



JOHN CURTIN LAW CLINIC

Interim report: January to April 2018



Trimester 1B Clinic students with staff from the Small Business Development Corporation

Front row (L-R): **Julian Sher**, Curtin Law School Director of Professional Programs; **Rosaline Tan**, Principal Lawyer, John Curtin Law Clinic; **David Eaton**, Small Business Commissioner

Traditionally, law schools have provided students with the substantive knowledge to practise law but few of the practical skills to enable them to do so upon graduating.

Through the John Curtin Law Clinic, Curtin law students have an extraordinary opportunity to acquire and develop essential professional skills whilst providing access to justice for small businesses – an often over-looked, but essential, component of our community and economy.

The Law Clinic offers pro bono legal advice and assistance to eligible small businesses based in WA. Clinic students are responsible for meeting with clients and

taking instructions, managing client files, and preparing written legal advice. Under the supervision of experienced legal practitioners, Clinic students use the knowledge they have gained in the classroom to assist real clients resolve their legal issues.

Our services are not limited to one-off legal advice or assistance. Students also assist clients on an ongoing basis by drafting correspondence for clients to send to third parties, preparing court documents for proceedings in the Magistrates Court and the State Administrative Tribunal, and helping clients prepare for court hearings and mediation.

“
I'm really grateful for the Law Clinic's help. I would read documents several times and just couldn't understand them. But after just a few conversations with yourselves it all made sense. Thank you, I really appreciate it.
” – Law Clinic client



Negotiation skills seminar with **Adam Sharpe**, Barrister, Francis Burt Chambers

Clinic students

Ahmad Reza Khedry	Michelle Wong
Gharibvand	Rachel Wong
Bryan He	Ruth Kooy
Carmen Chia	Samuel Vinicombe
Danielle Lisbon	Stacey Juras
Fintan Roberts	Tiffany Ferguson-Blight
Hamish Robertson	
Jasmine Lim	John Teck Ling
Kirtika Kayarat	(volunteer)

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In this period, the Clinic students met with 45 small business clients who sought advice and assistance on a range of commercial issues, including lease disputes, claims for breach of contract and payment of outstanding debts, unfair contract terms and other consumer protection law issues, and disputes arising under sale and purchase of business agreements. The volume and type of work provided by the Law Clinic is shown in the adjacent chart.

Thanks to the hard work of the Law Clinic students, many of whom volunteered additional time to work on their client files, the Law Clinic provided the equivalent of just over \$120,000 in legal services. This brings the total pro-bono contribution of the Law Clinic to almost \$350,000 in just over 12 months.

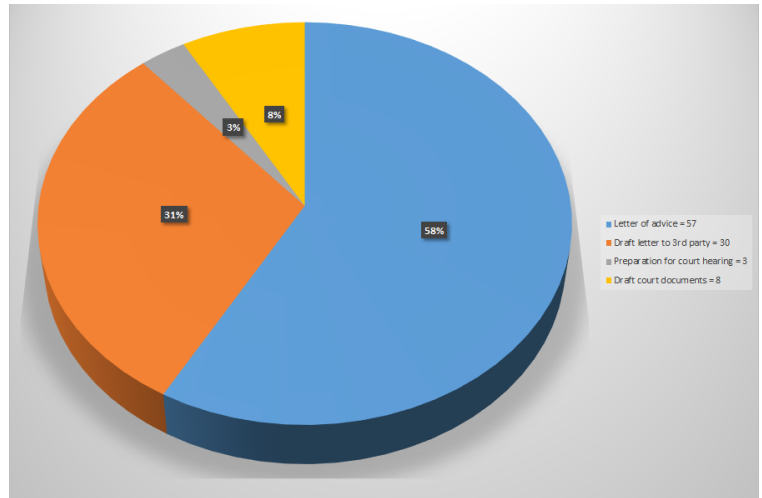
The median cost of our services was roughly \$3,000 per client. This is a cost that many small business clients already under significant financial pressure and facing escalating debts often cannot afford. Yet sound legal advice or assistance can make a critical difference to the outcome of their dispute, their business, and their lives.

The Clinic students also took part in professional development seminars led by experienced legal and industry practitioners.

Seminar topics included how to manage challenging clients; restraints of trade; distinguishing factors of employees and independent contractors; the purpose of written legal advice; negotiation skills; commercial tenancy legislation; introduction to tax law for small businesses; and tips for graduate lawyers.

We are indebted to the following practitioners and small business community leaders for supporting the Clinic's work:

- ◆ David Eaton, Small Business Commissioner
- ◆ Paul D Evans, Partner, Quinn Emanuel Urquhart & Sullivan LLP (former State Solicitor)
- ◆ Dirk Fairweather, Fairweather Litigation



- ◆ Matthew MacFarlane, Program Lead, Curtin Accelerate
- ◆ Jim Mouzalidis, Legal Officer, Small Business Development Corporation
- ◆ Elisha Rose, ER Legal
- ◆ Rob Sceales, Principal, Sceales Lawyers
- ◆ Adam Sharpe, Barrister, Francis Burt Chambers
- ◆ Julian Sher, Director of Professional Programs, Curtin Law School
- ◆ Leigh Smith, Lecturer, Curtin Law School
- ◆ Jenny Thornton, Barrister, Quayside Chambers

Finally, Clinic student Samuel Vinicombe and Principal Lawyer Rosaline Tan also made submissions on behalf of the Law Clinic to the Australian Small Business & Family Enterprise Ombudsman Inquiry into Access to Justice for Small Business. The ASBFEO interim report is to be released in mid-2018.

At the time of this interim report, Trimester 2 has already started with the next cohort of students hard at work!

“
Legal Clinic has been my favourite unit of my Law degree. In my opinion, it has also been the most useful in regards to learning practical skills that will help me in my future career.

Rosaline is a great mentor and encourages students to do well. She is also very approachable and has provided lots of useful career related advice and information.

I would highly recommend Legal Clinic to others. Our assessments were marked with thorough comments and time was taken to discuss our assessments with us individually.

” – Clinic student

Contact us

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Clinic students taking part in induction and training activities prior to starting in the Law Clinic.