

Northern Rivers CLSD Program meeting

28 March 2023, 1-3pm, Goonellabah

MINUTES

Present: Elizabeth Lehmann (Legal Aid NSW), Katja McPherson (Legal Aid NSW), Fiona Spencer (Legal Aid NSW), Susie Burton (Legal Aid NSW), Rachael Thomas (Legal Aid NSW), Bridgette Barker (Legal Aid NSW), Sahm Ryder (NRCLC), Joy Peters (NRCLC, CLSD Coordinator), Kylie McKenzie (Manager WDVCS), Eileen (Legal Aid NSW), Jade (Kyogle Family Support Services), Delia (Indigenous Family Worker Kyogle Family Support), Briony and Joy (National Indigenous Australian's Agency), Zoe De Re (Managing Solicitor ALS), Sahm Ryder (NRCLC), Susie Burton (Legal Aid NSW), Lisa Gauge (Lismore District Financial Counselling), Legaya Holland (Casper Family Support), Fiona (Legal Aid NSW), Susie Hancock (NSW Department of Education), Winnecke Baker (Legal Aid NSW)

Agenda item	Discussion	Action/Outcome
1. Acknowledgment and Purpose	<p>Eileen acknowledged this meeting took place on the lands of the Bundjalung Nation.</p> <p>Once a year the CLSD Program holds a meeting of local legal services before the CLSD meeting so that the partnership can be informed about what the legal services are up to and what's new for the coming year.</p>	
2. New legal service projects and positions	<p>Federal Circuit Court and Family Court Indigenous List – Eileen, Legal Aid NSW</p> <ul style="list-style-type: none">- Federal Circuit and Family Law Court runs specialist list to accommodate Aboriginal and Torres Strait Islander litigants in 10 locations including Lismore.- The list is designed to meet needs of Aboriginal and Torres Strait Islander parties by adopting a degree of informality in the court room, the court room can be closed to public, there is an acknowledgement of Country before each case, the judge sits with parents and families at the bar table, and referrals can be made to support services.- This is a new initiative that aims to keep children with family and on Country.- There is an Indigenous Family Liaison officer employed to support litigants and liaise with community service organisations.- Matters are transferred to the list when parties have identified as Aboriginal or Torres Strait Islander on their initiating application or response to an initiating application. A judge or registrar can also transfer a matter to the list if it becomes apparent that the	

	<p>applicant, respondent or child/children in a matter identify as Aboriginal or Torres Strait Islander.</p> <p>Eileen works for a new service within Legal Aid NSW called the Family Law Service for Aboriginal Communities. This is a sister service to the Civil Law Service for Aboriginal Communities.</p> <p>About the Family Law Service for Aboriginal Communities</p> <ul style="list-style-type: none"> - FamAc is a state-wide, Aboriginal led service made up of lawyers dedicated to helping Aboriginal and Torres Strait Islander families and children in family law and care & protection matters. - FamAc provides advice, early intervention support, outreach and casework litigation to families and children currently involved in or at risk of being involved in family or care & protection proceedings. - FamAc operates from Parramatta, Dubbo, Newcastle, Lismore, and Moree. - Outreaches are conducted to: <ul style="list-style-type: none"> o Dareton/Wentworth, o Moree, o Tweed Heads o Murwillumbah, and o The team is looking at other locations like Bourke/Yamba. <p>Question:</p> <ul style="list-style-type: none"> - Jade asked how far Eileen will travel, because she visits Muli twice a week and thinks that FamAc would be a good referral point for the community. <p>Answer and comments:</p> <ul style="list-style-type: none"> - Eileen is based in Lismore but happy to go wherever there is a need. - Zoe noted that Muli is an example of a location that ALS, Legal Aid and the CLC should coordinate travelling to together. - Jade noted Services Australia have started a monthly services meeting in Muli. A recent day was successful, but outreach would need to be approached delicately so as not to overwhelm the community. It can be hard to connect with the community because many questions are about child protection/family law issues and people don't want to be seen talking to a lawyer in a small community. 	<p>Joy noted that she can help to connect Eileen with services.</p> <p>Distribute information to partners about the Kinship Festival that will be held in Murwillumbah on 27 May (the day after Sorry Day) this year.</p>
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- Zoe noted legal services could take a more casual, but still coordinated approach to outreach.

Question:

- Is there a need for financial counselling in Muli?

Answer and comments

- Northern Rivers Community gateway attended the services day and plan to deliver some workshops in Kyogle and are in talks about doing the same in Muli as well.
- Big issue in Muli is large energy bills and most properties are Local Aboriginal Land Council owned.

Aboriginal Legal Service NSW/ACT

Call 1800 733 233 – all care and family enquiries state-wide!

Legal Assistance for Family Partnership Agreement (LAFPA)

- This agreement was established to encourage the Department of Communities and Justice (DCJ) to make referrals to legal services early when they are working with a family.
- This was a recommendation from the Family is Culture Review.
- It is being piloted in New England, Newcastle, and Gosford.
- Legal Aid NSW and the ALS get referrals contemporaneously and work out where the referrals should go internally.
- Ongoing caseworker education is important for the provision of referrals.
- Important to note that NGOs can make referrals for legal advice early too!

Family Violence Prevention Unit

- Newcastle based but accepts state-wide referrals
- A holistic service providing legal representation, advice, casework assistance, and referrals to Aboriginal families impacted or affected by family violence and related issues like homelessness and contact with child protection services.
- The FVPU also aims to provide early support around intervention and community education about alternative pathways to ensure children aren't removed from families and communities.

- *Workload is incredibly high so not a lot of capacity to do outside referrals.*

Aboriginal Children and Family Advocacy Service (ACFAS)

- Still in implementation/establishment phase (Dubbo and Moree based but state-wide referral service, established through Closing the Gap funding)
- ACFAS is a new family-oriented justice program that aims to keep Aboriginal families safe and out of the child protection system. The program will encompass legal and wraparound services that support Aboriginal families at risk of having their children removed and work together to prevent them from ending up in the Children's Court.

Legal Aid NSW

Domestic Violence Unit/Family Advocacy Support Service

- The Family Advocacy and Support Service (FASS) has expanded and is now available at all the Family Court and Federal Circuit Court of Australia locations in NSW.
- FASS is now operating at the Lismore Registry.
- FASS supports people who are affected by family violence and have a family law issue. The lawyers and support workers can help people who:
 - o Have experienced family violence, or
 - o Have used violence, or someone says that they have used violence
- Family members like grandparents can also use FASS.
- FASS services include:
 - o Duty lawyer services at the Family and Federal Circuit Courts of Australia (provided by Legal Aid NSW)
 - o Mental health worker support (provided by Legal Aid NSW)
 - o Social support services for women (provided by the local Women's Domestic Violence Court Advocacy Service)
 - o Social support services for men.
- To provide duty lawyer services at Lismore Family Court Registry Legal Aid NSW has established a specialist Domestic Violence Unit hub at its Lismore office.
- FASS assistance is also available state-wide via telephone:
 - o Duty lawyer assistance: 1800 979 529
 - o Social support for women: 1800 11 FASS (1800 11 3277)
 - o Social support for men: 1300 00 FASS (1300 00 3277)

	<p>Respect at Work Legal Service (RAWLS)</p> <ul style="list-style-type: none"> - RAWLS is a state-wide specialist service at Legal Aid NSW that provides holistic and trauma-informed legal services to people who have experienced sexual harassment and/or discrimination in the workplace. <p><i>Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances.</i></p> <ul style="list-style-type: none"> - Importantly, intent has nothing to do with it! A person can't say 'oh, but I didn't mean it like that' because the test is about what a <i>reasonable person</i> would anticipate. - The lawyers can give employment law advice and expert advice about legal options to address workplace sexual harassment and discrimination. - It can be really empowering for people to learn what they experienced was sexual harassment. They don't need to take any action on the advice they receive but learning about your options can help to shift the power to the person impacted. - The types of workers that RAWLS can help are: <ul style="list-style-type: none"> o Full-time, part-time, casual, contract, and volunteer workers o Government workers o Workers on visas o People who are applying for jobs o Young workers o RAWLS can help workers who have experiences harassment or discrimination from their employer, co-worker, patron, patient or client. - The time-limit to make a complaint at a State level is 12 months and 24 months at a Federal level. - Katja McPherson is the senior solicitor with RAWLS based in Lismore and Fiona Pace, also based in the Northern Rivers is the managing solicitor. - So far, the service is seeing lots of victimisation; people being stood down after making a complaint. Even if complaint about harassment isn't successful, a complaint about victimisation could be successful. 	<p>Suggestion to co-deliver a Cut it Out workshop that includes RAWLS.</p>
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	<p>Contact respectatwork@legalaid.nsw.gov.au or (02) 9072 2333</p> <p>Suggestions for local services that RAWLS could connect with:</p> <ul style="list-style-type: none"> ○ Careers advisors in school ○ Youth Groups at Kyogle Family Support ○ NAIA Indigenous Leaders Program <p style="text-align: center;">Courts Update</p> <ul style="list-style-type: none"> - Casino court is sitting in Lismore most of the time. Casino will re-open, tentatively at the end of this year. - Audio Visual facilities were set up in Casino for the 1st time right before the flood. Lots and lots of people are using the AVL facilities in Casino to attend court in Lismore. - Casino lost its Children’s Court a long time ago, but while the specialist Children’s Court Magistrate is sitting in Lismore, they have recommended that as many Children’s Court matters be listed before her as possible. It is very positive to have a specialist Magistrate hearing these matters. - The police station in Lismore should be fully open in a few weeks. - Lots of courts are going to have to cap their court lists because there are so many matters coming in. 	
<p>3. Follow-up from Q4 2022 meeting</p>	<p>Youth Liaison Officer (YLO) Tweed Heads</p> <ul style="list-style-type: none"> - YLO position has been filled at Tweed Police Station but don’t have the staff members’ name yet. <p>Joint Protocol to Reduce the Contact of Young People in Residential Care with the Criminal Justice System.</p> <ul style="list-style-type: none"> - Following the Joint Protocol training that took place last year in Ballina, ongoing stakeholder meetings are starting in the next few months. - Lismore meeting will be before the end of April. - Joy will share contacts in the minutes. The contacts are the Manager Client Services for each DCJ region. - Zoe is on the state-wide advisory committee that is also meeting soon. - This round is about narrowing it down to region specific arrangements. <p>Justice Reinvest</p>	<p>NIAI to share the name of the new YLO with Joy if they learn it via their youth crime prevention program.</p> <p>Contacts for Joint Protocol Meetings.</p> <p>Kirsty.Archibald@fac.s.nsw.gov.au for Richmond valley, Clarence Valley and Ballina is Susan Morrison, Susan.Morrison@fac.s.nsw.gov.au,</p>

	<ul style="list-style-type: none"> - After the CLSD meeting in Casino last year, Joy linked Just Reinvest NSW with the Casino community directly. - Joy hasn't heard further because people involved have moved jobs. - NIAI spoke to Paula, who was in contact with JR directly and she has been in contact with Fiona Alison who is heading up National Justice Reinvest. Paula and the Casino community will be involved in a consultation with Fiona, they have had introductory conversations. - NIAI is working with Paula on a regional youth project, and Paula is now based in Kyogle. <p>Family Law Subpoena Project</p> <ul style="list-style-type: none"> - This project aims to help community service providers understand how to respond to a family law subpoena and also discrepancies about requests for information from DCJ (16A requests) - The training package will cover what you should and shouldn't respond to in a 16A request, and in subpoenas, and what you can ask for as well. - Once the information is settled, will consult with Legal Aid Community Legal Education Team to produce a brochure and presentation that can be used in community. <p>Birth Certificates – Muli</p> <ul style="list-style-type: none"> - Joy attended a recent community services day in Muli and mentioned the possibility of holding a joint legal and birth certificate clinic for the community. - Another organisation present advised that birth certificate applications are already facilitated for the community by another organisation. - Joy will work partners and the CLSD Program Unit to determine another suitable location/partner with high needs in this area. - Please contact Joy if you would like to discuss partnering on an event. 	<p>and Tweed Heads is Sandy Pilon, Sandra.Pilon@facns.nsw.gov.au</p> <p>Rachael to share the document with relevant colleague in Legal Aid NSW.</p>
<p>4. Service updates</p>	<p>Jade – Kyogle Family Support</p> <ul style="list-style-type: none"> - Recently there was a successful fundraiser for family and domestic violence. - The money raised will be used to develop an age-appropriate presentation for young children in collaboration with psychologist Sarah Daley, about keeping safe from family and domestic violence. - Jade will keep this group updated re development and delivery of the package. 	

	<p>Lisa – Lismore District Financial Counselling</p> <ul style="list-style-type: none"> - Working with clients who have received offers from the Buy Back Scheme. - Are providing case management, rather than just advice for these clients as everyone’s concerns are different. - Have made some referrals for legal advice regarding conveyancing. - If anyone has received a buy back offer, there is an appeal process now. People can appeal to house raising instead of the buy back. It important to let people know that they have more options than accepting or rejecting the buyback offer - The timeframe for the Buy Back Scheme is unclear. People in highest risk areas are being seen fastest. It is a difficult area because some people who are eligible for offers are already having their home repaired with Disaster Relief Grants. 	
<p>5. Next meeting</p>	<p>Joy spoke about changes to CLSD meeting schedule:</p> <ul style="list-style-type: none"> - June meeting will likely be an Information Forum for the community sector about the new programs across all 3 legal services and how to make referrals. - September meeting will be a workshop of some kind in lieu of a regular meeting. This may be the DV Forum which was postponed last year, or it could focus on the Subpoena Project. - November meeting is a planning meeting to set out next action plan, which is a working document that guides the work of the regional coordinator. <p>Meeting Dates – June 13th August 29th November 14th</p>	