

## Guidelines for the Management of Community Legal Education Practice

### Introduction

In August 1995, the National Community Legal Education (CLE) Advisory Group prepared *Guidelines for the Management of Community Legal Education Practice*. More than a decade later, the *Guidelines* remain an important formative document for community legal centres and other CLE providers. The *Guidelines* define CLE, state the goals of CLE and identify key objectives that underpin a framework for the delivery of CLE. The *Guidelines* are reprinted in full on the following pages, along with an explanation of how they were developed.

### Development of the Guidelines

These guidelines have been developed by the National Community Legal Education (CLE) Advisory Group. The Group consists of; a representative from each State community legal centre association, a representative from each Legal Aid Commission, and two representatives from Legal Aid and Family Services, Attorney-General's Department, Canberra. The Executive Officer from the Directors' Secretariat also attends meetings. The Group meets twice a year and its work includes the National CLE Register and the National CLE Newsletter.

The objectives of the Group are:

- to improve the effectiveness, quality and efficiency of CLE on a national basis; and
- increase the level of knowledge and understanding about CLE theory and practice.

In accordance with these objectives, it was agreed that it was important to document an understanding of what CLE is, why we do it and how we do it.

As a first step, members of the Group collected literature relating to CLE and service delivery. It was interesting to note that articles from the Legal Services Bulletin/Alternative Law Journal, often written by CLC and Legal Aid Workers, formed a significant part of the literature.

From the literature, common themes were identified and a paper drafted which attempted to order these themes to make a coherent statement.

This paper and a subsequent re-draft were circulated for discussion and comment through Group members consulting with their constituencies, often through local Community Legal Education Workers' (CLEWS) groups. The redraft was the subject of a workshop at the National Community

Legal Centres (CLE) Conference held in Hobart in August 1995.

The attached paper was agreed upon at the National CLE Advisory Group meeting held at the end of August 1995.

It is important to emphasise that this document:

- is intended to be a guide for CLE workers and a tool to assist them in their practice. It is not intended to be prescriptive or imperative.
- is part of a dynamic process. The Guidelines are to be reviewed in twelve months time. Comment on their usefulness or otherwise, omissions, and so on, would be welcome as part of that review, and may be passed through to the National CLE Advisory Group via its members based in each State and Territory.

**Janet Wight (QLD CLC Representative)**

**On behalf of the National CLE Advisory Group**

## Guidelines for the Management of Community Legal Education Practice

### Background

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#### **Community Legal Education - a definition**

Community Legal Education (CLE) is the provision of information and education to members of the community, on an individual or group basis, concerning the law and legal processes, and the place of these in the structure of society. The community may be defined geographically or by issue.

#### **CLE – the vision and the goals**

Intrinsic to all work of Community Legal Centres (CLC's) and Legal Aid Commissions (LACS)

“is the assumption that not all members of the community have equal access to understanding, or ability to participate in and influence the legal system” <sup>1</sup>

that is, access to justice is not equal across society.

Therefore, the vision (ultimate purpose to be achieved) of CLE is to increase equality of access to justice, social and legal, to all members of society.

The goals of CLE are to:

- raise the awareness of the community of the law and legal processes;
- increase the ability of the community to understand and critically assess the impact of the law and the legal system on themselves, in society generally and in relation to particular sets of circumstances;
- improve the community's ability to deal with and use the law and the legal system; and
- create a climate for participating in or influencing the law-making process and for pursuing law reform, through collective action where appropriate.

CLE comprises legal information and legal education, both of which have a legitimate role in the delivery of CLE, but should not be confused.

Legal information is important because many people are powerless in particular situations primarily through lack of knowledge – knowledge is power. This is CLE at its most basic level. Information without education, however, may not achieve the objectives of CLE.

Legal education encourages a critical understanding of the law and the legal system and allows an assessment of its impact or usefulness. It is contended that education must be a mechanism for consciousness raising, not simply an unquestioning acceptance of the status quo.

## A Framework for the Delivery of CLE

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All service delivery should be carried out in the most efficient and effective way. Resources will always be finite and must be used in such a way as to ensure that they have the greatest benefit.

CLC's and LACs embrace the concept that people should take control over their own lives – empowerment. This concept should therefore be reflected in CLE delivery.

CLE must, of necessity, employ a variety of techniques because society is not an homogeneous group and different groupings within it have different legal needs and interests. However, whatever the project, the following objectives should be considered.

### Objective 1

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CLE should be informed by community development practice.

Community development practice facilitates people to make informed decisions about their lives. It is responsive to community needs and is dynamic, allowing for changes to the program as it progresses if community input demands it. It involves the development of processes within the community and for the community. These processes form the basis for development programs, which are embraced at ground level by the community.

Community development practice is committed to the principles of empowerment and not fostering dependence. It is able to offer CLE workers further insight into how they might conduct their practice and CLE delivery.

#### Strategies

When considering a community development focus for CLE, strategies may include

- information collection: conducting needs surveys, gathering statistics and information on community attitudes and cultural traditions;
- awareness raising: educating the general community about social issues, inequalities and the need for change;
- advocacy: influencing policy-makers and passing on skills which enable individuals to access “the system”;
- self-help: bringing individuals together to develop structures which enable communities to meet their own needs;
- service provision: responding directly to individual needs before tackling underlying social or lifestyle problems, often necessary in the initial stages of community development;
- networking: developing links between individuals and sector organisations to enable a community to tackle one problem together and from a variety of angles;
- participation: removing physical, cultural, structural and other obstacles to participation in decision making and service delivery and devising methods to encourage input from the wider community; and
- resource provision: ensuring adequate provision of funds and resources to enable the community to develop appropriate structure<sup>2</sup>.

### Objective 2

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CLE should be relevant to the community and respond to a need.

CLE should respond to a need, which may be identified either by its articulation by the community or by workers perceiving a need through the course of their day to day work and contact with the community.

**Strategies**

- consider the need(s) expressed by the community, including needs expressed through other service delivery, such as casework;
- undertake research/ collect data/consider the findings of research undertaken by others;
- look for available resource materials;
- focus on the reality of people's lives and experiences;
- ensure legal service providers are responsive and accountable to their communities; and
- maintain quality of service to the community by ensuring that content is current, accurate and records the date it was compiled.

**Objective 3**

CLE should be targeted to specific audiences.

Society is not one homogenous group. Different groups will have different needs at different times. It is not generally possible to be all things to all people and therefore initiatives must be targeted to specific audiences.

**Strategies**

- ensure all CLE activities have clearly stated objectives
- consider the following questions
  - » Who is the audience?
  - » What are their needs?
  - » How do they need to receive the information? ; and
- ensure legal service providers are responsible and accountable to their communities.

It is argued that since the goal of CLE is to increase access to justice, service delivery should target those who are most disadvantaged within the community. CLE providers should, therefore, set priorities to meet identified needs.

**Objective 4**

CLE should be accessible to those who need it.

To ensure maximum opportunity for the target audience to participate, CLE should be accessible. Service deliverers will need to go to the audience at places and times most suitable to that audience. Decentralisation also attempts to redress the balance by de-emphasising the “expert/layperson” relationship and encourages empowerment.

**Strategies**

- investigate where the target audience would be most comfortable to participate in the initiative;
- consider both the day of the week – will it clash with any other significant event in the community – and the time of day-safety issues, will the audience be committed elsewhere?; and
- consider the physical attributes of the venue.

**Objective 5**

CLE should be appropriate to the targeted community.

Since there are many different groupings within society, what may be acceptable or suitable for one, may not be for another.

**Strategies**

- consider cultural issues;
- consider language issues, (for example, the needs of those of non-English speaking background: language young people identify with); and
- consider whether the proposed activity or process is acceptable or suited to the targeted community

## Objective 6

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CLE should be based on consultation and participation with the targeted community.

CLE cannot be relevant, accessible, or appropriate unless the CLE providers consult and work with the community, which is the targeted audience.

**Strategies**

- focus on natural or existing networks or key people within the community;
- assist in developing networks where they do not already exist (this may be the outcome of a CLE initiative); and
- adopt a community development approach.

## Objective 7

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CLE should consider initiatives currently available.

Once the target group and need has been identified, deliverers should consider what initiatives are currently available and may be useable.

**Strategies**

- look for initiatives, which will meet the need of that community;
- look for initiatives, which can be adapted to meet the need;
- look for information on how to meet the need; and
- network with other CLE providers at local, state and national levels; use tools such as the National CLE Register.

## Objective 8

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CLE should be co-ordinated.

CLE initiatives should not be regarded as isolated projects, rather part of an ongoing process, which begins at school and continues beyond school and in to the community. It should also consider that the identified need of a particular community might not be unique to that community. Therefore, as well as not unnecessarily duplicating initiatives currently available, workers should look at who else may be interested in developing a response to an identified need. For example, when there is a change in Federal legislation such as the Family Law Act there will be a number of people looking to develop new CLE material.

**Strategies**

- develop networks across areas of common concern or interest (for example young people, tenants) including CLE providers;
- develop networks at local, state and national level;

- two-way communication – listen to and find out what others may be doing or wanting to do and informing others of your plans;
- use tools such as the national CLE register, CLE Newsletter, Australian Bureau of Statistics; and
- undertake projects and initiatives collaboratively where appropriate.

## Objective 9

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CLE initiatives should be trialled and tested.

Any initiative that is more than a “one-off” talk should be tested beforehand to ensure that the initiative is valid and looks likely to attain its desired objectives.

### Strategy

- trial the initiative with a sample of the target group, identify possible problems and refine the initiative as appropriate.

## Objective 10

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CLE should be documented.

It is important that the initiatives be documented at all stages. Effectively, this will mean recording all the processes which take place. This will be useful when any evaluation takes place.

### Strategy

- Set up systems to record all activity undertaken during the initiative on an ongoing basis.

## Objective 11

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CLE should be evaluated.

Evaluation is an important management tool and performs major functions;

- it measures the effectiveness of the programme to ensure its goals and objectives have been achieved; and
- it ensures accountability to funding bodies.
- The fundamental components of an evaluation of CLE are:
  - What are the initiative’s goals, objectives and desired outcomes? ;
  - What activity is being undertaken and what are the actual outcomes of that activity? ; and
  - What is the difference between the two and what are the unexpected or unwanted outcomes of the initiative?

This should answer the question “Of what value was the initiative?” Then answer the subsequent question: “How would we do it differently / better next time?”

- It is contended that an evaluation of CLE should focus on two main areas:
  - **Impact** - a measurement of results in terms of achieving the initiative’s objectives, which may demonstrate financial accountability
  - **Process** - an examination of the processes which happen throughout the life of the initiative, which may identify reasons for the strengths and weaknesses as measured by the impact area of the evaluation.

### Strategies

- set objectives for the initiative and identify the activity to be undertaken;

- develop an outcomes hierarchy for the initiative;
- identify performance indicators to measure how well the objectives are met;
- identify data collection methods for each indicator;
- collect data generated by the project and data routinely generated by authorities external to the project; and
- look at the records documenting processes used during activity.

*(The issue of evaluation and CLE is the subject of a further paper being developed by the National CLE Advisory Group).*

## Objective 12

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CLE should be conducted by those with appropriate skills.

Communication, rather than knowledge of the law, is the key to CLE. Lawyers are not necessarily the most appropriate people to conduct CLE, as their view of the law is different to that of the non-lawyer or someone with a sociological approach to the law.

### Strategies

- employ workers who have developed expertise in CLE;
- ensure on-going training, for example with respect to changes in the law, working with interpreters, communication skills; and
- take up competency-based training.

## Objective 13

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CLE should be informed by other disciplines when considering service delivery.

Unlike other fields of education, which have been in existence for considerably longer than CLE, CLE is only beginning to articulate principles of practice and standard. Some of these other fields have developed responses to such issues, which are translatable to CLE.

CLE initiatives may also be regarded as a “product”, therefore commercial principles involved in marketing may also have relevance.

### Strategies

- consider other areas of education, such as health, adult education by networking with workers in those areas and reading literature; and
- consider marketing and advertising strategies.

**National CLE Advisory Group August 1995**  
**Amended CLC National Conference September 2009**  
**Further review to occur in 2010**

ENDNOTES

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- 1 CLEWS Group Victoria 1992
- 2 "Community Development-Resource Manual for Facilitators in Community Development. Adapted from "Community Development-Tools of the Trade" McArdle, Community Quarterly, No. 16 1989