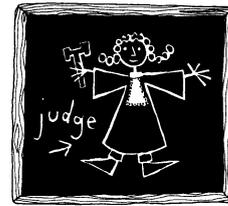


# LEGAL STUDIES

## Causes of inaction



In their article 'Causes of inaction' Tracey de Simone and Rosemary Hunter examine barriers to accessing legal aid services. Although the article refers to the provision of legal services in Queensland, the issues raised are relevant to legal aid services throughout Australia.

### Barriers to legal aid

Read the article and then, working in small groups, answer the following questions:

1. What is legal aid?
2. The article discusses the experiences of women when applying for legal aid.
  - a. Six groups of women were considered within the project. Identify the groups.
  - b. Suggest how the groups may have different needs for legal aid.
  - c. The project looked at the refusal of, or failure to apply for, legal aid in relation to three areas of law. What are these areas of law?
  - d. How might these areas of law impact on the rights of women?
3. Draw up a 'mind map' to illustrate the barriers to legal aid and their impact on the capacity of women to exercise their rights. Use a different colour or outline to differentiate each Step.
 

**Step 1:** Write or draw the main idea of legal aid in the middle of the page and frame it.

**Step 2:** Draw branches from your main idea to form sub-topics. On each, write or draw a barrier to legal aid.

**Step 3:** Branch off from each sub-topic identified in Step 2: write or draw the impacts of each barrier on women.
4. The research identified several issues within the process for considering and refusing applications for legal aid.
  - a. What were some of the problems identified?
  - b. Was there a difference between regional and metropolitan areas? Explain.
  - c. Why was there a low rate of appeal when legal aid was refused?
5. The article states, 'Overall, the ultimate outcomes achieved ... were not encouraging. In around one quarter of the family law cases, the matter was still ongoing. Among those whose matters had finalised, the majority received a negative outcome'. What do you think are the long-term consequences of these negative outcomes for:
  - women?
  - the community?

6. Using poster paper, brainstorm the following questions:
 

**Connect:** How are ideas and information about barriers to legal aid presented in the article? How did this connect to what you already knew about legal aid?

**Extend:** Which other groups in the community do you think may experience similar problems in accessing legal aid?

**Challenge:** How do these barriers challenge the effectiveness of the legal system to achieve justice? What questions do you now have about the provision of legal aid?

Share your responses with the class.

### Legal Aid

Undertake research into the provision of legal aid in your state or territory using the following links:

ACT	< <a href="http://legalaid.canberra.net.au">legalaid.canberra.net.au</a> >
New South Wales	< <a href="http://legalaid.nsw.gov.au">legalaid.nsw.gov.au</a> >
Northern Territory	< <a href="http://ntlac.nt.gov.au">ntlac.nt.gov.au</a> >
Queensland	< <a href="http://legalaid.qld.gov.au">legalaid.qld.gov.au</a> >
South Australia	< <a href="http://lsc.sa.gov.au">lsc.sa.gov.au</a> >
Tasmania	< <a href="http://legalaid.tas.gov.au">legalaid.tas.gov.au</a> >
Victoria	< <a href="http://legalaid.vic.gov.au">legalaid.vic.gov.au</a> >
Western Australia	< <a href="http://legalaid.wa.gov.au">legalaid.wa.gov.au</a> >

Design a poster to:

- a. Outline the service provided by legal aid.
- b. Explain the process used to determine who is eligible for legal aid.
- c. Pinpoint the main features of the website. How would you make this website more accessible?

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