

# Deakin Law Clinic

Impact Statement  
2022/23





# Who are we?

Deakin Law Clinic is a community legal service which provides free legal advice, assistance and information to people experiencing disadvantage in their access to justice.

In the past twelve months, we have witnessed a drastic increase in the costs of living and resultingly we are experiencing more inquiries from individuals who are facing financial disadvantage and are unable to afford legal services.

# Are we a law firm?

We are a registered law firm and a teaching clinic, where students of Deakin Law School work on client matters and legal projects under the supervision of experienced legal practitioners.

The difference between Deakin Law Clinic and other community legal services is our teaching law firm model. Whilst most community legal services are full time law firms with students assisting from time to time, our practice model is student led, with students handling

client matters under the direct supervision of the Clinical Solicitors.

Practice areas operate during the 11-week trimester periods, 1.5 days a week. Some practice areas may not run every trimester as it depends on staffing resources or may run with reduced student intake depending on the legal practitioner's commitments within Deakin Law School. Often, our Clinical Solicitors also teach into the law school undergraduate and Juris Doctor programs. Volunteer students continue on during trimester break to work on client matters prior to the next trimester group commencing.

Deakin Law Clinic continues to appeal to Deakin Law School students with 136 students completing the Work Integrated Learning (WIL) component of their law degrees through placements at the Clinic last financial year. Operating both virtually and face-to-face from two office locations (Deakin Waterfront and Deakin Downtown), our clinic has provided free legal advice and assistance to the community in the following areas last financial year (three trimesters unless stated otherwise):

## Civil Law Practice

The Civil Law Practice Group provides legal advice on matters in the following areas:

- Debts and infringements
- Contract law disputes
- Consumer law disputes
- Tenancy disputes
- Fencing/Neighbourhood disputes
- Motor vehicle accidents (excluding personal injury)

## Criminal Law Practice

The Criminal Law Practice Group provides legal advice, procedural information, case work & court representation on matters in the following areas:

- Driving offences
- Violent offences
- Drug, dishonesty & property offences
- Infringements
- Intervention Orders
- Spent Convictions
- Breaches of Corrections Orders
- Appeals against sentence/conviction

## Employment Law Practice

The Employment Law Practice Group provides legal advice on matters in the following areas:

- Discrimination
- Employment documentation & agreements
- Underpayments
- Unfair dismissal
- General protections claims
- Bullying claims

## Family Law Practice\*

The Family Law Practice Group provides legal advice on matters in the following areas:

- Divorce
- Family Violence Intervention Orders (FVIOs)
- Parenting arrangements
- Property division of de facto and marital (property pools \$500,000 or less)
- Consent Orders
- Duty Lawyer - FVIO matters at Geelong Magistrates' Court

\*Trimesters 1 & 2 only

## Policy Advocacy Law Practice\*

This service develops community legal education resources and takes on policy projects concerning access to justice issues. Policy project outputs include:

- Submissions to inquiries
- Policy papers
- Letters to government

\*Trimesters 1 & 3 only

# Our People

**Michele Tucker**

Principal Solicitor and Coordinator and Family Law Practice/Duty Lawyer Service

**Rebecca Tisdale**

Clinical Solicitor - Employment Law Practice

**Sam Hawkins**

Clinical Solicitor - Civil Law Practice

**Karen Powell**

Supervising Practitioner - Policy Advocacy Law Practice

**Nicole Siller**

Supervising Practitioner - Policy Advocacy Law Practice

**Kimberley Littorin**

Clinical Solicitor - Family Law Practice/Duty Lawyer Service

**Matt Wilson**

Clinical Solicitor - Criminal Law Practice

**Loraine Innes**

Law Clinic Administrative Support Officer

**Sam Keogh**

Research Assistant

# Principal Solicitor's Report

Welcome to our inaugural impact statement. This report outlines the terrific work Deakin Law Clinic has been doing in the past year. We provide an overview of our practice areas and some key statistics regarding the clients we have assisted. However, our impact extends beyond this year, as we have been a registered law firm since June 2017. Since that time, Deakin Law Clinic has provided legal advice and assistance to more than 683 clients across 798 matters. Most of our clients are referred to us from other community legal services, Victoria Legal Aid, the Courts or previous clients. We have an established, positive reputation in our community for delivering exceptional outcomes to clients who often struggle to access legal services.

Prospective employers actively seek Deakin Law School students for paralegal, administrative and graduate positions. We receive consistent feedback from employers that the students who have completed a placement in our Clinic, have acquired the necessary practical and interpersonal skills that make them well-rounded professionals and practitioners. These skills are highly sought after in the legal profession. Further, students who complete a placement in our Clinic, continue to enthusiastically recommend our programme to their peers.

We take pride in the project work and initiatives introduced this year. Our Policy Advocacy Law practice has received prominent recognition for the project work it has completed. Notably, the students' main project this year has been the referendum and the Voice to Parliament. Students prepared community legal information by developing fact sheets on these topics and other current legal issues. These information sheets have been distributed to Neighbourhood Centres across Australia, and are providing valuable legal information to the members of the community that these centres operate in.

Our Geelong Family Law Practice launched a Duty Lawyer Service in March this year, offering legal advice and court representation to clients in Family Violence Intervention Order matters at the Geelong Magistrates' Court. This service has been well received by the Court, the legal

profession and other stakeholders involved in this area of law. Students get the opportunity to liaise with Court staff, police liaison officers, other legal practitioners and importantly interact with the Magistrates at Court.

Our Employment Law Practice continues to provide a necessary advice service through the Workplace Advice Service, coordinated by the Fair Work Commission. Students engage in a diverse range of client employment related matters gaining practical experience in this demanding area of law.

Deakin Law School is a sponsor of the Victorian Law Foundation's Law Week and in May this year our Clinical Solicitors and students presented community legal information at Cloverdale Community Centre and Farnham Street Neighbourhood Learning Centre. You can find more details about all our projects and initiatives in our report below.

Our Clinical Solicitors, staff and students continue to actively represent Deakin Law School and the University by participating in the events within our networks, including the Geelong Law Association, the Law Institute of Victoria and the important events held by our Deakin Law Students' Societies.

A personal highlight for me this year was the chance to connect with fellow legal professionals and tour law clinics at The Jacob Burns Community Legal Clinics at George Washington University in Washington DC, as well as the clinics at New York Law School. During my leave in June, I took the opportunity to engage with colleagues, exchanging ideas and fostering relationships with an eye toward future collaborations.

We have a great team at Deakin Law Clinic who are dedicated and passionate advocates for social justice. Our priorities are achieving great outcomes for clients, but also ensuring every client matter and project undertaken offers a valuable teaching opportunity for our students through experiential learning. I look forward to seeing what the next year holds for us.

**Michele Tucker**  
*Principal Solicitor and Coordinator*

*Below: Sam Keogh, Mikayla Nicholson, Magistrate Mr Simon Guthrie and Michele Tucker*



# Victorian Law Week

15 – 21 May 2023

Deakin Law School are a proud sponsor each year of the Victorian Law Foundation's law week. This year Deakin Law Clinic participated and provided community legal information by presenting to the public at local neighbourhood centres. The first was provided by students from our Civil Law practice, under the supervision of Sam Hawkins, at Farnham Street Neighbourhood Learning Centre in Flemington. Topics presented on were infringements, neighbourhood disputes and scams. The Policy Advocacy Law practice students were instrumental in preparing information sheets for the presentation.

*Left: Sam Hawkins, Nancy Skaltsa and Beth Woolley at Farnham Street Neighbourhood Learning Centre.*

The second presentation was in collaboration with Barwon Community Legal Service (BCLS) and was held at Cloverdale Community Centre in Corio. The topics presented were family law and family violence with an opportunity for the community to ask the solicitors questions.

*Below: Issara Daim and Liz Bonner from Cloverdale Community Centre, Michele Tucker and Geordie Stapleton, Principal Lawyer at BCLS.*



# Our Practice at a glance



# Our Clients at a glance



1 in 4 clients have **CALD background**



1 in 5 clients have a **disability or mental health condition**



3 in 4 Family Law clients are **experiencing family violence**

**45%**

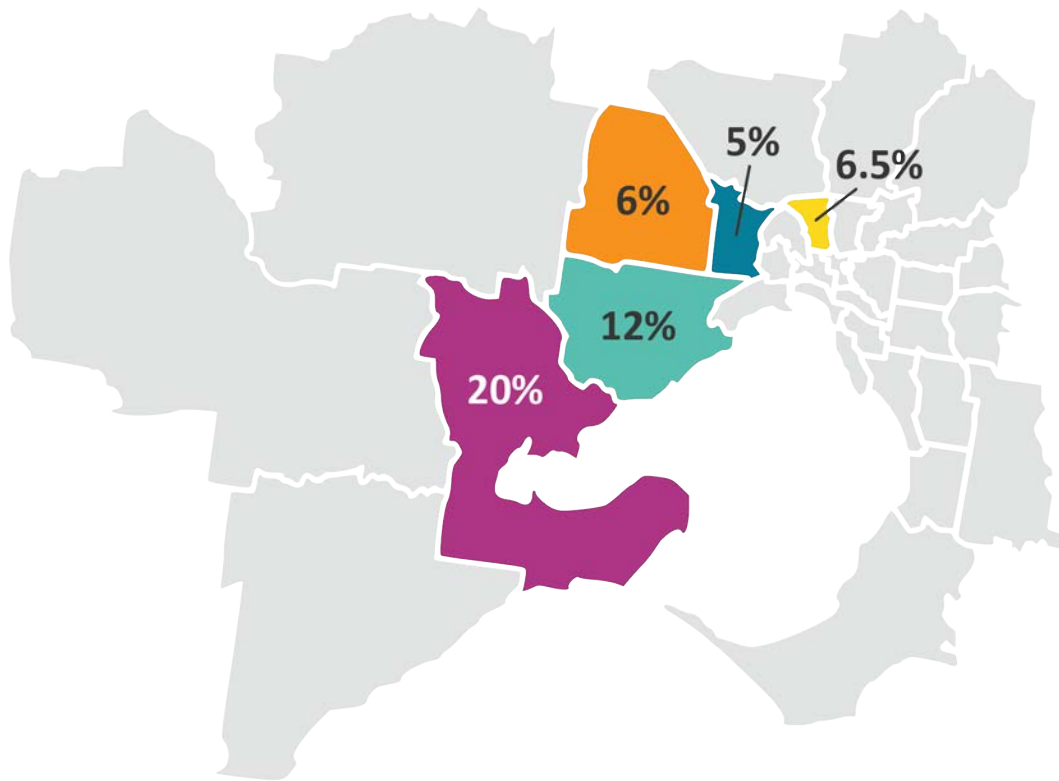
of clients reported experiencing **financial disadvantage** (no to low income)



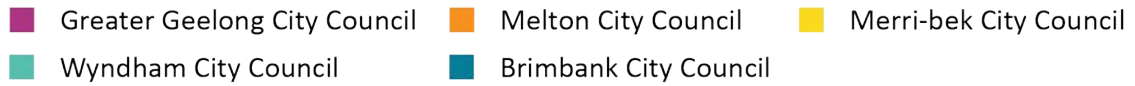
3 clients identified as **Aboriginal/Torres Strait Islander**



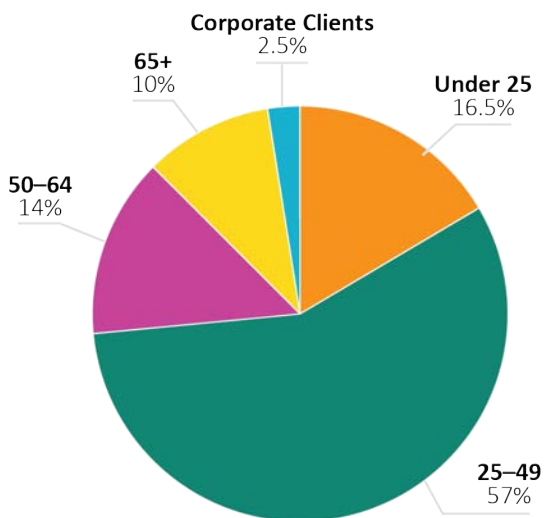
5 clients required **interpretable services**



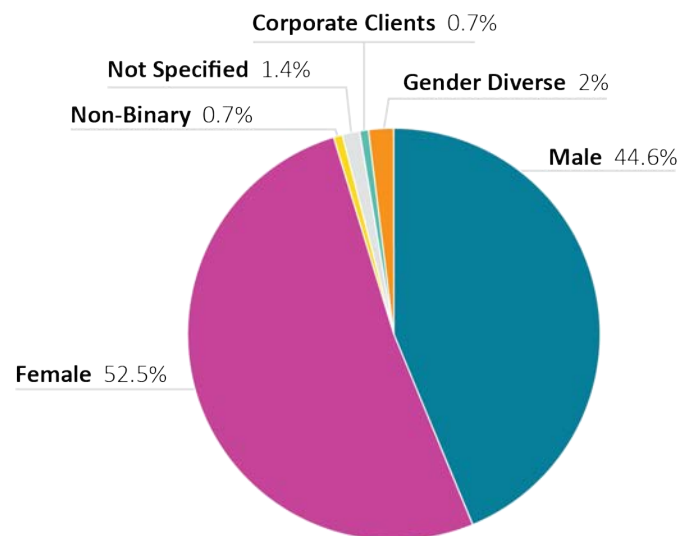
## Most Services by Local Government Areas (LGAs)



## Age Ranges

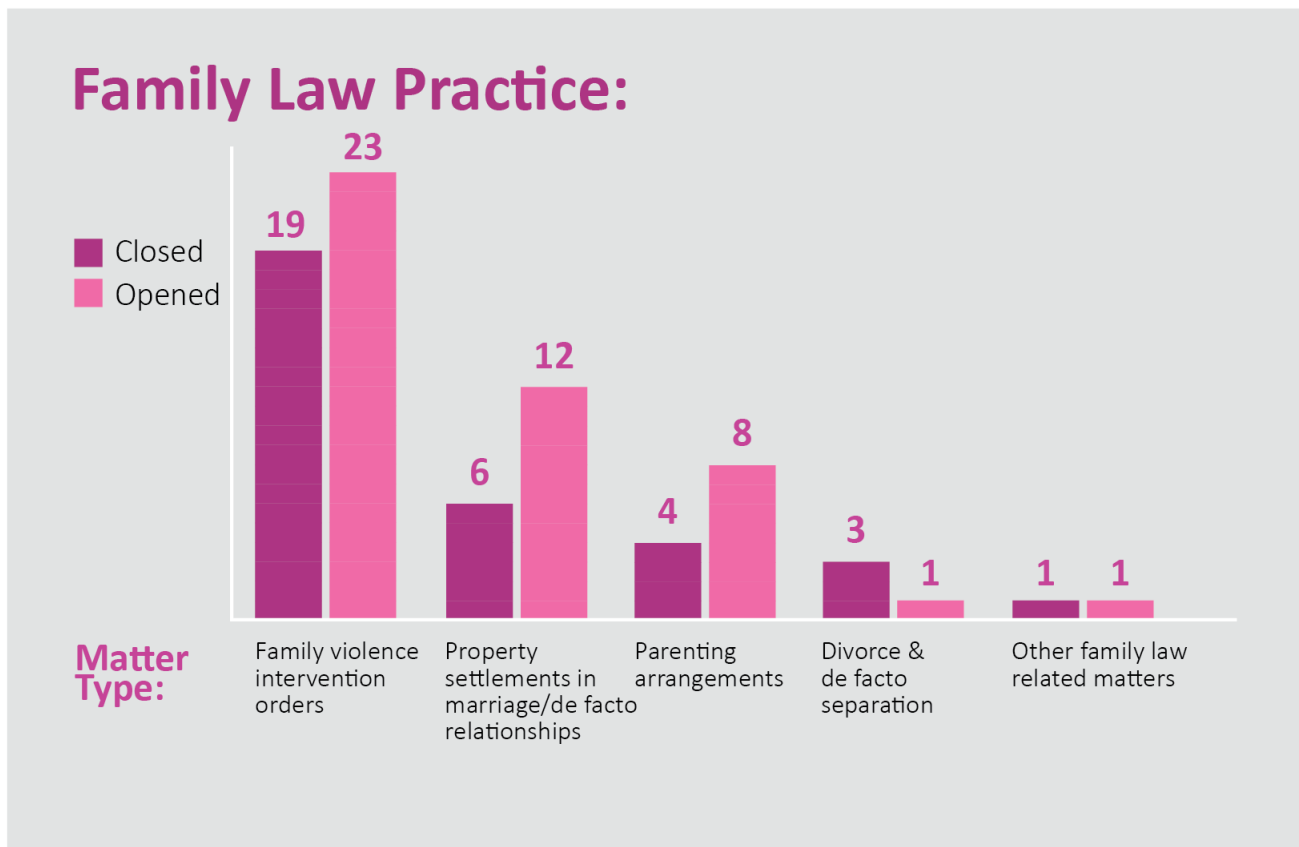
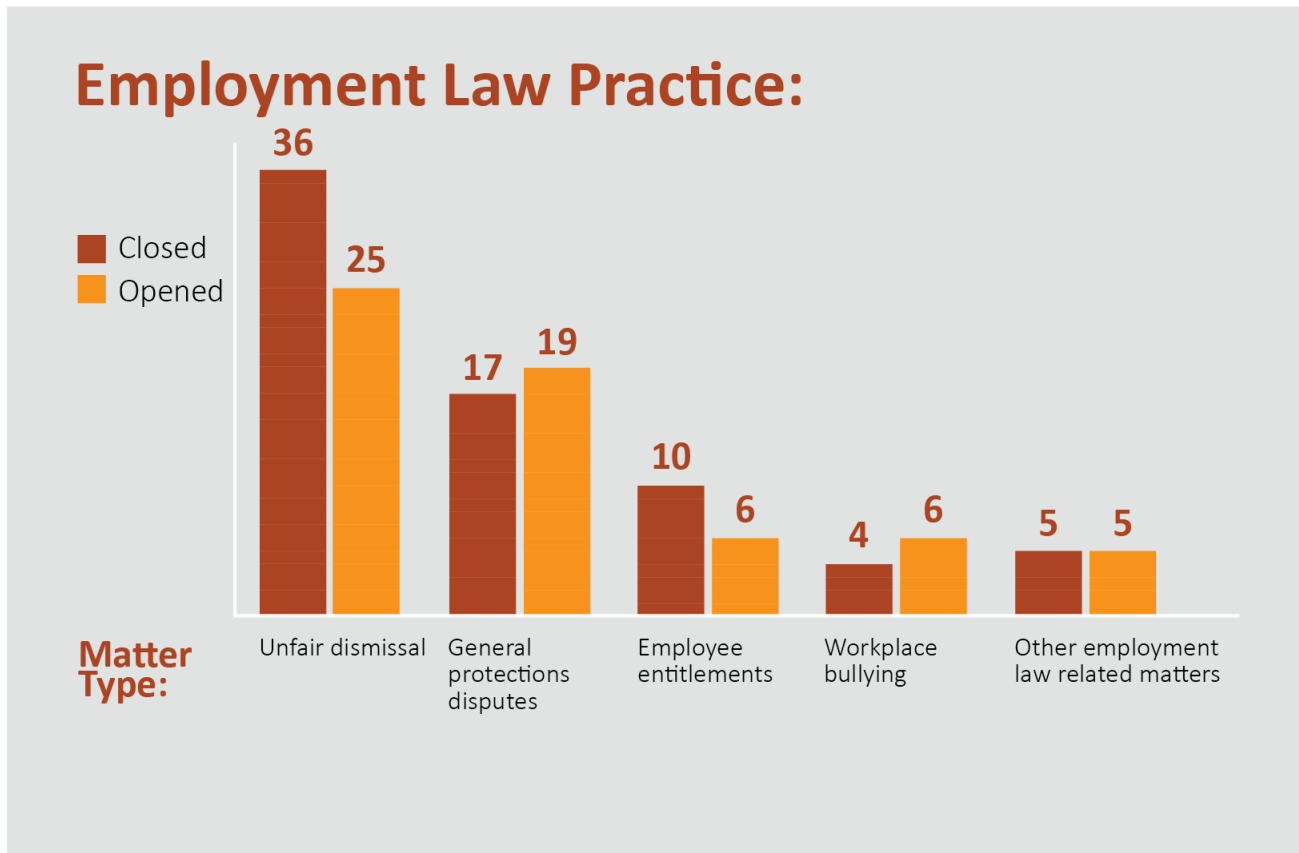


## Gender



# What we do a snapshot of our work

The following graphs represent the types of matters we opened and closed in the 2022/23 financial year based on practice group:





## Civil Law Practice:



## Criminal Law Practice:



# Policy Advocacy Law Practice

In addition to our client facing practice areas, our Policy Advocacy Law practice has undertaken a series of impactful policy and law reform projects. Policy operates in Trimester 3 and Trimester 1 each year and last financial year it operated under the expert guidance of Karen Powell and our Executive Dean of the Faculty of Business and Law, Professor Jenni Lightowlers. Policy projects are specifically designed to address current and emerging legal issues that significantly impact our communities. Throughout the 2022-23 reporting period, the Policy practice delves into research to impact positive change through well researched and innovate legal practice that will drive enhanced outcomes for individuals who interact with the legal system through designing legal education materials and engaging with law reform processes.

Deakin Law Clinic Policy Advocacy Law Practice focusses on research outreach and translation, to support the other clinics in making legal education accessible and broadly available. Deakin Law Clinic has developed information fact sheets using the resources prepared by the Policy Advocacy Law Practice with the purpose to provide legal education to the community at large as well as create resources to support our other practice areas. These information sheets were well-received by attendees at Deakin Law School's Oration 2023 and the Community Legal Education sessions we delivered as part of Victoria Law Foundation's Law Week in May 2023. The information sheets were also provided to the Australian Neighbourhood Houses and Centres Association to provide information and legal education to their communities on current legal issues via their local neighbourhood house and community centres. These information sheets are available for viewing via our website ([deakinlawclinic.org.au](http://deakinlawclinic.org.au)).

Such research supports students to actively engage in community legal education by developing information sheets and materials on projects on topics including:

- An unbiased perspective of the Voice to Parliament;
- Australian referendums, explaining what they are, how they work and how you participate;
- Data breaches and how consumers can protect their digital identities;
- Applying for a Family Violence Intervention Orders, including what defines family violence under the law, how to apply, vary or revoke a Family Violence Intervention Order.
- Employee rights and entitlements in relation to unfair dismissals, redundancies and workplace discrimination;
- Tenancy rights and contesting rental increases;
- A summary of the latest Victorian road rules changes;
- Common neighbourhood disputes, including boundaries, noise disturbances and pets;
- A summary of motor vehicle insurance policies and coverage types; and
- What someone can do when they receive an infringement notice.

The Policy Advocacy Law Practice is commended for increasing Deakin University and Deakin Law Clinic's profile by contributing resources to current important legal issues in our society. Evidence of the impact of the Policy Advocacy clinic is demonstrated in the Deakin Law Clinic (Policy Advocacy Law Practice) submissions to the Australian Law Reform Commission's inquiry into Judicial Bias. The Commission's final report was tabled in Parliament in August 2022 and referenced our recommendations more than 30 times. This achievement stands as a testament to the quality of work produced by the Clinic and Deakin Law students.



# Family Law Practice

## Duty Lawyer Service

Family Violence is an epidemic and a scourge on our society. In the 2021-2022 financial year, 49,633 applications were made for IVOs in the Magistrates' Courts across Victoria. The Geelong Magistrates' Court is a specialist family violence court where stakeholders such as counsellors, Victoria Police, court registry, community services and legal practitioners collaborate to achieve a client centred approach. Identifying a need in our community for additional pro bono legal services to assist applicants and respondents in IVO matters, Deakin Law Clinic commenced a pro bono duty lawyer service in early March 2023.

As part of our discrete and specialised Service, we provide legal assistance, onsite at the Court, one day a week, ongoing, throughout the year, in IVO matters. A large proportion of the clients at the Court, whether applicants or respondents in a matter, are vulnerable, earn little or no income and often suffer access to justice issues. During trimester, a Clinical Solicitor from the Clinic's Geelong office attends the Court each week with a small group of students who are placed in the Family Law Practice. Students rotate attending Court with the Clinical Solicitor. During trimester break the duty lawyer service continues and volunteer students stay on and attend the Court with the Clinical Solicitor and assist in client matters.

The court registry refers a select number of cases to our Clinical Solicitor each week, allowing us to provide legal advice and, where necessary, appear on behalf of the client before the Magistrate. This Service has been well received by the community, court services and our students. Through involvement in the Service, students gain a hands-on experience, conducting client interviews, observing legal practitioners in court, and interacting with the police, Magistrates and court registry staff. This exposure enhances their professional growth, court etiquette and contributes to a continuous learning environment.

Since commencing the Service in March, we have assisted 19 individuals in IVO matters. Our Service is making a significant impact in addressing the pressing issue of family violence in our society and we look forward to continuing our contribution to the vast amount of IVO applications before the Court.

<https://www.crimestatistics.vic.gov.au/family-violence-data-portal/family-violence-data-dashboard/magistrates-court>



# Employment Law Practice

## Workplace Advice Service

Coordinated by the Fair Work Commission, Deakin Law Clinic is one of 85+ partner organisations that provide free one-hour consultations to employees and small business employers on issues of dismissal, bullying and the protection of workplace rights. Over the last financial year, our Employment Law Practice has provided assistance to 51 clients in their unique employment-related matters. More than 65% of clients referred through this Service sought assistance for matters pertaining to dismissal from their employment.

Since becoming a partner organisation of the Workplace Advice Service in [August 2020 Deakin Law Clinic has assisted 112 clients referred from the Fair Work

Commission. We are proud of this exposure and the learning opportunities these matters continue to provide for our students. By engaging with a diverse range of clients and employment-related matters, our students gain practice experience in preparing thorough briefing notes and summaries of advice. While the students do not provide legal advice during the consultation, this hands-on experience not only enriches their understanding of the law but also equips them with invaluable skills that will undoubtedly serve them well in their future careers.

**Disclaimer:** *The data used in this impact statement was collected on 1 July 2023.*



# Case Studies

## Civil Law Studies: Mohammed\*

Mohammed first came to our Civil Law practice after receiving multiple fines in the mail from a local toll-way. Several years earlier, Mohammed had privately sold his car to a third party however the change in ownership was not updated with the toll-way's database. Mohammed was emotionally distressed by the situation and was adamant he was not responsible for these fines as the car was no longer in his possession. Shortly after receiving the fine notices from the toll-way, Mohammed began receiving unrelated scam messages which happened to relate to outstanding toll invoices.

Mohammed was experiencing financial hardship and not in a position to pay the fine amounts. Deakin Law Clinic worked with Mohammed to request a fine waiver from the toll-way, explaining Mohammed's circumstances. The toll-way agreed to waive the outstanding fines in full and Mohammed was relieved of the financial stresses he would have faced had he been required to pay the fines that he was not responsible for. Mohammed was extremely grateful for the Clinic's assistance.

## Verita\*

Verita contacted Deakin Law Clinic after her vehicle had been severely damaged during a storm. Verita had purchased the vehicle from a private seller a number of years earlier and had been told the vehicle was unencumbered with no financial interests secured over it. When Verita attempted to make an insurance claim over her damaged vehicle, she learned finance was in fact owing on the vehicle and an insurance payment could not be made until the amount owing to the lender had been completely paid out.

Verita and her family were significantly disadvantaged without the use of her vehicle. Due to Verita's circumstances, our Civil Law practice were able to successfully negotiate with the lender to waive the outstanding loan amount. Verita was extremely grateful for our assistance as waiving the loan amount meant Verita was able to successfully make an insurance claim and use the payout to purchase another vehicle.

*\* Names and details have been changed to protect client confidentiality.*



## Family Law Study:

John\*

John initially reached out to the Deakin Law Clinic needing assistance in navigating the divorce process in Australia. His situation was rather complex, as he had been separated from his wife, Elisabeth, for over 25 years and had lost all contact with her and their son, Michael, whom he believed were both living in Germany. To obtain a divorce in Australia, John was required to serve court documents on Elisabeth, a challenging task given his unsuccessful attempts to locate her or Michael.

Our dedicated team of Deakin Law Clinic students undertook thorough research into the service requirements specific to John's circumstances. This included helping John in preparing affidavits that outlined the reasonable efforts he had undertaken to locate Elisabeth. During our engagement, students from our Family Law Practice discovered a social media account that appeared to belong to Michael. This discovery was disclosed to the court as part of the affidavits filed by John. Subsequently, the court issued an order for

substituted service, permitting the use of the identified social media account as a means to serve the divorce application documents on Elisabeth.

In complying with this order, John successfully served the necessary documents on Elisabeth, ultimately leading to the granting of his divorce order. John expressed profound gratitude for our assistance, as we played a pivotal role in helping him bring a closure to this emotionally difficult chapter of his life.

## Employment Law Study:

Aaron\*

Aaron, an international student, came to us after his current employer alleged that it had overpaid him in excess of \$9,000 and sought recovery of these amounts. Prior to engaging Deakin Law Clinic, Aaron had asked for additional information from his employer and tried unsuccessfully to resolve the dispute. Aaron's employer then issued proceedings in the Magistrates' Court of Victoria to recover these alleged overpayments. After working with Aaron to clarify the factual basis of the employer's claim, Deakin Law Clinic provided detailed advice to Aaron and then corresponded with the employer setting out the legal and factual weaknesses of the claim and significant issues with the pleading. We invited the employer to withdraw the claim, which was accepted by the employer. This outcome not only resulted in Aaron not making any payments to the employer, but also saved him significant legal expenses associated with defending the claim.

*\* Names and details have been changed to protect client confidentiality.*



# What our clients and students say:



“Volunteering with Deakin Law Clinic was undoubtedly the highlight of my law school journey. Deakin Law Clinic offers a platform to put into practice the skills and legal knowledge learnt within the classroom, addressing real-world legal issues. My hands-on involvement in the Clinic conducting client interviews and drafting legal correspondence, has taught me effective communication skills not typically learnt through traditional coursework, but which I believe are incredibly important in the legal profession. I am extremely grateful for the guidance of the dedicated Clinical Solicitor, and I now feel well prepared to embark on my legal career. I feel privileged to have been able to contribute back to my community through the work of the Clinic.”

*Student*

“I participated in the Family Law unit at Deakin Law Clinic, and it was the best part of my law degree. The Clinic provides the perfect opportunity to develop the skills learnt in classes and apply them to real life situations. It helps to bridge the gap between university and practicing as a lawyer and I enjoyed it so much that I continued to volunteer there after the semester had finished. Assisting clients at the Clinic and learning from my supervising lawyer greatly assisted my professional development and made the transition from student to lawyer significantly easier. I am so appreciative for the opportunities the Clinic provided and for being a part of some of the great work the Clinic does for the community.”

*Student*

“I was very satisfied with the service Deakin Law Clinic provided. They gave me a detailed timeline and plan for what to say when I represented myself in the Magistrates’ Court. [The] interview process and advice they gave me was more detailed and helpful than the service from any other Community Legal Service or Legal Aid that I’ve sought help from before... I am very grateful for the help that I received...”

*Client*

“Deakin Law Clinic were very thorough and professionally trained. I would recommend them to anyone with legal issues to sort.”

*Client*



**deakinlawclinic.org.au**

Deakin University CRICOS Provider Code: 00113B

**Email:** [law-clinic@deakin.edu.au](mailto:law-clinic@deakin.edu.au)

**ABN:** 56 721 584 203

**Waterfront Campus**  
Ground Floor, Building AD  
Cunningham St  
Geelong VIC 3220

**Phone:** 03 5227 8563

**Deakin Downtown**  
Tower 2, Level 12  
727 Collins St  
Melbourne VIC 3008

**Phone:** 03 9244 3000