Project LemonAid:
A consumer law collaboration between Ashurst and the Victorian Aboriginal Legal Service

By Nareeta Davis and Nicola Thomas-Evans

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Ashurst

Nearly two years ago, Ashurst collaborated with the Victorian Aboriginal Legal Service **(VALS)** to launch Project LemonAid. Project LemonAid is a clinic assisting First Nations Peoples in Victoria to pursue their consumer law rights following the purchase of a defective second-hand car ('lemon cars').

The fraudulent/deceptive sale of defective second-hand cars to First Nations Peoples is an ongoing pattern of injustice for people living in regional and remote communities in Australia. Further, the cost and complexity in pursuing consumer law rights can present a significant access to justice barrier.

Cultural competence as the foundation of Project LemonAid

Project LemonAid was developed in collaboration with VALS and First Nations lawyers at Ashurst to ensure that First Nations voices and leadership were informing clinic processes and procedures. As articulated recently in the *Guide to Working with First Nations Clients: Best Practice Approaches to Providing Pro Bono Legal Services* - published by the Australian Pro Bono Centre in partnership with Herbert Smith Freehills Kramer and Messenger Bird – we recognise that Cultural competence is nuanced, is not static and requires deep listening to Project LemonAid clients, VALS and other relevant stakeholders to ensure that clinic processes and procedures continue to evolve.

Some of the clinic processes that embed Cultural competence include:

- Volunteers undertaking mandatory Cultural training prior to commencing work on a matter,
- A staged approach to onboarding First Nations clients so that essential information such as communication preferences, Cultural sensitivities and protocols can be captured and implemented into the way their matter is conducted, and
- Ensuring that Nareeta Davis, Ashurst's First Nations Pro Bono Lawyer, remains informed on the process of, and provides support if required on, Project LemonAid matters.

Clinic structure

Project LemonAid is only possible because of a deep, mutually respectful partnership Ashurst has held with VALS that predates this clinic. VALS provides the initial triage and assessment of clients that are eligible to be referred to Ashurst. VALS is periodically informed of the progress of matters and also engages in clinic evaluation sessions with Ashurst to ensure the clinic is meeting its objectives. To ensure that clients referred to the clinic from VALS receive holistic care, Ashurst lawyers are alert to spotting other legal issues the client may be experiencing (eg debt recovery, housing insecurity or family law/family violence) so that Ashurst can refer clients back to VALS for targeted legal or key worker support.

Internally, Ashurst has a pool of clinic volunteers including more than 45 lawyers and eight partners from its Dispute Resolution and Competition practices who have the relevant expertise and Cultural training to accept a Project LemonAid matter (acknowledging that the lawyers are not experts in Cultural competency but have the guidance of a First Nations Pro Bono Lawyer and regular Cultural training). Once Ashurst has accepted a referral to Project LemonAid, matters may involve assistance that ranges from advice and negotiating with dealerships to representation in the Victorian Civil and Administrative Tribunal or the Victorian Magistrates' Court.

Recognising the financial hardship that disbursements such as tribunal filing fees and mechanical expert reports can induce,

Ashurst established an internal disbursement fund for the clinic and has also accessed the Experts Direct Pro Bono Service through the Australian Pro Bono Centre to alleviate costs of expert reports. Since the clinic launched, it has secured a range of outcomes including complete engine replacements and full purchase-price refunds for clients who otherwise would have been unable to pursue their claims.

Ashurst and VALS recognised the value in associated work beyond direct matter work for Project LemonAid and reflected this in the objectives for the clinic. As a result, Ashurst:

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- has contributed to law reform work in this space, to identify systemic issues for clients pursuing consumer law claims for defective vehicles,
- attends national meetings of frontline consumer law advocates to discuss developments in practice and advocacy in these consumer law matters,
- has contributed to the development of community legal education resources for VALS, so that consumers can be alerted to key things to be aware of during the purchase process and where to go when things go wrong, and
- has provided expertise-building opportunities to VALS by providing advice or workshops to VALS staff on different topics in consumer law (eg remedies) or key learnings from our work on Project LemonAid matters.

Ashurst was honoured to be recognised as the Winner for Innovative Lawyers in Responsible Business at the Financial Times Innovative Lawyers Awards, 2025, Asia-Pacific, for our work on Project LemonAid.

Key learnings

We believe the key success factors in Project LemonAid are its Culturally safe practices, significant partnership with VALS, and sustained and structured engagement from Ashurst lawyers. For Ashurst lawyers, the clinic has become a practical embodiment of the firm's pro bono work in the racial justice space. Ashurst's future focus for this clinic is to expand the clinic's reach in a sustainable manner, while continuing to seek opportunities to add value through contribution to further systemic reform initiatives and community legal education. ■

Nareeta Davis is the First Nations Pro Bono Lawyer at Ashurst. Nareeta is a descendant of the Purga Mission from Ipswich with cultural connections to the Kullili Thargomindah people, the Gimuy Walubara Yidinji people and maternal non-Indigenous heritage. Nareeta is proud to acknowledge that she has an Aboriginal name meaning 'wild water lilly', named by the late Oodgeroo Noonuccal (Kath Walker) from Minjerribah country, QLD. Nareeta's experience and skills are vast. For more than 30 years, she has worked in Advisory Services specialising in Business Restructuring and Insolvency. Nareeta undertook a Bachelor of Laws later in life and was admitted as a Solicitor in the Supreme Court of Qld in 2018. Nareeta is deeply committed to working with the vulnerable and particularly the homeless community. Her passion for helping people from all walks of life and to serve with kindness and respect alongside her cultural and spiritual connection of her strong cultural identity.

Nicola Thomas-Evans is a Senior Associate in Ashurst's National Australian pro bono practice. Nic is a proud Welsh-Australian woman. She was admitted to legal practice in 2018, and worked in Ashurst's dispute resolution practice before joining the pro bono team at the start of 2023. Nic's practice focuses on work involving human rights (including business & human rights), law & policy reform, and death penalty abolition. Prior to law, Nic's background was in psychology, focusing particularly on organisational psychology. Nic is currently completing a Master of Laws at the University of Western Australia.

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