

1.1 HISTORICAL OVERVIEW

The Fairfield Court Community Access Project was established in September 1995 under the joint funding and supervision of the Attorney General's Department and the Ethnic Affairs Commission of New South Wales.

The Project was one of several recommendations to emerge from the 1992 symposium on "Cross Cultural Issues in the Law"- part of the Criminal Law Pilot Project initiated and run by the Ethnic Affairs Commission of NSW in conjunction with the Office of Multicultural Affairs and the NSW Law Society. The symposium sought to identify an agenda for action to overcome barriers for those who were linguistically and culturally disadvantaged.

Following the symposium, the draft Agenda for Action was developed and a working party, chaired by the Commission, formed to implement the strategies identified in the agenda. One of the major proposals was for a cross cultural court project at the Local Court level. Fairfield Court was identified as the most appropriate court to conduct such a project because of the high density of ethnic communities in the area, and the proposal was strongly supported by the Senior Magistrate and Clerk of the Court at Fairfield.

In January 1995 the project proposal received the support of the then Department of Courts Administration, and this commitment was maintained by the Attorney General's Department when responsibility for Local Courts was transferred to that Department. In March 1995 the Ethnic Affairs Commission and the Attorney General's Department each committed \$33,000 to initiate the Community Access Project. It was agreed that additional costs in the implementation of trial schemes would be shared equally by the Ethnic Affairs Commission and the Attorney's General's Department.

The project commenced in September 1995 and ran for a total of 15 months. A Project Co-ordinator was employed to conduct the Access Project at Fairfield Court.

1.2 AIMS AND OBJECTIVES

The Project aimed to achieve these major objectives:

1. To identify the barriers to accessing court and related services for people of non-English speaking and culturally diverse backgrounds.
2. To develop strategies to address the barriers identified and make the Court more accessible to clients of a non-English speaking background through the implementation of specific initiatives.
3. To identify other agencies that have an impact on the operations of the court, and facilitate and improve co-ordination of services to meet the needs of clients from culturally and linguistically diverse backgrounds.
4. To evaluate the success of initiatives and the potential for their implementation in other local courts.

1.3 METHODOLOGY AND TIME FRAME

The Project Plan consisted of a Research Phase, an Implementation Phase and an Evaluation Phase.

1.3.1 The Research Phase: September 1995 to February 1996

The research phase was made up of:

- A Literature Review: Reports and publications reviewed are listed at Appendix 1.
- Community Consultation: Interviews were conducted with over thirty representatives from government agencies, legal services, community centres and community based organisations, focusing on local service providers in the Fairfield area. Organisations consulted are listed at Appendix 2.
- Research on the Operations of the Court: Extensive consultations were conducted with the Clerk of the Court and Assistant Clerk of the Court at Fairfield.

1.3.2 Implementation of Trial Schemes: February to October 1996

The second phase of the project involved the implementation of the trial schemes recommended by the Project Co-ordinator. Altogether 10 projects of varying sizes were run at the court. Some of the larger schemes required co-operation and support from a range of external agencies. The results of the trial schemes are described in detail in Part 4 of this report.

1.3.3 Evaluation and Reporting: October 1996 to February 1997

Evaluation of the trial schemes was carried out progressively and the evaluations have been incorporated into Part 4 of this report.

1.4 MANAGEMENT OF THE PROJECT

1.4.1 Project Co-ordinator

The Project Co-ordinator had two main roles:

1. To review existing service provision and court operations and conduct research into the needs of non-English speaking clients of Fairfield Local Court. This involved substantial liaison with the judiciary, court staff, legal service providers, police and local community groups.
2. To set up, co-ordinate and run various pilot projects at Fairfield Court during the term of the project.

1.4.2 The Project Management Committee

The Project Management Committee comprised:

- The Director, Local Courts
- The Policy Officer, Policy and Liaison Division, Ethnic Affairs Commission
- Clerk of the Court, Central
- Clerk of the Local Court, Fairfield
- The Project Co-ordinator

The committee was convened by the Director of Local Courts and chaired by Local Courts officers.

1.4.3 The Reference Group

The Reference Group was formed at the beginning of the Project. Its role was to provide suggestions and advice about the project, review the Project Co-ordinator's reports and provide feedback on future directions.

The Reference Group comprised:

- Magistrates, Fairfield Court
- Law Society representative for the Fairfield area
- Director of Public Prosecutions, Liverpool
- Probation and Parole Service, Fairfield

- Legal Aid Commission, Fairfield
- Cabramatta Youth Centre
- Drug & Alcohol Counsellor, Fairfield
- Police Prosecutor, Fairfield
- Clerk of the Local Court, Fairfield
- Fairfield Migrant Resource Centre
- South West Legal Centre, Liverpool

The group was chaired by the Program Co-ordinator, Carolyn Lagos. It met every three to four months during the Project to receive updates and discuss initiatives being implemented as part of the Project.

1.4.4 The Clerk of the Local Court

Greg Gosling, Clerk of the Local Court at Fairfield was central to the success of the project. The Clerk of the Court acted as an “on-site” consultant for the Project Co-ordinator. This meant that the Project Co-ordinator was able to discuss the research and implementation of pilot schemes with a member of the Management Committee at the same location, who had expertise in the operation and administration of a Local Court.

1.4.5 Proposals for Projects

Some smaller projects which were able to be coordinated at the local level, and required only the approval of the Clerk of the Court commenced in late 1995. Recommendations for more complex projects, or those requiring inter-agency co-operation were made to the Project Managers and approved in February 1996.

1.4.6 Implementation

The Project Co-ordinator was responsible for implementing and co-ordinating all pilot projects.

1.4.7 Evaluation

Each pilot scheme was evaluated as part of the project.

1.4.8 Resource Kit

The Resource Kit fulfils the objective of expanding initiatives to other local courts. The Local Courts Director’s Office will assume responsibility for the publication, distribution and development of associated training programs.