



## Information Sheet I:

# COMMUNITY LEGAL EDUCATION: A CORE COMPONENT OF COMMUNITY LEGAL CENTRE WORK

Community Legal Centres (CLCs) carry out free legal advice, assistance and representation, community legal education and law reform/policy activities. They do these activities within a community development framework.

*“CLCs in Victoria operate from the belief that the legal welfare of our communities is dependent on the active integration of a number of roles and functions...namely, to provide legal assistance, to provide legal education and information, and to promote the reform of laws and procedures which inhibit justice.*

*CLCs in Victoria acknowledge that a person’s relationship with the law cannot be separated from the socio-economic circumstances of their lives. Structural inequality has been institutionalised by the legal system, and structural change is essential to overcome this.*

*It is this commitment to a holistic and integrated approach to service delivery that sets CLCs apart from mainstream, user-pay legal services. And it is this difference which must be protected, promoted and advanced.” (van Moorst et al, 1992, p290).*

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**Legal advice/assistance/casework; community legal education (CLE) and law reform/legal policy work** are generally recognised as the three core, non-negotiable and inter-related components of the work of CLCs. These elements are sometimes referred to as the “strategic service delivery model”.

These components combine with

- independence from government
- connection with community and a community development approach
- use of paid staff and volunteers to deliver services
- social justice perspective

to create the unique role, status and placement of CLCs within the broader legal and justice sectors.

These elements distinguish CLCs from private law firms and from legal aid commissions (eg. Victoria Legal Aid). They provide the ideological, practical and service delivery framework from which centres seek to resolve individual legal issues and to address the broader structural factors, that create and perpetuate them.

Even with the general support and recognition that they have achieved, at times throughout their history CLCs have had to fight hard to maintain their fundamental approach and principles. Factors such as resource constraints, demand for services, reporting requirements, the changing policy environment and funding priorities, have put pressure on centres to focus their energies on direct service delivery – providing individual services to individual clients. At each challenge, centres have reasserted their commitment to the strategic service delivery model, a holistic approach, to social justice, to community development principles and to their independence.

### Relationship between core components

In CLCs the three core components are inter-related and integrated.

The legal advice, assistance and casework undertaken by CLCs often highlight underlying structural issues or the need for better information out in the community. CLCs may decide to address this through CLE and/or law reform activities.

CLE activities can impact upon the demand for advice and casework services. CLE may prevent people from getting into legal difficulties, or else assist them to identify and deal with the problem at an earlier stage. Alternatively, CLE activities may create demand for advice and casework services as people becoming increasingly aware of their legal rights and responsibilities. CLE may change the nature of legal advice and casework service provision, with clients being given the tools to be more active in the resolution of their own matters.

The law reform/policy work undertaken by a centre is generally directed by the issues and concerns of that centre’s community. Centre advice and casework data is an important tool for identifying issues and trends. Statistics and case studies are powerful lobbying tools. Changes in laws and legal process may impact upon casework levels. The centre may educate the community about the change and hear about the impact of change through CLE activities. CLE may be a mechanism through which the centre informs their community about relevant issues and involves the community in raising concerns and seeking reform. CLE can provide a mechanism for the two way exchange of knowledge between centres and communities that informs structural change and law reform.

### Community Legal Education

*“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.” (National CLE Committee, 1995, p1)*

While both are seen as components of CLE, the above definition makes a distinction between information and education. Information provision may form part of the overall educative process, however, information by itself is not necessarily education. The production and distribution of a booklet about a particular area of law, for example, could be seen as information provision. If representatives from the centre’s community were involved in researching and producing the booklet, or if the booklet is used in a workshop as a basis for discussion and exploration of issues, then it becomes an educative tool.

This distinction is further explored by Biondo (2001, p2), *“CLE has been perceived to comprise 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 – we all know that 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.”*

Goldie (1997, p11) defines CLE as *“a learning process about the law which empowers people who share common problems or issues through knowledge, skills and/or attitudinal changes to be able to do things differently.”* She stresses that empowerment and community participation are important principles in CLE.

The vision, goals and objectives of CLE are explored in the *Guidelines for the Management of Community Legal Education Practice* (National CLE Committee, 1995), see Information Sheet 2.

## CLE’s Scope

The scope of CLE is broad. CLE activities may address

- substantive areas of law
- legal structures and processes
- the administration of the legal system
- the making and reform of law and legal processes
- the impact of the law and legal processes upon individuals and groups
- current issues
- past, present and future contexts and perspectives.

Activities may be once-off, repeated or ongoing, and provided in the short, medium and longer term. The strategies for the design and delivery of CLE are limited only by the imagination and resourcefulness of the CLE provider.

## Community

Decisions about areas in which a centre will undertake CLE work are usually closely related to the identified needs, interests and concerns of the community that the centre has been established to serve. A centre’s “community” may be defined by geographically based catchment areas, it may be a “community of interest”, for example, public transport users, it may be an identified community, such as Sudanese people living in Footscray, or a mixture of these.

As communities often share similar characteristics or concerns, the work done by a particular centre may have wider relevance, both in terms of content and strategies. There may also be opportunities for collaboration, partnerships and joint initiatives. Contacting the Federation and/or getting involved in the

Federation’s CLE Working Group (CLEWs) is a great way of finding out about what other work is happening in the sector.

### TIP!

The acronym “CLE” is used in more than one way in the legal sector and this can create confusion. As well as **Community** Legal Education, “CLE” is also used as an abbreviation for **Clinical** Legal Education – programmes run by university law schools to provide ‘hands-on’ experience to law students. “CLE” is also used for **Continuing** Legal Education – ongoing training undertaken by legal professionals to assist in the development and maintenance of relevant knowledge and skills. It is essential that the acronym be clearly explained and used appropriately in a given context. The terms are quite distinct and not interchangeable.

### Conclusion

CLE is a core component of the work of CLCs. Through CLE, centres aim to inform and educate individuals and communities. This *enables “the community to evaluate the significance of the law to their particular circumstances and make informed choices about the legal options available to them”* (Nicoll, 1987). CLE also seeks to assist individuals and communities to understand and assess the impact of broader legal structures, processes and issues, and to take action accordingly.

CLCs have an enormous amount of experience and expertise in the design and delivery of CLE. The connection with ‘community’ makes centres very well placed to continue and to develop this area of work. We can learn from and extend what has been done to date. We can also look forward to new initiatives, underpinned by trademark CLC resourcefulness and innovation.

### BIBLIOGRAPHY AND FURTHER READING RESOURCES

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