister of the Supreme Court of South Australia since 2005. She most recently completed her Collaborative Law Training with the Law Society of South Australia as she is interested in alternative dispute resolution and looking for innovative ways to assist her clients to resolve their matters. She is currently a Senior Solicitor for the Northern Community Legal Service and in this work conducts a number of outreach services in order to provide legal assistance to those members of the community that are the most isolated and vulnerable. She is extremely committed to access to justice and currently specialises in working with clients impacted by family violence. Tina also has a passion for mentoring students and newly admitted lawyers and ensuring they are supported in this challenging yet very rewarding profession.



Eloisa Calabio is a Supervising Solicitor in the Legal Advice Clinic. After graduating from Flinders University with a Bachelor of Laws and Legal Practice in 2004, she worked at the Southern Community Justice Centre where she was able to observe first hand, the importance of access to free legal services for disadvantaged members of the community. Eloisa then commenced employment as a solicitor with Palios Meegan and Nicholson, where she worked for 14 years, representing plaintiffs in personal injury and workers compensation claims. Eloisa now engages in work as a consultant solicitor, and undertakes casual tutoring roles at the University of South Australia.



Debra Morriss is the Administrator for the Legal Advice Clinic and Placement Officer for the School of Law. Debra has worked at the University of South Australia in a range of administrative roles since January 2012.



In 2018, the Law School changed its law curriculum to make the Legal Advice Clinic part of the Honours capstone courses. The Clinic is now an instrumental part of the law program, where all University of South Australia law students can choose a placement in the Clinic at its City West campus and outreach services.

A clinical placement in the Legal Advice Clinic provides final year law students with the opportunity to do legal work under the supervision of qualified legal practitioners. Undertaking the role of Student Advisor in the Clinic, equips students with the experience they need to meet clients' needs once they begin their professional career. Students Advisors gain invaluable experience in interviewing clients, taking relevant notes, maintaining files, conducting research, drafting documents and providing written advice. During their clinical placement, students have the opportunity to discuss issues including legal ethics, professionalism, access to justice, and the role of the law and lawyers in society. 2018 was another busy and successful year for the Legal Advice Clinic with 77 students undertaking a clinic placement. To date, the Clinic has provided a placement to over 400 law students since it opened its doors in 2011.

Student feedback

"Participating in the Port Adelaide Magistrates Court Outreach Program was a rewarding experience that allowed myself to further develop technical skills from my tertiary education and also learn interpersonal skills necessary for professional practice.

The communicative methods and emotional intelligence I developed during the Clinic has been invaluable and placed me ahead of my peers in the early stages of my professional career in the law."

Jackson Jury, Student Advisor

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"For the past four years, I have been at law school. Every class has had its attractions. Until the Legal Advice Clinic however, they have been a largely intellectual pursuit, pulling focus to the black letter of the law. The Clinic allows its students to interact directly with clients. No longer a problem-on-a-page, we deal with real people (with real problems). The interaction with clients lends the learning environment a context and colour that is simply not available in a constructed scenario. It provides students with a real-life view into the realities of lawyering, far removed from the perception that life as a lawyer will be anything like 'Suits'. Further, it is one thing to study law and entirely another to practice. The question has hung in the air, throughout my degree, whether practice is something I really wanted to, or could, do. For me, the Legal Advice Clinic has solidified the answer: Yes I can."

Sara Vila, Student Advisor

WHAT WE DO

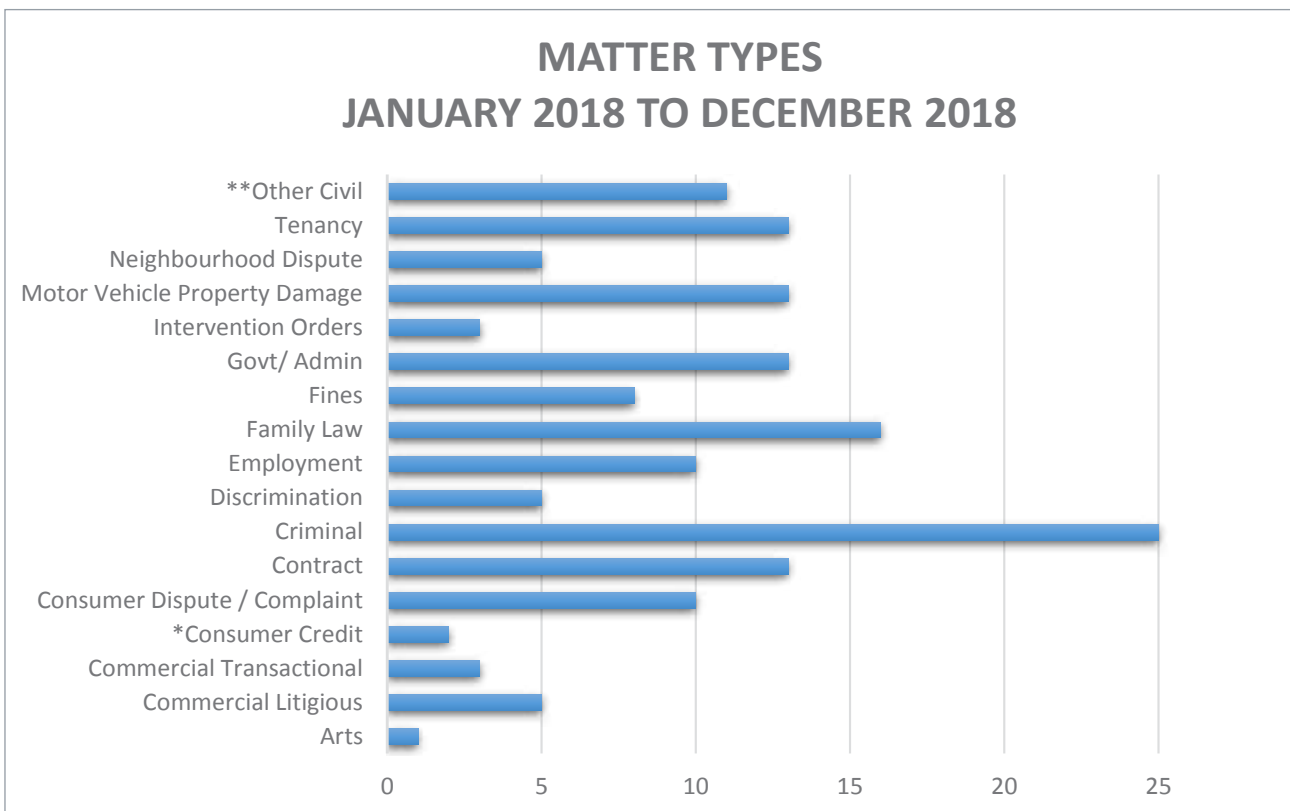
Advice and Assistance

The Clinic provides free confidential legal advice in a variety of areas of law, including criminal, family law, civil disputes, car accidents and fines, debt claims and consumer disputes, fencing and other neighbour disputes. The Legal Advice Clinic has provided legal assistance to over 2,222 South Australians since it opened its doors in 2011.

While the Clinic offers an important service to our community, it also provides an opportunity for undergraduate law students to use their legal knowledge and develop their professional skills. Student Advisors work under the supervision of qualified legal practitioners gaining experience and knowledge in a wide range of legal matters. During their placement, they gain first-hand experience in interviewing clients, taking relevant notes, maintaining files, conducting research, drafting documents and providing written advice. These skills better equip the students to meet clients' needs once they begin their professional careers.

As at 31 December 2018, the Clinic had provided in excess of \$1.9M worth of pro bono legal advice to clients since commencement of its operation in 2011, with \$189,000 being in the 12 months from 1 January 2018 to 31 December 2019.

Matter Types



* Consumer Credit: Includes advice and assistance concerning a person's rights in respect to personal loans, credit cards, mortgages and other credit contracts.

** Other Civil: Matters listed in this category relate to subject matters that fall outside of the other listed matter types.

The process of student interaction with clients:



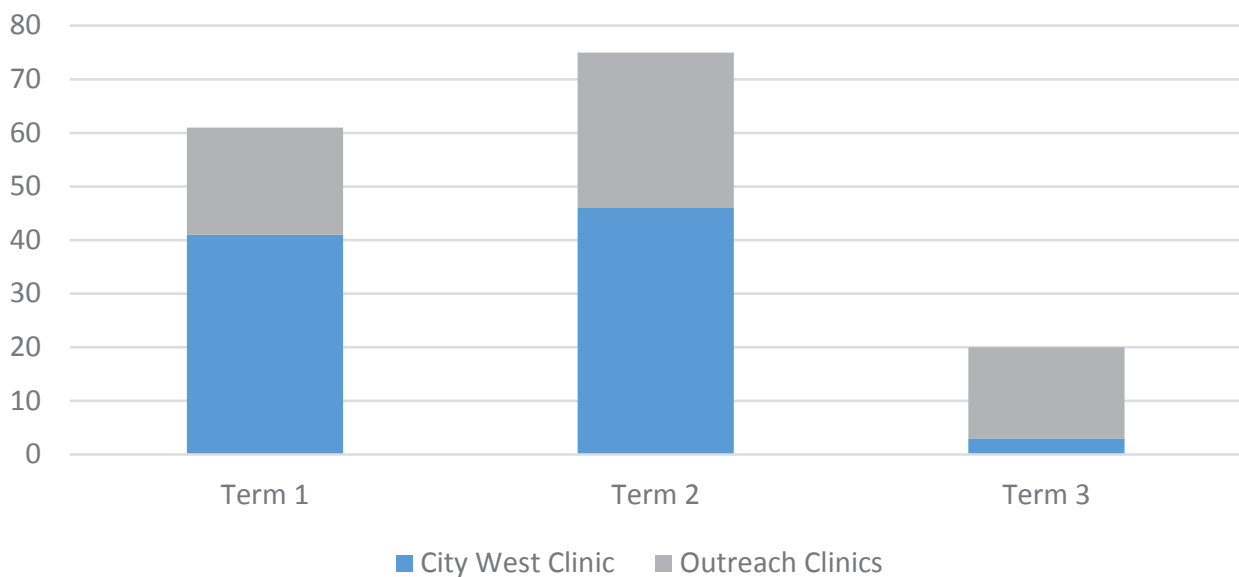
CITY WEST CAMPUS CLINIC



City West Clinic

The Legal Advice Clinic commenced its operations in the School of Law, University of South Australia City West campus, in February 2011. The student-run, in-house Clinic equips students with the legal skills and knowledge required for the practice of law.

**City West and Outreach Clinics - Matters by Teaching Term
January 2018 to December 2018**



Health Justice Clinic

The Health Justice Clinic had its first day of operation on the 25 July 2018, where integrated health and legal services were provided to persons experiencing homelessness in Adelaide. The first day involved training a cohort of health and law students to work together in running an interdisciplinary health and law clinic, and then opening the door for service to the public. The interdisciplinary clinic is a joint pilot project that seeks to assess feasibility and the legal need for a Health Justice Clinic on a continuing basis. Further, it aims to develop teaching and training materials to enable health and law students to work together, while also complying with their respective professional ethical frameworks. The 2018 pilot project is kindly supported by a University of South Australia RTIS funding grant. We all hope that we ultimately provide a rich interdisciplinary learning experience for law and health students, and also provide a service that will benefit the homeless in metropolitan Adelaide.



Port Adelaide Outreach

The Port Adelaide Outreach operates as a drop-in service on Wednesday during teaching term. The outreach service provides advice on a range of matters to unrepresented persons appearing before the Port Adelaide Magistrates Court. Student Advisors gain extensive experience while helping members of the community navigate court processes, and understand their legal rights and obligations.



Elizabeth Outreach

The Elizabeth Outreach operates at the Elizabeth Magistrates Court during the Investigation Summons Hearings. It is run in collaboration with the Northern Community Legal Service and other financial counselling services to complement the advice provided by the Clinic. Student Advisors assisted clients with consumer debt related matters.

COMMUNITY LEGAL EDUCATION

Community Legal Education and Reform Database (CLEAR)

- The Community Legal Education and Reform Database showcases community legal education and law reform projects undertaken by Australian Community Legal Centres and other non-profit legal services. The Clinic's '*Pleading Guilty - Know Where You Stand*', '*Setting Aside Judgment in the Magistrates Court*', '*Licences and Traffic Offences*' and '*Judgment Debts and Investigation Summons Hearings*' self-help booklets are all published on the CLEAR database.

Presentations

- **Matthew Atkinson** was invited as a panellist for the Australian Institute of Interpreters and Translators continuing professional development seminar: '*Ethics & Professionalism: When Can We Bend?*', TAFE SA Adelaide, 5 September 2018.
- **Matthew Atkinson** and Margaret Castles presented a paper entitled '*Blogging, Journaling and Reflective Writing: What Do Students Really Think?*', at the 2018 International Journal of Clinical Legal Education Conference, Monash University Melbourne, 29 November 2018.
- **Matthew Atkinson**, Katia Ferrar and **Paraskevi Kontoleon** presented a paper entitled '*Inter-Disciplinary Law & Health Student Clinic*', at the 2018 International Journal of Clinical Legal Education Conference, Monash University Melbourne, 29 November 2018.

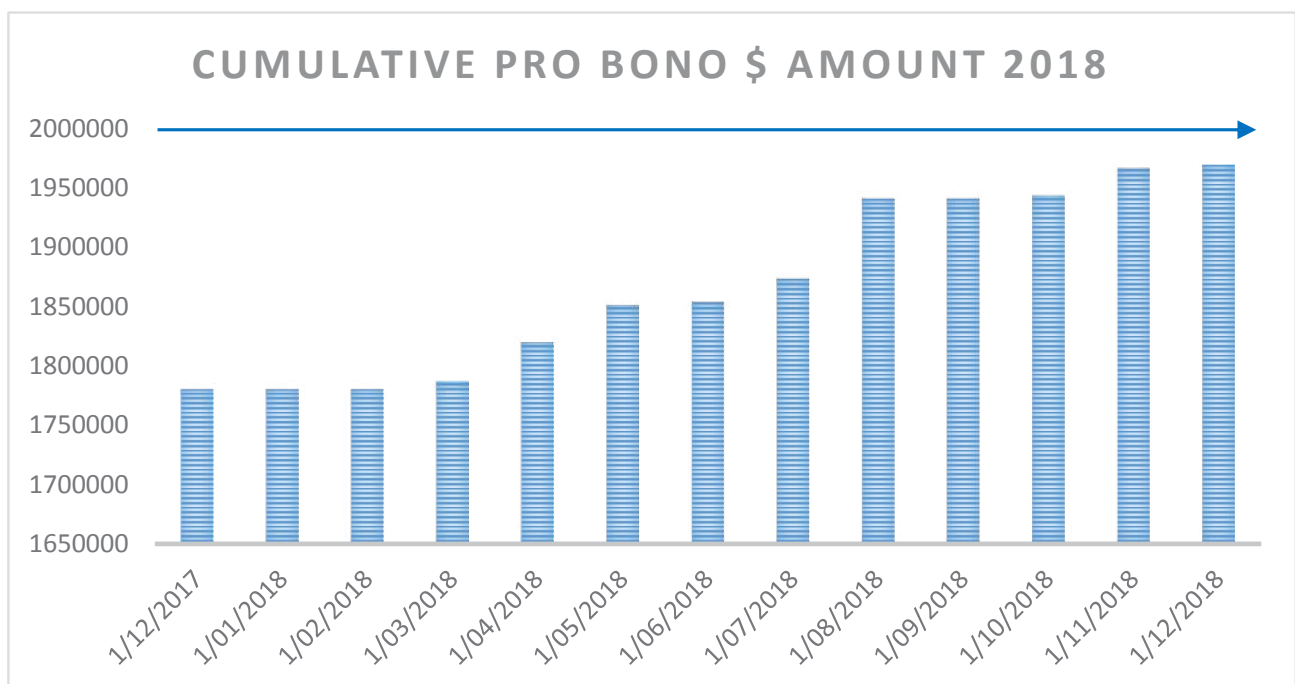
Publications – Self Help Booklets

- The Clinic published its fifth self-help booklet entitled '*The Why and How of Protecting your Designs*'.

Research Grants

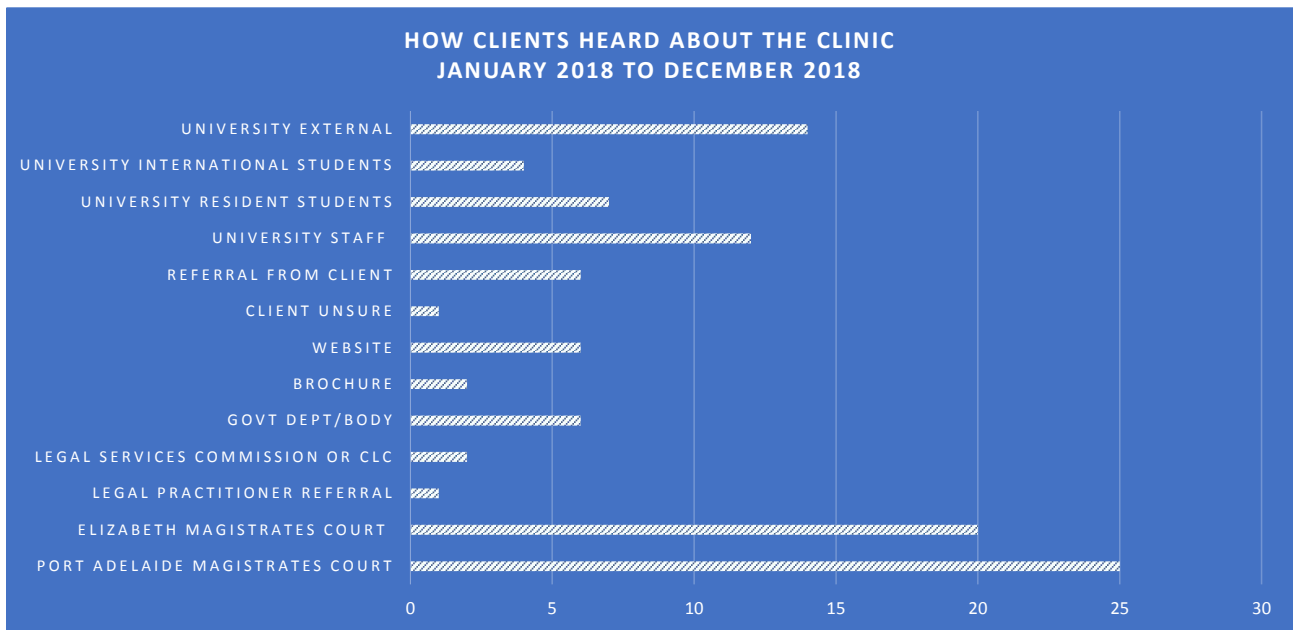
- **Matthew Atkinson** from the School of Law and his colleague Margaret Castles from the University of Adelaide have been successful in winning a competitive grant from the Australian Collaborative Education Network ACEN 2018 Research Grant Scheme for their project, '*Teaching millennials and promoting deep reflective learning on workplace experience: Does reflective writing on online forums provide an answer?*'. The grant is to investigate the attitudes of millennials to peer supported learning in the context of professional journals. The investigation of attitudes towards peer learning will inform our development of supports to equip students to seek, evaluate, and provide meaningful feedback to each other in professional contexts. This is a key skill for lifelong learning. The study will use our law clinics and the law professional placement course as a basis for evaluation. However, it has significant potential to inform the development of effective and affordable peer learning in the wider context.
- **Matthew Atkinson** and Dr Katia Ferrar were successful in obtaining a UniSA RTIS grant to investigate the feasibility and impact of a pilot Health Justice Clinic, which has been integrated into the existing Open Door Health Clinic that runs at the Salvation Army each Wednesday afternoon. The Student Health Justice Clinic involves supervised law students from the University of South Australia working as team members at the Open Door Clinic with the existing supervised physiotherapy and podiatry students.

The services provided by the Legal Advice Clinic are free for all clients. To date, the Legal Advice Clinic has performed over \$1.9M worth of pro bono work, and provided legal assistance to over 2,222 South Australians since it opened its doors in 2011. Student Advisors performed \$189,000 worth of pro bono work during 2018.



CASE STUDIES OF CLIENT ASSISTANCE

Clients heard about the Clinic from a variety of sources. During 2018, 6 clients were recommended by previous or existing clients, and 11 by university students. Records show that 45 clients gained knowledge of the Clinic via its outreach services. The Clinic's internal and external marketing continues to increase awareness within the community.



A snapshot of case studies include:

Student Advisors drafted a letter on behalf of a client who was involved in a bicycle and car accident. The client had a car door opened in front of him while traveling in a bike lane. After the accident, the client was sent a bill to cover the damage done to the car door. With assistance from the Legal Advice Clinic, the client avoided paying the bill by successfully negotiating with the motorist's insurance company.

Student Advisors were able to assist a client in negotiating with the Commonwealth Department of Public Prosecutions to withdraw a criminal charge under the Criminal Code 1995. The client is extremely pleased with the outcome.

“I just wanted to let you know that I was successful in my little case that I spoke to the clinic about. The two students who I worked with were fantastic... thank you again for the great work at the legal clinic...”



“I just wanted to say thank you ... so much for your time reviewing my situation and for providing your conclusions. After reading your letter I slept ... better that night!”

ACKNOWLEDGEMENTS

Law Foundation of South Australia Incorporated

Funding provided by the Law Foundation of South Australia Incorporated for the period 2016 - 2018 (3 years) has enabled the Clinic to continue to provide a unique learning environment where law students can further develop their professional skills and their recognition of the ethical framework of legal practice in a 'real life' scenario. This experience allows students to better equip themselves to meet clients' needs once they begin their professional careers. In addition, the funding assists the Clinic in providing a much needed service to the community, particularly to those people who would not otherwise have access to justice.

Notably, the grant has assisted the Clinic in maintaining its current staff resources, which are vital to the support of the Clinic at its City West location, Elizabeth Magistrates Court outreach, Port Adelaide Magistrates Court outreach and Health Justice Clinic. This has also enabled larger numbers of students to undertake a Clinic placement. The Foundation's support of the outreach services provides law students with the opportunity to work with court staff, court stakeholders and in the case of Elizabeth outreach, to work in a multi-disciplinary environment.

The funding has also allowed the Clinic to renew its 2018/2019 subscriptions of The Family Law Book, Magistrates Court SA and Motor Vehicle SA publications, which form an essential part of the Clinic's library and provide a valuable resource to student advisors. Undoubtedly, the Law Foundation's kind support has been integral to the Legal Advice Clinic's operations.



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