



TC Beirne School of Law

# UQ PRO BONO CENTRE

Newsletter No. 3, November 2011

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## THE UQ PRO BONO CENTRE

The UQ Pro Bono Centre is an initiative of the TC Beirne School of Law, The University of Queensland, which aims to provide students with opportunities to use their legal training to assist disadvantaged members of the community. The Centre was launched in February 2009. The Centre conducts several programs.

**Clinical Legal Education** – Under the Centre's clinical program, 20-30 students per semester participate in the work of a community legal centre one day per week for academic credit. This is an elective subject (LAWS5180/7180) which is open to students in their second year of legal study and beyond.

**Pro Bono Roster** – The Pro Bono Roster is a list of students who have indicated a willingness to undertake pure pro bono work in a legal or socio-legal setting. The students are then linked with organisations seeking assistance with their pro bono activities. Students receive no academic credit for this work. All law students are eligible to undertake pro bono work under the roster.

**The Manning St Project** - A partnership between the UQ Pro Bono Centre and Caxton Legal Centre that provides opportunities for UQ law students to work with practicing lawyers on law reform and legal policy research projects.

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## CLINICAL NEWS

### NEW CRIMINAL APPEALS CLINIC TO OPEN IN 2012

A brand new and very exciting clinical opportunity has opened up due to the efforts of Associate Professor Heather Douglas of the Law



School. Funding has been obtained to conduct a Criminal Appeals Clinic in partnership with the Caxton Legal Service. Students will be supervised as they assist clients who are appealing their sentences and convictions to the Court of Appeal. It is envisaged that the clinic will involve both research and drafting of submissions for self-represented clients and support for barristers appearing for such clients on a pro bono basis. The details will be worked out early next year and it is envisaged that we will be running our first Criminal Appeals Clinic in Semester 1 2012.

Even before this new clinic is operating, the UQ Pro Bono Centre, offers a greater variety of clinical opportunities for UQ Law Students than any other law school in Queensland. Importantly, all these clinics are in pro bono areas of great need so that, apart from the benefit to the students, they do some good for society.

## CLINICAL LEGAL EDUCATION

In second Semester of 2011, the Centre placed 24 students in four clinics, being

- Homeless Persons Legal Clinic (HPLC) at QPILCH
- Public Interest Research Clinic (PIRC) at QPILCH
- Mental Health Law Clinic (MHLC) at QPILCH
- Consumer Law Advice Clinic (CLAC) at Caxton Legal Service

A total of 51 students have participated in clinics this year. They report a variety of valuable experiences which have enhanced their knowledge skills and, more importantly, changed their appreciation of the law and its role in society.

*"Overall, the time spent in both direct legal services and policy rotations was extremely rewarding in terms of improving practical legal skills, comprehending the complex intersection between legal and social issues and enhancing capacity for empathy for disadvantaged clients."*

Sian McGee, Homeless Persons Legal Clinic, Semester 2, 2011.

*"I have very much enjoyed my experience at PIRC this semester and the change to make a difference in a quite a unique fashion"*

Michael Weatherly, Public Interest Research Clinic, Semester 2, 2011

*"For the past thirteen weeks, I have had my first real taste of life as a lawyer. It has involved me eating a concrete mixer of humble pie and repressing the feeling of drowning!"*

Daniel Troy, Consumer Law Advice Clinic, Semester 2, 2011

The casework conducted by the CLAC, MHLC and the HPLC challenged the skills of the students in the areas of client contact, file management, correspondence, negotiations, research and legal analysis. As one student said: *"It was such an enriching experience and I have learnt skills that I will carry through the remainder of my degree and into the workplace."*

Among the casework issues confronted by the students were:

- Investment scamming schemes
- Private training colleges deposit refunds
- Freedom of Information
- Victims of Crime Compensation
- Internet transactions
- Indefinite sentencing



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*"For the first time in my university degree, I enjoyed researching!"*

Kate Elliot, Mental Health Law Clinic, Semester 2, 2011

- Centrelink Debts
- Consumer's enforcing judgement debts against insolvent companies
- Police Powers
- Child sexual abuse
- Forensic Orders
- Gym Membership disputes
- Solar Panel installation contracts

The students at PIRC worked on two projects, one an article on problems in the *Victims of Crime Assistance Act 2009* (Cth) for publication in a professional journal and the other a package of materials to promote social justice issues and the public interest law for high school students interested in law. PIRC students gave presentations at the Anglican Church Grammar School and at Clayfield College.

The MHLC and HPLC students also worked on research projects as well as their casework. The MHLC students worked on a proposal for establishing a Mental Health Review Tribunal Representation Program which would use supervised law students to provide assistance and advice to patients. This project is ongoing and may lead to a greater involvement of students in mental health work at QPILCH next year.



**From left to right: Kate Elliot, Corin Morcom, Laura-Rose Lynch, Stephanie Bauham, Kate Stacey and Amy Laing at the Mental Health Law Clinic, QPILCH**

The HPLC worked on policy documents identified and analysed policy-based issues relevant to homelessness and creating informative and relevant text for legal issues posters produced in collaboration with residents at Roma House. One student, Paris Astill-Torchia, said: *"Working and engaging with residents in creating the artwork and design of the posters was one of my most enjoyable experiences of the semester."*

Next semester, we will be offering all of these clinics and also three places at the Prisoner's Legal Service as we have done before. We thank all our clinic supervisors at QPILCH and the Caxton Legal Service for their patience and dedication.

**Mr Paul O'Shea,**  
Co-Director UQ Pro Bono Centre  
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## UQ PRO BONO ROSTER

The second half of 2011 has been a busy time for our rostered students with a total of 48 students' allocated work since July. Over half of those students have worked with a variety of external stakeholders. A new partnership with South West Brisbane Community Legal Centre (Inala) has flourished: Whitney Capa and San-Joe Tan have been working regularly with a lawyer, Jonathan Ward, as part of the Criminal Youth Advocacy Programme; and, Rosie Cuppaidge and June (Loh) Kah Heh have assisted the Centre's legal team with their weekly Thursday evening clinics.

Rostered students have conducted research in order to support the Queensland Council for Civil Liberties' (QCCL) investigation into the use of statistical data to justify the issuing of warrants (Ross Lam and Monica Raftery). Under the supervision of Professor Kit Barker (TC Beirne School of Law) four students (Joanna Lane, Breeanna Jeffs, Jessica Thrower and Paris Astill-Torchia) produced a comprehensive 71 page report (annotated bibliography) on the proposed statutory tort of privacy for the QCCL.

Kristelle Eager volunteered to assist Cristy Dieckmann at the Youth Advocacy Centre, scoping corporate partnerships. Alison Black, in conjunction with Arts Law Centre of Australia continued with the research commenced in semester one regarding the various policies/practices regulating prisoner's artwork within Australia.

Presently, Aanand Jayachandran is working with Legal Aid (Qld) on a submission for the Attorney-General (Cth) on the potential reform/consolidation of federal anti-discrimination laws. Daniel Troy is assisting a local solicitor (Tom Lyons) with a referral from Queensland Public Interest Law Clearing House (QPILCH).

Twelve students have been placed at QPILCH over the long summer vacation period (November-February 2012): Jessica Thrower, Paula Hughes, Lisa Fairley, Sarah Brown, Rachel Gallagher and Ying Tay are working, several days per week, on an environmental law project; and, Shingo Fujisaki, Courtney Haywood, Lisa Ole, Keeghan Silcock, Alexandra Wolhuter and Helina Tewodros are undertaking general case assessment work.

"San-Joe Tan and Whitney Kapa have worked with us since July. They have both worked very hard in whatever tasks they have been given, both mundane and the more interesting tasks.

*San-Joe and Whitney have saved us many hours of work by completing these time-consuming tasks. Both San-Joe and Whitney have done mentions in the Magistrates court on our behalf. They have shown that they are sufficiently competent and confident so that we can rely on them to speak up in court. This has lessened our need to find agents when we have more than one court booking per day. Thank you so much for providing us with the assistance of your law student volunteers."*

Jonathan Ward, Lawyer,  
South West Brisbane Community Legal Centre



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## Community Education

Semester two has also been productive for three of the UQ Pro Bono Centre's community education initiatives with 22 students actively participating in either: the UQ Asylum and Refugee Law Project (including the education program) and International Humanitarian Law (IHL) schools education program (the latter in conjunction with the Australian Red Cross).

Ellen Bevan and Kate Stacey assumed responsibility for leading the Refugee Law schools program, ably assisted by Alice Pinkerton, Caroline Ee, Bronwen Perberdy, Bianca Kabel, Danielle McKeen, Franky Bain and Liz Mathews. The group prepared and delivered two 90 minute classes on separate days in mid September at St Aidan's Anglican Girls School to year 10 students. These classes were very well received by students and staff alike. Another school visit took place on 21/22<sup>nd</sup> November at Brisbane Girls Grammar School.

Operating in tandem with the Refugee Law schools program the IHL school initiative has also progressed tremendously well following on from the first outreach to Brisbane State High School in July 2011. Two classes were delivered to St Hilda's Girls College in mid August (to an Amnesty International group, and a modern history class) and, subsequently, another class was taught to year 12 legal studies' students at Moreton Bay College in October, to great effect. The IHL team during 2011 was: Anna Charles, Cat Drummond, Lindsay Collins, Brooke Thompson and Alexandra Wolhuter.



**Left to right: Lindsay Collins, Cat Drummond, Alexandra Wolhuter, Brooke Thompson and Anna Charles at Moreton Bay College.**



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*"[t]he UQ law students who presented to our year 12 Politics' class on IHL were very well prepared and delivered a well-structured lesson that engaged the students. They handled the questions asked of them very well, giving answers to our students that not only demonstrated a good understanding of the subject matter but that also explained it in a manner that our students could grasp."*

Dr Simon Irvine, Humanities Teacher,  
Brisbane State High School

*"Australian Red Cross has a unique duty under the Geneva Convention to inform and educate the public about international humanitarian law – the law in times of armed conflict. Collaboration with the UQ Pro Bono Centre has meant that we have been able to reach broader audiences, and this partnership has also given young people and students an opportunity to get involved in this important work. We'd like to thank the Centre for its support and the students for their valuable contribution to encouraging greater public awareness about the laws of armed conflict."*

Katrina Elliot, International Humanitarian  
Australian Red Cross

Finally, the Asylum and Refugee Law Project [blog](#) has drawn on several volunteers (Jay Prabhu, Marissa Dooris, Ben Russo, Anna Wade, Danielle McKeen, Rutaban Yameen, Louis Eum and Sarah Brown) to produce: a monthly digest on forced migration globally; case notes (on recent HCA decisions affecting asylum seekers); and, socio-legal commentaries on law, administration and policy in Australia and the Asia Pacific region.



I would like to thank all our stakeholders and the student volunteers for their hard work during 2011, it is invaluable. I anticipate the Pro Bono Centre Roster going from strength to strength in 2012.

**Dr Peter Billings**  
Co-Director, UQ Pro Bono Centre  
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## MANNING STREET PROJECT

This semester, nine students have been working at Manning St on three different topics: the fines project, the prisoner discrimination project and the public nuisance project.

The fines project was a collaboration with the Prisoners Legal Service and the Queensland Public Interest Law Clearing House (QPILCH) which focused on the non-payment of fines by people who lack capacity to pay. The four students involved in this project researched the responses of all Australian States and Territories to non-payment of fines, and compared them with the system in place in Queensland under SPER (the State Penalties Enforcement Registry). This research made an important contribution to a story compiled by ABC journalists for 7:30 QLD (screened in mid-November), as well as some newspaper stories. Over summer, student editors will work with the information and data compiled by the research team to produce a paper on this topic.



**Above: Students Elina Hakiman, Bronwen Peberdy, Candice Brown and Fiona Ingram volunteering on the Manning Street Project.**

*"Being involved in The Manning Street Project was such a valuable experience. It gave me the opportunity to utilise skills gained while studying law and contribute to a law reform submission that will hopefully bring about legislative change. Apart from making friends with fellow students I had the opportunity to speak with stakeholders from various community legal services and have my research used in a media campaign. Most importantly, it showed me how important it is to remain connected with our local communities and the positive impact our 'lawyering' can have upon Brisbane's homeless communities."*

Fiona Ingram, Fines Project

The prisoner discrimination project was a collaboration with the Prisoners Legal Service on the issue of discrimination against prisoners within the Queensland prison system. The three students working on this project have been drafting an issues paper for a consultation currently being conducted by the Queensland Anti-Discrimination Commission (ADCQ). They will present their paper to the ADCQ in November.



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*"The project offered me an opportunity to engage in independent research in conjunction with Prisoner's Legal Service. The project enhanced my legal knowledge and understanding and provided a unique opportunity to apply research and analytical skills, gained throughout my degree, in a practical way. This application has resulted not only in increasing my knowledge and understanding of human rights and discrimination issues in an academic sense, but also increased awareness of how they interact with people – a practical dimension of analysis that is not readily available through study. In addition, my research skills have improved – both in quality and efficiency.*

*I am extremely grateful for the guidance offered by my supervisors and their shared knowledge and experience. This aspect of participation was invaluable. It was enlightening and encouraging working alongside professionals who are expert in this area of law and who have a continual impact on the maintenance of anti-discrimination protections and the development of human rights jurisprudence.*

*The best aspect of the experience is knowing that the work we undertook will go towards advocacy and that in our own way we are helping to make a real difference, both to people's lives, and the integrity of the law."*

Ms Kristyanna Irwin, Prisoner Discrimination Project

The two students working on the public nuisance project have accessed statistics regarding public nuisance ticketing in Queensland, and have researched the background and rationale behind the introduction of ticketing for public nuisance offences. They will continue their research over summer, when they (with some additional students) interview service providers and disadvantaged individuals who have been affected by the public nuisance ticketing scheme. The students will work closely with lawyers from Caxton Legal Centre as they continue this research.

I would like to thank all the lawyers who have been involved with the Manning St Project's research this semester, particularly Scott McDougall and Camielle Donaghey (Caxton Legal Centre), Matilda Alexander (Prisoners Legal Service) and Sue Garlick (QPILCH). I extend my sincere thanks also to the students who have committed to this research, particularly those who have shown exceptional leadership in their roles such as Fiona Ingram, Kristyanna Irwin, Darren Williams and Alan Hewson.

Next year, we have some exciting projects planned. Students will work with Caxton Legal Centre, in partnership with TAFE film students, to compile some legal education videos. Students will also work with Prisoners Legal Service on research projects related to prisoners' access to education, and prisoners' rights to remuneration for prison labour. I look forward to welcoming many more students into Manning St over the coming year.

**Dr Tamara Walsh**

Co-Director, UQ Pro Bono Centre

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