

Access to Justice: Language Services For Newly Arrived & Isolated Communities



Submission to Victorian Office of Multicultural Affairs

For and on behalf of the
Federation of Community Legal Centres (Victoria)

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1. Introduction

The Federation of Community Legal Centres wishes to enhance its language services to Victoria's culturally diverse non-English speaking communities, including recently arrived refugee communities through the appointment of a CLC Language Services Project Worker to evaluate and implement five distinct, but interrelated projects. Appointment of a CLC Language Services Project Worker would enable Federation to identify areas of need and to provide an opportunity to build on existing language service initiatives already underway in the sector. The impact of resource limitations and the capacity for CLC's to respond to shifting community demand needs to be examined more closely to ensure that any of the following initiatives remain relevant and accessible to CLC's and the communities they work with. Consultation may also see the identification and development of further initiatives not outlined in this preliminary discussion paper. This is particularly significant for regional and rural areas experiencing newly arrived communities with emerging language needs.

Possible projects include:

- Community Legal Education – Model Language Services Strategy
- Improved Language Services Through *communitylaw.org*
- In-House Production of Multi-Lingual Resources
- Creation of an Innovative Multi-Lingual Resource Network for CLE Workers in Community Legal Centres
- Enhancing Language Services through a Targeted Volunteer Program

The overall aim of these projects is to improve services for non-English speaking people requiring legal assistance and information from a Community Legal Centre and to encourage opportunities and reciprocal links between service users and providers.

The comprehensive provision of interpreter support and accessible information in languages other than English is crucial to ensuring effective and equitable access to justice for non-English speaking communities that typically experience a range of disadvantages and have little or no access to adequate information and support.

Integrating a more comprehensive and responsive language services strategy within the range of Community Legal Centres services is an exciting and timely initiative deserving further development and support.

2. Background

Victoria's Community Legal Centres have developed through the latter part of the 20th century as an integral part of our community. Forty-six such centres, (twenty-five generalist, twenty-one specialist), along with a secretariat comprise the Federation of Community Legal Centres providing a range of services to the Victorian community. The diversity that exists within the Federation highlights the breadth of justice related issues facing Victorians today, as well as to the variety of approaches taken in making justice more accessible and affordable to all Victorians, including newly arrived and isolated non-English speaking communities.

3. CLCs—practitioners of community law

While CLCs play a complementary role to other aspects of the legal system, they are also significantly different. A major contributor to this difference results from CLC's close connection to, and interaction with their communities. This is particularly significant for newly arrived and isolated non-English speaking communities.

It is this factor, together with their independence and community management base, which enables CLCs to be much more than providers of remedial casework services to people unable to access legal assistance—CLCs are practitioners of community law.

CLCs approach the practice of community law in an integrative and holistic manner:

- providing accessible legal information and advice services
- undertaking a range of casework functions
- promoting and undertaking legal education strategies which enable communities and individuals to develop a better understanding of the legal system and the law
- advocating for legal and social changes which redress injustices and inequities in the law
- facilitating community participation in the legal system to make it more equitable and accessible
- encouraging and supporting community participation in, and control over, the work and management of CLCs.

This approach is further enhanced by the fact that CLCs:

- are non-profit organisations
- are community based and responsive to the needs and issues identified by their communities
- are independent from government, which, at times, is important in engendering community and individual trust
- implement a practice continuum which values the relationships between direct client service provision, community development and legal education strategies, and law reform and social change initiatives
- adopt a holistic framework to legal issues, which responds to the connections between legal and other social justice problems faced by individuals and the broader community.

The CLC sector provides a strong network of generalist and specialist services both at a state level and nationally. They are also at the vanguard of providing access to legal services for regional, rural and remote communities and are well placed in responding to the needs of newly arrived and isolated non-English speaking communities.

4. Language Services In Community Legal Centres

While the use of interpreting and translating services for casework and advice services is well established, a comprehensive audit of the use of language services in Community Legal Education programs in CLCs is long overdue. A project worker would enable Federation to identify areas of need and to provide an opportunity to build on existing initiatives already underway in the sector. The impact of resource limitations and the capacity for CLC's to respond to shifting community demand needs to be examined more closely to ensure that any of the following language service initiatives remain relevant and accessible to CLC's and the communities they work with. This is particularly significant for regional and rural areas experiencing newly arrived communities with emerging language needs.

5. Project Summaries

Engagement of a project worker to undertake preliminary consultation with CLC's and other key stakeholders to identify areas of need, existing initiatives and future pathways for improvement of language services is critical if any of the following initiatives are to be successful. An audit of language service activities across CLC's will help inform which of the following projects will be most applicable to the needs of non-English speaking communities and service delivery of Community Legal Centres across the state. It is important to stress here that the following ideas require further consultation with Centres and key stakeholders, however are a starting point for discussion with the Department of Justice in relation to the VOMA Language Services strategy.

5.1 Community Legal Education – Model Language Services Strategy

Aims

- To identify and explore issues and needs of CLE workers and other key stakeholders including Migrant Resource Centres, in delivery of CLE programs in languages other than English by CLCs
- To develop a CLE model that incorporates comprehensive language service guidelines and policies for Community Legal Centres, particularly in rural, regional and isolated areas
- To increase access, awareness and information on rights and responsibilities in relation to the law for newly arrived and isolated non-English speaking communities
- To promote more comprehensive and targeted multi-lingual Community Legal Education programs within Community Legal Centres as an important component of the Governments current language service strategy

Outcomes & Benefits

- Improved language service resources within Community Legal Centre CLE programs including CD Rom, Resource Kit, Guidelines
- Piloting of a new multi-lingual CLE program for newly arrived and isolated communities by Community Legal Centres across the State
- Improved understanding of the Australian legal process, rights, responsibilities and access to legal services by newly arrived and isolated non-English speaking communities
- Sharing and pooling together of expertise, skills and support within newly arrived and isolated non-English speaking communities through relationship building with community based organisations such as Community Legal Centres

5.2 Improved Language Services Through *communitylaw.org*.

While some Community Legal Centres already have their own multi-lingual material, funding is required to assist other centres to translate and prepare their information and to ensure key content areas are accessible in languages other than English.

Aim

For the Federations newly developed on-line information service, *communitylaw.org.au*, to be expanded to include information in languages other than English for all centres. The development of consistent, readable and comprehensive on-line information is in keeping with the *Whole-Of-Government* language services policy and deserves support.

Implementation

Employment of project worker to coordinate preparation of material for translation, review of other suitable on-line models, design and placing of material on web site. The worker would ensure consistency and accuracy of all online translated information and set in place system for updating and maintaining that can be incorporated into the ongoing Web administrator's duties.

5.3 In-House Production of Multi-Lingual Resources

Aim

- To produce multi-lingual in-house publications and other resources
- To expand the capacity for member centres to undertake their own in-house translation work
- To establish of state of the art graphics (Photoshop) and quark desktop layout office at Secretariat for use by all member Centres
- To provide appropriate training and support

Background

The majority of Community Legal Centres have limited access to the technology and expertise required to produce quality, state of the art material that supports work in the delivery of comprehensive language services to the community.

Purchase of appropriate software and equipment supported by further training would enable centres to progress in this area of service delivery and improve access for non-English speaking communities.

5.4 Creation of an Innovative Multi-Lingual Resource Network for CLE Workers in Community Legal Centres

Aims

To develop a bi-lingual network of lawyers, educators, pro-bono translators and interpreters to enhance the provision of language services within Community Legal Centres.

The Federation of Community Legal Centres is well placed to perform the role of a language service clearing house for it's 46 member centres. Such a network would be an invaluable addition to external language services such as TIS & VITS in enhancing the capacity for Community Legal Centre's to remain responsive to the shifting demands of culturally diverse communities within their regions (e.g. newly arrived Somali populations in Warrnambool) through sharing of resources and expertise. In a sector faced with resource limitations and relatively high staff turnovers the fostering of an centralised language service network would help ensure a better supply and quality of language services for people seeking advice and assistance from Community Legal Centres.

Outcomes & Benefits

- Establishment of an on-line resource network
- Improved capacity to support more isolated communities and centres requiring language services and guidance

5.5 Enhancing Language Services through a Targeted Volunteer Program

Aim

- Establish a process for the recruitment and placement of bi and multi-lingual community volunteers in local Community Legal Centres with the aim of improving language services to communities requiring legal assistance
- To increase access to trained bi & multi lingual volunteers within the community sector
- To encourage and assist people to become more involved in their own community
- To expand employment & training opportunities for bi and multi-lingual community volunteers

Background

Community Legal Centres are faced with an ongoing challenge to attract and retain the support of bi and multi-lingual lawyers and para-legal volunteers, despite the high demand from the community for interpreter services. While external language services such as the Victorian Interpreting & Translating Services (VITS) and Translating & Interpreter Services (TIS) are regularly accessed, it is clear that garnering expertise and skill from local communities and promoting ongoing participation has potential longer term benefits to both service provider and volunteer.

Outcomes & Benefits

- Production of a promotional package to recruit bi and multi-lingual legal and para legal volunteers
- Building expertise and qualifications of language service volunteers across the range of Community Legal Centres
- Encouraging community participation and ownership amongst non-English speaking service users – word of mouth, information sharing and distribution of material printed in other languages
- Encouraging the development of peer support and mentoring opportunities for multi-lingual community volunteers
- Assisting in facilitating links between local communities and community based services such as Community Legal Centres
- Creating future employment opportunities and opening up job prospects
- Providing opportunities for subsidised/supported training in courses such as accredited interpreter training, community development, welfare and law

6. Budget

1 x Project Worker (2A Yr 6)
 Admin & oncosts inc. phone, post etc.
 Travel
 Printing
 Promotion
\$100,000

Time line

12 Months

Conclusion

It should be noted that the purpose of this Submission outline is to provide a draft for discussion, feedback and further development. Subject to financial support, we will need to identify what projects can be undertaken and completed within budget and time frame. Recognising that the list is fairly broad and ambitious in its scope, it may be that we can combine projects. It is anticipated that, with good planning, concurrent development can

