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Monash University law students have the opportunity to give free legal aid to those who need it

FINALIST
Community Champion
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Monash University



A VOICE FOR THE VOICELESS
– 50 YEARS OF MEETING
DIVERSE COMMUNITY
LEGAL NEEDS

University legal aid adds value

The Monash University law service benefits the students as well as those who are in dire need

Monash law students learn on the job by helping needy clients with knotty legal problems, particularly issues of family violence that wind up in the family law system.

With a long history of helping struggling Victorians who are trying to represent themselves in court, the university's Monash Law Clinics and South-East Monash Legal Service are two of the largest providers of free legal aid in the state, assisting 2831 clients in 2023.

"We can provide initial advice across the legal spectrum, but we're focused on areas where there's less in the way of other services that can be used by people facing those challenges," says Monash law professor Jeff Giddings.

These clients often need legal advice along with the help of a mediator, he adds, and they need to understand the legal framework

for any negotiations to proceed. They might be clients in violent situations, and the violence might be at the hands of relatives – not only partners, but sometimes adult children, Giddings adds.

Elderly clients can be exploited and manipulated by one or more of their children. These elderly citizens often seek assistance from health services, he says, so there are solid partnerships between community legal centres and community health services.

"The focus is on keeping the client safe, and acting in ways that will protect the legal interests of the client," Giddings says. "Some of the results are fantastic."

Monash law students have been working on real cases under supervision for nearly 50 years,

including ongoing criminal cases.

One of Australia's first community legal centres was established by a group of Monash law students in 1972. Three years later, the program was formalised and Monash became the first university to give law students academic credit for volunteer legal work.

Giddings says the Monash law faculty now employs practitioner-academics to supervise students' work on these cases "to assess that work as part of making it an educational experience as well as a community service" and to prevent students from giving clients inadequate or even wrong advice.

Australia has a mix of legal aid services for people who can't afford lawyers' fees. State and territory authorities provide formal legal aid, private law firms can represent clients pro bono, private lawyers

can work on panels for legal aid authorities, and finally community legal centres – where Monash has made its distinctive contribution – can shepherd clients through an often difficult legal maze.

Giddings says the university was a leader in supporting the development of these independent community legal centres in Victoria, and today close linkages are maintained between the independent centres and the state legal aid agencies.

Monash students also provide assistance internationally, with work on fair trade, an anti-slavery clinic, and an anti-death penalty clinic. They help lawyers and advocates in some of the nations where death penalty issues still arise – Singapore, Malaysia, Indonesia and the Philippines.

"The students' work is targeted at assisting the lawyers on the ground so their job is easier," Giddings says.

"It's often research work, reviewing documents that are relevant to a claim that's under way, an application for clemency or questioning a court's findings."

Sian Powell



The focus is on keeping the client safe

JEFF GIDDINGS