

The Change Toolkit

Chapter 2. Getting started

Before you start your law reform project, you will need to identify the issues that you want to focus on. This chapter discusses some of the ways in which CLCs can prioritise their policy and law reform work. It also provides tips about simple steps that you can take to get started, and advice about collaboration with other organisations.

Identifying systemic issues

As discussed in Chapter 1, CLCs are uniquely placed to identify unfair laws and practices that are affecting multiple people in their communities.

It's likely that, in your day to day work, you see a number of clients who are experiencing similar problems. This guide is aimed at helping you to start thinking about possible reform and advocacy projects when you see laws that need to be improved.

With limited resources, it will never be possible to respond to all of the policy issues that you encounter in your centre's practice. Faced with a number of possible law reform projects, how do you decide what to focus on?

Below, you will find a non-exhaustive list of questions to consider when making decisions about what to focus your energies on.

Key questions to ask yourself when choosing which issues to focus on

1. Does the issue directly affect a disadvantaged or vulnerable section of the community? Does the issue affect a section of the population that cannot otherwise effectively represent their own views?
2. Do you have detailed knowledge of the issue and the impact it is having? Is this something that you can speak about with authority?
3. Does the work fit within your strategic plan? Is the issue relevant to your values and mission statement?
4. Is the issue having a significant impact? Does the issue affect one or two people, or does it affect hundreds of people?
5. Is there a prospect that you will be able to create change? Is the timing right to launch a project? Or would it be better to focus on something that's more likely to get results?
 - While this is an important consideration, there may be times when you decide to pursue something in order to get it on the agenda, even when you don't think you're likely to get the overall outcome you're seeking.
6. Has the issue you want to focus on already been acknowledged, or do you need to establish that it is a problem?
 - If the issue has not been acknowledged, you will need to spend time establishing the nature and extent of the problem and the

impact the issue is having on the community.

7. Is the issue likely to get traction with the media?
 - Do you have compelling case studies? Do you have a client who is willing to speak to the media?
8. Do you have an existing relationship with the relevant decision maker?
 - This question is not decisive, but it may be a relevant consideration if you are trying to prioritise issues to focus on.
9. Does your CLC have something unique to contribute to the issue? Will you add value?
 - If someone else is already doing something in the same area, consider contributing to their project, or endorsing their work. This will allow you to direct your resources towards other worthwhile initiatives.
10. Can you allocate sufficient resources to tackle the issue?

Before you start - scan the environment

Before you start your law reform work, you should undertake a thorough scan of the environment. Are other people already focusing on the issue? Can you join with existing efforts? What resources will be required to make an impact?

The amount of time you spend scanning or mapping the environment should be commensurate with the type of work you propose doing. The scan you undertake before writing a submission will be far less intense than the scan you undertake before launching a year-long campaign.

Consider contributing to a broader campaign

There are a variety of ways in which CLCs can contribute to systemic change in laws and policy. CLCs do not need to plan and run an entire campaign on their own to have an impact. Small contributions and collaboration with others all play a part in the process of improving access to justice for marginalised members of the Australian community.

This section discusses some activities CLCs can do to get started.

There are many ways CLCs can do systemic advocacy work. Organising a campaign is one way for CLCs to direct attention toward an important issue and seek to persuade others to think differently or take action themselves. But each CLC does not need to design and run its own campaign to make an important and valuable contribution to fairer laws, policies and practices.

CLCs can use the chapters of this Guide to help them trial a short-term project or pursue an activity to address a problem that affects their particular centre, clients and community. For example, your CLC may decide to lobby decision makers, participate in inquiries, write submissions, run strategic litigation, or work with the media in an effort to express its views and share its experiences with others.

There are also smaller steps CLCs can take in order to start to act in a more systemic manner. For instance:

Collecting and drafting case studies

All CLCs have stories to share about the unfair impact laws can have on ordinary and often vulnerable people. The use of real examples is a powerful way to draw attention to barriers to justice.

A fantastic way to start is to compile a case study bank of client scenarios that illustrate the unintended consequences of the law in day to

day life. This is valuable because it helps to locate individual cases within their broader context.

A case study bank can be used to assist a CLC to spot recurring issues among its clients. Once a CLC creates this resource, it has a ready supply of case studies it can draw on to use for future advocacy work. The CLC can also share its case studies with other CLCs doing systemic work, or with broader campaigns such as the national Community Law Australia campaign.

A recent report shows that most CLCs seek consent to use case studies, even de-identified ones, as a matter of best practice.¹

See Chapter 9, 'Effective Storytelling and Use of Case Studies', for more information about the effective and ethical use of case studies.

Support other initiatives

There are plenty of opportunities to support the work of other CLCs, organisations or community groups who share your commitment to a particular cause. Endorsing the work of others is a fantastic way to build networks, share ideas, and provide support. Consider signing on to another organisation's letter or submission.

Working with others – collaborating with partners and allies

Many successful law reform efforts are the result of work undertaken by a coalition of organisations. Forming an alliance with others will allow you to scale your efforts and will also allow you to draw on a broader range of skills and resources. It also shows that the issue is something that many feel strongly about.

Why collaborate?

- It allows you to multiply your influence
- It builds strong relationships for future work

- It means your position will be informed by a broader range of experiences and perspectives
- It will increase the likelihood that you will get traction with decision makers and the media
- It reduces the risk that stakeholders will accidentally undermine each other because of variations in their messaging.

How do you build an alliance?

1. Identify people and organisations with common objectives
2. Establish whether there is enough common interest and a commitment to work together
3. Approach the organisations you have identified and gauge their interest in working together
4. If you want to work together, you might want to start with a small steps rather than big ones, such as endorsing each other's submissions on an issue.

What should you take into consideration before forming an alliance?

- Consider the extent to which you are willing to compromise in order to work together
- Consider establishing some rules of engagement from the beginning.

Acknowledgments

This chapter has been downloaded from <http://www.thechangetoolkit.org.au>. We recommend checking back to see if the content has been updated.

The Change Toolkit was prepared by the Federation of Community Legal Centres. The Federation is the peak body for community legal centres across Victoria.

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¹ Rachel Ball, 'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy', *Victoria Law Foundation Community Legal Centre Fellowship Report 2012-2013*, (November 2013), 26.