

Legal Literacy Education at the Alexander Maconochie Centre, Canberra



Dr Mark Nolan

Mr Jeremy Boland

Mr Ben McLachlan

- First program offering
- Subsequent program offerings
- Typical activities
- ANU student training
- ANU student role
- ANU student benefits
- AMC student benefits and feedback

First commenced in Sem 2 2010 designed and led by
Jeremy Boland as part of the ANU College of Law's
Law Reform and Social Justice Co-curricular Program

<https://law.anu.edu.au/about-us/lrsj>



<http://gillianbeaumont.com.au/organisation/who/jeremyboland/>

Thanks to former LRSJ Program Director, **Prof Simon Rice!**



http://www.cs.act.gov.au/custodial_operations/types_of_detention/alexander_maconochie_centre



<http://sydney.edu.au/law/about/people/profiles/simon.rice.php>

Staff advisors who currently visit with student groups are:

Dr Anthony Hopkins and A/Prof Mark Nolan

Former staff advisors and visitors were:

Prof Simon Rice, A/Prof Molly O'Brien,



<http://sydney.edu.au/law/about/people/profiles/simon.rice.php>



<https://law.anu.edu.au/people/molly-townes-obrien>

<https://law.anu.edu.au/people/anthony-hopkins>

<https://law.anu.edu.au/people/mark-nolan>

Program goals

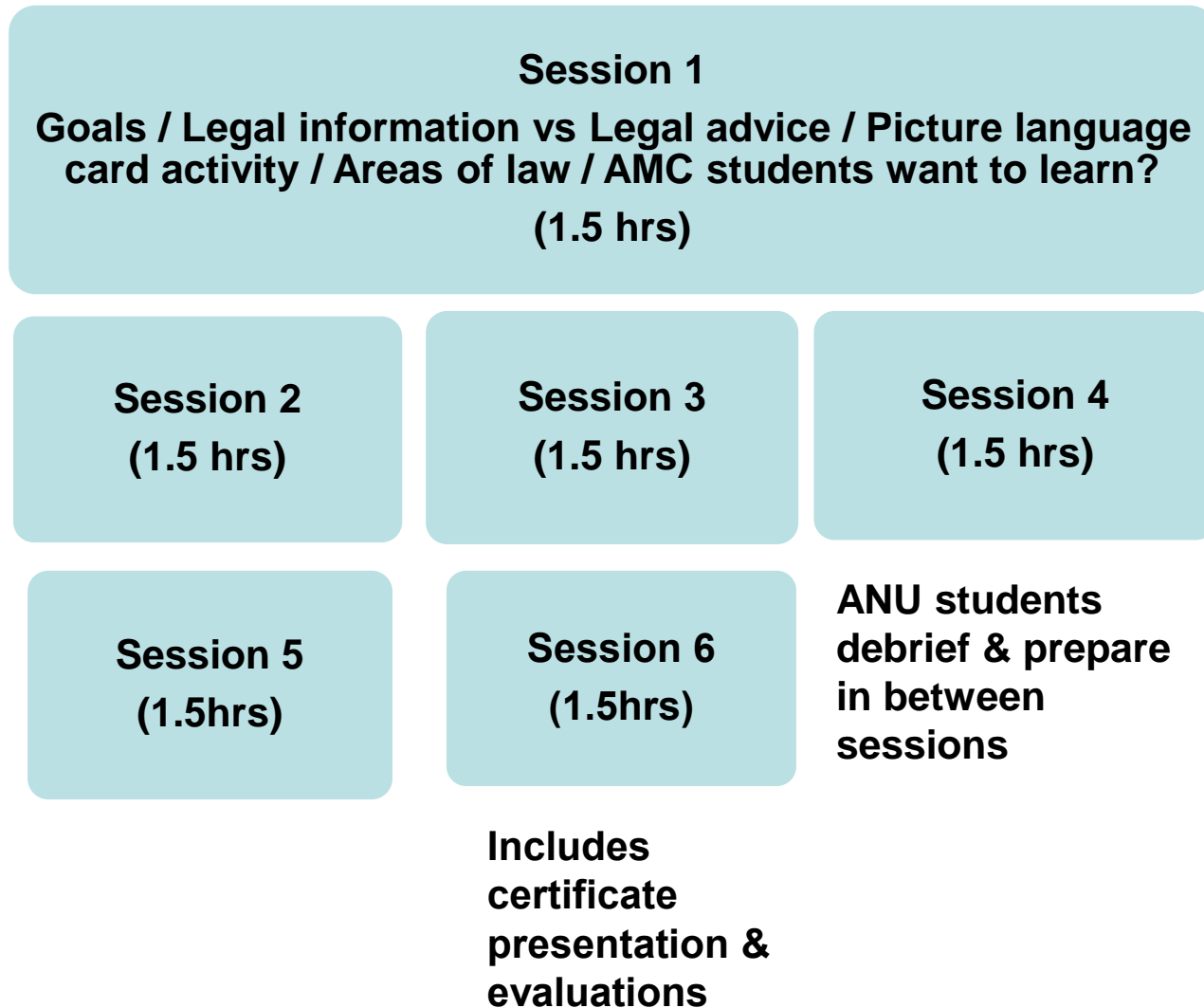
ANUCoL students:

- > Learn about how law shapes all of our lives
- > Understand law from different perspectives
- > Visit a prison environment and learn about correctional approaches
- > Learn how to interact professionally and respectfully with detainees
- > Learn how to discuss/teach law in an accessible way

Program goals

AMC students:

- > Learn about how law shapes all of our lives
- > Understand law (and not just criminal law) from different perspectives
- > Learn about legal decision-making, legal processes and legal institutions
- > Build confidence in discussing opinions about law respectfully in a group
- > Build confidence in making a presentation to the group if able.



Example Legal Topics Taught

- Corrections Management Act
 - Human Rights Act
-
- **Criminal law**
 - sentencing
 - elements of offences
 - police powers
 - bail law
 - **Constitutional Law**
 - How laws made & changed?
 - **Family Law**
 - **International Law**
 - **Discrimination Law**
 - spent convictions
 - voting rights
 - **Tort Law**

Example Learning Activities

- You-be-the judge exercises
 - discretionary decision-making
- You-be-the lawyer exercises
- Role plays to describe case facts
- Which legal terms do you know?
- Sorting tasks
(eg. which court does what?)
- Voting
- Generating law reform ideas
- AMC learners present their experience or understanding first (eg. about Sentence Administration Board hearings)

Which AMC detainees, where?

Not remandees

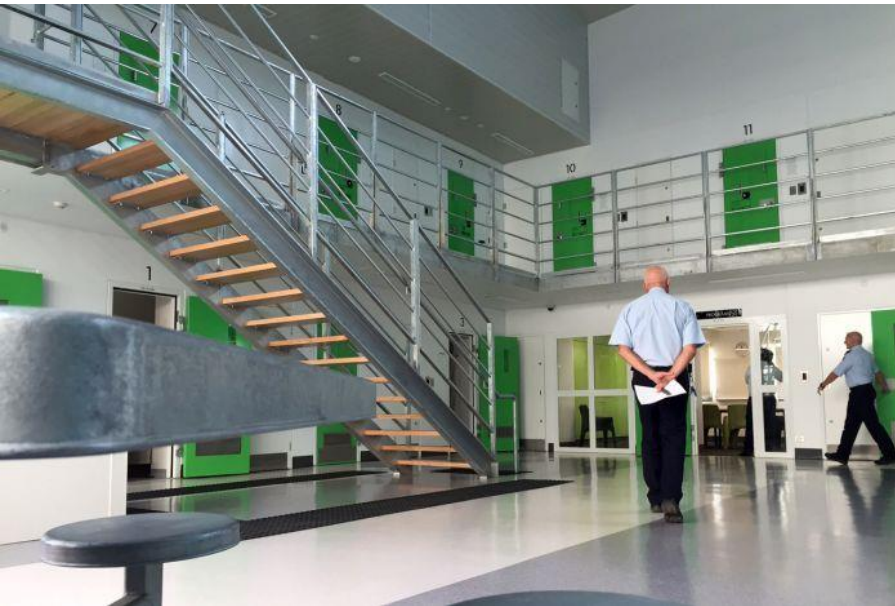
Male detainees

- Minimum security cottages
- Solaris program TC
- Sentenced mains
- Transitional Release Centre
- Protected and Strict Protected

Where: programs rooms; programs rooms at the block, remand, special care centre, and in the accommodation unit

Female detainees

Where: recreation area

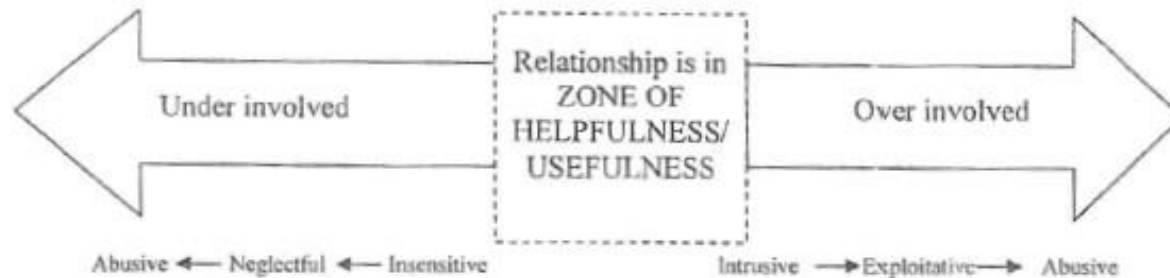


<http://www.abc.net.au/news/2016-02-24/canberras-newest-cell-block-at-jail-opens/7196628>

- **AMC Security Awareness Training** (alongside other prison staff and program providers)
- **Legal Advice vs Legal Information** (sometimes Legal Aid Training)
- **Boundaries Training** (based on the “zone of usefulness” work)
- **Role playing communication style** before first visit

PROFESSIONAL BOUNDARIES & RELATIONSHIPS

(adapted from NSW Nursing Council)



The diagram shows the "limits" (or boundaries) that protect the space, and also the relationship, between workers and community members. Selection and maintenance of appropriate boundaries assist the community development worker to maintain and facilitate helpful and useful practice. Boundaries become more "blurred" closer into the centre and many challenges are often faced in the zones where there is no clear delineation.

Principles for Maintaining Useful Relationships:

1. The priority is to be useful.
2. Awareness of own needs, values and attitudes.
3. Ability to describe the reasons/ purpose for actions and behaviours.
4. Self-responsibility for ensuring people are not excluded from processes as a "punishment".
5. Coercion can be an abuse.
6. Awareness of the comfort zones of all people in the relationship (including self) regarding types of contact.
7. Dual relationships add to the complexity and difficulty of managing boundaries.
8. Where dual relationships are not avoidable, there is a higher risk for prejudicial work to occur (favouritism, insensitiveness).
9. Self-disclosure should be limited to revealing information that is useful to the relationship.
10. Self-disclosure should only occur within an established relationship.
11. Careful consideration given to motives for disclosing personal information.
12. Personal information obtained about people is to be treated as confidential.
13. Confidential information cannot be used to advantage a worker in any way.
14. Giving and receiving of gifts, and involvement with financial transactions in the relations, has the potential to compromise usefulness.
15. The giving of gifts by a worker has the potential to impact of the person's relationships with others.

Warning Signs for Crossing the Boundaries:

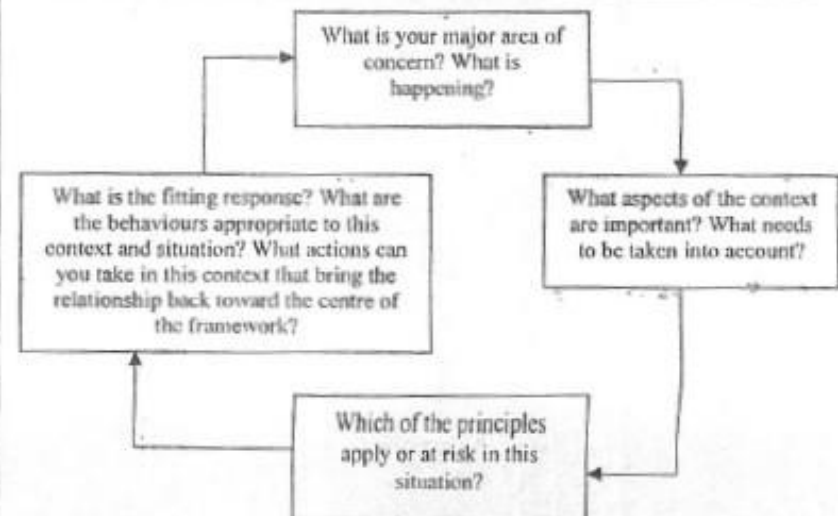
Presence of:

- Favouritism/ Ignoring/ Neglect
- Judgemental Attitudes
- Burn Out, Cynicism
- Intrusiveness
- Co-Dependence
- Possessive/ Secretive Behaviours
- Rudeness
- Patronising Attitude
- Roughness, bullying
- Assault

Absence of:

- Sensitivity
- Actions specific to the individual circumstances
- Listening/ taking time
- Presence (being there)
- Concern
- Noticing
- Accountability
- Understanding
- Putting self into others shoes
- Awareness of person's rights
- Effective communication

MAKING DECISIONS ABOUT RELATIONSHIPS



- Competitive selection of 12 per year from 40-50 applications by staff advisors and former student visitors
- Team leader (running sheets, student liaison, liaise with AMC)
- Collaborative legal research according to role
- Collaborative facilitation of sessions according to role
- Occasional provision of program notes to AMC library



2011 visits team

ANU College of Law student visitors say

- > *'Best way to learn the professionalism required'*
- > *'You realise detainees are only a few mistakes different from you'*
- > *'Impressed by the engagement and respect shown by the detainees'*

- Are **part of the routine** of the prisons
- Experience attempting to **explain law in an accessible** manner with a whiteboard marker and paper
- Experience **seeing others do legal reasoning**
- Experience **reacting to opinions/criticisms** about the law and lawyers
- See law from a **different perspective**
- Break **down some assumptions** held about offenders and detainees

AMC detainees say

- > *'What I enjoyed most about doing the program and meeting ANU students'*
- > *'They were nice people wanting to help'*
- > *'I enjoyed learning about all types of law'*
- > *'I enjoyed the time and effort they put in to give us a bit of knowledge'*

- Certificate of Participation from the ANU awarded to any detainee who participates
- Comments from evaluations

- 4 visits per year (not just 2) to AMC?
- Create a clinical law elective course for this current volunteer experience?
- Service requests from other jurisdictions to deliver the program outside of the ACT, eg as a summer session course or volunteer/co-curricular experience?