



## JOHN CURTIN LAW CLINIC 2019 REPORT



*John Curtin Law Clinic students and staff with Small Business Commissioner David Eaton (centre, back row) and staff from the Small Business Development Corporation*

### Foreword from the Dean

At every turn Curtin Law School seeks to integrate professional practice with higher education. The John Curtin Law Clinic is a crucial aspect of this vision.

Our work at the Law Clinic brings together students and legal practitioners to provide quality legal advice for our clients. In providing this advice Curtin Law School students make practical contributions to the Rule of Law by improving access to justice. Involvement in the Law Clinic is also of individual benefit to students as budding legal practitioners.

In 2020, the John Curtin Law Clinic is expanding its operations to include the servicing of social enterprises and not-for-profit organisations through Curtin Link, as well as providing advice and possible representation in the discrimination practice area. This expansion will assist in projecting the Law Clinic into the future.

I trust the John Curtin Law Clinic will become an important and enriching part of the Curtin Law School experience.



**Professor Robert Cunningham**  
Dean and Head of School  
Curtin Law School

### Report from the Principal Lawyer

2019 represented a year of consolidation and preparation for future growth at the John Curtin Law Clinic. Building on the sound foundation laid over the past two years, we continued to focus on assisting the 'missing middle', i.e. those who are ineligible for existing pro bono legal assistance but who also cannot afford private services. We are mindful that providing meaningful assistance to this group is a long-term work in progress. In a bid to enhance our existing advice services to clients (which is necessarily constrained by finite resources), we have started a number of community legal education projects, including presentations to emerging small businesses and creating online resources that can be accessed at any time. These are evidence-based initiatives for empowering small businesses to take an active role in contributing to systemic change. The impact on the students can also be profound.

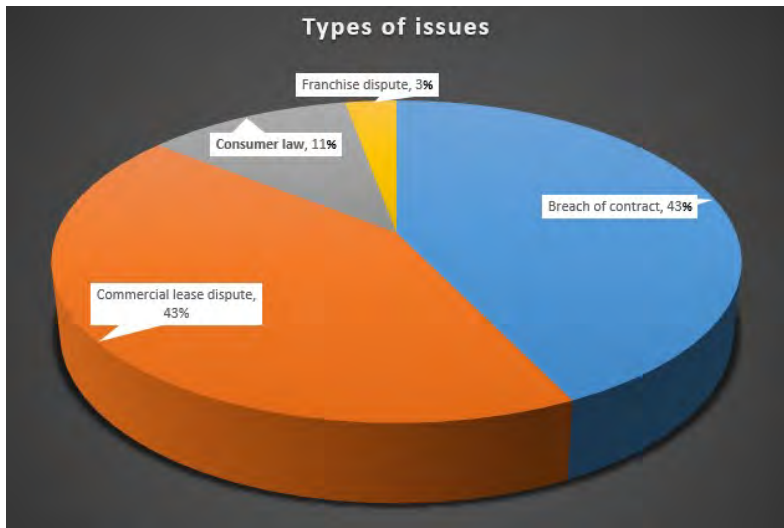
I am particularly proud to share a video aimed at assisting parties attending mediation in the Magistrates Court, see [here](#). It was created by a group of dedicated Clinic volunteers who spent many hours on weeknights and weekends researching, scripting, rehearsing, and recording it. Special thanks to Curtin staff member, Hamish McNair, for also volunteering his time to film and edit the video. We encourage you to view and share it.

Most of our clients continue to be small businesses referred to us by the Small Business Development Corporation and we sincerely thank the Commissioner David Eaton and his team for their continued support. Increasingly, we are also receiving referrals of potential clients from community legal centres, private law firms, and courts and tribunals. Though we cannot assist all referred matters, we aim to make a useful contribution to the triage process and are grateful for the strong network of legal professionals offering pro bono services. Our law students are fortunate to have so many role models.

**Rosaline Tan**  
Principal Lawyer, John Curtin Law Clinic

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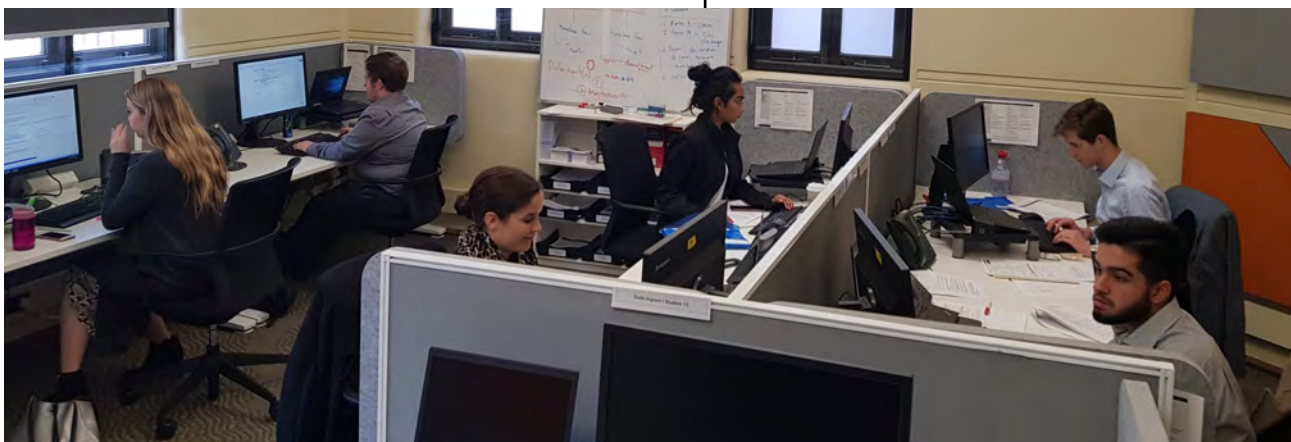


### Client feedback

*"You provided a very thorough review of our issue and we were able to use that to write our own letter advising our position on the matter, which resulted in the issue being resolved."*

*"The communication was excellent and the understanding of the situation and the resolve was prompt and well explained. I greatly appreciate your time and resources you provided and the support behind."*

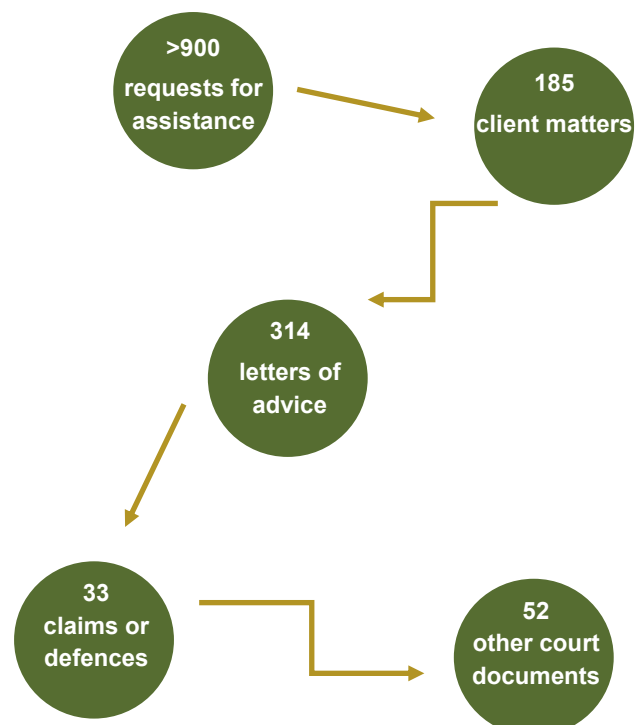
*"Fantastic advice for a new business owner in a situation."*



Students at work in the Law Clinic

### Cumulative figures to end of 2019

Since February 2017, we have welcomed 8 cohorts, comprising 77 students and volunteers in the John Curtin Law Clinic. Together, they have provided the following services:



### Client feedback cont.

*"I am so very pleased and grateful this service is offered by Curtin, their staff and students, and I have every confidence in the advice."*

*"I valued the experience and had a much better understanding of the whole legal process."*

*"The supervising lawyer and the Law students were very professional in their approach and manner."*

*"Very helpful, and well prepared me to court. Didn't guarantee win, but explained all the possible outcome, and my position. Really feel grateful for all the preparation and submission. Well done."*

*"Thank you so much for your assistance with this matter, it was greatly appreciated and assisted with resolving our matter."*

*"I was totally happy with the service and outcome given to me. Thank you."*

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**John Curtin Law Clinic students and staff with the 2019 Curtin Accelerate teams (above) and Curtin Law School intellectual property academic Dr Cheryl Foong (right)**

During 2019, the Magistrates Court of Western Australia and Curtin Law School trialled a program whereby John Curtin Law Clinic students were given the opportunity to undertake short-term research internship placements with the Magistrates (civil jurisdiction) and the Mining Warden. The response to the program was positive and has been renewed for a further two years. The students are very grateful to the Court judicial officers and staff for their support of the program and for the remarkable opportunities it affords the students, including rare insights into our legal system as highlighted in the student reflections below.

*This opportunity provided me with an experience and perspective entirely unique to any other legal work experience I have undertaken. It forced me to put myself in the shoes of the decision-maker, as opposed to having the role of attempting to persuade the court. I learnt that quite often, there is no one correct answer to a legal problem – even judges struggle with the issues that a matter can present at times. To me, this cemented the idea that a large part of your role as an advocate is to make the decision-making process easier for the judge; doing so will give your case the best possible chance for success.*

*I'm incredibly grateful for the opportunity I had to work at the Warden's Court. It has provided me with a unique perspective that I'm sure will be invaluable throughout my career.*

**- Ruth Kooy**

*Working at the Magistrates Court has provided me with a panoramic view of the work done by the judiciary. This perspective is open to only a handful of practitioners who are fortunate enough to serve our justice system in this special way. I have been able to learn from the wisest in the profession. To have the opportunity to read files, discuss legal issues with magistrates and watch matters unfold in applications, mediation and court all before my eyes has been the most amazing experience.*

**- Melanie Noid**



**Curtin Law School Clinic and PLT students and staff with Executive Director Jacky Finlayson (5th from right) and staff from the Small Business Development Corporation**

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*We asked students to describe their Clinic experience...*



*“Brilliant learning environment and excellent support. A very worthwhile unit in so many ways.”*

*“The best unit ever.”*

*“Quality practical experience which couldn’t have been gained anywhere else. Such a supportive environment all around.”*

*“This was the most helpful unit I have done and I would recommend it to anyone.”*

*“I developed a lot in this unit and grew my confidence.”*

*“Legal Clinic is a fantastic learning experience.”*

### GUEST LECTURERS & IN-KIND SUPPORTERS

- Chief Commissioner Pamela Scott, WA Industrial Relations Commission
- Commissioner for Small Business, David Eaton
- Magistrate Trevor Darge, Magistrates Court of Western Australia
- Registrar Hollymaree Cobby, Magistrates Court of Western Australia
- Registrar Susan Bastian, WA Industrial Relations Commission
- State Administrative Tribunal Member Bertus de Villiers
- Cedric Williamson, Barrister, Murray Chambers
- Dr Cheryl Foong, Curtin Law School
- Frances Pitt, A/Manager, Court Operations, Magistrates Court of Western Australia
- Dr Hugh Finn, Curtin Law School
- Jacky Finlayson, Executive Director, Small Business Development Corporation
- James Illich, Lawyer
- Jaya Ralph, Faculty Librarian
- Lawrence Lee, Partner, Lavan Legal
- Leigh Smith, Curtin Law School
- Manjeet Janjua, LexisNexis
- Professor Robert Cunningham

### STUDENTS & VOLUNTEERS

- Briony Qijing Chen
- Chantal Kong
- Christy Vu
- Danielle Bushby
- David Mulligan
- Dayaanita Powehll
- Declan Hooper
- Eliza Murphy
- Emma Townsend
- Fiona Yokohata
- Georgia Cole
- Jasmine Trewin
- Larissa Dassanayake
- Melanie Noid
- Michael Morgan
- Michaela McGurdy
- Mukesh Dahiya
- Olivia Russell
- Oma Murad
- Prudence Harrison
- Rabea Zeynali
- Rebecca Robinson
- Rebecca Schifferli
- Scott Ingram
- Tariq Alardah
- Taylor Saggars

### STAFF & SUPERVISORS

- Elisha Rose
- Gemma Nugent
- Jasmine Lyons
- Katrina Williams
- Kirsty Farrell
- Kyle Bowyer
- Lisa Henderson
- Sharon Quek
- Rosaline Tan

### CLINIC VIDEO VOLUNTEERS

- Danielle Lisbon
- David Mulligan
- Fintan Roberts
- Hamish McNair
- Melanie Noid
- Nadine Elmowafy
- Rosaline Tan
- Samuel Vinicombe
- Tiffany Jiang



*Curtin Law School Clinic students and staff with State Administrative Tribunal Member Bertus de Villiers (centre, back row)*