

# Why do people join the community legal sector? Reflections on *praxis*

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## Abstract

The Victorian Federation of Community Legal Centres (FCLC) commissioned research to work out why people join the Victorian community legal sector. A focus group was conducted, data was collected, and this article reflects the findings. We explore how the language and concepts the participants shared in their responses connect to significant principles and theories of community legal action (a praxis).

## Keywords

Access to the law, community legal centres, community legal education, legal education, legal services, justice

*Every now and then, I'll spot a cute story with kids speaking about what they want to be when they grow up. John Lennon famously answered 'happy' when his school teachers asked him this question. 'They told me I didn't understand the assignment,' wrote John, 'and I told them they didn't understand life'.*

*Knowing what makes you happy can be key to spending life in a career you love. Daily, I am surrounded by lawyers across Victoria's 50 community legal centres who tell me how much they enjoy what they do. The passion that I hear when they speak not only resonates with me and my own reasons for choosing to be a community lawyer, but it has also been borne out by evidence: in 2021, the community legal sector workforce survey conducted by the Victoria Law Foundation found that 91.3 per cent were proud to tell others where they work.<sup>1</sup>*

*So, in a profession that offers such a range of career paths, why do people choose to become community lawyers? Knowing the answer to this question can help people who have similar motivations see the opportunities in pursuing a career in community law. It can help staff at law schools to promote this pathway confidently. Plus, it can*

*support community legal centre management and staff with their values alignment.*

*It's more than half a century since the first lawyers created the concept of community legal centres to find new ways to advance access to justice and fairness. From a movement of dedicated volunteers, there are now more than 1200 paid employees in the community legal sector in Victoria.<sup>2</sup> While I doubt, as children, they all identified 'community lawyer' as the thing they wanted to be when they grew up, they certainly have clearly articulated through this research the heartening reasons why they have chosen this career.*

**Louisa Gibbs**  
CEO, FCLC (Victoria)

## Background

In March 2024, Dr Warren Mundy published the *Independent Review of the National Legal Assistance Partnership*. The Mundy Review recommended workplace reforms

<sup>1</sup>Jozica J Kutin et al, *Working in Community Legal Centres in Victoria. Results from the Community Legal Centres Workforce Project: Building and maintaining a sustainable workforce* (Victoria Law Foundation, 2022) 35 [https://a.storyblok.com/f/139306/x/db7ac29950/working\\_in\\_community\\_legal\\_centres\\_in\\_victoria\\_sustainable\\_workforce.pdf](https://a.storyblok.com/f/139306/x/db7ac29950/working_in_community_legal_centres_in_victoria_sustainable_workforce.pdf).

<sup>2</sup>Ibid 13.

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including improved remuneration of community legal assistance workers, the use of baseline funding for holistic wrap-around services, the removal of competitive tendering processes, and efforts to avoid excessive workloads, fatigue and burnout.<sup>3</sup> It was focused on reviewing a sector and developing recommendations that would enhance the sector. It was not concerned with the reasons why lawyers join the community legal sector, per se.

Victoria's Federation of Community Legal Centres (FCLC) commissioned the first author (who provided service pro bono) to conduct the research described in this article in late 2024 because it wanted to work out why people join the Victorian community legal sector. A focus group was conducted, data was collected, and this article reflects the findings. The findings have been set out in the order of importance as voted by the participants. Focusing on the top three motivations identified by the participants, we explore how the language and concepts the participants shared in their responses connect to significant principles and theories of community legal action (a *praxis*).

We consider how the data fits with the theoretical literature of community lawyering (or 'public interest' lawyering) more generally. Our research demonstrates that community lawyers join the community legal sector to advance legal empowerment, provide public legal education, build citizen capacity and support social movements and legal mobilisation. At the conclusion of the article, we explore the implications of these findings for future research.

## Research methodology

Fifteen lawyers (n=15) from the community legal sector were provided with a Participant Information Statement and Consent Form inviting them to share information about their motivations for joining the sector.<sup>4</sup> Participants were asked to provide a list of five to seven responses to the question 'what motivated you to join the community legal sector?'

Our methodology deployed a decision-making and problem-solving process known as nominal group technique ('NGT').<sup>5</sup> NGT requires participants to identify answers to a question, list them in their order of importance, pool their responses, and then conduct a secret ballot to list and rank the most important issues drawn from the pool.<sup>6</sup>

NGT has been used in previous Australian socio-legal research,<sup>7</sup> with workers in Australian courts<sup>8</sup> and with Australian public servants.<sup>9</sup> We selected NGT because the technique provides for more balanced participation between group members,<sup>10</sup> and it has been found to produce responses of high quality.<sup>11</sup> In addition, requiring participants to write down their ideas silently and independently before a group discussion takes place has been found to increase the number of responses generated by a group.<sup>12</sup>

Participants were given 20 minutes to answer the question 'Why do people join the community legal sector?' We conducted the research using an audio-visual conferencing tool.<sup>13</sup> Participants prepared their answers silently and independently and then emailed their answers to the first author. The data was then gathered and coded into themes using the language employed by participants. This process yielded a series of categories of responses that were grouped or 'coded' based on common themes. The second focus group task required recruits to rank the coded list in a secret ballot.

Before analysing the responses of the lawyers in a more detailed way, it is important to register a disclaimer about the coding and voting processes in NGT. The purpose of NGT is to produce authentic responses; it should not be expected to produce watertight categories. Our analysis focuses on these responses as provided in the language chosen by the participants.

Word limits in this journal preclude further consideration of the entire 'top 10', however these topics will be considered in subsequent work. Reasons 1, 2 and 3 are described in detail below. Reasons 4 through 10 of the focus group were as follows: Community legal sector lawyers in Victoria want to work in workplaces that are aligned with their values, and to work with people who shared their values (Reason No 4). They want rewarding and flexible work that provides opportunities for career advancement, learning and development, work/life balance, salary packaging and locality (Reason No 5). They want to use their privileged position to give back to their communities by using the law for good (Reason No 6). They prefer the workplace attitude in CLCs, which they saw as 'less competitive', 'less aggressive' and 'less macho' than private law firms (Reason No 7). They relished the chance to be involved in community legal education and outreach programs, thereby strengthening justice system operations

<sup>3</sup>Warren Mundy, *Independent Review of the National Legal Assistance Partnership: Final Report* (March 2024) xix, 123 and 169 <https://www.ag.gov.au/sites/default/files/2024-06/NLAP-review-report.PDF> ('Mundy review').

<sup>4</sup>Australian Catholic University Human Research Ethics Committee Project 3350-2023.

<sup>5</sup>André L Delbecq, Andrew H Van de Ven and David H Gustafson, 'Group Techniques for Program Planning: A guide to nominal group and Delphi processes' (Scott, Foresman & Co, 1975).

<sup>6</sup>André L Delbecq and Andrew H Van de Ven, 'A Group Process Model for Problem Identification and Program Planning' (1971) 7(4) *The Journal of Applied Behavioral Science* 466–91.

<sup>7</sup>Patrick Keyzer and Matthew Richardson, 'Using Nominal Group Technique to Guide Research and Control Bias in Socio-Legal History Projects' (2021) 37(3) *Law in Context* 73–88.

<sup>8</sup>Patrick Keyzer et al, 'The Courts and Social Media: What do judges and court workers think?' (2013) 25(6) *Judicial Officers' Bulletin* 47–51.

<sup>9</sup>*Ibid.*

<sup>10</sup>Marvin D Dunnette, John Campbell and Kay Jaastad, 'The Effect of Group Participation on Brainstorming Effectiveness for Two Industrial Samples' (1963) 47(1) *Journal of Applied Psychology* 30–37.

<sup>11</sup>David H Gustafson et al, 'A Comparative Study of Differences in Subjective Likelihood Estimates Made by Individuals, Interacting Groups, Delphi Groups, and Nominal Groups' (1973) 9(2) *Organizational Behavior and Human Performance* 280–91.

<sup>12</sup>Delbecq and Van de Ven (n 6).

<sup>13</sup>See the discussion in Keyzer and Richardson (n 7) 87–8.

(Reason No 8). They want to hold the government accountable in their work (Reason No 9). They also want to help victims and survivors of family violence and help address systemic gender-based violence (Reason No 10).

We now turn to the top 3. In the analysis below, the quotations come from the participants.

## Results: Why do lawyers join the community legal sector?

### Reason No 1: To advance access to justice, and thereby achieve social justice

The first reason lawyers join the community legal sector is because it is ‘not for profit, socially purposeful work’. These lawyers want a job which is ‘meaningful and assist(s) ... in solving social justice problems’ and will ‘contribute towards the betterment of society and advance social justice’. These lawyers are imbued with a ‘strong sense of justice’ and ‘social justice values’ that motivate them to ‘promote access to justice for those without a capacity to pay for private lawyers’, ‘achieve positive outcomes for individuals’ (eg by ‘increasing access to free legal support and resolving priority legal needs’), and ‘at a systems-level’ (eg by ‘progressing social justice through evidence-based advocacy for better laws and policies’). Participants pointed out that community legal service is ‘one of the best ways ... to accomplish values-driven work, primarily because it’s free or low-cost (generally the expense of certain disbursements)’. As one respondent remarked,

if ideologically, you envisage basic legal assistance as akin to basic health care (including related forms of primary care such as social work) then this is one of the only models where it’s local to the public and not prohibitively expensive.

Participants in focus groups where NGT is deployed are not corralled into compartments. The process can often evoke impressionistic responses. So, for example, the final remark in the preceding paragraph could equally be interpreted as concerned with the advancement of a human right, which was *also* voted as the third most significant reason for joining the community legal sector (the right to health is reflected in numerous international covenants, including covenants Australia has signed).<sup>14</sup> However it is important to allow the participants to share their ideas, in the language they choose, and then vote. This ensures results with content and construct validity.

What can we learn from the first motivations identified by the community lawyers? Social justice is concerned with meeting people’s basic needs, achieving redress, and ensuring equal participation in society. It is concerned with the transformation of lives through addressing (adverse) social conditions, supporting clients to challenge practices and conditions that amplify oppression, and changing all the participants, including the community lawyer.<sup>15</sup> Fundamentally, social justice was seen by the community lawyers in our research as *distributive justice*.<sup>16</sup> As Liana Buchanan observed:

From the start of the CLC movement, community lawyers worked to improve access to justice, and this meant more than improving access to lawyers. For CLC pioneers, improving access to justice included a focus on substantive, rather than merely procedural, justice. It meant working for a fairer, more equitable justice system and society.<sup>17</sup>

These objectives of the CLC movement were well and truly evident in our research findings.

These objectives also have deep roots. In 1978, nearer to the birthdate of Victoria’s community legal sector, Mauro Cappelletti and Bryant Garth offered the following, now classic description of ‘access to justice’:

The words ‘access to justice’ are admittedly not easily defined, but they serve to focus on two basic purposes of the legal system – the system by which people may vindicate their rights and/or resolve their disputes under the general auspices of the state. First, the system must be accessible to all; second, it must lead to results that are *individually and socially just*. Our focus here will primarily be on the first component, access, but we will necessarily bear in mind the second. Indeed, a basic premise [of] *social justice*, as sought by our modern societies, *presupposes* [sic] effective access.<sup>18</sup>

The pursuit of social justice is deeply and richly embedded in the Victorian community legal sector. Social justice concepts are central to the mission statements of many community legal centres in the state, and the very strong alignment between the principal motivations of the participants in our research and the mission of the sector is notable. Why is this important? It is important because mission statements ‘capture the “reason of being” and identity of an organization’.<sup>19</sup> They also ‘facilitate consistency in the definition and implementation of the company’s strategy’<sup>20</sup> and are known to be vital for recruitment. They

<sup>14</sup>Internationally, it was first articulated in the 1946 Constitution of the World Health Organization (WHO). It is also reflected in Article 12 of the *International Covenant on Economic, Social and Cultural Rights*.

<sup>15</sup>Adapting Robert Adams, Lena Dominelli and Malcolm Payne (eds), *Social Work Futures: Crossing Boundaries, Transforming Practice* (Palgrave Macmillan, 2005).

<sup>16</sup>A *Concise Oxford Dictionary of Politics and International Relations* (4<sup>th</sup> ed, 2018) ‘social justice’. Distributive justice, in turn, has been defined as a ‘condition in which all members of a society have the same basic rights, protections, opportunities, obligations, and social benefits’: Mahasweta M Banerjee, ‘Applying Rawlsian Social Justice to Welfare Reforms: An Unexpected Finding for Social Work’ (2005) 32(3) *The Journal of Sociology & Social Welfare* 35.

<sup>17</sup>Liana Buchanan, ‘Community Lawyers, Law Reform and Systemic Change: Is the End in Sight?’ in Asher Flynn and Jacqueline Hodgson, *Access to Justice and Legal Aid: Comparative Perspectives on Unmet Legal Need* (Hart, 2017) 141, 141.

<sup>18</sup>Bryant Garth and Mauro Cappelletti, ‘Access to Justice: The Newest Wave in the Worldwide Movement to Make Rights Effective’ (1978) 27(2) *Buffalo Law Review* 181–92, 182 (emphasis added).

<sup>19</sup>Yazhou Wang and Jian Lin, ‘Empirical Research on Influence of Mission Statements on the Performance of Nonprofit Organization’ (2011) 11 *Procedia Environmental Sciences* 328–33, 328.

<sup>20</sup>Marta Mas-Machuca and Frederic Marimon, ‘From Sense-Making to Perceived Organizational Performance: Looking for the best way’ (2019) 38(2) *Journal of Management Development* 105–117, 113.

serve a critical role explaining an organisation to potential employees. More importantly, an organisation that is genuinely aligned to its expressed mission is more likely to succeed.<sup>21</sup> People want to work in workplaces that have the right mission and expend real effort to realise that mission.<sup>22</sup> Comparison of the alignment between a person's goals and their workplace mission and work is vital for recruitment and should not be assumed.<sup>23</sup> It is also crucial for the achievement of diversity in recruitment,<sup>24</sup> and for the recruitment of volunteers in not-for-profit organisations more generally.<sup>25</sup>

Mission statements in the sector reflect the primary motivator for the lawyers who work in the sector. For example, the Victorian community legal sector's 10-Year plan describes the sector's vision and purpose in these terms:

The community legal sector's vision is for a Victorian community which is fair and equitable. The sector's role in working towards this vision – the sector's purpose – is to:

- Help people and communities experiencing disadvantage to prevent and resolve legal issues.
- Advocate for fairer laws, policies and systems for everyone.<sup>26</sup>

While it is acknowledged that placement on a website or in a mission statement is one thing, and organisational direction and focus can be another, it is notable that the websites and mission statements of community legal centres (CLCs) in Victoria often directly reflect the principles that motivate the lawyers in this sample. Example websites at the time of writing include:

- 'access to justice' (Anika Legal, Allied Justice, Barwon Community Legal Service, Environmental Justice Australia, Loddon Campaspe Community Legal Centre, South-East Monash Legal Service and Northern Community CLC);
- 'social justice' (Barwon Community Legal Service, Goulburn Valley Community Legal Centre, Inner Melbourne Community Legal, Southside Justice, Victorian Aboriginal Legal Service and Youthlaw).

From all of this we can report that community lawyers are undertaking work and working in places that match their values. But if access to justice to *achieve social justice* is crucial for community lawyers, what does this tell us about

how our energies should be directed and where they should be directed? Community lawyers are at the coalface of social problems and challenges, and so they are particularly well-placed to identify problems and challenges. But are we gathering information from them in systematic ways? What additional research could we do to learn where legal resources and reform energies should be directed? Our focus group research has identified some broad themes and creates room for reflection.

It is notable that these themes also emerged in the Mundy Review. Dr Mundy observed that 'strategic advocacy and law reform activities ... seek to identify and remedy systemic issues, and so improve access to justice'.<sup>27</sup> The Review also acknowledged the need for five-yearly legal needs surveys, an outcomes framework, performance indicators and data standards, and data systems to support the community legal sector.<sup>28</sup> As then Commonwealth Attorney-General Mark Dreyfus observed:

Legal assistance providers are superbly well placed to provide advice on law reform and legal assistance. ... Community Legal Centres, legal aid commissions, and Aboriginal and Torres Strait Islander Legal Services play a crucial role in ensuring that all Australians can access our justice systems. They understand better than most the challenges in their sector and the impacts of unmet need on vulnerable Australians.<sup>29</sup>

### *Reason No 2: To empower people to meet the challenges of poverty, vulnerability and disadvantage*

The second key principle motivating lawyers to join the community legal sector is *legal empowerment* of clients experiencing difficulties caused by poverty, vulnerability and disadvantage. The objective of empowerment was to 'address and decrease poverty through the law and policy change'. The verb 'empower' figured prominently in this thread of responses, and it was clear that respondents saw *empowerment* of clients as a key objective of their work.

About 12 years ago, the Productivity Commission conducted a review of the community legal sector. While a little dated, its observations and recommendations remain important and relevant today. The Productivity Commission noted the significant role that community legal centres play in identifying and acting upon *systemic issues* – best described as systemic work – through strategic advocacy, law reform activity and litigation.<sup>30</sup> As noted above, the Mundy Review also emphasised the importance of

<sup>21</sup>John C Crotts, Duncan R Dickson and Robert C Ford, 'Aligning Organizational Processes with Mission: The case of service excellence' (2005) 19(3) *Academy of Management Executive* 54–68, 68.

<sup>22</sup>Matthew A Douglas, Matthew D Roberts and Jessica L Ford, 'People First, Mission Always: A Tension-Centered Approach to Conducting Safe, Effective Logistics' (2024) 45(4) *Journal of Business Logistics* 1–24, 2.

<sup>23</sup>Frederic Marimon, Marta Mas-Machuca and Carlos Rey, 'Assessing the Internalization of the Mission' (2016) 116(1) *Industrial Management & Data Systems* 170–87.

<sup>24</sup>Portia G Smith, 'Strategies for Diverse Membership Recruitment and Retention in Nonprofit Organizations' (DBA Thesis, Walden University, 2023).

<sup>25</sup>Fouzia Ashfaq, Ghulam Abid and Sehrish Ilyas, 'Impact of Ethical Leadership on Employee Engagement: Role of Self-Efficacy and Organizational Commitment' (2021) 11(3) *European Journal of Investigation in Health, Psychology and Education* 962–74.

<sup>26</sup>Federation of Community Legal Centres Victoria, *Victorian Community Legal Sector 10-Year Plan* (2023) 19, point 3.1.

<sup>27</sup>Mundy Review (n 3) xix.

<sup>28</sup>Ibid xiii and xxi.

<sup>29</sup>The Hon Mark Dreyfus, Attorney-General, 'Ending the Gag on Legal Assistance Providers' (Media Release, 29 November 2022) <https://markdreyfus.com/media/media-releases/ending-the-gag-on-legal-assistance-providers-mark-dreyfus-kc-mp/>.

<sup>30</sup>Productivity Commission, *Access to Justice Arrangements Inquiry: Volume 2* (Report No 72, 5 September 2014) 709, 711 and 738.

community lawyers in addressing systemic injustices. The Productivity Commission review is important, as community lawyers address facts and circumstances where ‘there are few incentives for private lawyers to act’.<sup>31</sup> This is particularly the case where individuals or communities may be ‘unwilling or unable to raise’ concerns.<sup>32</sup>

Although there have been challenging conditions for systemic issues in Victoria in the past,<sup>33</sup> systemic work by community legal centres has produced significant positive outcomes. Systemic advocacy has caused the Victoria Police to recognise and act on racism,<sup>34</sup> has brought about advanced reforms relating to family violence,<sup>35</sup> and has addressed exploitative taxi driver conditions.<sup>36</sup> In its celebration of 50 years of community legal centres in Victoria, the FCLC drew attention to the important systemic work done to helping Victorians with their legal rights, including the introduction of mandatory third-party motor vehicle insurance, its work in advancing prisoner rights, advocating for public tenants affected by lockdowns, ensuring waiver of COVID-19 fines issued to young people, and better tenancy arrangements for renters.<sup>37</sup> Unsurprisingly, the systemic work of community legal centres was praised by the Productivity Commission.<sup>38</sup>

With the caveat made above that mission statements may not reflect service practice, it is notable that empowering clients to address poverty, vulnerability and disadvantage is one of the key objectives of many Victorian CLCs, and is reflected amply on their websites and in their mission statements (eg, Barwon Community Legal Service, Consumer Action Law Centre, Goulburn Valley Community Legal Centre, Hume Riverina Community Legal Service, Inner Melbourne Community Legal, JobWatch, Northern Community Legal Centre, Peninsula Community Legal Centre, Whittlesea Community Connections, South-East Monash Legal Service, West Heidelberg Community Legal and WEstjustice).

### *Reason No 3: To advance human rights and equality before the law*

The third reason why lawyers are motivated to work in the community legal sector is to help realise human rights. Community lawyers are particularly keen to advance the human right of equality before the law. (So, we come full circle to distributive *equality*). The participants in this focus group expressed profound commitment to human rights

and said their personal values were strongly aligned with human rights.

Some 30 years ago, Teresa Ellis, a community legal education officer at the Fremantle Community Legal Centre asked:

[D]oes anyone think of appealing a social security decision as exercising human rights? Negotiating with a bank about to foreclose a mortgage as a human right? Assisting a woman whilst she is giving evidence for a restraining order as a human right? Trying to find a bed for a homeless man ... Negotiating with landlords/publicans, [utilities and telephone companies] as human rights? Applying for criminal compensation for a child who was sexually abused as a Human Right?<sup>39</sup>

The answer to all of these questions is, clearly, yes. In 1996, Ellis was sceptical, and regarded human rights as a *distant* discourse. We still have reasons to remain sceptical because, while the *Victorian Charter of Human Rights and Responsibilities* was once regarded to be a ‘landmark’ reform, many believe it has ‘largely fallen flat’ – a situation that ‘becomes clearest when examining the failure of governments, regulators and services to comply with and properly consider rights with providing mental health services’.<sup>40</sup>

### **Concluding reflections**

One outcome of the research was the evidence it produced of the deep reflections community lawyers made about their *praxis* – their theories of action. We turn to consider this topic now.

The community lawyers in this focus group talked about *empowerment*. In 2003, according to Laura Goodwin and Vivek Maru, Stephen Golub coined the phrase ‘legal empowerment’ and,

since then it has been used to refer to efforts which ... [f]ocus on the direct capacity of citizens to exercise their rights (in contrast, conventional legal aid is sometimes construed as an expert service, with less attention to the agency of the beneficiaries)<sup>41</sup>

Legal empowerment focuses ‘on not only a just outcome, but also, crucially, on the ability of people to engage in law-related processes’.<sup>42</sup>

Empowerment is not just done in legal work, but by sharing legal knowledge. Indeed, the International

<sup>31</sup>Ibid.

<sup>32</sup>Ibid 712.

<sup>33</sup>Agnes Wierzbowski, *Lawyering for Change: Seven Practice Principles of Strategic Practice for Community Legal Centres* (Victoria Law Foundation, 2015) 15, cited in Buchanan (n 17) 155.

<sup>34</sup>Buchanan (n 17) 143–5.

<sup>35</sup>Ibid 145–6.

<sup>36</sup>Ibid 146–7.

<sup>37</sup>Federation of Community Legal Centres (Vic), *50 Years of Community Legal Centres in Victoria* (Web Page, 2022) [https://www.fclc.org.au/50\\_years\\_of\\_clcs](https://www.fclc.org.au/50_years_of_clcs).

<sup>38</sup>Productivity Commission (n 30) 711, cited in Buchanan (n 17) 149.

<sup>39</sup>Teresa Ellis, ‘Human Rights and Social Justice: A frontline perspective from a Community Legal Centre’ (1996) 3(4) *Murdoch University e-Journal of Law* 34.

<sup>40</sup>Simon Katterl and Chris Maylea, ‘Keeping Human Rights in Mind: Embedding the Victorian Charter of Human Rights into the public mental health system’ (2021) 27(1) *Australian Journal of Human Rights* 58–77, 58.

<sup>41</sup>Laura Goodwin and Vivek Maru, ‘What Do We Know about Legal Empowerment? Mapping the Evidence’ (2017) 9 *Hague Journal on the Rule of Law* 157–94, 158.

<sup>42</sup>Ibid 160.

Development Law Organization has defined legal empowerment as

equipping people with the knowledge, confidence and skills to realize their rights. Even as we work to improve the functioning of justice systems, we strengthen citizens' capacity to press for justice from below.<sup>43</sup>

If empowerment is a crucial motivator for community lawyers, and education is one of the key methods of achieving it, how can we improve the way we *teach* clients, stakeholders and governments? This is a question worthy of consideration in further research. Does it require changes to community legal service practice? A more explicit engagement with educating as an activity? Further work on law school curricula? These are all important questions for further consideration.

What about *capacity building*, which is crucial to empowerment?<sup>44</sup> What do community lawyers know about *capacity building* as a (theorised) tool?

Knowledge of the theories, practices and success stories of community capacity building across a range of sectors could be shared with community lawyers to equip them to empower people who are experiencing vulnerabilities, disadvantage or living in poverty, through capacity building. Do community lawyers know enough about the theories and techniques of capacity building? Could they know more? Or, after half a century of doing this work, do community lawyers have a wealth of knowledge about capacity building which they should be sharing with other sectors? These are questions to ponder.

It is evident from our research and from the historical record of successful systemic advocacy undertaken by the community legal sector in Victoria that its lawyers see themselves as advancing social movements. Political scientist Charles Tilly defined *social movement* as

a sustained series of interactions between powerholders and persons successfully claiming to speak on behalf of a constituency lacking formal representation, in the course of which those persons make publicly visible demands for changes in the distribution or exercise of power, and back those demands with public demonstrations of support.<sup>45</sup>

Would the work of community lawyers be more richly experienced and understood if community lawyers

understood the theoretical underpinnings of social movement theory?

How many community legal sector lawyers are versed in *legal mobilisation theory*?<sup>46</sup> Legal mobilisation theory 'involves the strategic use of law by civic actors to advance human rights and social justice as a legitimate political claim'.<sup>47</sup> 'Well, of course!', community lawyers would say. But are we learning everything that we can from leading scholars and practitioners about their experiences in legal mobilisation?<sup>48</sup>

We started this article with a story, and then explained how our focus group research fits in with recent reviews of the community legal sector. We wanted to supplement the Mundy Report, which has helped us in understanding the community legal sector better, to appreciate why people join the community legal sector. We learned that community lawyers care deeply about the work they do and have articulated a *praxis* that is worthy of deeper study and consideration. In future work, we hope to explore how theories of justice practice can inform community legal praxis.

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<sup>43</sup>International Development Law Organization, 'Access to Justice: Legal Empowerment' (Web Page) <https://www.idlo.int/what-we-do/access-justice/legal-empowerment>. In Victoria, previous research analysing case studies undertaken at the West Heidelberg Community Legal Service demonstrated legal empowerment in practice, and how empowerment can create "coactive power" interactions where members of the communities involved [learned] how to converse, negotiate, address conflict, and make decisions, and to practice effective participation by encouraging "power-with" interactions: see Liz Curran, Alikki Vernon and Pamela Taylor Barnett, 'Reflecting on Community Development Practices: Improving Access to Justice by Working with Communities to Effect Change' (2017) 19 *Flinders Law Journal* 37–88, 60. See also the Open Society Justice Initiative, 'Legal Empowerment: An integrated approach to justice and development' (Draft Working Paper, 21 March 2012).

<sup>44</sup>Yolanda Suarez-Balcazar et al, 'Capacity Building and Empowerment: A panacea and a challenge for agency-university engagement' (2008) 1 *Gateways: International Journal of Community Research and Engagement* 179–96, 180.

<sup>45</sup>Charles Tilly, 'Social Movements, Old and New' in Louis Kriesberg, Bronislaw Misztal and Janusz Mucha (eds), *Social Movements as a Factor of Change in the Contemporary World* (JAI Press, 1988).

<sup>46</sup>Noting that much of the writing is from the US, so adopt the term 'mobilization' in searches. See Emilio Lehoucq and Whitney K Taylor, 'Conceptualizing Legal Mobilization: How Should We Understand the Deployment of Legal Strategies?' (2020) 45(1) *Law & Social Inquiry* 166–93.

<sup>47</sup>Jeff Handmaker and Sanne Taekema, 'O Lingo Drum: Legal Mobilization as Counterpower' (2023) 15(1) *Journal of Human Rights Practice* 6–23, 10.

<sup>48</sup>A similar question motivated the work of Lehoucq and Taylor (n 46).