**QAILS**

**QLSP Planning – Employment Law**

**19 November**

**Attendance:**

 Scott McDougall  - Caxton (Chair and note taker)

Aaron Finn – TCLS

Felix Turnbull – Goondiwindi

Laurie McMahon – MBRCLC

James Barnes – CCLC

Andrew Kennedy – Logan

1. **Existing Service Delivery Models and Scope of Service**

T was generally noted that generalist centres across Queensland were experiencing demand for employment law services and there was concern about degree of specialisation required to service clients effectively.

Caxton

Operates an unfunded specialist evening advice clinic on Wednesday nights. Booked appointments. Limited document preparation. Employment law specialists volunteers from small and large firms. Lots of unfair dismissal/bullying/adverse action/discrimination matters. Approximately 60 calls a week. Many referrals from FWC.

Concerns about lack of specialist knowledge amongst generalist lawyers in house. Trying to address this through training.

TCLS

 Moved from evening sessions to daytime student clinic – highest area of demand – 10 -20 calls per week – services include drafting notices and occasional conciliation conference attendances.

Try to refer to QWWS service as much as possible. Share concerns about ability to service such a specialist area of law.

Goondiwindi

Drafting notices re unfair dismissal

Conciliation conferences

MBRCLC

High area of demand for advice. Lots of problems with contracts and sham/unlawful agreements. Feel comfortable giving limited advice without drafting documents.

CCLC

James new to the role (3 months). Indentified changing time limits. Cairns offers 4 half hour appointments on Thursday afternoon however James will squeeze in urgent employment matters into other days if necessary.

Offers document preparation and discrete task assistance if client is struggling to prepare by themselves.

Adverse action and U/D are main issues – very specialised

Mackay

Aaron noted that Mackay had apparently experienced an upswing in employment advice demand.

Legal Aid

It was noted that LAQ had received an additional $3M over 2 years to provide enhanced civil law services in Queensland including employment, social security and consumer law. It was not entirely clear how this would affect demand for employment law experienced by CLCs, especially in the regions.

**2.       Opportunities**

Pro Bono – conciliation conferences

Scott noted that Caxton has had discussions with Clayton Utz and Ashurst about the possibility of offering representation to clients in unfair dismissal conciliation conferences.

CLE

The question was raised about the desirability of producing a booklet for clients. It was noted that the *Have you lost your Job* publication was useful (needed to be kept up to date).

The Fair Work Commission Benchbook is also a very useful tool for lawyers.

Training

There is an obvious opportunity for LAQ to share training opportunities given that it is now employing specialist employment lawyers.

The recent QAILS Webinair was very useful and there was discussion about the possibility of making it more broadly accessible.

Industrial Advocates?

It was suggested that in the past much of the current demand experienced by CLCs was met by industrial advocates. Anecdotal evidence suggests these advocates have taken up work representing employers and are no longer available to employees.

Specialist Service v Generalist?

There was discussion about the relative merits of establishing a Statewide specialist service versus the existing generalist service delivery model.

Scott suggested the SLASS model of attaching specialist employment lawyers to the existing CLC infrastructure may be the most effective (and efficient) arrangement.

Hotline for clients

It was noted employment law can be labour intensive with clients who are highly affected and often suffering depression. There is a need to see documents prior to giving advice and the inherent limitation with phone service is the limited ability of clients to scan in documents and send. It was suggested this may be something that local CLCs could do if referring to a State wide phone service.

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| **Action** | **Time frame** | **Responsibility** | **Resources** |
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We unfortunately did not get time to assign a list of tasks.

It would be good to have a follow up meeting to attend to this.