

- also suffer the same (gentle) criticism made of John Chesterman's substantial account of FLS's history; that it is polite and 'captures little of the flavour of the personalities and intrigues that are the history of the older legal centres': Smith, S., above, p.52.
6. This number has been recorded differently by other authors. David Neal, writing 10 years after the establishment of FLS, observed that 40 were in attendance (Neal, D., above, p.6). Some 10 years later this had doubled to a figure of 80 (Chesterman, J., above, p.257). The Chesterman figure is used here. Neither of the co-authors of this article either lay claim to founding the FLS, or being able to confirm, first-hand, the accuracy of the adopted figure. Perhaps, like who actually founded the FLS (and that debate could provide material for an entire article), the event is of such importance that those claiming to be there will grow at each anniversary.
 7. See Chesterman, J., above, p.12.
 8. We are aware of the debate about the actual beginnings of the CLC movement. The Aboriginal Legal Service was probably formed prior to the start of the FLS. Springvale Legal Service also began operation very shortly after the start of FLS, and had been operating in a somewhat less formal way prior to that time. Suffice to say, the early 1970s saw the birth of the CLC movement and FLS as a vital part of that beginning.
 9. Chesterman, J., above, pp.13-16.
 10. Chesterman, J., above, p.5.
 11. Smith, S., above, p.52.
 12. Chesterman, J., above, p.192.
 13. A detailed history of the provision of free legal services (legal aid in its widest sense) is clearly beyond the scope of this article. Such an account is given in Field, C. and Giddings, J., 'The History of Legal Aid', Giddings J., (ed.), *Legal Aid in the 90s — At the Crossroads Again*, Fitzroy Legal Service Publications, 1997
 14. Biondo, S., and Field, C., 'Legal Aid in the 1990s — The Slide Back to Charity', (1996) 8 *Just Policy* 39.
 15. Robertson, D., 'Poor Laws — A History', (1994), 19(1) *Alt.LJ* 21.
 16. Noone, Mary Anne, 'Imperatives for Community Legal Centres', (1992) 17(3) *Alt.LJ* 120.
 17. For a detailed analysis of the use of casework in achieving legal and social change, see Giddings, J., 'Casework, Bloody Casework', (1992) 17(6) *Alt.LJ* 255. CLCs have also been heavily involved in police issues, an area 'well serviced by the private legal profession' (p.263).
 18. For a detailed explanation of this policy, see Palmer, D., 'When tolerance is zero: is this the future of policing and crime prevention?', (1997) 22(5) *Alt.LJ* 213 at 232.
 19. Noone, Mary Anne, ref.3 above, p.29. The current pressures on CLCs are outlined comprehensively at p.26.
 20. Neal, D., above, p.6.
 21. Noone, Mary Anne, ref.3 above, p.26.
 22. Able, R., 'The Paradoxes of Legal Aid' in Cooper and Dhavan (eds), *Public Interest Law*, Basil Blackwell, 1986, pp.379-93.
 23. Questionnaire response.

Sex-starved, suit-wearing volunteers say 'we don't know' to service restructuring

Volunteers at Fitzroy Legal Service

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There have been about 800 volunteers involved in FLS since its inception. They have ranged from legal to non-legal, night to day time volunteers, women and men, and people who move in between and/or around all of these categories. I am a 1990s, Aussie female, not (quite) legal, day — and (more recently) night-time volunteer. And although this makes my experience pretty typical of other volunteers in FLS today (in that the majority of volunteers are 1990s Aussie female, not (quite) legal, night-time volunteers) I can't claim that my views are in any way representative of all (or indeed any) of the volunteers who service FLS today, let alone lay claim to a mutuality of opinion with volunteers of the past.

It is crucial to an understanding of FLS that the importance of community participation and empowerment be recognised. FLS was not supposed to be a mere legal service but had the other equally important aims of law reform and social critique, and community education. Significantly, this was one of the main ideas behind having non-legal volunteers. It was the non-legals who would bridge the gap between the community and the lawyers, and who would explain the gap between experiences of the members of the community and the rhetoric of law and justice. The community-based 'flat' management structure of the service would encourage members of the community to become involved beyond meeting their immediate needs for legal advice and/or representation. The unthreatening casual environment of a dingy and crowded

basement below the town-hall would also facilitate this process.

The four noble truths of FLS which emerged are: servicing the community, empowering the community, involving the community, educating the community. Ironically, writes Chesterman,* as early as 1973 any realistic hopes that the members of the community would become more involved in the administration of FLS (let alone their own collective emancipation) had well and truly ossified. In 1973 I was two years old; 24 years later, I find myself constrained and frustrated by that continuing reality.

I am not alone. I recently attended an FLS General Meeting (GM) where the

*Acknowledgment: The writer gleaned much of the information for this item from John Chesterman's book *Poverty Law and Social Change*, Fitzroy Legal Service, 1996.

debate about community and volunteer participation raged. The context was a proposal put forward by some members recommending that FLS be restructured. Instead of four GM's a year, it was proposed that a Committee of Management be introduced, to be elected at the AGM. Other committees would be created and forums held with the purpose of facilitating community involvement. The restructuring was described as necessary, not only in terms of improved efficiency, but also in terms of best suiting the needs and skills of current FLS volunteers. The argument, as I understand it, is that current volunteers are more interested and skilled in the area of service delivery than in the other aims of legal reform, community participation and issues of empowerment. This is particularly reflected by the lack of volunteer involvement in the GM's which is where the policy decisions about FLS are canvassed and voted on.

Sam Biondo, the current FLS Community Development Worker, sees the concern about low levels of community-based participation in FLS and the resulting restructuring as part of a more general scepticism about community-based management welfare organisations. He argues that the current

economic rationalist climate will see, if not an end to volunteer-based organisations, at least a significant decline in the altruistic motivation of the volunteers. It is unlikely, he argues, that volunteers will 'stick around' to serve the interests of government bureaucrats in the event that FLS is put up for tendering. Integral to volunteering is a commitment to the community and a belief that a community service should be engaged in community consultation to dictate what the policies of that service are going to be. In an informal interview, he said, 'the legal service is very much a symbol of social justice. That's what the oldies remember. The newies might remember different things, like how they learnt to practise their trade.'

So what do the volunteers say? Overwhelmingly you feel your needs are being met by FLS. However, you would prefer more training in legal service, rather than administrative aspects of the service. Some of you feel rewarded because the clients like you, you make friends, you have access to resources, get experience and feel satisfied with yourself. Some of you don't feel as if you get enough recognition. You do feel your experience as a volunteer would be improved if you did more legal work and if the volunteer lawyers were more committed to turning up.

Clearly the typical volunteer of the 90s is conscious of the career advantages that may arise from volunteering at FLS. Whereas volunteering at FLS may once have put a black mark against your name, today legal voluntary work is almost mandatory for law students hoping to secure articles. For volunteers who are already working, most typically lawyers, your reasons range, I imagine, from altruism to keeping up skills in areas of law you don't practise in your current employment. Ultimately, however, ever increasing workloads for all volunteers serve to create impediments to full involvement in the broader aims of FLS, beyond providing (or assisting in the provision of) free legal advice for one night of the week every fortnight in the overwhelming majority of cases.

I am the offspring of an otherwise inharmonious marriage between FLS's twin aims of service delivery and community education, participation and empowerment. My inglorious introduction to FLS was as a client, not a volunteer. It was from a combination of the intense gratitude that I felt in receiving the genuine and caring service and the fact

that I also happened to be a law student and was thus invited to become a volunteer, that I was attracted to, and became committed to the policies, principles and practices of the FLS.

What enabled me to cross that gulf between client and participator was certainly not my legal expertise. It was the fact that from day one, I was included, accepted, given responsibilities, relied upon, and asked to assist. Bronwyn Lay (a fellow FLS volunteer) had this to say: 'FLS treats volunteers quite respectfully compared to other voluntary organisations ... Volunteers are invited to be part of FLS. The structure reflects this. Volunteers are considered important from the top down.' By 'top-down' Bronwyn is referring to the division between the paid and unpaid workers at FLS, as well as between the legals and the volunteers. Although positions of relative power exist, the flat management structure serves to equalise as opposed to entrench the differential.

The current restructuring dilemma, to be fair, says more about external pressures on the organisation to become 'efficient', than it does about a sheer disregard for the original aims of FLS. Indeed, the restructuring is not meant to exclude community participation but to encourage it by holding community forums. The only difference is that the general members will vote in a Committee of Management each year, instead of voting directly on policy issues throughout the year. The difference is possibly aesthetic only, given that the general membership is not on the whole interested in the direction FLS is taking anyway.

At the same time, the movement for restructuring symbolises the disillusionment with the lack of volunteer and community participation in the management of the service. On the whole, the general membership of FLS is not representative of the community (in terms of our catchment area) so much as it is representative of volunteers who are invariably lawyers and law students (many don't even live in our catchment area). Thus, the old argument that we have lost touch with the community and are perpetuating the mystique and inaccessibility of the law (now by the inundation of law student volunteers) is employed as convincing evidence that our community-based management structures are simply not working.

Before we toss out the old for the new, I think we need to look at the

recruitment and training of volunteers. First, there is no logical reason why members of the community aren't invited or encouraged to volunteer at FLS or to sit in on their committees, nor, out of all the volunteer applications we receive, should we only seriously consider those of law students. Second, if volunteers were trained properly there might be less fuss in the office. I know from my experience of working with day time sols that as appreciative as they are of our assistance, they don't always have time to explain exactly what we are required to do or to even set aside work for us.

In terms of furthering community participation, FLS is continuing to come up with new and exciting ways to reach the broader community. Evidence the 'FLS Community Paper'. The idea behind the paper is to educate the community about FLS, about current social and legal issues, and to encourage them to get involved in the service. Kind of like the *Legal Service Bulletin* before it became the *Alt.LJ*. As you can see, the dream of community education and empowerment, and community-based management, lives on. It is part of the mythology of FLS. We 'newies' aren't impervious to it, and the 'oldies' aren't as tired and disillusioned as they make out (it was an 'oldie' who came up with the suggestion of having a community paper to 'reach out to the broader community').

It is true that the volunteer base of FLS has probably changed. The political fervour has largely been replaced by KISH (Kennet induced state of helplessness), the pressure of becoming 'efficient', and the need to combine voluntary work with considerations of one's future career. The sexual 'tension' which earlier FLS volunteers described as one of the significant driving forces behind the many hours worked and the effusion of passionate ideas about the place and its future is all but gone (unless you count the odd tryst with the photocopier, an affair which never fails to leave one a little hot under the collar). Lastly, we've kept up the blue jeans bit on the whole, but I think you would have to agree, not everyone looks good in a pair of blue jeans. I think it's time we all chucked in the casual wear and started wearing uniforms. Uniforms with stripes and emblems maybe. And while we're at it, we'll get a Trumpet Major and a captain and a ship, yeah a ship with sailors and canons. Then we'll be ready. Yeah, then we'll be ready...