



University of
South Australia

Legal Advice
Clinic

LEGAL ADVICE CLINIC ANNUAL REPORT 2019

unisa.edu.au/legal-advice-clinic



**The Legal Advice Clinic
is an initiative of
University of South Australia
Justice and Society**



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LAW DEAN'S MESSAGE



The South Australian community continues to benefit from the pro bono legal work undertaken by the University of South Australia Legal Advice Clinic (“the Clinic”). The Clinic has provided free legal assistance to people who might otherwise be denied access to justice because of financial or social disadvantage. Since its inception in 2011 and up until June 2019, the value of legal advice provided by the Clinic has surpassed two million dollars and over 2349 South Australians have received legal assistance. These milestones are a testament to the vital work performed by hundreds of law students who have undertaken a placement at the Clinic during its eight years of operation.

The Clinic provides services at the University of South Australia City West campus, Port Adelaide and Elizabeth Magistrates Courts, and the Health Justice Clinic at the Salvation Army community support centre Adelaide. The Health Justice Clinic is run in collaboration with the Salvation Army and the University of South Australia School of Health. It is a multidisciplinary service, supporting vulnerable people experiencing poverty and homelessness.

The Legal Advice Clinic is an instrumental part of the law program, where all University of South Australia law students can choose a placement in the Clinic. The Clinic continues to be recognised nationally if not internationally as providing a ‘best practice’ model for clinical legal education. To date, the Clinic has provided a placement to over 440 law students. Forty-three students completed a placement in the Clinic in 2019, and the value of pro bono work provided during that time has been calculated as \$125,253.

The Clinic is 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 Law Foundation has assisted the Clinic in maintaining its current staff resources, which are essential to the support of the Clinic’s outreach services. The assistance of the Law Foundation is greatly appreciated and has been critical for the proper functioning of the Clinic and its outreach programs.

We are very proud that the UniSA Legal Advice Clinic helps to advance access to justice in South Australia, while providing our students with the opportunity to develop their professional skills and to help make people’s lives better.

Sincerely

**Professor Vicki Waye,
Dean of Law**



It is with great pleasure that I continue to be involved in the UniSA Legal Advice Clinic and help present our success in the 2019 Annual Report. This was a year of continued growth and consolidation. The Legal Advice Clinic continues as part of a capstone course in the Bachelor of Law (Honours) program, where final year students have an opportunity to experience and reflect on the law in action in a variety of environments. In 2019, 43 law students completed a placement at either the UniSA City West Campus, Port Adelaide Magistrates Court, Elizabeth Magistrates Court or the Health Justice Clinic. During this period, law students under close supervision by a legal practitioner performed over \$125,000 of pro bono work. In June 2019, the Legal Advice Clinic also reached a milestone of providing \$2,000,000 of pro bono services since our inception in 2011.

In addition to managing and supervising at the Legal Advice Clinic, my particular focus this year has been to continue to develop a pedagogy that fosters interdisciplinary learning. The benefits of interdisciplinary learning where clinical services are provided to the public cannot be understated. The Health Justice Clinic has not only provided an opportunity for law and health students to learn from each other, but also teachers from the respective disciplines to do so too. For example, law students are introduced to the concept of client-centred practice towards the end of their degree, and the idea of interviewing a client for the first time is often an intimidating experience. From early in their studies, law students are taught case analysis, to spot legal issues, and separate the relevant from the irrelevant. For most law students, critiquing a legal case on paper comes naturally but building a legal case from human difficulty is indeed a foreign task. Conversely, health students are taught client centred practice very early in their degree and being responsive to everything that makes us human does not come as a complete shock. This difference frames student learning, understanding of professional practice and highlights how much the respective disciplines can potentially learn from each other. By learning together in the Health Justice Clinic, students are able to contextualise different skillsets and understand how legal and health professionals can work together to provide a much-needed service to persons experiencing homelessness or at risk of homelessness. Indeed, meeting the complex needs of such persons will often require interaction of different professions working effectively together in order to provide meaningful assistance.

When I started at the UniSA Legal Advice Clinic in 2011, I was excited about the meaningful way it could contribute to community through access to justice and the possibilities for students to learn about law in a real, practical way. Eight years later, I am delighted that our humble beginnings that started with four students at City West campus has developed into an innovative and admired presence at UniSA and the wider community. The hundreds of law students who have been involved in this clinical program can be found in commercial law firms, community legal centres, researchers, policy advisors, and in a variety of different industries across the world. Many of these students point to their experience in the Legal Advice Clinic as being an important part of developing their confidence and aspirations for their professional future. All of these students can say that they have been part of a project where a little hard work together with care of clients and community can be a foundation to personal and professional success.

Sincerely

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.

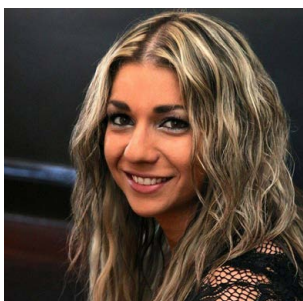


Mr Matthew Atkinson is a Lecturer and the Managing Solicitor of the Legal Advice Clinic. He has been involved in the Legal Advice Clinic since its inception and his teaching experience includes Clinical Legal Education, Criminal Law, Legal Ethics, Legal Skills: Interviewing and Work Integrated Learning. 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 Legal Advice Clinic became 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. 2019 was another busy and successful year for the Legal Advice Clinic with 43 students undertaking a clinic placement. To date, the Clinic has provided a placement to over 443 law students since it opened its doors in 2011.

Student feedback

"Electing to enrol in the Clinic has been the best subject decision that I have made in my time at university. It is a great break from the theory work and has helped me to achieve much needed professional experience before I finish my degree. I would recommend the Clinic to any Law student as it is a hands-on learning experience which will prove to be invaluable when we find our first graduate roles. It is also rewarding being able to apply the body of work that we have done at university for the last three years to real world scenarios and be able to help real people with real issues. I am grateful that UniSA offers such a practical experience to students during our degree."

Simon Russell, Student Advisor

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"I loved the clinic - it was a fantastic introduction to real life client interactions with real life problems. I believe one of the main benefits of the clinic was client management, more specifically, the fact that the students were responsible for managing a client's file, where it was up to, the research and tasks involved (and of course with yourself and Paris as reviewers). Something else I found really beneficially from the clinic was taking original phone instructions from clients. It was great practice actually writing down what the client wanted, their problem and then repeating what they've said to a supervisor. This skill is critical because in my day to day job for example, I'm taking new phone enquiries from potential clients!"

Daniella Carling, Student Advisor

WHAT WE DO

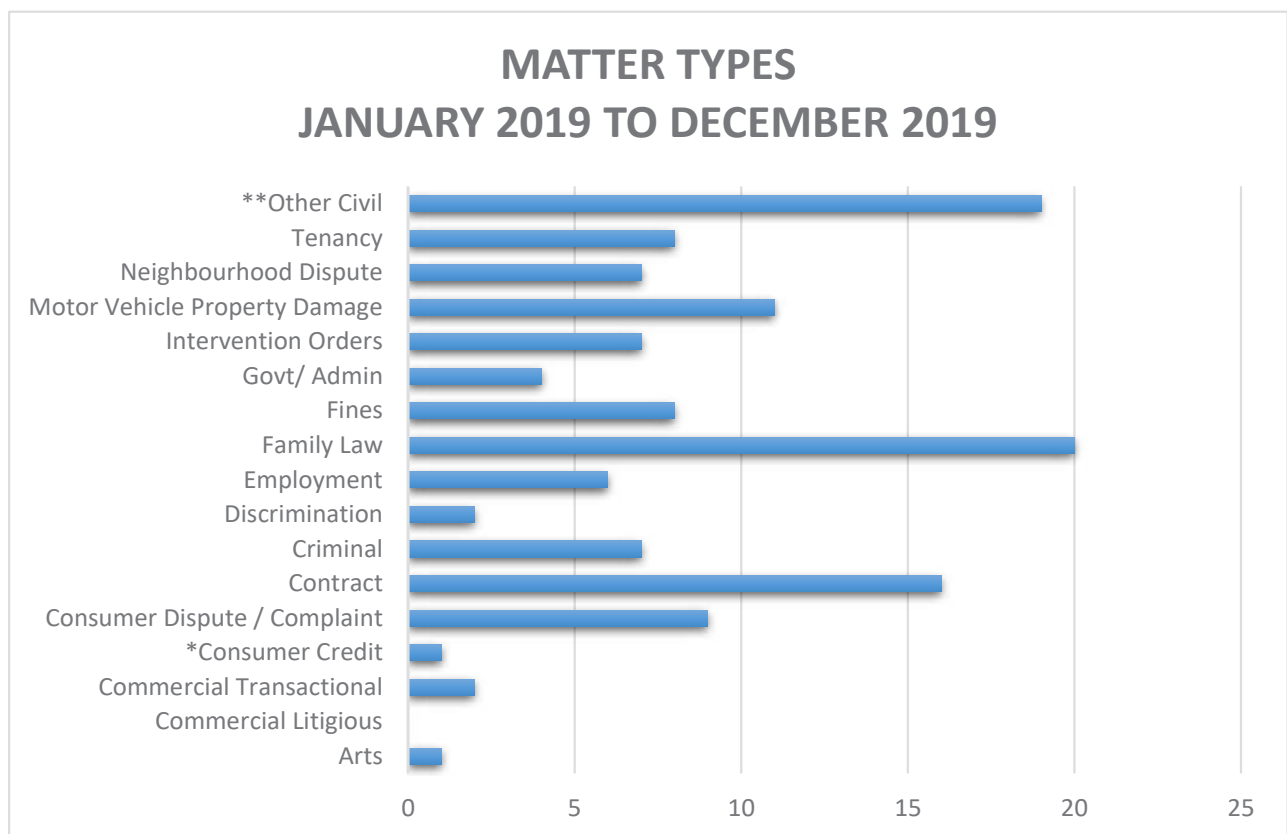
Advice and Assistance

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 2,349 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 2019, the Clinic had provided in excess of \$2M worth of pro bono legal advice to clients since commencement of its operation in 2011, with \$125,253 being in the 12 months from 1 January 2019 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:



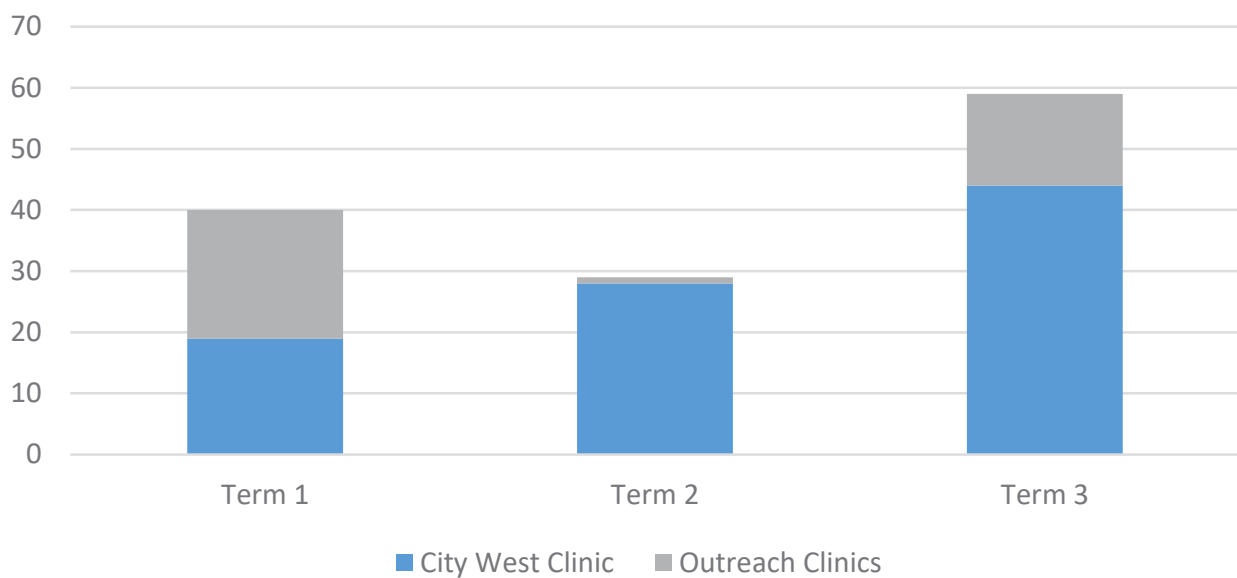
CITY WEST CAMPUS CLINIC



City West Clinic

The Legal Advice Clinic commenced its operations at the 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 2019 to December 2019**



Health Justice Clinic

The Health Justice Clinic continued its operations in 2019 at the Salvation Army at Pirie Street, with law students from the first and third teaching terms being involved and helping persons experiencing homeless in Adelaide. This student led initiative is possibly an Australian first and it involves a cohort of health and law students working together in providing services to the public. In addition to providing a much-needed services, it has also allowed UniSA to engage in cross-disciplinary research in assess feasibility and the legal need for a Health Justice Clinic. In this year, Matthew Atkinson and Katia Ferrar worked with a team of researchers to examine interdisciplinary learning at the Health Justice Clinic. Through examining the experiences of staff and students, the article concluded that successful interdisciplinary learning requires a topic or theme that guides the educational experience and integration of knowledge from various disciplines around that theme.



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. Students 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*', '*Judgment Debts and Investigation Summons Hearings*' and '*The Why and How of Protecting your Designs*' self-help booklets are all published on the CLEAR database.

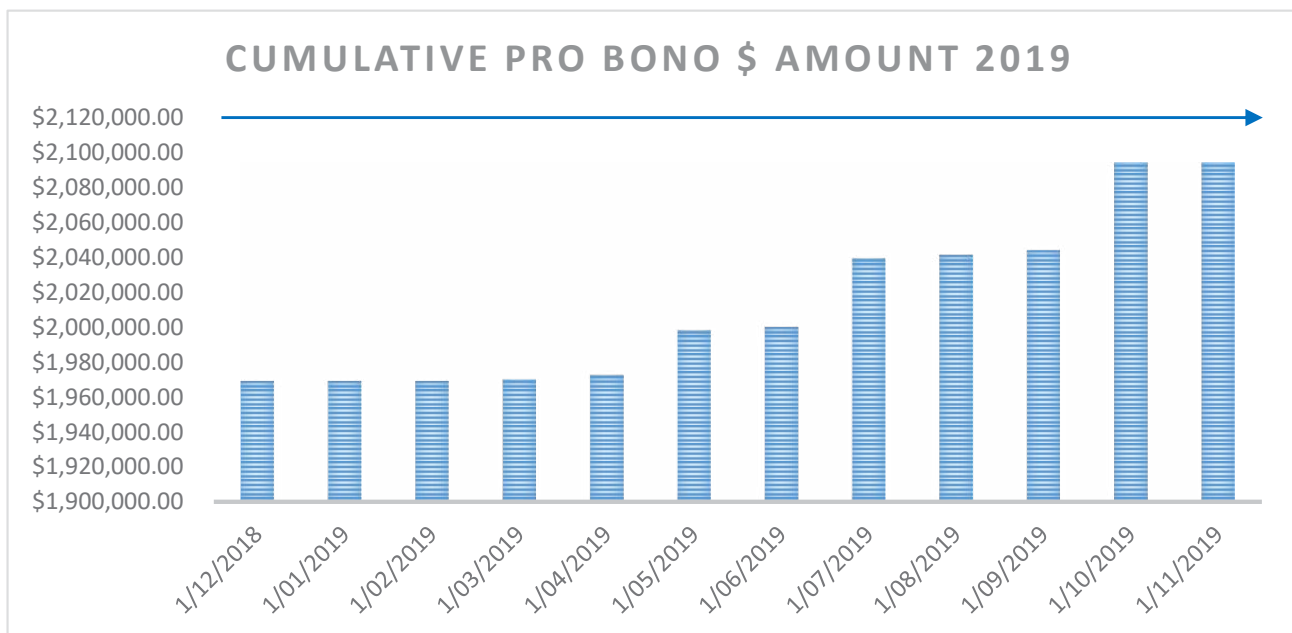
Presentations

- **Matthew Atkinson** and Margaret Castles presented their research on '*Blogging, Journaling and Reflective Writing: What do Students Really Think?*' at the Adelaide University Employability Community of Practice gathering. There were approximately 15 audience members from a range of academic disciplines involved in work integrated learning. 3 May 2019
- **Paraskevi Kontoleon** gave a presentation entitled '*The Evolving Classroom: Students as Co-Creators and Peer Instructors*' at the EDU2019: International Conference on Education hosted by the Communication Institute of Greece at The Stanley Hotel, Metaxourgio, Athens, Greece. 13-16 May 2019
- **Paraskevi Kontoleon** delivered a presentation at the HERGA (Higher Education Research Group of Adelaide) Conference 2019: 21st Century Teaching and Learning. Titled '*The Evolving Law Clinic: Co-creating Content for Clinical Placements Following an Oral Health Flipped Classroom Exemplar*.' The presentation explored how staff at the Law School UniSA partnered with their University of Adelaide colleagues to co-develop learning resources for students taking Legal Clinical Placements at UniSA. The corresponding qualitative data outcomes, results such as motivation and engagement experienced by students was also outlined. 24 & 25 September 2019
- **Matthew Atkinson** presented a CPD session about the Legal Advice Clinic titled '*Legal Advice Clinic as a referral option – what we do, where we are, when we're open, how much we can help, and how law students are supervised*' The CPD session included handouts and used the Legal Advice Clinic website, Legal Service Commission 30 Flinders Street, South Australia. 12 November 2019

Publications

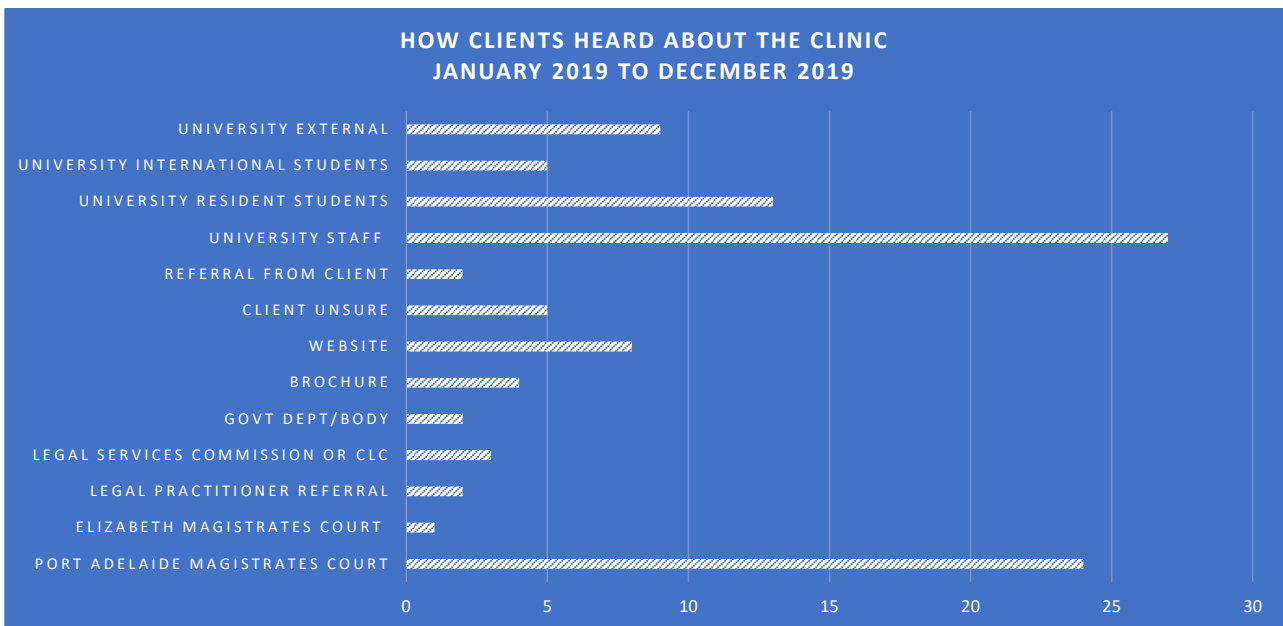
- **Matthew Atkinson** and **Paraskevi Kontoleon** co-wrote an article that discusses the results of a pilot Health Justice Clinic at UniSA. Through examining the experiences of staff and students the article concluded that successful interdisciplinary learning requires a topic or theme that guides the educational experience and integration of knowledge from various disciplines around that theme. Katia Ferrar, Liz Curran, Matthew Atkinson, and Paraskevi Kontoleon, '*Interdisciplinary Learning Opportunities for Clinical Students and Teachers – A Case Study Shared*' (2019) 6(1) Australian Journal of Clinical Education 1.

The services provided by the Legal Advice Clinic are free for all clients. To date, the Legal Advice Clinic has performed over \$2M worth of pro bono work, and provided legal assistance to over 2,349 South Australians since it opened its doors in 2011. Student Advisors performed \$125,253 worth of pro bono work during 2019.



CASE STUDIES OF CLIENT ASSISTANCE

Clients heard about the Clinic from a variety of sources. During 2019, 45 clients heard about the Clinic's services via UniSA staff and student announcements. Records show that 25 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:

"Having recently commenced at the Clinic, my clinic partner and myself are yet to hear the final determination on any matters. However, during this short period of time we have been able to assist in a plethora of matters. One matter in particular involved an expiation notice issued to our client for disorderly conduct. It became apparent to us in the clinic that the necessary provision in which the charge fell under had not been adequately adduced by the prosecuting party. This meant that we were unable to determine what the client's liabilities were in the matter. We assisted the client to write to the prosecutions team to request all evidence that pertains to the matter in the hopes to give the client a just outcome."

Penny Whiting, Student Advisor

“I’m happy to inform you that the prosecution has decided not go ahead with the intervention order ... Thank you so much for your assistance and advice”



“The [Council] has now withdrawn the expiation notices ... I would like to sincerely thank you both for your assistance, and valuable information. After following your advice, I was able to resolve the matter swiftly, and without further frustration or concern. I wish you both 'all the best' for the remainder of your studies, and I hope you realize your dreams in life as well as your career in the near future.”

ACKNOWLEDGEMENTS

Law Foundation of South Australia Incorporated

Funding provided by the Law Foundation of South Australia Incorporated for the period 2019 - 2021 (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 2019/2020 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.





University of
South Australia

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