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WHAT IS QPILCH?

The Queensland Public Interest Law Clearing House Incorporated (QPILCH) assists people who cannot obtain legal aid or afford private legal services by providing targeted services or referring them to member firms or barristers in public interest cases. For details of our referral services, criteria and procedures, see the QPILCH website at www.qpilch.org.au. QPILCH draws on the resources of the wider legal profession - private firms, government, corporate lawyers, university law schools and the community sector – to assist those who are the most disadvantaged and marginalised.

NEW MEMBERS

Since our last newsletter in March 2006, we have been fortunate to attract new barrister members **Terrence Walsh, Michael Ballans, Cameron Dick and Guy Sara**. We thank all our new members for their support and look forward to a rewarding involvement.

FORTHCOMING QPILCH EVENTS

Public Interest Address

Our fourth public interest address will be held on **Wednesday 13 September 2006 at the Polo Club from 12.30 to 2pm**. It will be a unique occasion with four guests from the UK – the Master of the Rolls, Sir Anthony Clarke; the UK Attorney-General's Pro Bono Envoy, Mr Michael Napier; the CEO of the Civil Justice Council, Mr Robert Musgrove; and Barrister with the UK Legal Services Commission, Mr Colin Stutt. They will talk on progress of civil justice reforms, with reference to the role of the courts, pro bono and legal aid. Book early as seats are limited and filling quickly. **RSVP by 5pm 8 September 2006.**

Forum on Indigenous wages

On **Thursday 5 October 2006 at the Irish Club from 5.30pm**, QPILCH and Caxton Legal Centre are hosting a forum on the Indigenous wages issue. With international guest speaker Dr Elouise Cobell, an elder of the Blackfeet Nation and

lead plaintiff in a 500,000 strong US class action for Native American rights, and local speakers Fr Frank Brennan SJ, Mr Victor Hart and Dr Ros Kidd, this will be a stimulating and uplifting event. Dr Cobell will speak at a number of law events held in eastern Australia, including those hosted by PILCH NSW and VicPILCH. Her visit here has been made possible with support from Boe Lawyers, Caxton Legal Centre, Griffith University's Centre for Public Culture and Ideas and the Queensland Council of Unions. **RSVP by 29 September 2006.**

AGM

QPILCH will hold its AGM on Monday 30 October 2006.

Registration

Registration for all events is essential. Please call 3012 9773 or see our website on www.qpilch.org.au under news and events, or email to contact@qpilch.org.au.

LPITAF FUNDING

We are pleased to announce that QPILCH has again received funding from the *Legal Practitioners Interest on Trust Accounts Fund* (LPITAF) approved by the Hon Linda Lavarch MP, Attorney-General and Minister for Justice. This funding for 2006-07 will permit us to continue at current levels for core services and the training and development program. Unfortunately, our application for HPLC funding was unsuccessful.

A joint application with QUT Law School to conduct research into litigants in person in the Court of Appeal was also successful.

LPITAF is not a recurrent fund, so we are preparing a submission to the Attorney for QPILCH to be included in the State CLC funding program.

We thank the Attorney for providing these essential funds for QPILCH.

HPLC NEWS

HPLC exceeds 900 files!

The HPLC has experienced one of the busiest years to date in 2006, with the Clinic recently opening its 900th file since its inception in December 2002. In the past ten months, volunteer HPLC lawyers have opened a staggering total of 220 files.

HPLC faces cutbacks without funding

The HPLC is in imminent danger of being forced to drastically scale back its services, with funding for the Clinic running out in October. At this stage, the greatest cause for concern has been the lack of prospects for ongoing funding. The HPLC has made various submissions on this issue, including to the Department of Communities, which is our current funding agency. It remains to be seen whether funding will be secured for another 12 months.

HPLC Human Rights and Legal Information Forum

The HPLC held a *Human Rights and Legal Information Forum* for the homelessness assistance sector on 21 June 2006.

The Forum enabled service providers to discuss and debate key human rights violations affecting homeless people in Queensland. Volunteer HPLC lawyers Helen McEnery (Blake Dawson Waldron) and Christy Maloney (MurphySchmidt) delivered presentations on practical legal issues affecting the sector.

The Forum provided a great opportunity for input into the HPLC's National Campaign for an Urgent Investigation by United Nations Special Rapporteurs, regarding Australia's failure to protect the human rights of homeless persons.

CMC submission – public nuisance

A number of key findings have been made by the HPLC in our July 2006 submission to the Crime and Misconduct Commission, in relation to its review of public nuisance offences. These included:

- In the last 8 months, the HPLC has experienced a spike in public nuisance charges.
- HPLC statistics indicate the public nuisance offence is being used as an all-purpose, "catch all" offence.

- Of the HPLC clients charged with public nuisance in the past 8 months:
 - 67% were sleeping rough at the time of the offence
 - 67% had mental health problems and/or drug/alcohol dependencies
 - 42% were young people (25 years or less)
 - 92% were in receipt of Centrelink benefits

A copy of the HPLC's submission has been made available on the QPILCH website.

Contact Monica Taylor – hplc@qpilch.org.au

HOMELESS POLICY PROJECT

HPLC seeks Toowoomba and Gold Coast support

An expansion of the HPLC has been in the works for the Toowoomba and Gold Coast regions, subject to the Clinic securing stable funding.

Toowoomba firms Shannon Donaldson Province Lawyers, Clewett Corser and Drummond, and Walker Solicitors; and Gold Coast firms Minter Ellison, and Mitchell Jones Lawyers have all committed themselves to establishing a local HPLC. We will induct their volunteer lawyers soon, but continue to look for further support in these regions.

Inala HPLC commences phone advice clinic

Our new **Telephone Legal Clinic** commenced at Inala on August 30. The TLC operates as an HPLC, except that lawyers engage with the client by phone. Lawyers from **Minter Ellison** are volunteering at the TLC, which operates for 2 hours a week, via a dedicated mobile phone in the office of the rostered lawyer.

The clinic is targeted at clients of Mission Australia's *Pathways to Prevention* project, operating in Inala/Wacol (among the most disadvantaged of Brisbane's suburbs). Clients are ethnically diverse families and children who are accessing literacy, schooling and parenting programs. Pathways case workers provide interpreter services to the client as they access the TLC from the Pathways office. The Pathways Project won a 2004 National Crime and Violence Prevention Award, and has become a template for the Federal Government's *Communities for Children Initiative*.

Both TLC and Pathways have an early intervention philosophy, and our clinic's capacity to provide an extensive range of legal services or active referrals should see vulnerable clients stabilised in their communities.

We are also hopeful that this innovative and efficient service can be replicated in other disadvantaged and chronically under-resourced outer Brisbane suburbs, where much homelessness originates.

Contact Sue Garlick – homelesspolicy@qpilch.org.au

CONSUMER LAW ADVICE CLINIC

July 27 marked the commencement of the 5th Consumer Law Advice Clinic, with six new UQ students stepping up to continue the good work of their predecessors in providing much needed assistance to consumers.

The new group of students has embraced the spirit of the clinic wholeheartedly. Their hard work and "can do" attitude has contributed significantly to the continued success of the clinic.

Linda Macpherson continues to supervise the clinic for one day per week with assistance and backup from Amanda Hess, a solicitor from Blake Dawson Waldron, who has been seconded to the clinic for two days per week since early July this year. QPILCH would like to thank Blake Dawson Waldron for making Amanda available to undertake essential follow-up.

Contact Linda Macpherson – consumer@qpilch.org.au

STOLEN WAGES INQUIRY SUBMISSION

QPILCH made a submission in August to a Senate inquiry into the Indigenous 'stolen wages' issue, highlighting the inadequacies of the recent compensation scheme offered by the Queensland Government.

The inquiry follows investigations which revealed that state government systems put in place to manage and distribute Indigenous workers' wages between the 1890s and 1972, and to create a "Welfare Fund" from deducted workers' earnings, had been rife with mismanagement and fraud.

The submission, prepared with the assistance of barrister members Patrick Hay and Jean Dalton SC, recommended that Australian governments consult with Indigenous people and develop a monetary strategy which recognised and directly benefited those who suffered under the regimes.

The submission can be accessed from the Senate website at http://www.aph.gov.au/Senate/committee/legcon_ctte/stolen_wages/submissions/sublist.htm

This submission coincides with QPILCH's public forum on stolen wages to be held on **5 October** (see earlier).

QPILCH would like to thank Patrick and Jean for their work in researching and drafting the submission.

TRAINING AND PROFESSIONAL DEVELOPMENT

The Information Technology and Organisational Development Project, which was undertaken with a grant from the Gambling Community Benefit Fund (GCBF) late last year has been completed.

A number of significant benefits can be seen from the project since it started in January 2006. QPILCH has enhanced the quality of services that we provide under our umbrella by creating training and development frameworks and related documents, together with a web-based system for the management, storage and retrieval of legal materials. The project report to the GCBF is on the QPILCH website under 'training'.

We have learnt a great deal about clinical legal education programs, website development and legal information management, as well as the learning needs of pro bono lawyers, volunteer lawyers and law students. We now have the opportunity to take advantage of the new platforms to create new and innovative programs with the new funding from LPITAF awarded by the Attorney-General. Over the next year, we will seek to advance our objectives at QPILCH and those of the profession generally with the development of three distinct, structured but related activities:

- education and training of volunteers, students, CLC workers, community organisations and the profession at large in areas of law of interest to our client base
- research and publication functions
- organisational development for QPILCH and other CLCs.

QPILCH PANELS

As reported in our last newsletter, QPILCH has established three expert legal panels for guardianship and administration, anti-discrimination and family law matters. We are planning new panels for child protection, employment and personal injuries.

QPILCH panels consist of barristers and firms willing to accept pro bono referrals. When we receive a request for assistance which is of merit in one of the above fields of law, a broadcast email is sent to all members on the panel. The matter is then referred to the member who responds first, with no obligation to take it on. QPILCH plans to support our panellists by providing on-going training in these areas.

In related news, we have also started our first non-legal, expert panel of psychiatrists who are willing to provide free services for public interest legal matters.

To express an interest in becoming a panel member or for further information, please contact Rebekah Leong at referral@qpilch.org.au

REFERRALS

We are seeking feedback from member firms about QPILCH's referral processes with a view to improving membership value. QPILCH will be encouraging member firms to let us know about their experiences and expectations very soon.

In addition, QPILCH will be hosting the inaugural pro bono coordinator's meeting in late September. Pro bono coordinators from all our member firms will be invited for an informal discussion about firm pro bono in Queensland, and how resources and ideas can be shared. Pro bono coordinators can expect to be contacted by QPILCH shortly.

Contact Rebekah Leong at referral@qpilch.org.au

STUDENTS

The student response to our call for winter clerks and volunteers has created a welcome frenzy. Over the winter break, QPILCH hosted four senior law students working full-time for two weeks. The students thoroughly enjoyed their experience and were a fantastic help to QPILCH. Their thoughts can be read on the QPILCH website, under the "News & Events" link.

With semester two in full swing, we also have 24 law students coming in to volunteer at QPILCH each week. This means that we are now at full capacity everyday, with CLAC students taking up the remaining places on Thursdays.

We hope to hold a function for past and present volunteers before the end of the year.

LAUNCH OF QPILCH WEBSITE & INTRANET

The QPILCH website has recently been updated with a fresh, new format. For those who have not seen the overhaul yet, we encourage you to go to www.qpilch.org.au

Some new features are:

- regular headline updates on the homepage
- membership and member work information
- volunteering information
- the HPLC intranet (login only), and
- resources for CLCs.

We hope that the website will provide members, CLCs and the general public with an interactive and up-to-date portal to QPILCH news, events and information.

Also, QPILCH has launched its very own intranet, an internal resource to manage QPILCH systems and volunteers. While still a work-in-progress, the intranet is already making head-way in providing an efficient and accurate communications system between staff and volunteers, as well as helping to organise resources and streamline our systems.

Before the end of the year, we hope to hold a function to demonstrate the new systems.

For comments or further information about QPILCH's website or intranet, please contact Rebekah Leong at referral@qpilch.org.au

CALL FOR ASSESSMENT SECONDEES

QPILCH relies heavily on the support of its members, particularly in staffing its services and projects. Without this support it is very difficult to process all applications as quickly as we like. This position assesses applications for assistance for legal merit and public interest, supervises student assistance and manages referrals.

We are now seeking to fill this position for periods in 2006-07 and invite firm members to fill the assessment position for two days per week for from 3 to 6 months.

Please contact Tony Woodyatt on 3012 9773 or contact@qpilch.org.au

Subscription and feedback

To subscribe (free) or unsubscribe to “In the Public Interest”, the newsletter of the Queensland Public Interest Law Clearing House Incorporated, or for more information about any item in this newsletter, please send an e-mail to contact@qpilch.org.au or contact us by phone or fax (see below).

<p>Firms Allens Arthur Robinson, Ash Solicitors, Bain Gasteen, Blake Dawson Waldron, Brian Bartley and Associates, Clayton Utz, Corrs Chambers Westgarth, Deacons, Donnelly & Associates, Freehills, Hunt & Hunt, Macrossans Lawyers, Mallesons Stephen Jaques, McCullough Robertson, McInnes Wilson, McPhee Lawyers, Miller Harris (Cairns), Minter Ellison, MurphySchmidt, Nathan Lawyers, Phillips Fox, Piper Alderman, Quinn and Scattini, Shine Roche McGowan, Smith & Stanton, Sparke Helmore, TressCox Lawyers, Walkers Solicitors (Toowoomba) Barristers Nicholas Andreatidis, Franc Asis, Michael Ballans, Ken Barlow, John Bond SC, Jacoba Brasch, Judy Brien, Sue Brown, Gary Coveney, Christopher Crawford, Quentin Cregan, Jean Dalton SC, Dr Gillian Dempsey, Cameron Dick, Tracy Fantin (Cairns), Joshua Hanna, Eric Howell, George Kalimnios, Stephen Keim SC, Liam Kelly, Nitra Kidson, Carla Klease, Peter Lyons QC, Ross Mack, James McNab, Nicole Martin, Damien O'Brien, TP O'Brien, Dan O'Gorman, Gavin O'Sullivan, Darryl Rangiah, Guy Sara, Hugh Scott-Mackenzie, David Thomae, Terrence Walsh, Karen Williams, Michael Wilson Specified members Bar Association of Queensland Inc, Legal Aid Queensland, Queensland Association of Independent Legal Services Inc, Queensland Law Society Incorporated Associate members BDO Kendalls, Chartered Accountants, Bond University Law School, Griffith University Law School, Queensland University of Technology Law School, TC Beirne School of Law (UQ) Government legal unit members Australian Competition and Consumer Commission Corporate legal unit members</p>
