



CLSD Program Quarterly Report

Q2 2023

The CLSD Program [webpage](#) has

- A calendar of regional partnership meetings and contact details for the regional coordinators.
- Information from each CLSD region, including regional profiles, action plans and meeting minutes.
- Information about our birth certificate partnership with the Registry of Births, Deaths and Marriages.

Headline issues

Tackling fine debt in the regions and increasing access to WDOs

Fine debt is a prominent issue in many CLSD regions and Revenue NSW data indicates that in some regional locations marked by economic disadvantage there is a significant amount of old fine debt (older two years), a relatively high use of payment plans using Centrepay for management of fine debt and licence suspension for unpaid fines in remote locations covered by the deferred licence suspension policy adopted by Revenue NSW. Recent consultation in Moree by the CLSD unit indicates support for diversion away from criminal justice responses, including issuing of fines.

The lack of options for work and development orders is an ongoing challenge in many regional locations. In 2021 and 2022 the Legal Aid NSW Work and Development Order (WDO) Service, CLSD Program and Advocacy Law Alliance worked together to test whether a dedicated third-party WDO service can increase access to the work and development order scheme for people with complex needs and high fine debt. The evaluation of the project was shared at the NLAf fines and traffic working group (FTWG) on 7 June. The evaluation found that the Project:

- Effectively connected eligible people to the WDO scheme who were engaged with a service provider who were not a WDO sponsor.
- Filled a gap for eligible people with fine debt where they could not identify a sponsor, due to no sponsors in their location or lack of sponsors offering activities meeting the person's needs.
- Increased the range of approved WDO activities available to people who wanted to undertake a WDO.
- Responded flexibly to people with fine debt with complex needs.

The pitfalls of electing to take traffic penalty notices to court

The CLSD unit is convening a subgroup of the FTWG to consider actions to address the problem of people court electing infringement notices without understanding the consequences. The first meeting was held on 27 April with representatives from community legal centres, Legal Aid NSW and Revenue NSW. The group agreed with the approach advocated for by Marrickville Legal Centre for law reform to allow people to withdraw election. The group also agreed that messaging about the consequences of court election at key points,

such as on the My Penalty Portal and on penalty notices and penalty reminder notices, should be improved.

A new legal advice clinic in Gosford for young people

Legal Aid NSW, RYSS and the Central Coast Community Legal Centre are partnering to offer a legal advice clinic for young people having contact with police and the criminal justice system. The clinic will be held twice a month on Wednesdays at RYSS' Youth Hub in Gosford starting 9 August. The clinic will also offer a check-up about fines and fine debt and free birth certificates for young people attending the clinic. Legal services will be provided by Children's Court panel lawyers through the Legal Aid NSW Regional Outreach Clinic Program.

Issues and activities from the regional partnerships

GREATER ALBURY

Q 2 meeting face to face in Albury 24 May 2023

The partnership held an event in Deniliquin offering free birth certificates, legal health checks and assistance with fines on 22 May 2023. The event was supported by 2 lawyers from the Hume Riverina Legal Service and a civil lawyer from the Albury Legal Aid NSW office and they helped 11 people to make 16 applications for birth certificates from the Victorian and NSW Registries of Births, Deaths and Marriages. This was the first time a CLSD partnership hosted an event where people could apply for birth certificates from 2 different state authorities, and Victoria BDM has indicated that they are keen to participate in further cross-border events of this kind.

The partnership also supported 10 women from community services in Albury, including Intereach, the Women's Domestic Violence Court Advocacy Service, Women's Centre, Gateway Health to attend the Women in Law Breakfast held in Albury on 18 May 2023. The guest speaker was Her Honour Ms Sally Mclaughlin from Albury Local Court.

There is interest from Albury, Deniliquin and Corowa in further Cut it Out domestic violence workshops for hairdressers, personal trainers and beauticians.

CENTRAL COAST

Q 2 meeting face to face 30 June

This meeting focused on demystifying grants of legal aid in the family law area. The meeting was also the final one with the Central Coast Community Legal Centre in the role of regional coordinator.

The discussion around availability of family law assistance from Legal Aid NSW focused on the importance of getting help early, and guidance provided at first appointments about what kinds of ongoing assistance are available from Legal Aid NSW for family law problems. Assistance includes lawyer supported mediation regarding arrangements for children and property disputes from the inhouse Family Dispute Resolution Service. Early intervention mediation is also available in care and protection matters at an early stage, when DCJ first becomes involved with a family and before court proceedings have been started by DCJ.

Ongoing projects for the region include the Sorry Business and the Law project, a new advice clinic for young people having contact with the criminal justice system in partnership with RYSS and the Central Coast Community Legal Centre.

CENTRAL TABLELANDS

Q 2 meeting – 23 May on-line

At the meeting partners heard about the expansion of the Family Advocacy and Support Service in the region and the services offered by Sparke Helmore, a pro-bono law firm.

The partnership participated in NAIDOC celebrations in Cowra in the first week of July, and offered free birth certificates for eligible clients with a legal health check-up from Legal Aid NSW. Other projects are legal health check and referral guides for locations throughout the region and a wills clinic in Cowra with support from Sparke Helmore.

CENTRAL WEST

Q2 meeting – 11 May

The meeting focused on one of the projects from the action plan: a potential new resource for young people and their families so that they are better informed about obligations and rights in relation to bail. Josh Harvey from Youth Justice in Dubbo provided background about the issue. He sees a lot of young people coming through the Children's Court due to allegations of a technical breach of their bail, such as a residential condition or a curfew condition. The wording of bail conditions is very challenging, many of these young people who are on bail have an intellectual disability or cognitive impairment and do not know or understand their bail conditions. In many cases their parents or carers do not understand the bail conditions. The challenge is to mitigate the impact of multiple short-term remands because repeated detention contributes to institutionalisation of young people. Lawyers and youth justice workers have a role in explaining bail conditions but have limited time available to spend with young people and their families.

Participants workshopped questions to further explore this issue and how it might be addressed, including whether a resource is the most appropriate option, or whether there are systemic issues that could be addressed. The next steps for this project are further conversations with police, Youth Justice and the Children's Court and consideration of data.

The partnership held a free birth certificate and legal health check-up event at Dubbo West Primary School with support from the Western NSW Community Legal Centre and the Legal Aid NSW Dubbo office.

FAR WEST

Q2

The role of regional coordinator for the Far West has not been filled and the CLSD Program is continuing to support the region on an interim basis until we can identify a local service who is able to take on the role.

The Far West partnership supported a wills and future planning documents clinic for Aboriginal and Torres Strait Islander people in Wilcannia on 23 and 24 May. Warra Warra Family Violence Prevention Legal Service, Gilbert + Tobin and the Legal Aid NSW civil lawyer in the Broken Hill office collaborated on the event.

In April the Legal Aid NSW civil lawyer based in Broken Hill and the financial counsellor working with CatholicCare in Broken Hill worked together to prevent the sale of several houses in Wilcannia that were scheduled for auction for unpaid council rates.

On Monday 24 July partners celebrated the new child contact centre at CatholicCare in Broken Hill.

HUNTER

Q2 meeting – face to face 11 May in Maitland

This meeting used a case study on domestic and family violence to start a discussion around how services can work together, particularly for older people experiencing DVFV. Participants also talked about new services available in the region at the Hunter Community Legal Service and the Aboriginal Legal Service NSW/ACT and how they could assist clients in this context.

A wills clinic was held in partnership with Hall + Wilcox on 25 May.

KEMPSEY/NAMBUCCA

Q2 meeting – 23 June in Kempsey

This meeting was a follow up to the Q1 meeting with guests Chief Inspector Martin Burke from Kempsey Police and Area Commander Jo Schulz. The meeting was well attended with around 30 people from legal services and local community services and the discussion was wide ranging.

Chief Inspector Burke spoke about focusing on health and education outcomes for young people as well as the need to support repairs to social housing properties. Domestic and family violence is a high priority, using body worn cameras to gain evidence for prosecutions as well as AVO applications. He is aware of the link between family violence in the homes of young people and young people having contact with the police.

Partners raised concerns about the broader context of racism in the community and how that continues to impact on community members.

Specific concern was raised about young people incurring fines that then become a barrier to gaining a licence, entering education and employment, and the need for police to exercise greater discretion to not issue a fine and to use other options such as a caution or warning.

There was discussion about policing of domestic and family violence, including the need for privacy for complainants who go to the police station and the role of support people.

The impact of illegal drug use on community members was discussed. Concerns were raised about inadequate treatment options for drug and alcohol addiction, even though MERIT is available for diversion of drug related crime at Kempsey Local Court. Drug use has a significant impact on elderly people, people with disability as well as young people.

Chief Inspector Burke said the local police would welcome opportunities to undertake cultural training.

Partners discussed the need for better understanding what community services are available, where the gaps are, and where greater flexibility is needed to meet the needs of people.

Commander Jo Schulz spoke about the interest of police in supporting cell support in the region, and greater community involvement in the use of cautions for young people under the Young Offenders Act.

MOREE

Q 2 meetings – community consultation on 19 May and online planning on 30 June

A new action plan for Moree has been drafted based on a community consultation held in partnership with the ALS NSW/ACT and Just Reinvest in Moree and an online meeting of legal services.

The community consultation showed support for expansion of Youth Koori Court to the region, raising the age of criminal responsibility and more opportunities for diversion in the Local Court. There was support for more direct engagement with community outside of the office environment. Concerns were raised about disruption at schools due to violence and the need to build better relationships between schools and community members. There is interest in better information about services available to support young people and families.

NORTHERN RIVERS

Q 2 meeting – 13 June Ballina

A legal information and referral forum was held attracting around 50 participants focusing on family, domestic violence, civil law and disaster response issues. The purpose of the forum was to meet with legal services across the region, hear about new programs and learn how to make referrals to local and statewide services.

This was identified as a need due to the many changes across Northern Rivers Community Legal Centre, Aboriginal Legal Service NSW/ACT and Legal Aid NSW which now provide statewide programs as well as new projects and new funding.

Joy Peters the CLSD regional coordinator provided this feedback on the forum:

A short survey post the forum showed that service providers got a lot from the forum and wanted to hear more about domestic violence and flood recovery. It is to be noted that all or at least most of our work (service providers including legal) is dealing with flood recovery or flood impact of some kind; consequently, this changes all that we do in that it is not static or consistent and we work in an ever-present trauma environment.

SOUTH COAST

Q 2 meeting – 16 May in Queanbeyan

This meeting included training for community workers on legal rights, renting and domestic violence, presented by the Women's Legal Service. This was the first time that the CLSD partnership has met face to face in Queanbeyan and it was a good opportunity for connections between legal assistance services and community services in this location.

TAREE/FORSTER

Q 2 meeting – planning meeting 14 June

A new action plan has been developed for the region following a planning meeting in this quarter.

RIVERINA

Q2 meeting – face to face in Wagga Wagga 1 June

Intereach has just been engaged to provide regional coordination services for the Riverina meeting and CLSD partners welcomed the new regional coordinator, Melinda Van Lierop. Part of the meeting was spent workshoping a new legal referral guide for the region. A face to face meeting will be held in Leeton for the first time in quarter 4.