



National CLCs
Conference 2014
ALICE SPRINGS NT



The Voice of CLCs in Law Reform

National CLCs Conference 2014
13 August 2014

Amanda Alford
Deputy Director, Policy and Advocacy
NACLC

**Rising
TO THE
CHALLENGE**

National CLCs
Conference 2014
ALICE SPRINGS NT



**Rising
TO THE
CHALLENGE**

National CLCs
Conference 2014
ALICE SPRINGS NT

Overview of Session

- What is law reform?
- The voice of CLCs in law reform and current challenges
- Engaging with institutional law reform and developing a law reform strategy
- Key elements of a law reform strategy
- Group exercise
- Submission writing
- Consultations/public hearings

Where Does Institutional Law Reform Occur?

- Australian Law Reform Commission
- State and Territory Law Reform Commissions
- Parliamentary Committees
- Productivity Commission
- Bodies providing specialist advice- eg, Administrative Review Council, Family Law Council
- Joint Ministerial Councils
- Royal Commissions and other ad hoc bodies

The Law Reform Work of CLCs

- Providing evidence-based information and submissions
- Working with others to improve processes and increase awareness of the needs of CLC clients
- Strategic litigation
- Representation on Committee's and Boards
- Engagement with MPs
- Broader advocacy work

Challenges

- Broader sector-wide challenges, including funding cuts to CLCs and restrictions on use of funding for law reform and policy advocacy work
- Challenges facing individual CLCs, including time and resources, other priorities, staff experience/skills etc

Developing a Law Reform Strategy

- Preliminary questions
- Identify the issue and/or inquiry/review
- Ensure that you are adding value
- Understand the context
- Understand the body/institution
- Plan ahead
- Collaborative approaches to law reform

Add Value

Two key aspects of adding value in the context of law reform:

- Primarily undertake work in areas of expertise, where there are gaps, or you can usefully add to/supplement the work of others
- Add value to the particular inquiry/review, at the right time and in the right way

Context

What prompted the inquiry/review? Why is the particular body/institution being asked to undertake the inquiry/review?
Broader policy context?

Potential prompts:

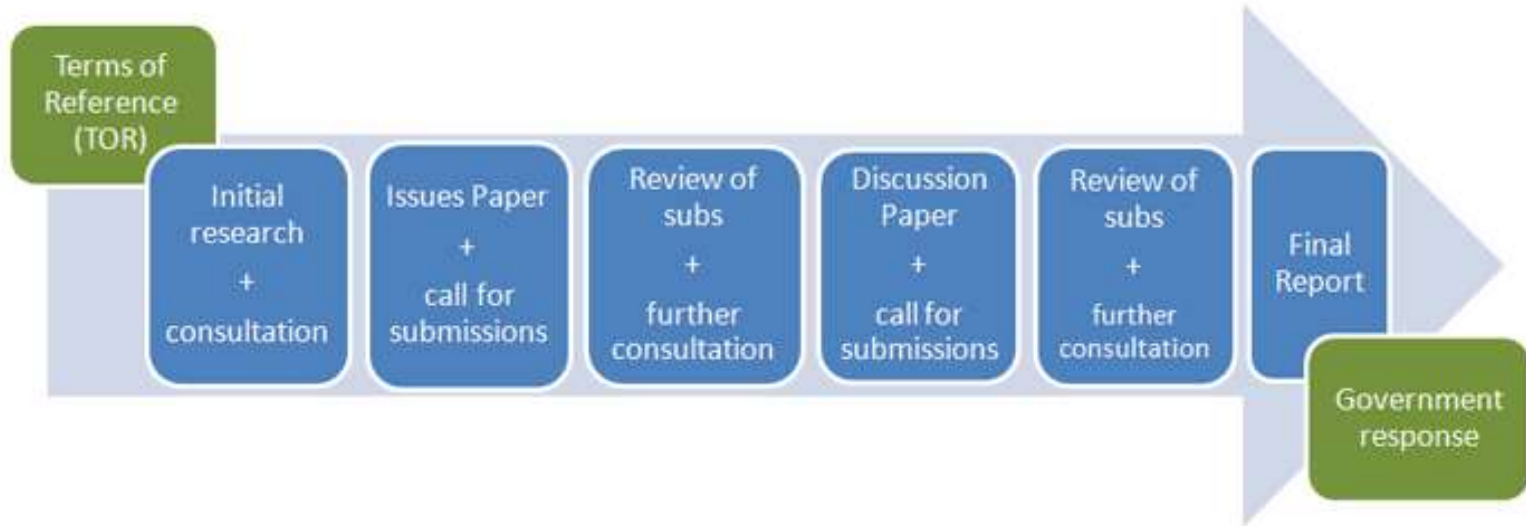
- Political context and processes
- National reports/plans/research/other inquiries
- International processes or developments
- Community concern or support

Understand the Body/Institution

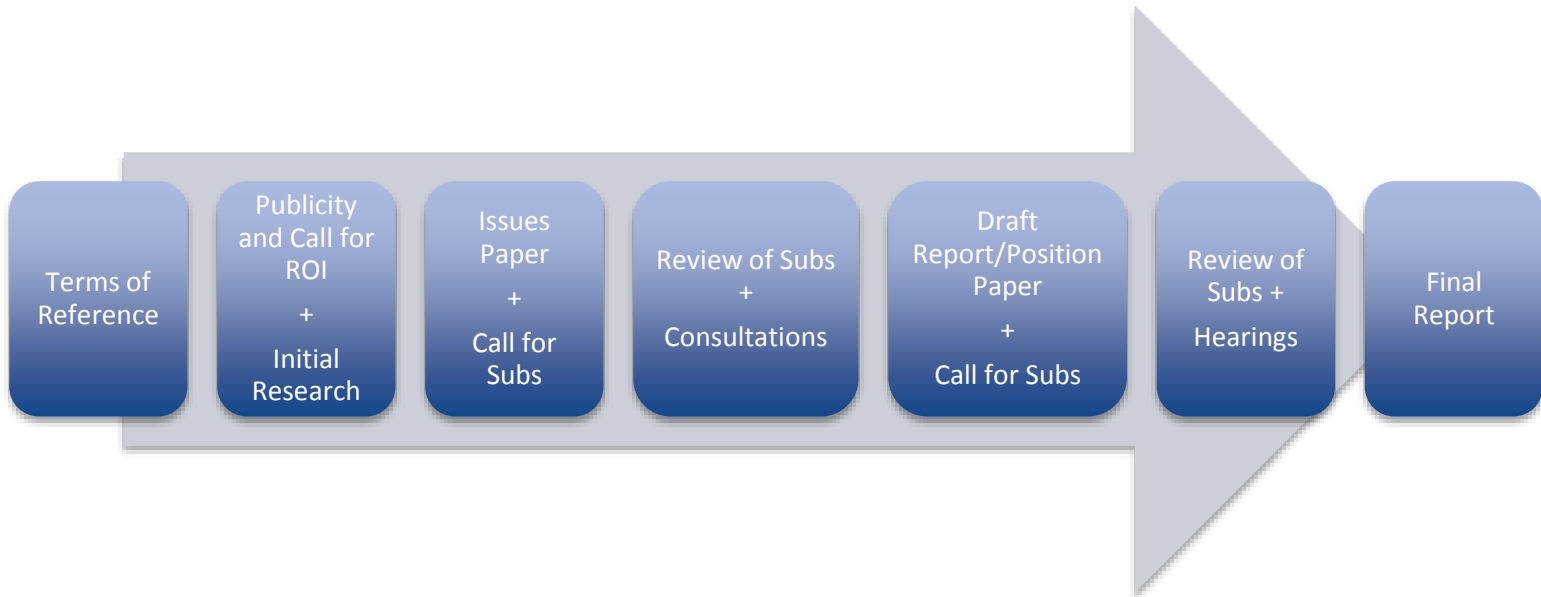
Key questions in relation to the body/institution:

- Structure and operation?
- Key people?
- Process?
- Perspective/focus?
- Relationship/engagement with CLCs

The Stages of Law Reform (ALRC)

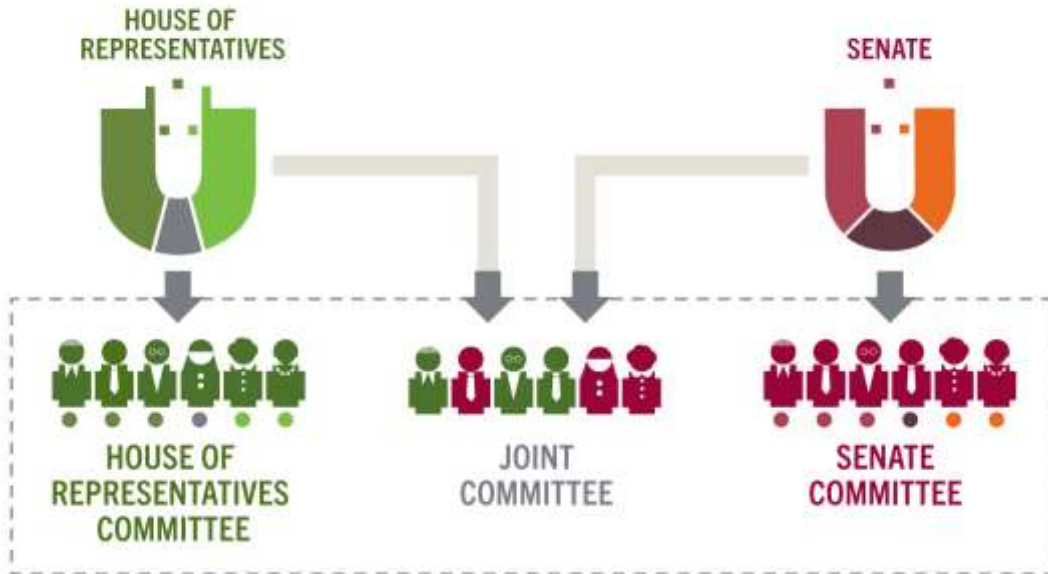


The Stages of Law Reform (Productivity Commission)



PARLIAMENTARY COMMITTEES

The three types of parliamentary committees



Source: Parliamentary Education Office

Timetable and Planning

- Formal timetable
- Develop your own timetable



Collaborative Approaches to Law Reform

Advantages: Broader pool of experience and skills;
information and resource sharing; capacity building; greater
credibility/influence

Difficulties: Additional time; various approval processes;
potentially uneven contributions



Group Exercise: The Stages of Law Reform

- Group 1: Terms of Reference
- Group 2: Issues Paper
- Group 3: Discussion Paper
- Group 5: Consultation/Public Hearings
- Group 6: Final Report

Writing Law Reform Submissions

- Modify submission depending on purpose of inquiry/review, broader context, the particular body/institution and stage of inquiry/review
- Identify problems and solutions
- Critical analysis
- Mirror structure of the Issues Paper/Discussion Paper/Draft Report
- Limit background information, particularly later in process
- Write clearly and concisely
- Research, data and case studies

Consultations/Public Hearings

- Establish format, participants and focus
- Preparation
- Collaboration and information sharing
- Key messages
- Build relationships

Any Final Questions?



**Rising
TO THE
CHALLENGE**

National CLCs
Conference 2014
ALICE SPRINGS NT



Amanda Alford

Deputy Director, Policy and Advocacy
National Association of Community Legal
Centres

Ph: (02) 9264 9595

Email: amanda_alford@clc.net.au