

# Annual Report

University of South Australia  
Legal Advice Clinic



2014



University of  
South Australia

Legal Advice  
Clinic

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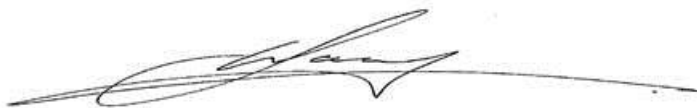
## Dean's Message



The UniSA Legal Advice Clinic is a fundamental component of the Law School's strategies to provide experiential learning opportunities for students and to produce highly skilled legal graduates. The Clinic, now entering its fifth year of operation, has developed and grown as a provider of pro bono legal services to the community, having extended its outreach services to the Elizabeth Magistrates Court in 2014 and reaching the equivalent of \$1,000,000 in terms of free legal services in four years. Not only does the Legal Advice Clinic provide a unique learning experience for students and assist in enhancing their practical legal skills, it also provides a very significant service to the wider community.

The practical benefits of the Clinic therefore extend to the many clients who would otherwise struggle to find support in resolving their legal matters, as well as to the many undergraduate students who complete a trimester in the Clinic itself. However, the Clinic also accommodates multiple placements for students completing their Practical Legal Training course, thereby adding to the Clinic's capacity to assist more clients. In addition, the use of de-identified file notes in providing problem based scenarios in teaching in undergraduate courses has enhanced the practical learning opportunities for all students.

The Clinic is staffed by a highly committed and skilled team and their continued work in building the Clinic's profile, capacity and provision of pro bono legal services in South Australia is to be commended. I encourage you to read this Report and learn more about the outstanding work that they do.



***Professor Wendy Lacey***  
**Dean & Head of School**  
**Public Law & Human Rights Research Group**  
**SCHOOL OF LAW**  
**UNIVERSITY OF SOUTH AUSTRALIA**

## Introduction

When the Legal Advice Clinic opened its doors four years ago, we really did not know what might happen and how our services would be received. Another very busy year in 2014 has shown that not only has the Clinic established itself as an integral aspect of the School of Law, but also that it is now an established legal advice service in the Adelaide community. Once again, we are proud to present this Annual Report which demonstrates our commitment to community service and to clinical legal education.

Access to justice continues to be the axis upon which our service pivots. The Legal Advice Clinic aims to provide access to justice for those who might otherwise be unable to find help while simultaneously providing a platform for law students to engage in experiential learning. It provides a meaningful context for the implementation of skills, adding value to existing teaching practices and learning outcomes.

This Annual Report highlights the achievements of the Legal Advice Clinic in 2014 and demonstrates the adherence of everyone involved to its values:

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

## Mission, Vision & Values

### Mission

The Clinic's Mission Statement defines the Clinic's fundamental purpose and describes why it exists and what it does to achieve its Vision.

- To provide an educational environment which promotes access to justice and encourages law students to be client-centred, ethical practitioners.
- To provide competent and timely free legal advice as a community service 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 all members of the community where the Clinic is unable to assist (for both legal and non-legal services).
- To provide an educational environment which assist law students to develop practical legal skills.
- To develop and consolidate relationships and develop synergies with other organisations in a manner which is mutually beneficial for those other organisations, clients, students and the Law School.
- To develop and strengthen a research culture which promotes the Clinic as an international leader in clinical legal education.

### Vision

UniSA Legal Advice Clinic will develop a reputation as the most innovative, most respected, best resourced, most research-active clinical legal education institution in Australia. It will be recognised as the national leader in clinical legal education in its teaching, research and community involvement, and an international authority on clinical legal education. The Legal Advice 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.

### Values

Values drive an organisation's culture and priorities and provide a framework in which decisions are made. The values of the UniSA Legal Advice Clinic are:

- A belief in and a commitment to access to justice for everyone.
- Innovative, interesting and challenging educational opportunities for law students.
- 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.
- Ethical legal practice.
- A commitment to ongoing research and innovation.

## Who We Are

### Staff



**Rachel Spencer** is the Director of Professional Programs in the School of Law at UniSA. She has over many years of experience in the Clinical Legal Education sector, as well as extensive prior experience in legal practice. Rachel has experience in private practice as well as in government and in-house roles. She also has extensive experience in Practical Legal Training and is a past Chair of the Australasian Professional Legal Education Council.



Prior to taking up the position of Managing Solicitor of the Legal Advice Clinic, **Matthew Atkinson** was the Principal Solicitor at the Northern Community Legal Service Inc. He has worked in the Community Legal Centre sector for approximately seven years and has significant experience in providing legal assistance at the coal face with some of the most vulnerable people in our community. He has also been actively involved in advancing the Community Legal Centre sector having been the South Australian state representative in the National Association of Community Legal Centres in 2007, 2008, and 2010. He was also involved in planning and implementing a legal education program about the *Family Law Act* and family dispute resolution with the Family Relationship Centres in Salisbury, Elizabeth and Adelaide.



**Betty Kontoleon** is the Supervising Solicitor in the Legal Advice Clinic. Betty 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 Clinic, Betty worked for Palios, Meegan and Nicholson Lawyers in the field of civil litigation with a specific focus on personal injury claims representing clients from a broad range of social and cultural backgrounds. Since mid-2011 Betty has undertaken casual tutoring and research for various Law Schools. She has always had a keen interest in undertaking pro bono work.



**Julie Watt** is the Administrative Officer for the Legal Advice Clinic. Julie has worked at UniSA in a variety of administrative roles since 2009 and was involved in setting up the administrative functions of the Clinic in 2010 prior to commencement of its operation in February 2011.

## Students



The majority of student advisors in the Clinic in 2014 were placed there within an elective course called *Legal Professional and Community Service Experience*. Students had the opportunity to maximise their Clinic experience by discussing and reflecting in class on what they were learning during their placement, as well as considering the role of legal professionals in the legal system and in society generally. The aim of the Clinic placement was to help students develop a critical perspective on such issues as legal ethics, professionalism, justice access, and the role of law and lawyers in society, as well as developing their practical skills.

Law students also had an opportunity to volunteer or complete their professional placement as part of their Graduate Diploma in Legal Practice at the Clinic (subject to completion of the core course *Professional Conduct*). A number of additional students completed their work experience placement for their Graduate Diploma in Legal Practice (GDLP) at the Legal Advice Clinic. These GDLP students usually undertook a Clinic placement full time for approximately six weeks or longer, providing them with a unique experience in the provision of pro bono legal services, whilst learning and improving their practical skills like drafting and client interviewing. GDLP students also developed the skills of mentoring as they assisted new students who come into the program.

Finally, there were a number of students who chose to volunteer in the Clinic, either as advisors or as administrative assistants, especially over the summer (again subject to completion of the core course *Professional Conduct*). Together with the GDLP students, volunteers enabled the Clinic to be open to the public out of university term time, enabling access to justice to continue.

All students enrolled in the core courses *Professional Conduct* and *Civil Procedure* were exposed to real life legal problems through the tutorial program. The use of real cases as the basis for discussion provides realistic scenarios which enable students to appreciate the application of law to real people in a rich variety of case studies. The use of real legal problems is designed to eliminate the ‘abstract’ feeling which can be experienced by students who work on fictitious legal problems. Even though the *Professional Conduct* and *Civil Procedure* students are not directly involved with the clients, there is a direct connection between the application of knowledge and a real client issue. All students involved in these tutorial programs develop a deeper understanding of ethics and professional conduct and the high standards of professionalism and confidentiality that are expected at all times.

| Students Involved in the Clinic - January to December 2014 |          |      |           |   |                   |                      |
|--|----------|------|-----------|---|-------------------|----------------------|
| Month  | Elective | GDLP | Volunteer | Total Student Advisors<br>Working in Clinic | Tutorial Students |                      |
|  |          |      |           |   | Civil Procedure   | Professional Conduct |
| January  | 0        | 6    | 7         | 13  | 0                 | 0                    |
| February   | 6        | 6    | 6         | 18  | 67                | 0                    |
| March  | 6        | 5    | 8         | 19  | 67                | 0                    |
| April  | 5        | 6    | 5         | 16  | 67                | 0                    |
| May  | 1        | 4    | 6         | 11  | 0                 | 0                    |
| June   | 5        | 3    | 8         | 16  | 0                 | 0                    |
| July   | 5        | 8    | 1         | 14  | 0                 | 0                    |
| August   | 5        | 6    | 5         | 16  | 0                 | 0                    |
| September  | 4        | 7    | 4         | 15  | 70                | 99                   |
| October  | 16       | 6    | 3         | 25  | 70                | 99                   |
| November   | 16       | 6    | 3         | 25  | 70                | 99                   |
| December   | 0        | 4    | 12        | 16  | 0                 | 0                    |



## Report from the Director: Professional Programs



Four years ago the Legal Advice Clinic was an idea to expand the experiential learning aspects of the curriculum of our new law school. Today, that idea has developed into a thriving pedagogical hub in a busy law school. The development of a pedagogy of integration of clinical legal education ideals within the broader undergraduate law curriculum continues to strengthen, in line with leading educational theory which suggests that experiential education should play a large role in legal education.

Our clinical program provides law students with the opportunity to be immersed in the application of legal theory to practical situations, as well as developing specific legal skills such as interviewing and drafting. The program also provides access to justice to members of the community, especially to those who might otherwise not have such access.

In 2014 the Legal Advice Clinic's outreach service at the Port Adelaide Magistrates Court continued to be very busy. Funds from the Law Foundation of SA Inc. also enabled us to establish another outreach service at the Elizabeth Magistrates Court. The Clinic now operates a special advice service for litigants who attend Investigation Summons hearings who may need legal and/or financial advice. We are proud to have developed this service in partnership with the Northern Community Legal Service which provides the services of a financial counsellor.

The establishment of the Elizabeth outreach service necessitated the appointment of another staff member and in September 2014 we were delighted to welcome a new solicitor, Betty Kontoleon, to our team.

Reflective practice continues to be an important component of the clinical experience for students and also forms part of the teaching-research nexus which is integral to the success of clinical legal education. In 2014 the findings of an extensive research project were published. This research completes a trilogy of peer reviewed articles about reflective writing and reflective practice that it is hoped will be of benefit to other clinical teachers and supervisors, and ultimately our students and our clients. The articles are: Spencer, R. (2012) Holding Up the Mirror: A theoretical and practical analysis of the role of reflection in Clinical Legal Education, *International Journal of Clinical Legal Education* 18, 181 – 216; Spencer, R. (2014) 'First they tell us to ignore our emotions, then they tell us to reflect': The development of a reflective writing pedagogy in clinical legal education through an analysis of student perceptions of reflective writing, *International Journal of Clinical Legal Education* 21 (2); and Spencer, R. (2014) Private Lives: Confronting the inherent difficulties of reflective writing in clinical legal education, *International Journal of Clinical Legal Education* 21 (2).

An important milestone reached at the end of 2014 was the achievement by the Clinic of \$1 million worth of pro bono work. Students working in the Clinic calculate the “cost” of work completed on their files. Even though the Clinic charges no fees, file costing is a useful exercise for students to learn. It also provides an important measurement of the value of our work in the community. This is in addition to the community education activities performed by the Clinic staff and students who have worked hard to provide quality legal services to over 300 clients in 2014.

Clients often arrive at the Clinic seeking legal advice in relation to complex scenarios. Being able to provide assistance for some of the most vulnerable members of our community provides immense satisfaction to staff and students and often helps clients to move forward in their complex lives.

**Rachel Spencer**

## Managing Solicitor's Report



It has been another productive year for the Legal Advice Clinic. In 2014, we performed \$318,764 worth of pro-bono work and provided placement for 49 students at our City-West campus office or our outreach services at the Port Adelaide and Elizabeth Magistrates Courts.

The new outreach service at the Elizabeth Magistrates Court, which commenced in September 2014, marks another milestone for the Clinic. It is an exciting initiative that has been made possible by the kind support of the Law Foundation of South Australia. The service involves the Legal Advice Clinic working alongside the Northern Community Legal Service Inc. It is a multi-disciplinary service: law students work with a financial counsellor and the court during Investigation Summons hearings (also known as the debtor's court) to help people with their financial and legal problems. Since its inception, the service has been able to provide legal advice and financial counselling to people with various legal and debt matters. It also has been able to help numerous people connect with other services including the Legal Services Commission, Northern Domestic Violence Service, and the South Australian Police. Most recently, the service was able to help an African migrant who was involved in legal proceedings in relation to a debt for which she was not legally obligated to pay.

Another milestone for the Legal Advice Clinic is the appointment of another full-time supervisor, Betty Kontoleon. This appointment has also been made possible by the kind support of the Law Foundation of South Australia. Two full-time supervisors give the Legal Advice Clinic more resources and thus it can provide additional services to disadvantaged and vulnerable members of the community. Likewise, it allows more law students to be placed at the Legal Advice Clinic. Ultimately, this means that more University of South Australia law students are able to further develop their professional skills, and utilise their legal knowledge to help their local community.

I am aware the Legal Advice Clinic enjoys a strong reputation among members of the legal profession and other organisations involved in providing access to justice. Our service regularly receives referrals from the Magistrates Court, District Court, Legal Services Commission of South Australia, Members of Parliament, Office of Business and Consumer Services, amongst a number of other government and community services. Undoubtedly, I feel honoured to be a part of a service that has attained a good reputation amongst essential service providers within the justice system, and has done so in a relatively short-period of time.

I would like to thank and acknowledge the efforts of all staff and students for their individual contributions to the Clinic's success. I look forward to being a part of its future endeavours.

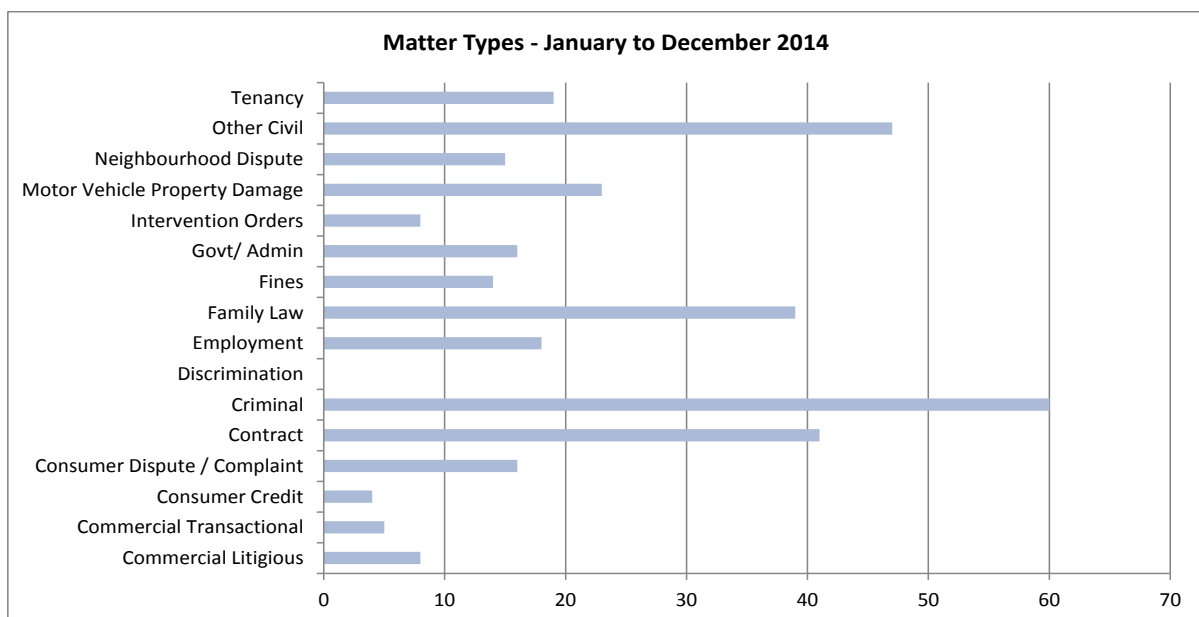
**Matthew Atkinson**

## What We Do

### Advice and Assistance

The Clinic currently provides legal advice in a variety of areas of law, including commercial litigious, commercial transactional, consumer credit, consumer dispute/complaint, contract, criminal, discrimination, employment, family law, fines, government admin, intervention orders, motor vehicle property damage, neighbourhood dispute, other civil and tenancy issues. In areas where the Clinic does not have the expertise or the resources to assist a client, the client will be referred to another organisation which will be able to assist. Care is taken to ensure that any referral will result in assistance for the client. The monthly reports show the number of types of matters that have been dealt with each month.

Given the Clinic's Mission Statement to *provide competent and timely free legal advice as a community service to members of the public, particularly to those who might otherwise be denied access to justice because of financial or social disadvantage*, the Clinic's priority is to assist clients who might otherwise be denied access to justice because of financial or social disadvantage. However, should the Clinic be able to assist clients (taking into account the available resources and expertise of the Managing Solicitor or other supervising solicitor) who are not financially or socially disadvantaged, but are able to provide an educational opportunity for law students to develop practical legal skills, the Clinic will assist such clients.

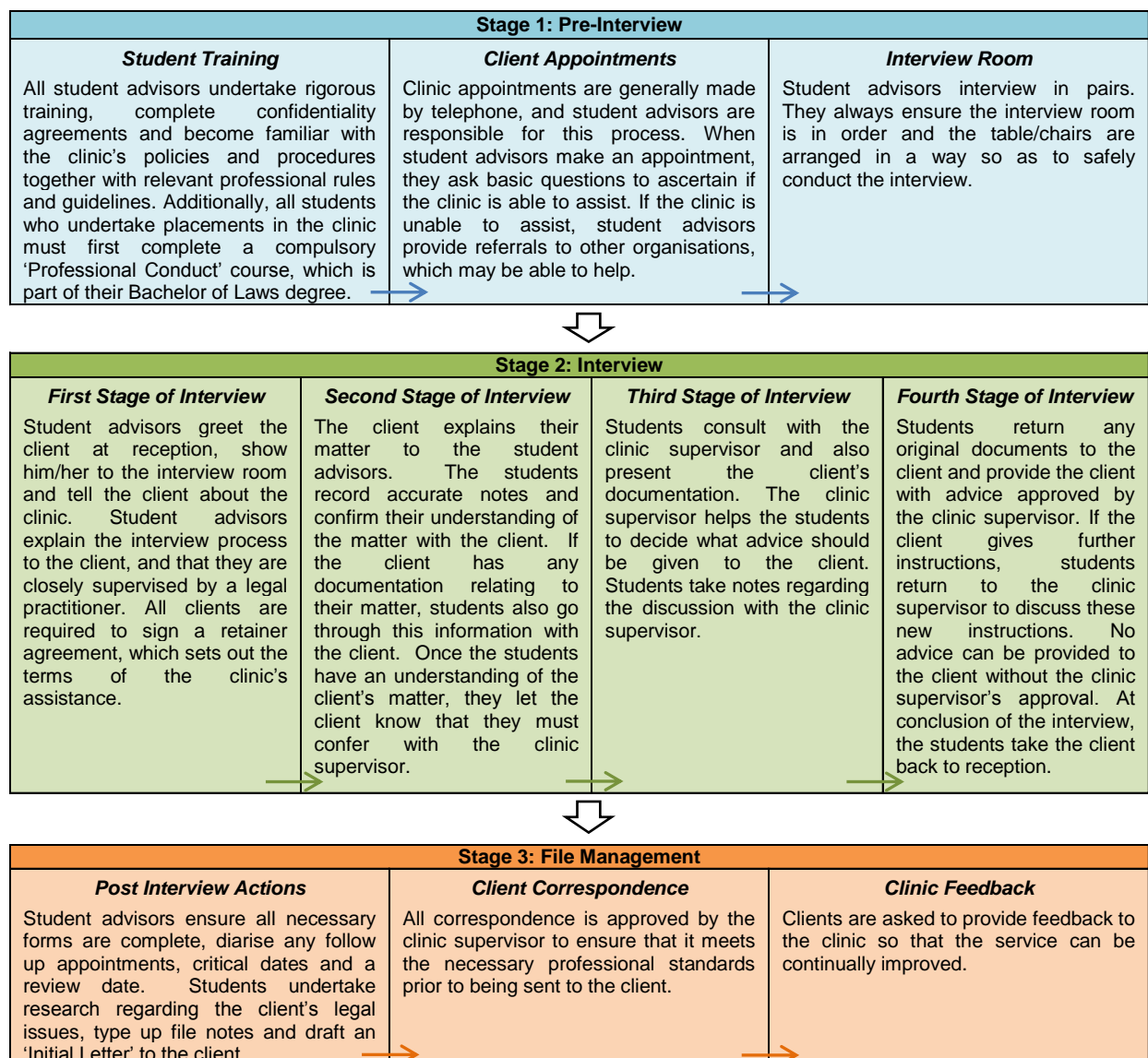


## City West Campus

The Legal Advice Clinic has been in operation at the City West campus since February 2011.

Initial client contact is made via telephone appointments. During 2014, the Clinic adopted a new telephone answering procedure. Previously all incoming calls were answered by the Law School receptionist who made the Clinic appointments, however, this function is now carried out by Clinic students who answer the telephone and make diary appointments. This provides students with the opportunity to further develop their interpersonal skills.

Below is a table which summarises the process of student interaction with clients:



## Elizabeth Outreach

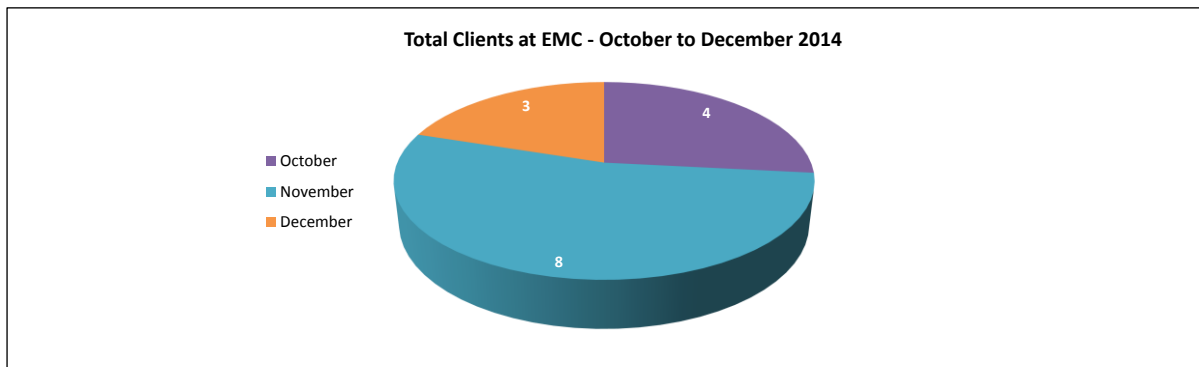


With the support of funding from the Law Foundation of South Australia in 2013, the Clinic opened an Outreach Service at the Elizabeth Magistrates Court on Tuesday, 30 September 2014. The Elizabeth Outreach is being run in partnership with the Northern Community Legal Service and operates at the Court each Tuesday during the Investigation Summons Hearings. Student advisors assist people with legal advice and assistance under the close supervision of a Clinic supervisor. Northern Community Legal Service provides on-site

financial counselling. Both the student advisors and financial counsellors can work together to help people when required.

### Highlight from the Elizabeth Outreach:

- The Clinic assisted a domestic violence victim who was assaulted by her partner. The client came to the Clinic wanting to know how she could get the police to withdraw her partner's criminal charge of aggravated assault. She said that her partner should not be charged as she believed that she had behaved in a way that made him punch her; the punch gave the client a partially lacerated face and a black eye. The Clinic helped the client access domestic violence counselling. It also provided advice to the client about victims of crime claims, and linked her to the Women's Legal Service. Additionally, the Clinic advised the client about her rights under the Family Law Act in the event she decides to separate from her abusive partner.



## Port Adelaide Outreach



The Port Adelaide Outreach at the Port Adelaide Magistrates Court was officially opened in October 2011. In 2014, the Port Adelaide Outreach assisted over 80 people with a wide range of legal matters. The drop-in outreach provides a successful and highly valued service to the community on Fridays and is now an established part of the Port Adelaide Magistrates Court. It is well supported by the Magistrates, Court registry staff and legal practitioners.

Students undertaking placements at the Port Adelaide Outreach gain extensive experience in dealing with members of the community on a wide variety of matters including assisting those who have entered the court driven process, those who wish to initiate the court process and those who seek general legal advice. These clients are particularly vulnerable and many are considerably disadvantaged. Students also learn how to successfully communicate with solicitors and Court staff.

Students describe their experience:

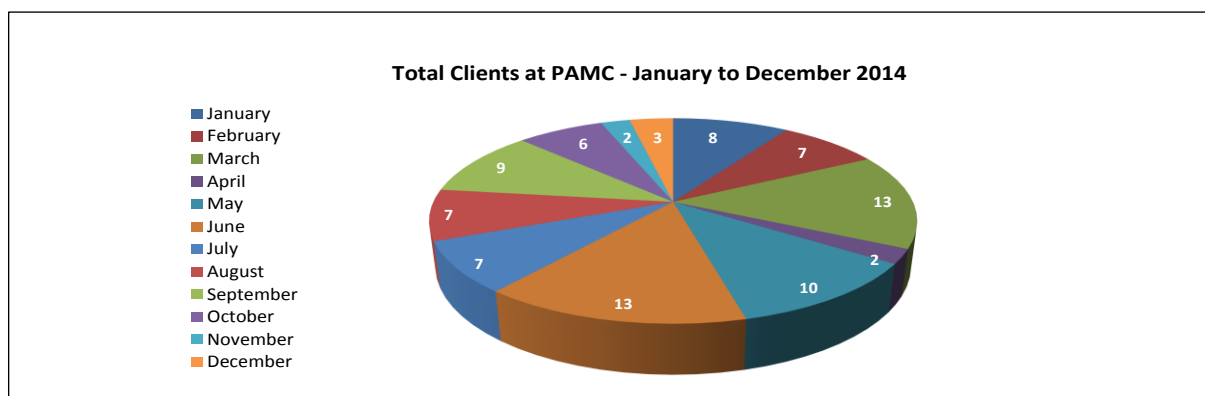
*“Volunteering at the Port Adelaide Magistrates Court has given me the opportunity to put what I have learnt in the classroom into practice. It is extremely rewarding to provide legal advice to members of the community who would otherwise be unable afford it.”*

*“My experience at Port Adelaide Magistrates Court has been invaluable. I have learnt much about the practical side of the legal profession in just five weeks! The Clinic provides a supportive and practical learning environment for students while at the same time gives people living in the Port Adelaide area access to free legal advice.”*

*“Volunteering at the Port Adelaide Outreach Service has made me realise that there’s only so much that we learn at Law School. Having the opportunity to interview clients, sit in the courtrooms, indulge in research and write various documents, provides us with invaluable experience. Not only do we grasp certain concepts in an easier manner due to the exposure of memorable real life scenarios, we also develop a greater understanding and appreciation of the legal ethics we are bound by.”*

Highlights from the Port Adelaide Outreach include:

- A distressed lady came to the Clinic about an intervention order which she was unable to obtain against her former partner. She did not understand why the police could not help her and this was partly because English was not her first language. The Clinic was able to explain the law surrounding intervention orders in understandable terms and advised her to go back to the police station and make an appointment with someone from the Family Violence Investigation Unit as this was her best option. Additionally, the Clinic provided her with advice concerning the finalization of property settlement with her former partner, even though she did not see this as an issue at first.
- A distraught client attended the Clinic because even though a judgment was made in her favour by the Industrial Court, her wages still remained due and unpaid. The client thought that she was out of options. However, after speaking to us, she realised that she could always enforce the judgment in the Magistrates Court and/or allow us to write a letter of demand to her employer.
- Everyone makes mistakes sometimes, including police. If it was not for the Magistrate who directed our client to seek legal advice from our friendly student advisors, the young man would have been facing eight charges instead of perhaps just four. The student advisors were able to explain to the client that some charges seemed to overlap and offered to help him negotiate with the police about dropping some of the charges because it would be unfair to punish our client multiple times for the same act. During the first interview, the client didn't seem to care about the consequences but after the last interview, he realised how much the charges would impact his everyday life.
- It can be daunting to challenge a decision of a large corporation, such as an insurance company. A lady suffered considerable loss when a delayed flight caused her and her husband to miss out on a prepaid vacation. To add to her troubles, her insurance company was refusing to reimburse her. The Clinic was able to help her understand the law surrounding her issue and to negotiate with both the airline and the insurance company. With our advice, she was able to obtain a settlement offer and resolve her dispute.





## Community Legal Education

### Articles

#### The Bulletin

In collaboration with Margaret Castles (Director of Clinical Legal Education, University of Adelaide) and Deborah Ankor (Director of Professional Programs, Flinders University), Rachel Spencer wrote an article entitled 'Clinical Legal Education in South Australia' which provided an overview of the role of Clinical Legal Education and how it enhances education for Law students. The article was published in The Law Society Bulletin (May 2014 edition).

#### Peer Reviewed Articles

- Spencer, R. (2012) 'Holding Up the Mirror: A theoretical and practical analysis of the role of reflection in Clinical Legal Education', *International Journal of Clinical Legal Education* 18, 181–216;
- Spencer, R. (2014) 'First they tell us to ignore our emotions, then they tell us to reflect': The development of a reflective writing pedagogy in clinical legal education through an analysis of student perceptions of reflective writing, *International Journal of Clinical Legal Education* 21 (2);
- Spencer, R. (2014) Private Lives: Confronting the inherent difficulties of reflective writing in clinical legal education, *International Journal of Clinical Legal Education* 21 (2).
- Atkinson, M. (2014) 'Deterrence, and the Slow Death of the Shop Theft Act in South Australia', *Alternative Law Journal* 227, 39(4).

### Clinic Publications

Over the past year, the Legal Advice Clinic has continued to distribute the two self-help booklets, 'Pleading Guilty – Know Where You Stand' and 'Setting Aside Judgment in the Magistrates Court' to Magistrates Courts and Community Legal Centres within the Adelaide metropolitan area, and local members of Parliament.

#### Community Legal Education and Reform Database (CLEAR)

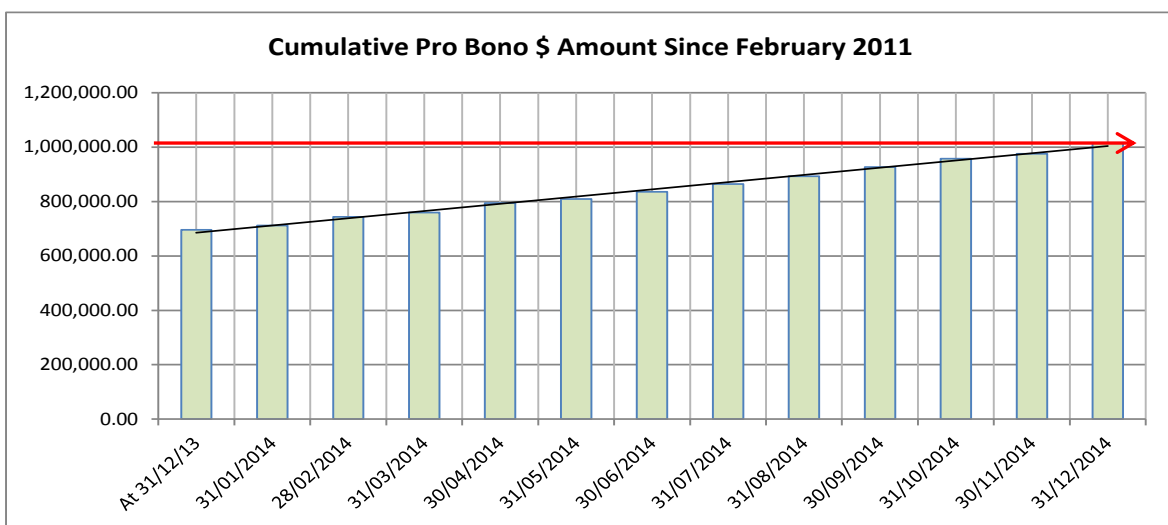
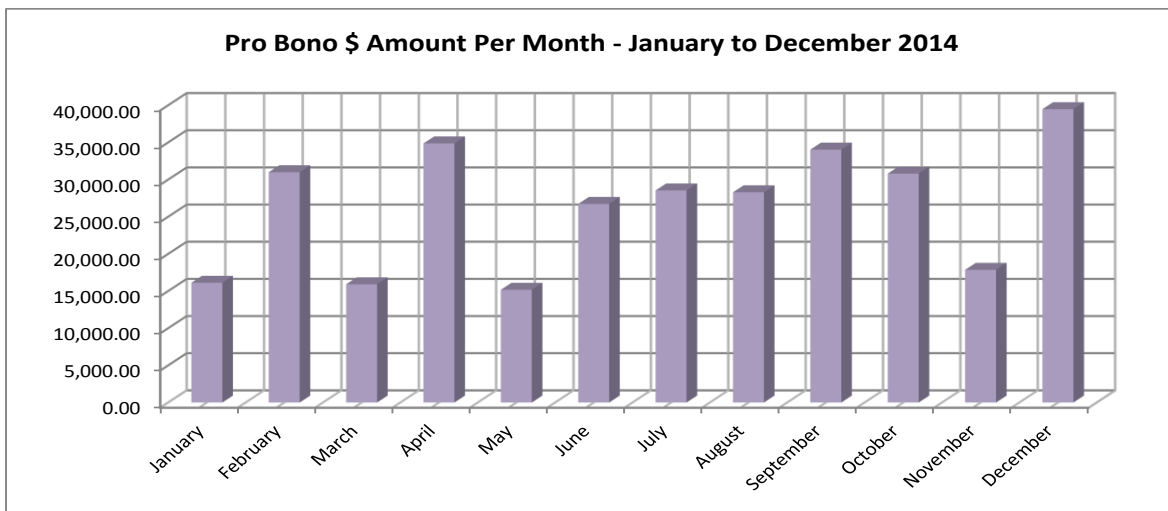
The Community Legal Education and Reform Database showcases community legal education and law reform projects undertaken by Australian Community Legal Centres and other non-profit legal services. Both the 'Pleading Guilty – Know Where You Stand' and 'Setting Aside Judgment in the Magistrates Court' self-help booklets are published on the CLEAR database.

#### Presentation to UniSA International Students

Law students undertook a placement in the Clinic as part of their Legal Professional and Community Service Experience course with the primary focus being community legal education. The placement required students to interview International students to gain an insight into the various issues faced by these students and to prepare and present a seminar to International Students so as to provide solutions on how to deal with these issues.

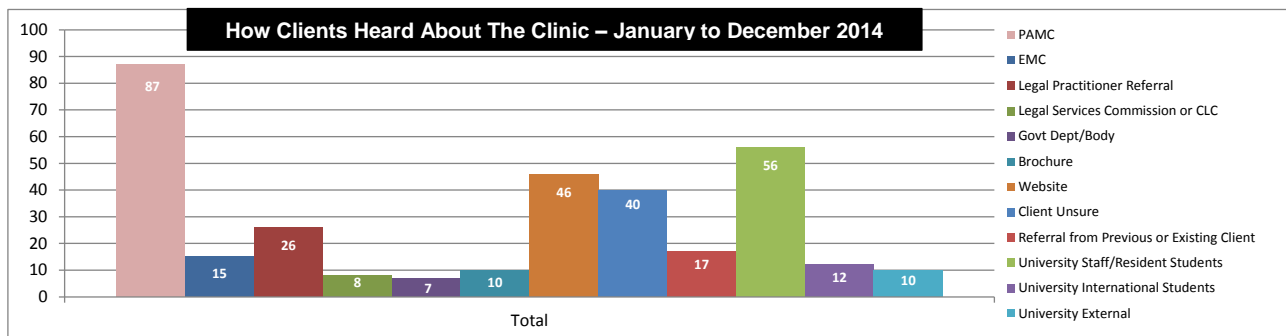
## Statistics

| Clinic Report - January to December 2014 |                      |                          |                 |                              |           |           |                |            |            |           |             |                     |                               |                       |             |           |                |                     |                     |                           |                    |                      |  |
|--|----------------------|--------------------------|-----------------|------------------------------|-----------|-----------|----------------|------------|------------|-----------|-------------|---------------------|-------------------------------|-----------------------|-------------|-----------|----------------|---------------------|---------------------|---------------------------|--------------------|----------------------|--|
| Month                                    | Matter Types         |                          |                 |                              |           |           |                |            |            |           |             |                     |                               |                       |             |           | No. of Clients | No. of Files Opened | No. of Files Closed | Total No. of Active Files | YTD No. of Clients | YTD No. Files Opened | Total Cumulative No. of Files Dealt With Since Start of Clinic |
|  | Commercial Litigious | Commercial Transactional | Consumer Credit | Consumer Dispute / Complaint | Contract  | Criminal  | Discrimination | Employment | Family Law | Fines     | Govt/ Admin | Intervention Orders | Motor Vehicle Property Damage | Neighbourhood Dispute | Other Civil | Tenancy   |                |                     |                     |                           |                    |                      |  |
| Jan                                      | 0                    | 1                        | 1               | 1                            | 4         | 4         | 0              | 0          | 5          | 0         | 0           | 1                   | 3                             | 1                     | 2           | 0         | 24             | 24                  | 14                  | 31                        | 24                 | 24                   | 953  |
| Feb                                      | 0                    | 1                        | 0               | 0                            | 3         | 4         | 0              | 0          | 3          | 1         | 1           | 3                   | 1                             | 3                     | 4           | 0         | 22             | 24                  | 25                  | 30                        | 46                 | 48                   | 977  |
| Mar                                      | 0                    | 0                        | 0               | 0                            | 7         | 7         | 0              | 2          | 3          | 0         | 2           | 1                   | 0                             | 0                     | 6           | 9         | 36             | 37                  | 24                  | 43                        | 82                 | 85                   | 1014   |
| Apr                                      | 0                    | 1                        | 1               | 2                            | 6         | 1         | 0              | 2          | 2          | 1         | 0           | 0                   | 1                             | 0                     | 6           | 0         | 23             | 23                  | 35                  | 31                        | 105                | 108                  | 1037   |
| May                                      | 1                    | 1                        | 0               | 4                            | 4         | 5         | 0              | 2          | 2          | 1         | 1           | 0                   | 3                             | 1                     | 7           | 0         | 32             | 32                  | 23                  | 40                        | 137                | 140                  | 1069   |
| Jun                                      | 2                    | 0                        | 0               | 1                            | 3         | 10        | 0              | 0          | 2          | 0         | 2           | 0                   | 0                             | 2                     | 4           | 2         | 27             | 28                  | 30                  | 38                        | 164                | 168                  | 1097   |
| Jul                                      | 1                    | 0                        | 0               | 2                            | 2         | 6         | 0              | 4          | 5          | 1         | 1           | 0                   | 3                             | 1                     | 2           | 2         | 29             | 30                  | 25                  | 43                        | 193                | 198                  | 1127   |
| Aug                                      | 2                    | 0                        | 1               | 1                            | 1         | 1         | 0              | 1          | 2          | 3         | 1           | 1                   | 2                             | 2                     | 4           | 3         | 25             | 25                  | 28                  | 40                        | 218                | 223                  | 1152   |
| Sep                                      | 0                    | 1                        | 1               | 2                            | 1         | 5         | 0              | 0          | 4          | 2         | 2           | 1                   | 4                             | 0                     | 2           | 0         | 25             | 25                  | 33                  | 32                        | 243                | 248                  | 1177   |
| Oct                                      | 0                    | 0                        | 0               | 1                            | 6         | 8         | 0              | 2          | 4          | 2         | 1           | 0                   | 3                             | 1                     | 5           | 1         | 33             | 34                  | 32                  | 34                        | 276                | 282                  | 1211   |
| Nov                                      | 2                    | 0                        | 0               | 1                            | 3         | 4         | 0              | 4          | 4          | 3         | 4           | 1                   | 1                             | 1                     | 4           | 0         | 32             | 32                  | 16                  | 50                        | 308                | 314                  | 1243   |
| Dec                                      | 0                    | 0                        | 0               | 1                            | 1         | 5         | 0              | 1          | 3          | 0         | 1           | 0                   | 2                             | 3                     | 1           | 2         | 20             | 20                  | 34                  | 36                        | 328                | 334                  | 1263   |
| <b>Total</b>                             | <b>8</b>             | <b>5</b>                 | <b>4</b>        | <b>16</b>                    | <b>41</b> | <b>60</b> | <b>0</b>       | <b>18</b>  | <b>39</b>  | <b>14</b> | <b>16</b>   | <b>8</b>            | <b>23</b>                     | <b>15</b>             | <b>47</b>   | <b>19</b> | <b>328</b>     | <b>334</b>          | <b>319</b>          |                           |                    |                      |  |



## Client Case Studies

Clients hear about the Clinic in a variety of ways. A lot of clients become aware of the Clinic through the outreach services at Port Adelaide and Elizabeth Magistrates Courts. Statistics reveal that the City West Clinic assists many UniSA staff and students who hear about the Clinic either by word of mouth or marketing throughout the University. Clients also attend the Clinic via referrals from previous or existing clients. In addition, the Clinic's website and Facebook page increases awareness within the community. Currently, the Facebook page is very active with over 500 followers.



Case studies include:

- Student advisors helped a client prepare for trial for a criminal matter which fell within the summary jurisdiction. The students were able to review and advise the client in respect to the evidence against him, and also advise the client about his prospects of successfully defending the charges.
- Student advisors assisted a client to successfully resolve a strata title dispute through community mediation.
- A distressed elderly woman came to the Clinic about a fence dispute. She did not want to create poor relations with the neighbour who had been complaining her upkeep on the fence was not satisfactory. The client had spent money on the front fence and was happy to help pay for a replacement but could not afford half the amount as she was a retired pensioner. The Clinic advised her of her rights, and assisted her in feeling better about negotiating the issue with her neighbour.
- The Clinic helped a young man with an acquired brain injury to deal with criminal charges of graffiti, possessing implements for graffiti, and possession of an offensive weapon. The Clinic was able to help the client negotiate with the police and have the offensive weapon charge withdrawn. Student advisors also helped the client prepare for court and with writing submissions for a plea in mitigation for the remaining charges. The client was very grateful for the assistance he received from several student advisors of the Clinic.
- The Clinic assisted an international student deal with a debt matter which arose after he damaged his rental car. The Clinic was able to help the client understand that his actions, which led to the damage of the car, meant that he unfortunately breached the terms of his rental car insurance agreement. Student advisors at the Clinic helped the client to negotiate a repayment agreement for the debt with the car rental company.

## Student Feedback

*"My time at the Legal Advice Clinic has been highly rewarding and educational. It has opened my eyes to how little you learn in the classroom and how much you learn in the real world. Each client comes with a unique set of challenges. Some are well educated and articulate, however, many have minimal knowledge of the law and their rights. It is very satisfying to help educate these people about their options and give them a voice in our legal system. For some, if we didn't help them, then it is possible that no one else would. This has been an experience that is not commonly available to law students and it is one that I often recommend to my peers."*

Daniel – Student Advisor

*"From my very first day at the Clinic, it has been very obvious that the people we assist are very grateful. People from all walks of life come to the Clinic with legal problems, and even if we are unable to assist them, the client always seems to appreciate having someone to talk to and listen to their problems. For lay people, the law can often be confusing and stressful and even though the problems for us may seem straightforward or insignificant, the issues may mean the world to the client. Being able to help these people, no matter how big or small is extremely rewarding."*

Kate – Student Advisor

*In essence, the Legal Advice Clinic has helped me develop my professional attributes and skills to prepare me for the working realms of legal practice. I am now aware of the work expected, the office environment, the level of professionalism to be maintained in the workplace, how to handle unexpected situations and adapt to those situations."*

Wayne – Student Advisor

*"I feel that in this role I was fortunate to receive support and mentoring from two sources. Primarily from my supervisor who is very good at juggling several students and keeping us on top of things. However, I feel that there was also a great deal of valuable support and mentoring to be had from my peers and I believe this was a really important aspect of my professional development. The interaction I had with my peers, especially those with greater experience at the Clinic, helped me gain confidence and motivated me to be persistent."*

Leilah – Student Advisor

*"Although I was only able to spend 20 days in the Clinic, I feel that it has taken me from a law student to someone who is able to effectively contribute to a legal practice. I have had many experiences in the Clinic that will give me valuable material to use as examples of my legal skills in an interview and also the confidence in knowing that I do have the ability to put my legal learning into practice."*

Robyne – Student Advisor

*"Throughout my time at the Clinic, I have had the opportunity to learn so much about the application of the law to real life situations, how to deal with clients and gain an understanding and an appreciation of what it is like to work as a lawyer. What's more, both Betty and Matthew have invested so much time and effort with me in order to prepare me for practice. Both have passed on their experiences and advice in relation to practicing as a lawyer, which I believe will hold me in good stead for the future. Overall, I am extremely satisfied with my experience in the Clinic. Given that this is the first placement I have completed, I would strongly encourage every UniSA law student*

*to work at the Clinic at some point throughout the duration of their degree, as I am of the opinion that this is the perfect way to introduce students into practice."*

Alexander – Student Advisor

*"My supervisor, Matt, allowed us to develop our own ideas and approaches and had us role play these out. After this we were in a position to see the good points and bad points in the position we articulated. Matt was a good sounding board for opinion and provided useful insights into a range of 'what if' scenarios that would subsequently play out in any client interviews. The Clinic provided a supportive yet autonomous venue for real legal skills to be learnt and applied."*

David – Student Advisor

*"I was able to experience a wide range of cases with many different legal bases and further my theoretical knowledge in applying my legal knowledge to the real life cases I was presented with. I was given the opportunity to improve my letter writing skills and interview skills which were underdeveloped due to not having any prior experience. I not only wanted to apply my theoretical knowledge, but also wanted to understand how and why it was being applied. The more I understood the law and why it was applied in a particular way, the better my knowledge became. I also found myself wanting to experience different cases that I had not had much experience in to that date. I found my aims changing to suit the cases that I was experiencing in the Clinic. This helped to expand my legal knowledge beyond what I had learned at University, which I have enjoyed and appreciate."*

Melanie – Student Advisor

## Client Feedback

The Legal Advice Clinic regularly receives positive feedback from clients who wish to thank the Clinic for the advice and assistance it has provided to them. Client feedback forms are provided to clients who wish to provide feedback in a confidential manner. The following quotes are from clients who provided feedback via the feedback forms and from clients who personally emailed the Clinic.

*"I have taken your advice and instruction and now placed them in the hands of a lawyer who will be representing me in Court. I am very grateful for your assistance and helping me to find the correct path to take. I will definitely recommend your services to the UniSA population and will be using your services in future when I need legal advice."*

*"I am pleased to report that our dispute has been resolved and in large part due to the assistance received from the Legal Advice Clinic. Thank you again for your assistance."*

*"The information provided to date is very useful and has enlightened me considerably giving me a basis on which to enter into negotiations with potential distributors. I am truly grateful for your efforts in researching this matter and advising me accordingly."*

*"The outcome is much better than we might have expected and I am grateful for the effort you put into this matter."*

*"... I would like to thank both of the students for their assistance along with the Managing Solicitor. They were able to answer our questions in a timely and easy to understand manner. It was very much appreciated, and I wish them the very best in their legal careers."*

*"I wish to reiterate how thankful I am for your advice and that I have submitted an appeal to Uni for remission of my subject fees. The process of visiting you helped me to clarify issues and present my appeal in an appropriate way. Thank you all once again for the very helpful advice you sent."*

*"I thank you both for your time and your advice which has been very helpful. I now consider the matter to be resolved. .... thank you both for your confidentiality, professionalism and to the UniSA Law School, associate lawyer and law students for their involvement with resolving this matter."*

*"I would like to extend my thanks to all who have assisted me following a motor vehicle accident. Your assistance in this matter has been greatly appreciated."*

## Funding

### Law Foundation of South Australia Incorporated

In late 2013, members of the Law Foundation of South Australia Incorporated resolved to provide a significant amount of funding to be shared equally between the three University Law Schools' Legal Clinics in South Australia. This funding has greatly assisted the Clinic in providing a valuable service to the community and has contributed to the ongoing success of the Clinic.

The Foundation's grant enabled the Clinic to appoint a Supervising Solicitor who reports to the current Managing Solicitor and helps with the supervision of student advisors. This appointment has been particularly instrumental in increasing the staff resources necessary to open the Outreach Service at Elizabeth Magistrates Court which began its operation in September 2014. The grant also assists with the continued success of the Port Adelaide Magistrates Court.

In addition, the funding has also allowed the Clinic to renew its library publications, namely *The Family Law Book*, *Magistrates Court SA* and *Motor Vehicle SA* publications which now form an essential part of the Clinic's library and provide an invaluable resource to the student advisors.

### University of South Australia: Teaching Equipment Fund (Provost Portfolio)

In July 2014, the Legal Advice Clinic was successful in securing funding from the University of South Australia Teaching Equipment Fund. These funds will enable the Clinic to install cameras in each of the Clinic meeting/interview rooms. The purpose of the cameras is to assist in the teaching of interview skills.

## Activities and Events

### 2014 Orientation Day

Rachel Spencer and Matthew Atkinson participated in the Law School Orientation Day on Friday 21 February 2014, promoting the Legal Advice Clinic to new Law students. The event was held in the Law School forecourt on the City West campus.



### 2014 Careers Expo

The Careers Expo is attended by more than 2,000 graduates and students annually and considered by students to be one of the best opportunities to meet future employers. On 18 March 2014, the Law School/Legal Advice Clinic hosted two booths on the day together with representatives from Ombudsman SA and the Guardianship Board.

### 2014 Walk for Justice

The Legal Advice Clinic participated in the 2014 Walk for Justice which took place on Tuesday 13 May 2014. The event raised funds to support the work of JusticeNet SA who help vulnerable and disadvantaged South Australians to access pro bono legal services. JusticeNet SA has reported that the event was a resounding success with over 300 registered walkers raising in excess of \$41,000.

### 2014 Shelter SA Homelessness, Health and Housing Expo

The Legal Advice Clinic participated in the Shelter SA Homelessness, Health and Housing Expo which was held on Wednesday, 15 October 2014 at Whitmore Square, Adelaide. The annual Expo is presented by Shelter SA and funded by the Adelaide City Council and Housing SA and brings together over 40 services from across the homelessness, health and housing sectors with the aim of improving health and well-being in some of SA's most marginalised and disadvantaged citizens and assisting them to overcome housing and health problems. The Managing Solicitor, Supervising Solicitor and several Clinic students handed out brochures, met various people and worked alongside students from other UniSA Clinics.

## Acknowledgements

The Legal Advice Clinic acknowledges the support of the following organisations and individuals:

### Organisations:

- Elizabeth Magistrates Court
- Law Foundation of SA Incorporated
- Port Adelaide Magistrates Court
- University of South Australia, School of Law
- University of South Australia, Provost Portfolio

### Individuals:

- Matthew Atkinson  
(Managing Solicitor, Legal Advice Clinic)
- Erin Bowler  
(Clerical Officer, School of Law)
- Eleni Ftanos  
(Project Support and Administration Officer, School of Law)
- Betty Kontoleon  
(Supervising Solicitor, Legal Advice Clinic)
- Wendy Lacey  
(Dean and Head of School: Law, School of Law)
- Alicia Lepka  
(Marketing Officer, School of Law)
- Peter MacFarlane  
(Associate Professor, School of Law)
- Rachel Spencer  
(Director: Professional Programs)
- Leanne Steele  
(School Manager, School of Law)
- Julie Watt  
(Administration Officer, School of Law)
- Vicki Waye  
(Professor of Law, School of Law)

If you would like legal advice or wish to discuss other matters, please contact us:

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