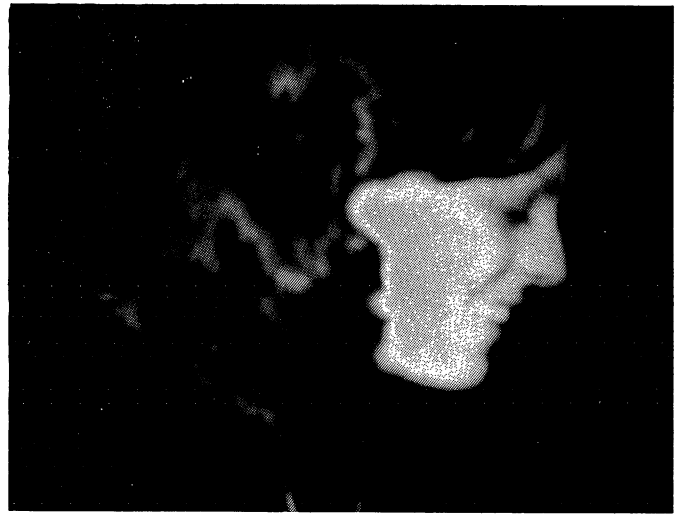


# THE COMMUNITY LEGAL EDUCATION COMMITTEE OF VICTORIA



**\*Ms. SYBIL HARDIE**

There has been a growing awareness in Australia and elsewhere that students who leave school without any consumer and legal education often find themselves at a considerable disadvantage, coming across a number of civil and criminal problems which they are ill-equipped to handle. This applies not only to the current school leaver, particularly those who leave school at 15 years, but also to the majority of members of the general public.

In response to this apparent need, the Legal Studies Department at La Trobe University decided to canvass the question of a need for legal education in the community at a seminar in November, 1976. Representatives from Government Departments, Community groups such as the Brotherhood of St. Laurence, Advice Bureaus and self help groups, together with representatives from ethnic groups, members of the legal profession, as well as representatives from other tertiary institutions, were invited to attend this seminar to discuss the need for community oriented legal education programmes.

It was agreed at the seminar that such programmes were indeed a necessity and that whilst an attempt should be made to meet the needs of the whole community, the initial and principal focus should be directed towards the needs of the young and of the ethnic communities.

Following the direction of this seminar the Community Legal Education Committee of Victoria was formed, its first meeting was held in April, 1977.

Before dealing specifically with the work the Committee is involved in, I would like to discuss the Committee and its aims.

The Committee consists of representatives from a number of organisations. Getting these people together was, of itself, a major undertaking. The following organisations and government departments are currently represented on the committee:

1. Education Department of Victoria — with a representative from both the secondary and the technical school levels;
2. Victorian Commercial Teachers Association — this association is currently involved in teaching commercial and legal studies at 5th and 6th form levels;
3. Ministry of Immigration and Ethnic Affairs;
4. Office for Community Relations — which is attached to the Federal Attorney-General's department;
5. The Victoria Police;
6. Law Department of Victoria;

7. Law Institute of Victoria;
8. Legal Studies Department of La Trobe University;
9. The Fitzroy Legal Service.

The Victoria Bar Council and Monash University have had representation on the Committee but these positions are currently vacant.

While the representation on the Committee does not reflect general community groups, people from these organisations are actively participating in working groups which have been established to enquire into various aspects of the Committee's work.

The Committee's overall aims are deliberately spelt out in broad terms — and it is the intention of the Committee to promote discussion, awareness, and if necessary, action to achieve the following aims:

- 1) To achieve a better understanding of law, lawyers and the legal system — that is, to find a means of reducing the day to day misunderstandings which surround the law and the legal system — e.g. that the law and the police are one and the same.
- 2) To increase the community's ability to utilize the legal system and to overcome access difficulties — many members of the community do not recognise that a problem is legal in nature and consequently they do not attempt to seek redress through the legal system. The aim then is to overcome this lack of awareness, and thus enable greater access to the system.  
— Taken a step further, it is envisaged that given sufficient knowledge many members of the community should have the ability to satisfactorily resolve personal legal problems without recourse to lawyers or the system. This could apply particularly in the consumer area — where a knowledgeable threat to a retailer could well bring about the resolution of a problem.
- 3) To create a greater awareness of the individual's rights and role in society and to develop greater community participation in the legal system, and finally;
- 4) To use education as a crime prevention measure.

While this is only a brief resume of the Committee's aims, it should be clear that the members of the C.L.E.C. hold the opinion that a good deal of the alienation and frustration to be found in the community is created by a lack of knowledge of a legal system which affects most people daily.

The Committee is unanimous in its opinion that the legal system should, as far as possible, be made to work for all, and it agrees that this cannot be achieved unless a comprehensive

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legal education programme is launched.

In order to promote this programme the Committee decided that in the first instance its efforts should be concentrated on —

- a) ethnic groups within the community;
- b) children under the age of 15 years. On July 2nd 1977, the Committee held its first conference and these two areas were the main focus of attention.

As a result of the needs and problems identified by the speakers and by the participants at this conference, four working groups were established and are now working in the following areas:

**Ethnic Working Party:** This group is preparing —

- (i) a comprehensive report recommending the expansion of interpreter services both within and without the courts;
- (ii) is negotiating with ethnic radio and the print media to include law related material in their programmes and newspapers;
- (iii) is studying the feasibility of multi-lingual police personnel addressing migrant hostel groups, on a regular basis, explaining the differences between Victorian policing and policing in the country or region of origin.
- (iv) it is also studying the need for members of the police force themselves to be educated in the differing expectations of the ethnic groups, in relation to the function and role of police.

It is hoped that if moves are made in these directions much unnecessary friction and misunderstanding will be obviated.

Before talking about the work that is being done in relation to children, it is probably necessary to give a quick run down on the current state of law related education in Victorian schools.

Law has been taught in Victorian Secondary schools for more than half a century. Currently it is confined to years 11 and 12 and encompasses a wide range of material. In 1976 there were 6,714 Higher School Certificate students sitting for the Commercial and Legal Studies examination. Accurate figures for those doing the course at year 11 are not available but the V.C.T.A. is of the opinion that the numbers are even greater.

Recognising that they are only reaching the elite of the student population, the V.C.T.A. ran experimental programmes in years 9 and 10 (i.e. 3rd and 4th forms) in 1977, and as a result of these programmes there is every indication that from 1980 law related courses will be available to high school students from 3rd form onwards — i.e. for those students aged approximately 14 years.

However, this will still leave significant gaps; there is little, if any, law related material being introduced to students in primary schools or in technical schools. Although some individual teachers do attempt to meet this need.

If we accept that it is the child who leaves school at 15 who is in the most need of legal education then it is obvious, from the current efforts undertaken in the schools, that this need is not being met.

It is these children's need then, that CLEC is moving to meet.

#### **In What Manner?**

Rather than teaching the "ins and outs" of various Acts at this level, a feel for the law in the areas of relevance would appear to be more suitable.

It is felt that these areas should include:

- 1) Consumer studies including remedies;
- 2) Motor Traffic material;
- 3) *Criminal*
  - (i) laws which are applicable to minors — what they are and how they are relevant;
  - (ii) policing function;

(iii) juvenile court system — including protection applications;

(iv) rights.

- 4) Role of the legal profession, including the court structure, the duties of Magistrates and the role of the duty solicitor and access to legal aid;
- 5) Parental liability for acts of children, e.g. Truancy.

#### **Where in the School Curriculum Should These Courses be Introduced?**

— probably through the *General Studies Course*.

Although schools have autonomy in their choice of curriculum — most schools seem to have a *General Studies* course which includes, Geography, History and Social Studies with 11-12 periods per week being devoted to such work. Awareness of the Legal System could fit in well here. Technical Schools apparently tend to have more emphasis on Social Studies Course, and it is here that the law related material could be introduced.

#### **Teacher Involvement**

Most teachers are probably *not* in a position to start teaching such courses today, and it would therefore be necessary to set up courses for teacher-training of both present day and future teachers.

##### *(1) In-Teacher Training*

- a) There is already an expressed need for further training at a Post-Graduate level for those teachers involved with the present Legal Studies courses at 5th and 6th form level; Post graduate training (towards higher degrees etc.) could be introduced to cover the needs for both junior secondary and senior secondary teachers.
- b) Seminars directed specifically at General Studies and Social Studies teachers — these seminars would have to be geared to the promotion structure.

##### *(2) General Teacher Training*

Legal Studies would need to be introduced in all secondary teacher training establishments to cover future needs.

Three working parties have been established to look into the problems of legal education in schools and are currently being engaged in the following manner in an attempt to meet these objectives:

- (1) The Minors/Liaison Working Party* has two main functions, the first being to act as a liaison body between the Legal Profession, the Victoria Police and the Education Department in order to determine the best method of introducing law related materials into primary and technical school's curricula. The second function being to liaise between the various working parties. The working party is currently compiling a list of speakers who would be prepared to talk to school students and be involved in teacher-training seminars. In order to compile a wide ranging list of speakers co-operation was sought from and given by the Honorary Justices Association, the Law Department, the Probation Officers Association (P.O.A.V.), the Victorian Police, the Victorian Association for the Care and Resettlement of Offenders (V.A.C.R.O.), the Bar Council and the Law Institute.

The Liaison working party is also working closely with the V.C.T.A. and the Education Department and has already run a number of Regional Teacher-training seminars designed specifically for Technical and Primary school teachers. This group is also discussing with the Victoria Police the benefits of introducing a Police/Schools Liaison Scheme in the primary school area. The scheme that is envisaged is that of a police officer being attached to a particular school. He/she should be involved in sporting activities, school outings as well as addressing the students on a var-

ity of matters. The Police Force hopes that such a scheme, if got underway, would act as both a crime prevention measure and as a beneficial public relations exercise. It should be noted, however, that the calibre and enthusiasm of the police personnel involved in this scheme is going to be an extremely important factor in assuring the success of such a scheme.

(2) *The Minors/Materials Working Party* is in the process of compiling an extensive list of materials available in Victoria and elsewhere.

This material will be classified in terms of age groups and suitability for specific programmes.

A useful suggestion has been the writing of a "survival kit" for students leaving school, i.e. how to handle simple legal problems, in the area of contracts and tort, rights in an arrest situation, obligations and rights in motor car accidents as well as more material on rights and obligations of the individual in society. Six booklets called the Law Concept Series have now been produced by the V.C.T.A. which cover the following areas: Police and Courts, Consumers and Contract, Housing, Money and Debts, Marriage and Divorce, and Insurance. These booklets are designed specifically for the early school leaver.

Negotiations have commenced with the Australian Broadcasting Commission to discuss legal education programmes for children.

(3) In setting up the *Minors/Teacher Training Working Party* it was felt that many teachers were inadequately prepared for the task of introducing law related studies to students. The Group is thus examining ways in which existing resources can be utilized to train these teachers. The various teacher organisations have been contacted, and seminars have been held for inexperienced teachers of commercial and legal studies so that they may be introduced to available resource materials and people.

All members of the main committee are involved with the working parties and are the prime movers in the working parties. They also respond to requests from teachers to prepare materials for them, write survival programmes, address school children, business's and other organisations and appear on

media programmes.

As the work and aims of the Committee are becoming more generally known in the community the Committee is facing an increasing problem. While the members of the Committee act as official representatives of their departments or organisations, they are involved in CLEC on a voluntary/honorary basis. Meetings are held after hours or on week-ends and time is taken off when an organisation or school wants someone to address them.

Increasingly, we are finding that we have generated far more work than we can handle. Consequently requests are being met only on an ad hoc basis and we feel that much of the goodwill and co-operation we have generated may be lost if we are unable to respond to requests for speakers or to write survival programmes.

The Committee is therefore urgently seeking funds for a full-time Community Legal Education Officer who would carry out some of these tasks. This, however, is only seen as part of the answer — the long term ideal would be to establish a Community Legal Education Resource Centre.

The benefits of a Resource Centre can be summarised as follows:—

1. it could compile and collate a comprehensive store of material in one known and accessible place;
2. it could handle the large volume of enquiries regarding materials and be a contact point for organisations who intend to publish materials. Presumably this would prevent duplication;
3. it would provide a "headquarters" for various interest groups to display materials, provide personnel and handle enquiries. The Centre would be in a position to call together appropriate resources according to the needs expressed;
4. a Resource Centre could also co-ordinate and amalgamate the existing available information — providing a directory of information and available help, which could be updated yearly.

Submissions are currently being drawn up to seek funds from Government departments in an attempt to achieve these aims.

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