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New Foundation publications

'Legal assistance by video conferencing: what is known?' *Justice Issues Paper 15: December 2011*, Suzie Forell, Meg Laufer and Erol Digiusto

<http://www.lawfoundation.net.au/ljf/app/&id=B0A936D88AF64726CA2579660008A3A>



In recent years there has been an increasing drive to improve access to legal services through the use of video conferencing technology. This paper reports on an extensive search for, and review of, existing research into the use of video conferencing to deliver legal assistance particularly to disadvantaged clients, clients in regional, rural and remote areas, and clients in custody. The purpose of the review was to provide practitioners and policy makers with the best available research evidence in order to inform decision making around the use of video conferencing for the provision of legal assistance.

'By the people, for the people? Community participation in law reform: summary report' *Justice Issues Paper 14: October 2011*, Natalina Nheu and Hugh McDonald

<http://www.lawfoundation.net.au/ljf/app/F7E6498FBD8E5C1ECA257925007EA2D0.html>

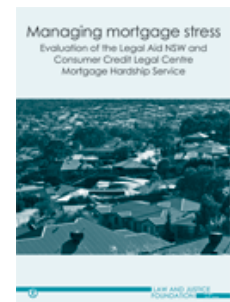


This is a summary report of key findings from our major report of the same name. *By the people, for the people?* reports on case study research into the

processes of law reform in New South Wales, with a particular focus on the opportunities for and constraints to participation experienced by disadvantaged people and the organisations that either represent them or facilitate their participation. The report identifies the range of skills and knowledge required for participation in law reform, including the fundamental importance of functional literacy.

Managing mortgage stress: evaluation of the Legal Aid NSW and Consumer Credit Legal Centre Mortgage Hardship Service, Suzie Forell and Michael Cain, September 2011

<http://www.lawfoundation.net.au/ljf/app/A988378B45C49FB4CA25791000166960.html>



This is the first evaluation report produced in the Law and Justice Foundation's new 'What works' series. The Foundation was commissioned to undertake an evaluation of the Mortgage Hardship Service (MHS), which is a joint project with Legal Aid NSW and the Consumer Credit Legal Centre (CCLC), funded by the Public Purpose Fund. The MHS provides legal assistance and financial counselling to clients at risk of losing their homes through mortgage default and repossession. The service aimed to reach people as early as possible in the process, ideally before a statement of claim had been issued. The Foundation worked with Legal Aid and CCLC staff to collect relevant information and statistics, including information about the stage of enforcement clients had reached before they sought assistance and about the outcomes for clients following the assistance of the MHS. The evaluation also explored new ways to measure 'early intervention' and to define and measure the outcomes of legal assistance services.

NEW! Data Digest Online publications

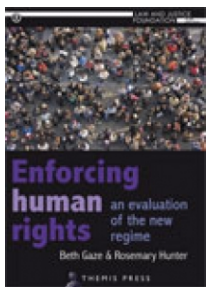
Data Digest Online Information Series

- No. 1: DDO Technical Companion Paper
- No. 2: Expressed legal needs of women in NSW

Data Digest Online Region Profile

- No. 1: The legal needs of the Murray region
- No. 2: The legal needs of the Murrumbidgee region

The Foundation's Data Digest is an evolving web based application containing more than 10 years of service usage data from agencies such as Legal Aid NSW and community legal centres. We will be using this information-rich data source to look more closely at the legal needs of vulnerable or disadvantaged groups and the legal needs of communities in particular regions, and report these in two new publication series. Both series are due for release in 2012.

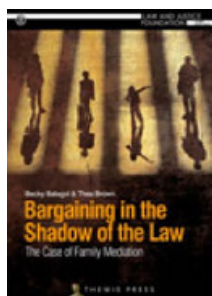


Enforcing human rights: an evaluation of the new regime,

Beth Gaze, Rosemary Hunter, Themis Press, 2010

<http://www.federationpress.com.au/bookstore/book.asp?isbn=9781921113048>

This report is the result of a collaborative project between the Foundation, and Griffith and Monash universities, and supported by an Australian Research Council Linkage Grant. The project examined the effect of the transfer of race, sex and disability discrimination disputes from the Human Rights and Equal Opportunity Commission (now the Australian Human Rights Commission) to the Federal Magistrates Service or Federal Court. The study also explores the effectiveness and accessibility of procedures for protecting the rights of individuals to equality and freedom from discrimination on the grounds of race, sex and disability. Copies of the report are available for purchase from [Federation Press](http://www.federationpress.com.au).



Bargaining in the Shadow of the Law: the case of family mediation,

Becky Batagol and Thea Brown, Themis Press, 2011

<http://www.federationpress.com.au/bookstore/book.asp?isbn=9781921113031>

This report is the result of a collaborative project between the Foundation and Monash

University, and supported by an Australian Research Council Linkage Grant. The report uses indepth analysis of real cases to examine the role of Australian family law and its impact on families who seek to settle their disputes outside the formal legal system.

Forthcoming publications



Australian Mental Health Tribunals: 'Space' for fairness, freedom, protection & treatment? Terry Carney, David Tait, Julia Perry, Alikki Vernon & Fleur Beaupert, Themis Press, 2011

<http://federationpress.com.au/bookstore/book.asp?isbn=9781921113055>

The NSW Mental Health Review Tribunal: An analysis of clients, matters and determinations, Michael Cain, Maria Karras and Terence Beed with Terry Carney, Law and Justice Foundation of NSW, 2011

These reports are a culmination of a four year research project, supported by a linkage grant from the Australian Research Council, to examine Australian Mental Health Tribunals (MHTs). The Foundation undertook this project in partnership with Sydney University, University of Canberra and Mental Health Tribunals in NSW, Victoria and ACT. The reports provide a comprehensive examination of mental health tribunal hearings in Australia.

Australian Mental Health Tribunals deals with mental health theories, concepts and laws, and their application to the day-to-day operations of the various MHTs. Copies of the report are available for purchase from Federation Press.

The *NSW Mental Health Review Tribunal* report gives fresh understandings of the management of people with a mental illness by providing a detailed description and analysis of the characteristics of a sample of mental health clients with the NSW MHRT who were tracked for a period of almost five years.

The reports will be launched on **Tuesday 7 February 2012** by the Minister for Mental Health, The Hon. Kevin Humphries MP. For more information on the launch email news@lawfoundation.net.au

Visit www.lawfoundation.net.au to subscribe to our publication releases.

General grants round now open

The Foundation's Grants Program supports community projects that aim to improve access to justice, particularly for people with a disadvantage. The Foundation accepts small grant applications of up to \$5000 at any time. Applications for general grants of up to \$50,000 close on 31 March and 31 August annually. The next general grant round closing date will be **31 March 2012**. If you are interested in applying for a grant, you should discuss your application **at least six weeks** before the closing date with Jane Kenny, Grants and Legal Information Manager, phone (02) 8227 3210 or email jkenny@lawfoundation.net.au. To learn more about the requirements for grant applicants visit www.lawfoundation.net.au/grants

Grant seekers workshop

The Foundation is holding a grant seeker workshop to assist prospective grant applicants with identifying factors that will enhance their grant applications and project delivery. In addition to explaining the Foundation's application process, the workshop will focus on assisting attendees to write a simple yet cohesive aim, strategy and some evaluation questions, which could form the basis for a grant application to the Foundation. The workshop will be held on **Wednesday 29 February 2012, 9.30am –1pm** at the Fairfield City Council. To register for the workshop or for more information please phone Erika Murray on (02) 8227 3227 or Jane Kenny on (02) 8227 3210, or email grants@lawfoundation.net.au

2011 Justice Awards

The Foundation's annual Justice Awards ceremony was held on Monday 24 October at Parliament House. We congratulate all the nominees and winners for their contribution to improving access to justice for disadvantaged people. Details of the all the nominees are available in the [2011 Justice Awards Program](http://www.lawfoundation.net.au/ljf/site/templates/pdf/$file/2011_JusticeAwardsProgram_sml.pdf) [http://www.lawfoundation.net.au/ljf/site/templates/pdf/\\$file/2011_JusticeAwardsProgram_sml.pdf](http://www.lawfoundation.net.au/ljf/site/templates/pdf/$file/2011_JusticeAwardsProgram_sml.pdf)

The 2011 Justice Awards winners were:

John McKenzie was awarded the **Justice Medal** for his unwavering commitment, over the past 30 years, to

improving access to justice for Aboriginal people and to ensuring the underlying causes of Aboriginal over-representation in the criminal justice system are strategically pursued. John McKenzie is currently Chief Legal Officer, Aboriginal Legal Service NSW/ACT

Jan Fennell, Aboriginal Community Liaison Officer with NSW Police (Menindee) was awarded the **Aboriginal Justice Award** for her commitment to developing and initiating projects to foster a healthy relationship between the police and her local community.

The **Pro Bono Partnership Award** went to **Women's Legal Services NSW, Blake Dawson, Clayton Utz, Freehills, NSW Bar Association** and the **Office of the Director of Public Prosecutions**, for their work which has brought about positive change for victims of sexual assault.

For the first time, there were joint winners of the **Law and Justice Volunteer Award**. **Kat Armstrong** was recognised for her commitment to helping women in the criminal justice to re-establish themselves in the community and **Janice Daisley** was recognised for her 30 year commitment to People with Disability.

Jim Marsden was awarded the **Law Society President's Award** for his significant contribution to and support of the Law Society's Pro Bono Scheme.

Michael Steinfeld was awarded the **Community Legal Centres NSW Award** for his 27 years as a volunteer at Kingsford Legal Centre.

Coffs Harbour City Library and **Lismore City Library** received a **Legal Information Access Centre, Centre of Excellence Award**.

We sincerely thank everyone who contributed to the success of the 2011 Justice Awards — the nominators, referees, panelists and, of course, the nominees and their supporters who attended the ceremony.

Thank you to our sponsors, the Foundation relies on their support to host the Awards: NSW Department of Attorney General and Justice, NSW Bar Association, National Pro Bono Resource Centre, Law Society of NSW, Community Legal Centres NSW, Legal Information Access Centre, Chalk & Fitzgerald, Clayton Utz, Freehills, Gilbert +

Tobin, Mallesons Stephen Jaques, Minter Ellison, and the barristers of Seven Wentworth.

Dr Tom Calma's Law and Justice Address

<http://www.lawfoundation.net.au/ljf/app/80D6B9743A1DA378CA25796700184526.html>

The Foundation was honoured to have Dr Tom Calma deliver this year's Law and Justice Address at the 2011 Justice Awards. In his speech, Dr Calma outlined the potential for the Close the Gap Campaign to work across all sectors of society irrespective of ethnicity, geography or demography. He also discussed the government's review of how to progress Constitutional Recognition of Indigenous Australians:

"The story of our nation is incomplete because our Constitution, described by the Attorney General as the 'birth certificate of our nation', is silent on the histories of the people who inhabited this continent before European settlement. The Constitution ignores the presence of Aboriginal and Torres Strait Islander peoples prior to European settlement. It is time for the Australian Constitution to reflect the Australian identity and recognise our Indigenous history and our people."

In his addendum to the speech, Dr Calma also discusses the concept of Justice Reinvestment and its relevance to Aboriginal and Torres Strait Islander people:

Justice Reinvestment ...is a criminal justice policy approach that diverts a portion of the funds spent on imprisonment to local communities where there is a high concentration of offenders. ... [It] is based on evidence that a large number of offenders come from a relatively small number of disadvantaged communities. ...I urge you all to consider this as a positive way of getting to the root of why many people offend and at every opportunity lobby your local, state and federal members to consider investing in the community instead of investing in building more prisons beds.

For more information on the government's review visit www.youmeunity.com.au

Annual Report 2011

The Foundation's Annual Report for the period 2010 – 2011 is available online at

[http://www.lawfoundation.net.au/ljf/site/articleIds/B24ACD7D547CF92CCA25796C0014E15C/\\$file/AR11.pdf](http://www.lawfoundation.net.au/ljf/site/articleIds/B24ACD7D547CF92CCA25796C0014E15C/$file/AR11.pdf)



(Top) Dr Tom Calma, National Coordinator for Tackling Indigenous Smoking and a former Aboriginal and Torres Strait Islander Social Justice Commissioner and Race Discrimination Commissioner, delivers the 2011 Law and Justice Address

(Below) Winner of the 2011 Justice Medal, John McKenzie, from the Aboriginal Legal Service NSW/ACT, is congratulated by Sir Anthony Mason AC KBE, Patron of the Law and Justice Foundation of NSW

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