

WORKSHOP 4A: BEYOND CASEWORK: PRO BONO STRENGTHENING COMMUNITIES

A CASE STUDY OF LOCAL COMMUNITY PARTNERSHIPS DEVELOPED BY MALLESONS STEPHEN JAQUES IN MELBOURNE

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Abstract: *Amanda's paper will provide some examples of how Mallesons is developing effective relationships with a number of local community organisations in Melbourne. Through her experience in implementing the program, Amanda will explore what works most effectively in order to develop and build mutually beneficial community relationships. This includes a discussion on identifying appropriate causes to support, engaging staff and partners in those causes and providing scope for them to address those causes by developing relationships with relevant community organisations and utilising creatively the range of skills and resources available through the firm and its networks.*

Yesterday, Mallesons' National Pro Bono Co-ordinator delivered a paper on the rationale for and the features of the community partnerships which Mallesons has entered into on a national and local basis. Building on this theme, I am going to provide case studies of partnerships with two small local community organisations which the Melbourne centre has developed under the program, both of which have assisted to strengthen the local community in a way that goes beyond meeting a specific legal need or acting in a particular case.

I feel quite humbled to be presenting on this topic alongside Phil [Lynch, Homeless Persons Legal Clinic, Vic] and Peter [Seidel, Arnold Bloch Leibler, Vic]. Since Mallesons are participants in the PILCH Homeless Persons' Clinic, providing lawyers and administration staff for the clinic in Footscray, I have followed the activities of that clinic quite closely. I am very impressed at its progress to date. In particular, in discerning and addressing the

systemic issues compounding homelessness. I do not know about Arnold Bloch Leibler's work with indigenous communities and others. However, it is clear the commitment of Peter and his team has been very significant, particularly given the special cultural challenges involved in working with our indigenous people.

Whilst there is no doubt that public interest litigation can have enormous impact on the community, there is growing recognition that there is boundless scope for lawyers and their support staff to utilise their range of skills in other ways to assist those in need in our community. In particular, these skills can be applied to assist community organisations to build their capacity to give effect to their community objectives. This is most evident in the case of smaller community based organisations that are typically starved of core funding with much of their hard earned grants being tagged to projects. A little bit of help goes a long way for them.

At Mallesons, I believe we have established a very effective framework enabling us to get closely acquainted with, and to support in a range of ways, our community partners and other community organisations. Melbourne Affordable Housing and Urban Seed are two such community organisations operating in Melbourne, and it is our relationship with them that I am going to discuss today. I should add that our partnerships with these organisations are relatively new and are still evolving. Further, they are only a small part of our overall program in Melbourne which does, amongst other things, retain a robust public interest litigation practice.

Melbourne Affordable Housing or MAH is the name of the recently merged operations of Ecumenical Community Housing (ECH) and Inner City Social Housing. In mid 2001, ECH

was introduced to us by one of our core clients, the National Australia Bank, which was assisting ECH financially and in kind, two of their senior financial experts providing advice regarding its financing arrangements. ECH was established in late 2000 by Ecumenical Housing Inc, a body representing churches of a wide range of persuasions who were concerned to do something about the critical lack of affordable community housing in Victoria. ECH was established as an independent vehicle to collaborate with the church, government, the philanthropic and/or private sector and the community in order to acquire, develop and manage community housing as efficiently and cost effectively as possible. Typically the Church has the spare land, the government provides some funding or other support, the philanthropic/private sector the remaining funds and the community provides vital input about what is required. This was a particularly compelling cause to Mallesons since our staff had signalled a concern about poverty and issues effecting children. It seemed to us that homelessness was a huge factor in compounding poverty and causing problems for families and children since it leads, amongst other things, to unemployment, disenchantment, substance and other forms of abuse and crime, and all of this typically passed on from one generation to the next. It also appealed to us because, like the National, we felt we could offer some hands on assistance, in particular to help them through the planning processes, the various property transactions, construction and related contracts connected with their developments, and perhaps most importantly to assist them to develop innovative ways of raising finance from the private sector. All of this, we hoped, would greatly enhance ECH's capacity to develop more community housing. Two of the projects they have developed and with which we have assisted include:

- Emmaus, a 3 hectare site in Croydon. The land in this case belonged to the Emmaus Christian Community connected with a local church who had sat on the land for 12

years. They had the vision to develop the land for the community but not the capacity to make it happen. The church approached ECH who in turn approached the Urban and Regional Land Corporation (URLC) with whom ECH formed a partnership. The URLC assisted by providing all of the infrastructure including the subdivision and roads. They then sold 20 lots to the general public, keeping 2 lots for community development in a way that would integrate them with the public lots. On the 2 lots, ECH developed 19 units for low income families and single people. The project is now nearing completion with housing occupied on 70% of the public lots and the community units ready for occupancy in mid - December this year. Mallesons' lawyers assisted ECH in connection with the contractual arrangements governing its relationship with the URLC and with a VCAT appeal by local residents against some of the conditions of the planning permit; and

- the House of the Gentle Bunyip in Clifton Hill. This project comprises the refurbishment of 3 houses, and the construction of a new building, belonging to the neighbouring church, to produce 12 one bedroom units. 2 of the properties will house people suffering disadvantage owing to a mental disability with the remainder housing low income tenants who were typically once living in an inner city boarding house that no longer exists. We have assisted MAH through the planning process and with the transfer of a number of titles and the establishment of a trust. (Planning approval is nearly always an issue in community housing developments owing to what appears to be a general prejudice against the kinds of people who occupy them. MAH works hard to overcome these prejudices by careful community consultation.)

Beyond pro bono assistance with these projects we have:

- supported MAH through substantial monthly donations under our Workplace Giving Program introduced as a trial in selected groups in Sydney and Melbourne in December 2001 and then firm - wide in September 2002;
- raised awareness of MAH and its objectives by hosting presentations by MAH to our staff and arranging “project visits” for our staff to a number of MAH’s developments;
- assisted, through staff volunteering, to clean up the site at the House of the Gentle Bunyip;
- at the request of MAH, one of our Financial Services partners, who is also the relationship partner for MAH, David Olsson, has joined the Board of MAH. (This was not a Mallesons requirement.) David is aiming to assist MAH to develop strategies for developing a sustainable long term business model for MAH and to develop innovative models of raising money for development from the private sector;
- we are also in the process of forming a group of MAH supporters to assist them with strategies for fundraising particularly amongst the corporate sector.

In July 2003, Mallesons assisted ECH in its merger with Inner City Social Housing to become MAH. Inner City Social Housing Inc was a community organisation set up by the Melbourne City Council in 2000 with much the same objectives as MAH. The merger has brought about a rationalisation of their operations better equipping them to move forward with strength to develop and manage their combined portfolio of community properties. MAH currently has 5 projects in Victoria: 3 in Melbourne and 2 in Geelong, at varying stages of development, 2 of which have just been completed, which will offer welcome and affordable accommodation for a range of disadvantaged people who were homeless or at risk of homelessness. We continue to work closely with MAH to assist them how and

where we can in pursuing their objectives. At a strategic level, fertile ground for us to explore includes:

- innovative financial models for private sector investment; and
- ways of speeding up the planning approval process for community developments such as those pursued by MAH.

On a more fundamental level, there are opportunities for volunteering. For example, it has been proposed that our staff would be ideal mentors for the tenants at a recent development known as “Lion Garden” in Little Bourke Street. Lion Garden will provide affordable accommodation for young persons aged between 18 and 24 who would otherwise be at risk of homelessness and who are completing post secondary education or vocational training. As well as providing housing, the tenants at Lion Garden are the subject of an intensive case - managed support program that will lead them to being employed, or at least job ready, and able to live independently. This is one of the first programs in Victoria to specifically link housing and support over a long term (up to 3 year) period. This is certainly a prospect worth pursuing especially since these students reside on our doorstep (so to speak) not far away in the CBD.

The other case study I am going to talk about is our developing relationship with Urban Seed. Many of you will know something of Urban Seed through its high profile director, the Reverend Tim Costello. Urban Seed is a Melbourne based organisation, operating out of the back of the Collins Street Baptist Church just down the road from Mallesons. Its mission is to engage in and raise public awareness of a range of social issues such as

homelessness, gambling addiction and substance abuse. It also conducts programs in order to engage and help Melbourne's marginalised community. For example, it provides a venue a few floors above the Credo Café for one of the homeless persons clinics conducted by PILCH. It is a happy coincidence that Urban Seed is a partner with MAH in the Lion Garden project which I have just mentioned. Urban Seed's role is to provide a program of support to the student tenants including the establishment of what they call an "urban classroom" in the tenancy.

Urban Seed came to us through an organisation called "Pilotlight" which is a small non-profit based in Melbourne which seeks to grow philanthropy and in particular help business to work effectively with the community. Its founder, Jane Tewson, invited me and one of our partners, the partner at the time responsible for our community program, to visit one of Urban Seed's projects, the Credo Café, an area at the back of the Collins Street Baptist Church offering free meals to Melbourne's marginalised community. We were taken for a tour of the surrounding parts of the Melbourne CBD (some of you may have undertaken the same "Melbourne Walk") drawing to our attention aspects of community life in the CBD that were less familiar to us, such as the areas where the homeless sleep and heroin and other illicit drug addicts acquire their drugs. We were then introduced to some of the clients of the Credo Café who spoke movingly of how the non-judgmental and patient support offered by Urban Seed's staff through the vehicle of a free lunch had assisted them to overcome their difficulties. Typically the clients of the Credo have experienced abuse of some kind or other leading to problems with alcohol, drugs, unemployment, homelessness and so on.

Others from the firm also attended these Melbourne Walks. Another staff member was a regular worshipper at the Collins Street Baptist Church and was already helping out with Sunday evening meals at the Credo Café. So again it was a community organisation working in an area that was close to us, not only in proximity, but in terms of working with people typically caught up in the poverty trap. Their approach was non - judgmental and one that sought to empower. It was not patronising - the meals provided were incidental - it was simply an opportunity for the staff of Urban Seed to develop a trusting relationship - an important prerequisite in the rehabilitative process. Since that introduction, we have supported Urban Seed in a number of ways including:

- pro bono legal advice on a range of issues including advice on prospective food donor legislation, employment issues and registration of trademarks;
- raising awareness of Urban Seed and its work by having Tim Costello and others in to speak to our staff on a regular basis including a special partners and senior associates' lunch when Credo Café staff worked alongside our kitchen staff to serve a delicious but inexpensive lunch typical of a meal at the Credo;
- a number of our staff volunteer in their own time to serve dinners at the Credo Café on Sunday evenings;
- substantial support under the Workplace Giving Program and a range of donations in kind such as office chairs;
- one of our senior associates, Meg Lee, is on the committee which devised and now oversees Urban Seed's "Green Collect" Program, a program designed to encourage green practices in business and at the same time provide employment for unemployed persons with whom their work has connected them to collect recyclable materials such as cork and obsolete mobile phones from businesses in the CBD. Green Collect will

also offer waste audits for CBD businesses which will involve training and certifying prospective employees.

- conducted a seminar for community organisations including Urban Seed (and MAH) on Workplace and Employee Relations. This is the first of a planned series of seminars for non - profits designed to build their capacity to operate efficiently and in keeping with the law;
- we are currently exploring a proposal to send a member of staff on secondment to Urban Seed on a rotational basis with their other corporate partners to assist its Director of Operations with the management of its corporate partnerships. This appears to be a very effective way that we can offer those with appropriate skills (not necessarily lawyers) to assist Urban Seed in its work to sure up its corporate support base and in turn strengthen its capacity to assist the local community.

So, the relationship we are developing with these two community organisations does, as it was intended to, bring to these organisations a range of the services that we can offer to assist them to achieve their important community objectives. This range of services is much the same as those we are accustomed to offering our commercial clients in order to help them achieve their business objectives. This is consistent with our overall objective to seek to integrate our community program into the overall operations of the firm as seamlessly as possible.

However, as I mentioned at the outset, our relationships with these organisations are relatively new and the challenge remains for us to work these and other relationships more effectively in terms of achieving tangible impact in the community. We are planning to

review and evaluate these relationships periodically with a view to achieving maximum impact.