Coordinating community legal information and publications

A discussion paper for Queensland legal assistance services

December 2015

Queensland Association of Independent Legal Services Inc
Queensland Association of Independent Legal Services (QAILS) is the peak body for community legal centres in Queensland and its vision is for a fair and just Queensland.

To achieve this, QAILS supports and develops community legal centres to provide effective, high quality services to their communities, and leads to unite its members and be a leading voice for social justice.

We gratefully acknowledge research assistance provided by Julian Ladd and Rebecca Rutland

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Thanks to the legal assistance services’ staff who contributed their knowledge to this research project.
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Executive summary

An important function of Queensland’s legal assistance services is to provide information to the community about their rights and responsibilities. This ‘community legal education’ can be undertaken face-to-face (one-on-one or to groups), or through the provision of information and publications. Long established as an integral part of legal assistance services, the aim of community legal education is to enhance the legal capability of the public by being responsive to the diversity of legal need across the community. Accordingly community legal education is one element within a broader interdependent continuum of legal assistance service responses.

This discussion paper addresses funders’ concerns that there is unnecessary duplication of information and publications by legal assistance services (Legal Aid, community legal centres, Aboriginal and Torres Strait Islander Legal Services, and Aboriginal Family Violence Prevention Legal Services).

Section 1 of this discussion paper examines processes in other jurisdictions to coordinate the development of legal information and publications.

Section 2 of this discussion paper examines the mechanisms in Queensland to coordinate these materials, including the Queensland Legal Assistance Forum (QLAF), the Community Legal Education Legal Assistance Forum (CLELAF), conditions of community legal centres’ funding and reporting requirements, and a collaborative approach to community legal education, demonstrated through qualitative feedback from staff across legal assistance agencies. We find that Queensland’s legal assistance services’ collaborative and coordinated approach functions to avoid duplication of resources.

In testing the findings in Section 2, our research shows that legal assistance services have produced over 450 separate publications in recent years (listed at Appendix 1 and Appendix 2), without any duplication in terms of content, form and audience. In the instances where resources cover the same content area, the resource materials are distinguishable in terms of meeting the needs of specific target audiences or similar contextual matter as discussed in Section 3.

Section 4 concludes that, while generally structured to avoid duplication and maximise effectiveness (including cost-effectiveness), there are some further structural reforms that could result in better coordination of publications and information, including:

1. With funding from Legal Aid Queensland’s collaborative CLE fund (if required), the CLE LAF should develop and share a best practice guide for the development and maintenance of community legal information.

2. The CLE LAF is a vital platform to share information, and should be supported.

3. Relationships and ad hoc conversations between legal assistance services are vital; funding should be provided for an annual legal assistance services conference to support these relationships.

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1 Suzie Forell and Hugh McDonald, Justice Issues – Paper 21 (Law and Justice Foundation, December 2015), 1.
4. Community legal centres should continue to report on their CLE activities as part of their funding agreements, and this reporting should confirm that the State Program Manager has been notified and that materials do not duplicate existing materials.

5. The State Program Manager, with support from the Department of Justice and Attorney-General and Queensland Legal Assistance Forum members, should ensure that publications are posted on the QLAF website.

6. DJAG should provide funding to support the CLEAR database, including having a Queensland project officer one day per week to support centres to use this resource and enhance its user-friendliness.

7. Legal assistance services should record all of their publications on the CLEAR database.

8. When hardcopy CLE materials are ordered (especially in bulk), producers should ask ‘How will these materials be used?’ so they can better understand where materials might be having an effect, or to learn about innovative uses of their materials.

9. The author’s intellectual property in CLE materials that have been shared should be protected – pro bono legal advice has been sought to establish the best means of ensuring this protection.

A consultation draft of this paper was circulated to legal assistance services in Queensland and other jurisdictions in July 2015, and suggestions from representative bodies of Community Legal Centres and Legal Aid Commissions from across Australia were incorporated into this final report.

Scope of the project

The paper sought to analyse the extent to which publications and resources produced by community legal centres and other legal service providers for the purposes of community legal education overlapped in content. Resources falling within the scope of this research included written publications such as factsheets, checklists, kits and legal information guides, and resources produced via other media such as videos. Presentation aids such as PowerPoint presentations were excluded from the scope of the project, as were standalone website and apps (which could be considered in future research, on the types and effectiveness of online, web-based and app CLE).

In this context duplication of community legal education resources is defined as occurring when two different legal assistance services have produced resources targeting the same audience with substantially similar content using an identical format. While this report has a focus on identifying and analysing the extent to which Queensland community legal information resources have been duplicated, it also investigates the extent to which existing processes provide opportunities for sharing of information around the scoping of future community education initiatives to avoid unnecessary duplication of resources.
Being responsive to their communities, community legal centres draw upon years of experience and extensive literature that supports developing tailored resources that address specific issues faced by particular groups of people at particular times. As can be seen in the research findings, what amounts to duplication of content is not straightforward. It is recognised that there will often be numerous publications on the same topic of law, but it is important to recognise that a resource produced by a community legal centre in one region of Queensland may be very different to that produced by another servicing a different region, often as a result of cultural distinctions or the need to tailor information for a specific audience. Being responsive to local community legal need entails being both timely and appropriate in order to minimise the impact of the legal issue and to enhance the legal capability of the community. These goals are more likely to be achieved if the community itself engages with the production of the document. It is suggested that duplication should only be a concern in the instance where two or more resources have been produced that include identical content, using a similar format targeted to the same audience. This report identifies the extent to which this type of duplication is occurring in Queensland.

2 Ibid, 4.
Case study: Youth Advocacy Centre

The Youth Advocacy Centre (YAC) developed its CLE program in the early 1990s when its first dedicated CLE worker was appointed. The first job was to develop resources needed for young people, because they didn’t exist. YAC undertook a survey of young people and youth workers and asked what legal information young people wanted and how they wanted it presented. Interestingly they said that they wanted it in a serious form because they are serious issues for them and didn’t want them treated in a “jokey” or “light” fashion.

The fact sheets cover a range of topics, not just courts and police. The original 12 factsheets were designed for hard copy and were in a folder which was provided to schools and youth agencies so that they could copy whatever sheet the young person wanted. They were intended to be no more than 2 pages of A4 so there would be one page double sided only. That has since proved difficult with the police related information!

The information was developed by a lawyer and youth worker so it is technically correct, and the “legalese” has been taken out, and the language chosen helps explain the issues and terms for a young person. YAC has continued to develop and update the fact sheets over the last twenty years, always with legal and “non-legal” input. Often, these are based on common questions YAC is asked by young people. YAC has not prepared many child protection resources, as they use materials developed by Legal Aid and the South West Brisbane CLC.

The fact sheets are used by YAC lawyers, who give them to young people to take away after the lawyer has spoken to them, and provided them with information and advice, as needed.

The sheets are also used as part of YAC’s youth worker training package. Some sheets may be too much for some young people but if workers understand the law, systems and processes, they will understand the importance of the issues to young people’s lives and be able to give them information and help them access legal advice.
1 What’s happening elsewhere?

Around Australia

As the peak body of CLCs in Australia, the National Association of Community Legal Centres (NACLC) is an important voice in the discussion about CLCs and the duplication of services and publications. NACLC suggests that the allegation of duplication of services reflects more of a perception than a reality, the perception arising because of the specific purposes and groups various publications are aimed at, and the differences in law across the jurisdictions. However, it has also been acknowledged that there is potentially not enough review to ensure there is as little duplication as possible. Promotion of resources, involving circulation and distribution of information within the sector, is an important part of this review process. The Community Legal Education and Reform (CLEAR)\(^3\) database is an important part of this promotion of legal resources. Also important are promotion through social media, and the internet more broadly.

Common methods of clients utilising legal resources are the websites and apps of a particular CLC. The level of sophistication can differ depending on the resources and expertise of the CLC involved. The form that the webpage or app takes may also differ when there is an indigenous or multicultural audience, who may respond better to different methods, such as story-telling or performance art.

At a national level, the NACLC Community Legal Education and Community Development (CLECD) network, which has representation from almost all Australian states and territories, meets bi-monthly. The network business focusses on social education itself, but is also an avenue available for discussion of legal resources. National Legal Aid also has a CLE Working Group, and representatives from each of these national bodies sit on the other, in an attempt to ensure each knows what the other is doing. This is reflective of a long history of the NACLC and NLA Working Groups working together.

In addition, there are the various state level conferences and meetings which also allow for the discussion of the coordination of legal resources. While the CLEAR database has been

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\(^3\) The Community Legal Education and Reform Database showcases community legal education and law reform projects undertaken by Australian Community Legal Centres and other nonprofit legal services.
recognised as the best option for reducing duplication at a national level, having a better record of current and upcoming projects and greater state-level coordination through more meetings to ensure CLCs know each other’s work is also critical. Collaboration and communication between CLCs, Legal Aid Commissions and other legal service providers both at a state and federal level should be recognised as the most powerful method of maximising time and resources in the creation of publications for the purposes of community legal education. The importance of this collaboration has been noted in the new National Partnership Agreement on Legal Assistance Services, and the draft National Strategic Framework on Legal Assistance Services.

Feedback provided to QAILS at the 2015 NACLC Conference in Melbourne on 25 August 2015 that representatives of CLCs nationwide found CLEAR to be a useful database but would appreciate a more user-friendly design and greater support in uploading materials.

**Victoria**

In Victoria, the coordination and development of legal information and publications involves the utilisation of the CLEAR database to initially identify if services are being duplicated and then uploading completed documents and related information to it. A strategic, collaborative approach by CLCs and Victoria Legal Aid (VLA) is taken in order to ensure a clear dialogue between all service providers, and a number of joint projects exist, such Community development and community legal education working group (CDCLEWG) meetings every two months also provide an avenue for information sharing among Victorian community legal centres in relation to community legal education projects and publications. In addition, the bi-annual networking forum for VLA and CLCs, as well as other legal information providers, including the Victoria Law Foundation and Office of the Public Advocate, is another avenue to share information on, but not limited to, community legal education publications. Once per year, VLA and the CDCLEWG run a joint day of professional development for workers in the area. These events occur in addition to the regular meetings between the convenor of the working group and the Manager of Community Legal Education at VLA, which also allow the sharing of information. VLA has also made its LawGuru intranet site available to Victorian CLC workers – this site has links to materials used by Legal Aid staff and is another way CLCs can ensure that their publications are accessible and widely distributed to workers, thereby avoiding unnecessary duplication.

The Victorian Legal Assistance Forum has developed *Best practice guidelines for the development and maintenance of online community legal information in Victoria* (available at http://www.victorialawfoundation.org.au/vlaf-online-legal-information-guidelines). The purpose of the guidelines is

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**[C]ommunity legal information plays an important part in assisting members of the public in avoiding legal issues, addressing them when they occur and increasing legal literacy.**

Joh Kirby

Victoria Law Foundation
to assist people who produce or maintain online community legal information. The guidelines aim to raise the standard of online community legal information by providing guidance on how to produce and maintain high-quality community legal information that makes the best use of resources.

The guidelines may also be used in the production of hardcopy material or other formats such as apps for use on smart phones. There are 12 guidelines, which include:

1. Conduct research before undertaking a new project
2. Online legal information should be audience-focused
3. Websites and other digital formats must meet appropriate usability and accessibility guidelines
4. Ensure that information is accurate
5. The currency of the information should be clearly noted
6. Maintain your material
7. The jurisdiction of the legal information should be clear
8. Link to other relevant resources
9. Provide access to a legal glossary
10. Use standard terms where possible
11. Websites that contain community legal information should include information on how to obtain further advice and support
12. Raise awareness of new online legal information resources

Aside from uploading documents for viewing on the CLEAR database, the Federation of Community Legal Centres also identify new publications and resources in their weekly newsletter, which is sent out to all the CLCs in Victoria. When developing these new resources, CLCs in Victoria develop them "in response to a need identified in casework or by community agencies" and consult with the community and develop them with the needs and abilities of their clients in mind. In addition to the working group meetings, networking event and professional development day, Victorian CLCs participate in the national Community Legal Education and Community Development (CLECD) Network, where states participate and share information about community legal education.

It is the Victorian view that funding to increase staffing of and training in relation to the CLEAR database could potentially reduce any remaining duplication of services and resources.
Furthermore, applications to the Victoria Law Foundation (a major funder of community legal education resources) for funding in relation to publications require checking for duplication.

**Western Australia**

In Western Australia, there is no formal process of identifying duplication of services and publications. However, meetings between CLCs and the Community Legal Education Network, facilitated by their peak representative body, the Community Legal Centres Association (CLCA) of Western Australia, often identify areas of potential duplication. New legal resources are identified and promoted through the central mailing list of CLCA, and informal avenues such as emails and resource launches also provide an opportunity for the promotion of new legal resources. Similarly to Victoria, the CLEAR database is also an important resource in the promotion of new legal resources, particularly through its state-based search function.

In addition, the CLE Network provides the basis for reinvigorating a strategic relationship between the CLCA and Legal Aid Western Australia (LAWA). Community legal centres and Legal Aid WA have a history of collaborative community legal education projects, including recent projects creating educational films and interactive online resources. The type and content of each resource is carefully researched to ensure that it best meets identified community needs, does not duplicate other current resources and links to appropriate resources.

CLCs also have access to a range of legal education publications created by Legal Aid WA, such as kits, manuals and Information Sheets, through a designated portal on Legal Aid’s website. In creating and updating these publications, Legal Aid reports that it has regard to other available resources, including those created by other legal assistance providers, in an effort to minimise duplication. Legal Aid also sends out emails to those who can access the portal, informing the email group of updates to current and additional publications available.

When ensuring clients can utilise publications, Western Australian CLCs upload them to their websites, as well as the CLEAR database. They also promote them generally through the use of pamphlets distributed to organisations who can then further distribute relevant pamphlets based on geography and legal subject matter. The quarterly meetings of all state association members, the National Association of Community Legal Centres conference and the national CLECD network are other methods which assist in the coordinating community legal education in WA. To reduce duplication of services and publications, it has been suggested a state-based equivalent to the CLEAR database should be developed, in addition to or alternatively to an online index of resources arranged by subject matter and potentially a more formal process of preventing the duplication of services and publications as an arrangement with Legal Aid.

**South Australia**

South Australian legal assistance services have no formal process of identifying duplication of services and publications. New legal resources are created where there is a change in legislation, a new service offered or new funding for a different service. CLCs tend to keep the same service brochure, unless they increase their service scope such that new information is required. To manage duplication of existing legal resources, CLCs conduct meetings, networks and forums to determine whether alternative information documents already exist. When a new
legal resource is developed, it is promoted through communication between CLCs of South Australia, through mail outs, flyers and emails. Other avenues of promotion include events, forums and links to information on other service websites.

As there are only a small number of CLCs in South Australia, the chances of duplication are minimal. However, existing CLCs ensure that other services and clients can access their legal resources by providing links on service websites, distribution of resources to councils, libraries, surgeries and other public service offices, advertisements in local papers and through solicitor referrals. It has been suggested that a central database or website with access to existing legal resource documents, such as legal options, ideas and solutions, and legal questionnaires would reduce duplication of resources. Further, email notification to CLCs of a document’s existence would encourage collaboration between legal assistance services on legal education.

**New South Wales**

In New South Wales, the CLEAR database and the sharing of information between CLCs are two significant ways of ensuring services and publications are not being duplicated. In addition to this, the Quarterlies, which are meetings which take place every quarter between all the CLCs of New South Wales, also provide an avenue for discussing community legal education and ensuring publications and services and publications are not being duplicated. The promotion of new legal resources can depend on the community legal centre and a number of different methods of promotion have been utilised, including promotion at the Quarterlies, sharing on the website, tweeting, posting on Facebook and emailing other CLCs in New South Wales.

There are forums and processes to foreshadow publications and education projects, identify existing resources/projects and share information between both CLCs and the legal assistance sector. Best practice guidance is available to workers in the sector on publishing including information about scoping projects to avoid duplication and grants processes in the sector have processes to screen for duplication.

A standing working group at CLCs NSW Quarterlies meetings is the Community Legal Education Working Group (CLEWG). This working group has broad representation from CLCs as well as attendees from the Aboriginal Legal Service (ALS), Legal Aid NSW and other organisations and agencies.

The co-convenors of the CLEWG represent CLCs NSW on a number of other information sharing and collaboration forums such as the Legal Information and Referral Forum (LIRF). This forum is a standing committee of the NSW Legal Assistance Forum (NLAF) and meets four times a year. Membership of this forum includes justice agencies, courts, the legal assistance sector, public libraries and other organisations and government agencies. The CLEWG co-convenors represent CLCs on a number of NLAF working groups and sub committees with an education and information focus.

A number of newsletters in NSW share information about publication and projects. The Law and Justice Foundation of NSW produces a bi-monthly newsletter called Plain Language Law (PLL). This newsletter foreshadows proposed new publications and projects and catalogues resources
produced about the law in NSW. There is a searchable PLL database that is publicly accessible. In addition to this database CLCs in also contribute to the CLEAR Database. CLCs NSW produce timely news bulletins that share information about publications and projects and Legal Aid NSW produces Legal Aid News each month which has a section with news about community legal education and information.

There are a number of public databases in NSW that provide ready access to the range of information and education available. In addition to the PLL database the Legal Information Access Centre (LIAC) which is part of the State Library of NSW has a searchable website the catalogues information about the law in NSW. To reduce duplication of publications and services, increasing the funding to the State library to continue their work with coordination of legal fact sheets, as well as utilising Legal Aid as a database for the promotion of legal factsheets, given the number of publications they produce, could be beneficial.

**Tasmania**

In Tasmania, as there are only a very small number of CLCs, the chances for duplication of publications and services are minimal. However, the centres also communicate with each other and the risk for duplication is further reduced. When a new legal resource is developed, it is promoted by being put on the National Notice Board and also through communication between the CLCs of Tasmania. Clients can access publications on the Launceston Community Legal Centre website. However, not only are there limits to accessing the internet by some individual members in Tasmania, literacy rates among clients are generally low and therefore understanding the information uploaded to the website can be limited. Community Legal Centres in Tasmania meet 3 to 4 times during the year, which allows for the coordination of the centres and the publications and services. It has been suggested that to reduce levels of duplication among the publication of legal resources communication among CLCs needs to be continued. However, contrary to the views of other individuals and different states, it has been suggested the databases are not necessarily the solution to coordination of legal education.

**Northern Territory**

The Northern Territory Community Legal Education Network (CLEN) conducts meetings territory-wide every two months via phone, web or videoconference to ensure that its members remain up to date with each other’s CLE updates and plans and to showcase new initiatives. On the alternate months local networks are convened in Darwin and Alice Springs. The Network’s membership includes CLCs, ATSILS, Legal Aid Commissions, and federal and state government bodies as well as a range of other legal and non-legal service providers. These forums allow extensive opportunity to discuss legal publications and reduce the chances of duplication through

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**CLCs do not have the time or resources to waste on making up their own factsheets etc where one on a particular topic already exists.**

Nicki Petrou
Top End Women’s Legal Service
identifying existing resources, gaps, proposed activities and developing opportunities for collaboration.

The vast geographical areas and demography of clients for each CLC and service provider in the Northern Territory means that there is limited scope and capacity for the duplication of publications. Similarly, CLCs in these regions do not have the time or resources to create publications that are not strictly necessary. As a result, a publication will not be created without first investigating whether or not another is already in existence. When new legal resources are produced they are promoted widely through email lists, networks, launches and word of mouth.

Limited English language literacy rates among a significant portion of the NT population means that standard one-size-fits-all publications are not necessarily effective. Although prima facie similar in terms of topic, many resources need to be simplified, adapted and customised for different audiences to cater to diverse languages, cultural values, regional issues and availability of support services. In developing specific and localised resources, organisations in the NT can benefit from somewhat of a head start by reviewing analogous resources and liaising with the agency that developed them for insight and advice as to how the project can be progressed as efficiently and effectively as possible. The CLEN is currently attempting to promote use of the CLEAR database and social media amongst its members to facilitate this process.

### Australian Capital Territory

In the Australian Capital Territory, there are only 5 CLCs which work in different areas of law, the risk of duplication is small, which is similar to Tasmania. However, the CLCs communicate through meetings every two months and at working groups during the Legal Assistance Forum to reduce the chances of duplication even further. There is no formal approach taken to promoting new resources and the process is ad hoc and specific to the particular new legal resource. As well as the Legal Aid ACT website which is well used by clients, social media is another method used to effectively reach clients and determine the effectiveness of publications. The Legal Assistance Forum is one avenue which is utilised in the ACT to facilitate discussion of community legal education and its coordination among CLCs and other groups such as Legal Aid. In addition, there are working groups, which were developed specifically for the purpose of facilitating discussion to reduce the duplication of publications and services, and where information and feedback can be shared in relation to legal resources. To reduce the duplication of publications and resources, it has been suggested that a list should be readily available for individuals to see in one area online, which is similar to a number of the suggestions by other jurisdictions.
International Jurisdictions

United Kingdom

Historically, law centres in the UK have not been funded to provide public legal education (PLE) under the legal aid scheme that existed, so any of these activities required alternative funding, generally from trusts and foundations.

A Public Legal Education and Support Task Force was set up in January 2006 to develop proposals for how to promote and improve public legal education. The Task Force analysed PLE provision, identifying its strengths and the main obstacles to the successful growth of PLE. The Task Force completed its work in July 2007 with the publication of a report ‘Developing capable citizens: the role of public legal education’. It found that the key barriers to effective PLE in the UK included:

- lack of a coherent identity;
- isolated initiatives;
- short-term funding;
- PLE provision is patchy and uneven; and
- good practice has been unable to develop.

Included in this analysis, the Taskforce noted (at p 20) that:

Because PLE initiatives tend to take place in isolation, there is rarely any consistency in decisions to develop projects, and no shared sense of how these may fit with, or complement, one another. As a result there is no way for current and potential PLE providers to link their efforts, examine their rationales, or ensure that they are targeting their projects effectively.

A key recommendation was for a PLE development strategy to be led by a new PLE organisation, and Law for Life was established in 2011 to ‘increase access to justice by providing everyone with an awareness of their legal rights together with the confidence and skills to assert them.’

However, despite the excellent work of Law for Life as a standalone national charity, there remains a lack of formal coordination and collaboration in PLE activities in advice services and law centres, resulting in some duplication of materials and projects.

Canada

All 77 community legal clinics in Ontario, Canada, are required to provide public legal education (PLE) to their client communities under their funding arrangements with Legal Aid Ontario. One centre has a particular mandate to focus on this area: Community Legal Education Ontario (CLEO). According to CLEO’s website:

Since 1974, CLEO (Community Legal Education Ontario / Éducation juridique communautaire Ontario) has developed clear, accurate, and practical legal rights education and information to help people understand and exercise their legal rights. Our work focuses on providing information to people who face barriers to accessing the justice system, including income, disability, literacy, and language. As a community legal clinic and part of Ontario’s legal aid system, we work in partnership with other legal clinics and community organizations across the province.

Our work includes:
an extensive collection of legal information resources available in a variety of languages and formats

research into effective ways of developing and delivering legal rights information through the CLEO Centre for Research & Innovation

Your Legal Rights website, which has legal information on a wide range of topics, in a variety of languages, produced by hundreds of organizations from across Ontario

Connecting Communities project, which is facilitating legal information training partnerships between legal and non-legal organizations to improve legal information and services for those who don’t speak English or French or who live in rural and remote communities

Online resources including Refugee Rights in Ontario, Youth Criminal Law, PLE Learning Exchange and Get Ready for the ONCA

Other community legal clinics (both ‘specialty’ and ‘geographic’) work with CLEO to develop PLE resources, including by suggesting topics and reviewing materials. Research and drafting is generally undertaken by CLEO’s staff, which includes three lawyers and three plain English editors. These materials are then used by CLCs to provide to individual clients and to support education activities. The CLEO order forms ask ‘How will these materials be used?’, which is a useful way to understand the impact their materials might have, and innovative ways that they could be used.

CLEO also has an important capacity-building function for other organisations, and convenes the PLE Learning Exchange, a network of community-based organisations in Ontario that produce or deliver public legal education and are interested in sharing their experience and expertise, as well as learning from others. An interactive website for the network showcases research and resources relating to effective public legal education, and provides an online space for organisations involved in PLE to share their insights and learnings and to build partnerships. The PLE Learning Exchange also convenes occasional forums or symposiums for members to meet to discuss their work and learn from the experience of others. This network is similar to Queensland’s CLE Legal Assistance Forum.

As CLCs can, and do, prepare their own CLE materials, having a standalone specialist service focusing on PLE cannot ensure resources aren’t duplicated. Commonly, funders (including the Law Foundation of Ontario) will direct potential applicants to CLEO to reduce duplication, and CLEO’s Your Legal Rights website (similar to the NACLC CLEAR database) is a useful resource for CLCs to check before commencing a new project.
2 What’s happening in Queensland?

In Queensland, there are a number of CLCs who provide assistance, services and publications to members of the public. Due to this number of CLCs and the number of publications developed by those CLCs, there is a need to coordinate these materials so as to avoid producing a new resource where one already exists that meet the needs of the target audience. In addition to a staff view that there is a need for a specific resource because of a lack of information on that topic, there is often corroborative feedback from the community, members of the public and clients (e.g. Tree Disputes publication from Caxton Legal Centre).

In terms of promotion of these materials, the specific CLC website is a common response. In addition to this, there is also emailing stakeholders, social media, newsletter, advertising, the CLEAR database and the Community Legal Education Legal Assistance Forum (CLELAF) as well as the more general Queensland Legal Assistance Forum (QLAF). The CLEAR database and the CLELAF have the additional function of reducing duplication. The advantages of the two forums in terms of coordination are obvious in terms of resources and time, as work can be split between relevant CLCs rather than focused on one CLC. However, the benefits can also extend to information sharing, ‘inspiring’ other CLCs and discussion of publications, which can reduce duplication of services and publications. While the CLELAF does not necessarily ensure the collaboration of CLCs, it does provide an avenue for this collaboration to begin and potentially continue outside of the forum atmosphere.

CLE materials can be uploaded to the QLAF website (available at http://qlaf.org.au/legal-information.php), but only 45% (194) of the publications reviewed for this project are on the QLAF website. Approximately 41% (172) of the publications included in this report are on NACLCl’s CLEAR database; during the course of this project, QAILS advised non-CLC legal assistance services that their publications could be listed, which will dramatically increase the proportion of materials listed. However, Queensland services could still increase their use of this database as a central repository. Having one central repository for CLE materials to reduce duplication and increase coordination and collaboration would be preferable.

A further advantage of a central depository for community legal education resources involves embedding evaluation into best practice. Drawing on evaluation research being undertaken by the Law and Justice Foundation NSW, a central repository is also a mechanism for supporting

CLELAF is good as an information sharing forum – presentations by other CLCs about their work can be inspiring. It also enables centres to know what else is going on so duplication can be avoided.

Camielle Donaghey
Caxton Legal Centre
decision-making about identifying the appropriate community legal education strategies to fit the intended outcomes for the target audience.\textsuperscript{4}

From 2012-2015, Legal Aid Queensland directed some resources to a Community Legal Education Collaboration Fund, for community legal centres, Regional Legal Assistance Forums (RLAFs) and ATSILS. Project proposals were required to address the following criteria:

- involve collaborative partners or be a RLAF initiative
- focus on Commonwealth and state legal assistance priorities
- be client focused, accessible to specific audiences
- respond to community legal needs
- avoid duplication of existing CLE resources and services
- have clearly defined goals and outcomes
- use resources wisely and be sustainable
- include a process for collecting data that informs evaluation
- be based on adult learning principles
- be innovative and creative.

The resources and programs provided with this source of funding were high quality and effective, although the program will not be funded from July 2015 due to Commonwealth government funding cuts to Legal Aid Queensland. If a similar funding scheme was to be launched in the future, it should include (as this program did) a requirement that any project proposal ‘\textit{avoid duplication of existing CLE resources and services}'.

To reduce the duplication of services, it has been suggested that proposals for community education initiatives be audited against existing resources... Utilising existing mechanisms, such as the CLEAR Database and the QLAF and CLELAF, facilitates the coordination of legal resources minimising the likelihood that community education resources will be duplicated.

\textsuperscript{4} Forell & MacDonald, above n 1, 2
Case study: Caxton’s self-help kits

In May 2012 Caxton Legal Centre received funding from Legal Aid Queensland’s Community Legal Education Collaboration Fund to evaluate its self help kits. The evaluation found a high rate of usage of the kits, particularly Police Powers: Your Rights, Peace and Good Behaviour Orders, Dividing Fences, Tree Disputes and Have you lost your job?, each of which was downloaded over 100 times per month. Only 14% and 20% of survey respondents’ knew about Caxton’s Queensland Law Handbook and self-help kits respectively. Caxton concluded that better communication about its self-help material would better help clients to answer their legal questions.

20% of client respondents said that the Caxton kit helped them work out what to do next, while 10% said that they did not. Respondents to a phone-based questionnaire were asked if the kit helped them with their legal question and all of the respondents responded positively except one (for whom the kit was not relevant). The main value seems to lay in consolidating users’ knowledge to confirm that their problem does fit within the legislation as described in the kit.

Twenty-five per cent of respondents to an online survey said they needed more help to resolve their legal question after having read the kit, while 14% said they did not. About a quarter of respondents said they need no further help after reading the kit. Caxton concluded that legal information can enhance public knowledge about a range of legal matters, although the extent to which it mitigates the pressure on legal advice services is hard to say.

Staff and volunteers were willing to use legal information – all but one of those interviewed said they had provided legal information to a client in the past, although legal information was only provided 44 of a total of 107 times it was relevant at evening advice sessions. Some volunteers also expressed a lack of current knowledge around the types of legal information available which is reflective of the difficulty in keeping volunteers up-to-date.

The evaluation identified a number of improvements that could be made, including:

- developing a distribution plan as part of the planning of any community legal information project;
- prioritising development of self-help resources, focussing on legal processes that lend themselves to linear resolutions;
- identifying steps for users to take in the resolution of their legal questions;
- using more case studies, flow charts and diagrams to improve accessibility for varied learning styles; and
- strengthening Caxton’s CLE policy for developing, reviewing and updating self-help kits
During the course of this project, over 450 publications were examined. These are listed in Appendix 1 (by title) and Appendix 2 (by organisation). These were produced by Queensland legal assistance services and available on the internet; resources produced by national or interstate services, and other agencies, were outside the scope of this project.

The initial investigation, identified community education resources were prominent in several areas of law, including:

- Appeals
- Bail
- Children’s Court
- Cyber Bullying
- Debt
- Divorce/Separation
- Domestic Violence
- Drinking & Driving
- Parole
- Parties
- Personal Injury
- Police Powers
- Property Settlement
- Tenancy
- Treatment Orders
- Victims of Crime

Within these broad categories of law, the community education resources produced vary in terms of the content, style, scope and target audience. The following summary identifies that in the Queensland legal assistance sector, duplication of resources is not an issue.

### Appeals

QPILCH has produced publications dealing with various types of self-represented civil appeals while Legal Aid has produced a kit about self-represented criminal appeals. These are all distinct areas of law, with different appeal processes.

### Bail

Legal Aid’s ‘Bail by Mail’ is a guide to applying for bail or varying bail for people charged with a crime.

Youth Advocacy Centre’s *Bail* factsheet is for people charged with crimes facing the Children’s Court.

ATSILS has developed a factsheet specifically for Aboriginal and Torres Strait Islanders, called ‘Arrest and Bail’.

### Children’s Court

The Youth Advocacy Centre and Legal Aid Queensland have developed factsheets for young people appearing before Queensland courts in relation to youth justice and child protection matters respectively. YAC’s factsheets cover the jurisdiction of the Childrens Court (Magistrates court level) and Childrens Court of Queensland (District Court equivalent) in dealing with young people under 17 charged with criminal offences. Whilst Legal Aid’s Fact Sheets also concern the operation of the Childrens Court (but not the CCQ) the fact sheets differ from YAC’s in that they focus on the jurisdiction of that court dealing with child protection matters only and do not include any information in relation to the youth justice system.
**Child protection**

There are a number of factsheets and kits produced by Legal Aid Queensland, ATSILS, the Youth Advocacy Centre and South West Brisbane Community Legal Centre. These documents vary significantly in the amount of detail they contain, ranging from very basic to very detailed, and differ in the audiences at whom they are directed (for example, youth and Aboriginal and Torres Strait Islander people).

**Cyber bullying and sexting**

The following resources have been prepared on cyber bullying to meet the needs of very different audiences:

- **Cyber bullying** (North Queensland Women’s Legal Service) – a factsheet for women;
- **Cyber bullying, sexting and Facebook** (The Advocacy and Support Centre) – a powerpoint presentation used to support face-to-face community education sessions with young people in south-west Queensland; and
- **Sexting and the law** (Youth Advocacy Centre) – a factsheet for young people.

**Debt**

There are a number of factsheets in this broad area and each deals with a distinct legal problem. The Welfare Rights Network produced a factsheet on Centrelink debts and NACLC has a factsheet on debts in the context of domestic violence. Legal Aid has produced two very detailed self-help kits for people who either owe or are owed a debt, both of which are designed to assist in self-representation.

**Divorce and separation**

Women’s Legal Service, North Queensland Women’s Legal Service and Legal Aid have produced publications on separation and related issues and in addition, Legal Aid has produced some videos, which of course are useful for those with literacy problems. Women’s Legal Service developed a short factsheet to support a specific rural training program that it delivered, with financial support from a corporate grant. The Legal Aid factsheet is specifically aimed at people leaving domestic violence, while the Women’s Legal Service publication is more generic. Each of NQWLS and WLS has produced kits that are very detailed in this area, containing information at a level that allows a person to take action without a lawyer. The NQWLS publication focuses on children’s issues, while the WLS kit covers the field more broadly.

**Domestic violence**

**Domestic violence** factsheets have been prepared for different audiences, including:

- Aboriginal and Torres Strait Islander women (ATSILS);
- women (Women’s Legal Service);
- LGBTI communities (LGBTI Legal Service); and
- the broader community (Legal Aid Queensland);

all of whom have very different situations and legal needs.

**Drink driving**

There is a factsheet aimed at young people (produced by the Youth Advocacy Centre) and one for Aboriginal and Torres Strait Islander people (produced by the Aboriginal and Torres Strait Islander Legal Service). The ATSILS factsheet is a lot more detailed and includes information about going to court, whereas the YAC factsheet focuses primarily on a young person’s interaction with police. In addition, the language in these factsheets is quite different, because of the different target audiences. Finally, Legal Aid produced a self-help kit about obtaining a work licence, which is a separate part of the legal process.

**Parole**

Several factsheets and self-help kits were reviewed that discussed parole; all of them were prepared by Prisoners Legal Service, with different purposes.

**Parties**

A number of resources and presentations have been prepared by the Youth Advocacy Centre on the topic of parties and young people. While the legal content of the resources is similar, it is the manner of presentation that differs. This is important given the broad spectrum of young people with whom the Youth Advocacy Centre engages.

**Personal injury**

A factsheet (produced by the Queensland Public Interest Law Clearing House) is aimed at people who require only very general information about this topic, whereas a self-help kit (produced by Suncoast Community Legal Service) is extraordinarily detailed and is designed for people who are planning to self-represent in a public liability personal injury claim.

**Police Powers**

Resources have been developed for specific community groups, including:

- young people (YAC);
- LGBTI people (LGBTI Legal Service);
- Aboriginal and Torres Strait Islander peoples (ATSILS); and
- the general community (Caxton).

Given the different experiences and interactions of these groups with police historically, it is appropriate that resources targeted at those groups are available.
**Property settlement**

Factsheets have been prepared for de facto heterosexual couples (by North Queensland Women’s Legal Service) and de facto LGBTI couples (by the LGBTI Legal Service), who have different options and circumstances despite their similar technical legal needs.

Women’s Legal Service and North Queensland Women’s Legal Service have publications on spousal maintenance. The NQWLS document is a specific and detailed factsheet dealing with Spousal Maintenance, while Women’s Legal Service’s factsheet primarily provides information about Property Settlement, with a mention of spousal maintenance. The WLS factsheet was developed to support a specific rural training program that it delivered, with financial support from a corporate grant (as evidenced by the corporate logo on the factsheet), so although it has substantively similar content, it was required by a non-government funding arrangement.

**Tenancy**

Tenants Queensland has produced a number of factsheets, guides and videos for tenants to understand and assert their rights. Some are for particular client groups (eg Aboriginal and Torres Strait Islander peoples), particular types of marginal housing (eg rooming accommodation, manufactured homes), or particular types of issues/events (eg rental bonds, starting a tenancy, repairs and maintenance).

Both Tenants Queensland and The Advocacy and Support Centre (TASC) have produced resources about tenancy databases. While very similar, the TASC resource was developed to support a specialist TICA clinic that was operating in Toowoomba at the time, so it includes references to the clinic time, fees that customers need to bring, draft forms, etc. The Tenants Queensland resource is more general.

**Treatment Orders**

QPILCH and QAI have both produced factsheets on voluntary patients and involuntary treatment orders. The level of detail and the focus of each of these factsheets is different, and they are designed for slightly different audiences.

**Victims of crime**

There is a factsheet aimed at young people (produced by the Youth Advocacy Centre) and two for LGBTI communities (both produced by the LGBTI Legal Service). The YAC factsheet focuses on a young person’s rights and responsibilities when making a complaint to the Police about an assault, while one of the LGBTI Legal Service publications outlines the administrative

*We determine that a new resource is required if we keep getting requests for advice in relation to the same topic, so it’s apparent the issue is or has potential to be widespread and people need help understanding what to do about it. We also consider if a factsheet will also save our worker time on lengthy explanations.*

Georgina Warrington
Basic Rights Queensland
process of applying for victims of crime compensation and the other deals with making a complaint more generally.

**Conclusion**

CLE materials produced in Queensland are driven by being responsive to identified community legal need. While there are instances of CLE materials being produced on similar legal topics, these resources are differentiated in terms of style, scope, format and target audience.

It is worth noting at this point that there has been some research into evaluating CLE best practice and it certainly identifies that there are different levels of self-help ability within the public, and so publications should be tailored with those levels in mind. In addition, different levels of detail are required depending on the timing of the individual seeking legal education material – if a person is after general information, then perhaps a lower level of detail is appropriate, but if a person is about to embark on self-representation in a particular matter, then a lot more detail is required.

Furthermore, CLE publications are valuable tools for community workers and other professionals likely to come into contact with people experiencing vulnerability and legal problems. As such CLE publications provide an important access to justice function by providing a link to appropriate legal support for people at time of critical need.

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4 Proposed improvements

While it has been determined through this audit project that a perception of CLE resource duplication is unfounded, there are still reforms that could be implemented to enhance collaboration at the scoping, planning and evaluation stages of CLE development. A number of individuals from the state jurisdictions have suggested that a more coordinated State-based database could ensure the need for the production of new CLE material; however, we suggest supporting Queensland legal assistance services to engage more with the NACLC CLEAR database would be more efficient.

Developing a best practice guide to CLE would also be a positive step in making CLE in Queensland more effective and efficient. There has been some recent academic work on ‘what works’6, and this could be combined with recent practice experience to create a guide for CLE workers across the state. The guide should also take into account and build upon the Victorian guidelines.

Finally, while databases are an important tool in reducing duplication, workers talking to one another about what they are doing is fundamental to an efficient system; there is no escaping the fact that different people may come up with similar ideas to address similar problems, and resources could be wasted in the research/compilation phase of a new project because someone else is already doing the work but it is not yet finalised and published. Having regular meetings/networks/catch up opportunities plays an important part in reducing the likelihood of contemporaneous projects being identical.

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6 For example, see Lawlor, M., Giddings, J., Robertson, M., (2009) “Maybe a Solicitor Needs to Know That Sort of Thing but I Don’t – User Perspectives on the Utility of Self-help Resources”, Reaching Further: Innovation, Access and Quality in Legal Services, The Stationery Office, United Kingdom
**Recommendations:**

1. With funding from Legal Aid Queensland’s collaborative CLE fund (if required), the CLE LAF should develop and share a best practice guide for the development and maintenance of community legal information.

2. The CLE LAF is a vital platform to share information, and should be supported.

3. Relationships and *ad hoc* conversations between legal assistance services are vital; funding should be provided for an annual legal assistance services conference to support these relationships.

4. Community legal centres should continue to report on their CLE activities as part of their funding agreements, and this reporting should confirm that the State Program Manager has been notified and that materials do not duplicate existing materials.

5. The State Program Manager, with support from the Department of Justice and Attorney-General and Queensland Legal Assistance Forum members, should ensure that publications are posted on the QLAF website.

6. DJAG should provide funding to support the CLEAR database, including having a Queensland project officer one day per week to support centres to use this resource and enhance its user-friendliness.

7. Legal assistance services should record all of their publications on the CLEAR database.

8. When hardcopy CLE materials are ordered (especially in bulk), producers should ask ‘How will these materials be used?’ so they can better understand where materials might be having an effect, or to learn about innovative uses of their materials.

9. The author’s intellectual property in CLE materials that have been shared should be protected – pro bono legal advice has been sought to establish the best means of ensuring this protection.
Appendices

1 Publications by name

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Knowing Your Rights — Legal Representation for Child Protection video
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Police Powers - Interview and Investigations
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Police Powers - Requiring Name and Address
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Prisoner Throughcare
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Cairns Community Legal Centre
Caring for your Assets (due for completion August 2015)

Caxton Legal Centre
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Consumer contracts - dodgy deals (SLASS)
Decision making and power of attorney (SLASS)
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**Legal Aid Queensland**
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Are you in prison and need legal help?
Bail by mail
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Civil Law Legal Aid Scheme (CLLAS) - Client Guide
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HIV and Your Rights
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Your First Court Date Workbook

Prisoners Legal Service
Breach of Parole Information Kit
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Financial Counselling playing cards
Interstate Transfer Application Kit (on parole)
Judicial Review Kit
Justice Behind Bars Prisoner Handbook
Parole Application Handbook
Parole Assistance Kit
Paroles Conditions Kit
Report on Queensland Prisons
Safeway Home Information Pamphlet
Transitions workshops
Visitor's Checklist
Visitors Information Kit

**QAI**

Disabled Justice – barriers to justice for persons with disability in Queensland
dis-Abled Justice – reforms to justice for persons with disability in Queensland
Everyone has rights: Understand yours
Human Rights Indicators for People with Disability – a resource for disability activists and policy makers
I'm a voluntary patient – when can I be involuntarily examined or taken to hospital
Preparing for forensic order review hearings
Queensland Handbook for Practitioners on Legal Capacity
Stopping an involuntary treatment order

**QAILS**

Collaborating to enhance access to justice-planning for the future
FAQs About Free Legal Advice
QAILS webinar series
Queensland Neighbourhood Disputes website

**QIFVLS**

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Refugee family reunion guide
Asylum seeker processing information
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Information Kit on Child Protection for Workers

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- Immigration and domestic violence
- Parenting and domestic violence
- Property and domestic violence
- Property and Maintenance
- Protection Order Applications
- Reaching Agreement
- Re-focus
- Separation
- Separation: A guide for women

**YFS**
- Alcohol, Drugs and the Law
- Family Law
- Just for the Record
- Parties and the Law
- Sentencing Options for Young People
- Sex and the Law
- Sexting and Internet Law
- Training program for Youth Workers
- Your Rights

**Youth Advocacy Centre**
- Bail
- Being in Care- Making Decisions
- Castaway Campaign
- Changes to the YJ System
- Child Protection - Youth Offending
- Children's Court Queensland
- Children’s Court Queensland diagram
- Court
- Court Orders
- Driving, Drugs and Alcohol
- Drugs and Alcohol
- Education – State School Enrolment Cancelled
- Education – State School Exclusions
- Education – Suspensions
- Education – Things are not going well
- Family
- If I am Charged
- Laying Down the Criminal Law
- Move On
- Moving Out
- Out of control events
- Parents and Police
- Party Powers
- Police – 13 facts you need to know
- Searches
- Sex
- Sexting and the Law
- Talk it up - young parents child protection advocacy project
- Treated Unfairly
- Victim of Crime
What are Rights
When Can I