

Marrickville Legal Centre and Sparke Helmore Lawyers recover over half a million for workers in new initiative

Marrickville Legal Centre's (MLC) employment law team, in partnership with Sparke Helmore Lawyers, has stepped up to the mark to assist a new wave of vulnerable workers that emerged during the pandemic.

The COVID-19 pandemic resulted in over 1 million Australians being laid off or stood down, creating an unprecedented increase in demand for employment law services from individuals who form the 'missing middle'. Many of these individuals lost their income, rendering them vulnerable and financially disadvantaged. The missing middle has long been locked out of legal assistance and describes the large group of people who earn over the eligibility threshold for government or community legal services but remain unable to afford private legal assistance. Generally, the missing middle is turned away from free legal services and ongoing representation, even in circumstances where they are fired or are concerned about their employment.

MLC's innovative project – the **Low Bono Legal Service (Low Bono)** is designed to give people options and improve access to justice. Low Bono provides affordable, fixed-fee representation to clients who are experiencing financial distress but would not otherwise get access to free legal support through Legal Aid or community legal centres. In the first 12 months since its launch, Low Bono has recovered **\$551,456.99** for its clients. Low Bono is led by Lucy Carroll alongside employment solicitors Genevieve Barry and Brigid McManus with a generous rotation of secondee employment lawyers and graduates from Sparke Helmore Lawyers.

Ms Carroll, who was last year recruited to help MLC meet the increased demand, says: "Initially we expected this [COVID-19] to be a short-term increase in demand, however the increase has become the 'new normal' and the success and effectiveness of Low Bono demonstrates that there are many individuals in our community that were locked out of accessing justice before COVID-19 created problems for employees."

The project would not be possible without the incredible support of Sparke Helmore Lawyers. Associate Jessica Phillips, who has been seconded to Low Bono since January, works closely with MLC and Sparke Helmore's team of Workplace lawyers and law graduates. Ms Phillips sees the benefit of the project first-hand.

"Workplace disputes can be very stressful for individuals who may not understand their workplace rights or even know how to find information about them," says Ms Phillips. "My involvement in the Low Bono Legal Service has allowed me to assist people to understand their rights under the law and navigate the legal system, which can be overwhelming at times."

Clients can approach Low Bono for legal advice on matters including unfair dismissal, underpayment claims and general protections (involving dismissal) applications, complaints to the Australian Human Rights Commission, 'Stop bully' applications and negotiating an exit strategy.

The affordable, fixed-fee service has been invaluable for clients like Daria, who lost her job during the pandemic.

Daria* had been employed by a not-for-profit organisation as a Venue Manager in 2020. Daria* had made some enquiries about her contract and requested an explanation of how the hourly rate was calculated. Shortly after, Daria* was dismissed for poor performance and not meeting probation.

When Daria* contacted MLC, she learned that she may have a general protections claim involving dismissal. Daria* did not want to represent herself and did not fit any of MLC's priority group criteria's so she was referred to Low Bono.

Through Low Bono, MLC was able to represent Daria* in a general protections application and successfully obtain compensation in excess of \$9000 for the economic loss and stress, hurt and humiliation suffered as a result of her dismissal.

Since the launch of Low Bono, Sparke Helmore Lawyers has provided up to 30 hours of support each week through lawyer secondments, in addition to a six-month full-time secondee who helped establish the service.

Since the end of JobKeeper this week on 28 March, Low Bono has been preparing for another surge in demand from the thousands of NSW residents projected to lose work.

“Challenging times require innovative solutions,” says MLC’s Managing Principal Solicitor, Vasili Maroulis. “MLC is proud of this exciting project, which has allowed us to help more people, with all funds generated going back into providing more services for our community. People need to have access to quality legal advice and representation, especially when they’ve lost their job and are at their most vulnerable.”

Given the success of the pilot in employment law, MLC hopes to expand Low Bono to help family law clients who are unable to secure the assistance of Legal Aid or other community legal centres and cannot afford private fees.

**Name has been changed to protect the privacy of the individual.*

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