

CLSD Program Quarter 1 2021 -

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The CLSD Program [website](#) has details about the regional meetings and coordinators as well as a dedicated page for each regional partnership with links to:

- minutes of the last 4 meetings
- the regional action plan
- the regional profile
- legal advice available in the region
- a printable factsheet; and
- upcoming CLE events.

CLSD Program headline issues

Fine debt, access to concession fares and transport disadvantage

A significant proportion of unpaid fine debt owed by people living in regional locations with relatively high economic and social disadvantage is incurred by people travelling on public transport without a valid ticket. For example, in the Kempsey Nambucca CLSD Program region the offence of travel without a valid ticket has the highest number of penalty notices contributing to fine debt in that region, with 1 663 penalty notices outstanding for that offence as at December 2020.

The availability of concession fares for vulnerable people is an important strategy to alleviate financial hardship for vulnerable people and prevent fine debt. Concession fares for public transport are available to people receiving the full rate of Centrelink benefits or who are in full time study or undertaking an apprenticeship, however the process for applying for a concession entitlement card, and the requirement to reapply for an entitlement card every 90 days, appear to be barriers for many people who could be eligible for a concession fare.

Two reports by the NSW Independent Pricing and Regulatory Tribunal (IPART) released in 2020 highlight how difficulties with gaining access to concession fares might be having an impact on fine debt that is related to travelling without a valid ticket on public transport.

IPART recommended that concession fares be available to people who hold a Commonwealth health care card in a review of Opal fares, and a review of rural and regional bus fares. This would expand the group of people eligible for a concession fare to include people who have insecure or sporadic employment and eliminate the requirement to apply for a separate transport concession entitlement card every 90 days. It also recommended that the NSW Government consider implementing other strategies for vulnerable people, such as the use of discounted travel passes for community organisations to provide to vulnerable people, and the opportunity for some vulnerable people to apply for free travel on public transport. It is understood that the NSW Government will respond to the recommendation by the middle of this year.

Housing and tenancy

Many partners have raised concerns about the impact of the tightening rental housing market in regional NSW on vulnerable people. Legal assistance and tenants' advocacy services play an important role in helping vulnerable tenants gain access to housing and to sustain tenancies and it is our common experience that early assistance in this area can make a difference.

Partners in the Central Tablelands region have noted the importance of early intervention and advice for tenants involved in the criminal justice system who were being advised by social housing providers to relinquish their tenancy prior to the finalisation of criminal proceedings.

Partners have also noted difficulties for tenants in getting help and representation from duty advocates at hearings conducted by telephone by the NSW Civil and Administrative Tribunal. We understand that the Tenants Union is looking at the issue of how tenants might be offered a duty service where hearings are held by telephone.

More recently some partners have noted concerns about tenants having to pay for access to tenant data base personal information notwithstanding changes to the *Residential Tenancies Act 2010* in made in March 2020 requiring database operators to provide personal information within 14 days of the request and at no charge to the tenant.

Throughout 2020 the Hunter regional partnership has focused on improving the relationships between legal and tenants' advocacy services and social housing managers following the transfer of much of the social housing stock in the region from the state government to two social housing providers. Initially legal and tenants' advocacy services met and developed a referral document that identified what each service offers for tenants, and how referrals could be made. Social housing providers and legal and tenants' advocacy services then met with social housing providers to discuss referrals and some other issues identified as affecting social housing tenants. In December 2020 the Hunter Community Legal Centre lead an on-line community legal education session for front-line workers at social housing providers about how legal and tenants' advocacy services can support tenants to sustain their tenancies.

At a recent planning meeting held for the Central Coast region partners agreed to collaborate on early intervention with vulnerable tenants who are experiencing difficulties with sustaining their tenancy.

The NSW Civil and Administrative Tribunal has kindly supplied information regarding applications for termination of tenancies and applications for repairs to the CLSD Program to assist with planning and targeting of services in the regions.

How to stick to your order – information for defendants to ADVOs – animated video coming soon

Due to widespread demand the pocket guide "How to stick to your order" for defendants to apprehended domestic violence orders has been reprinted again. A PDF version of the brochure is now available on the Legal Aid [website](#). An animated video version of the resource for YouTube and to share with agencies who can show it on television monitors will be available soon.

Issues and projects from the regional partnerships

ALBURY

Quarter 1 meeting – 24 February (online)

The meeting started with a mini law check-up exercise, which asked partners to consider two case studies and identify the client's legal and non-legal issues and appropriate local referrals. The CLSD Unit is encouraging regions to trial this activity in meetings to strengthen local referral pathways.

Damian Loiterton spoke about a new Men's Behaviour Change (MBC) program in Albury. Damian is a part-time serving member of NSW Police who has previous experience delivering MBC programs through Gateway Health in Wangaratta. The program is funded to deliver four programs over 12-months. On the day of the meeting, 12 men had been deemed suitable to participate in the first round of the program. Referrals into the program are through Westside Community Centre, local magistrates, local practitioners and people can also self-refer.

Partners also heard from Jackie Ingwersen from Murray City Council about its vulnerable persons' project, in partnership with the University of Sydney Centre for Disability Studies. The broad aim of the project is to build resilience in the community. Jackie focused on one of these projects, which is to improve how vulnerable residents are supported in the event of an emergency like a bushfire or major flood, particularly when residents need to evacuate.

Action plan updates

- A second Cut it Out workshop for salon professionals about domestic and family violence was held on 22 February. Some professionals working in gyms, child-care centres and beauty salons also attended this event, having expressed interest in attending to the regional coordinator after the first event in November 2020.
- Priority actions this year include a second wills clinic in Deniliquin in partnership with Yarkuwa, community legal education about family and domestic violence for the refugee community and consultation to adapt the ADVO pocket guide for an Aboriginal and Torres Strait Islander audience.

CENTRAL COAST

Quarter 1 on-line planning meeting – 3 March

A planning day was held to develop a new partnership action plan for the region.

New priorities for the region include:

- Focused work with social housing providers to help vulnerable people to sustain their tenancy.
- Closer work with community service interagency meetings in the region, including training on making referrals to legal services.
- Research and advocacy on young people, fines and public transport.

The consultation conducted prior to the meeting with legal and non-legal services in the region indicates that:

- non-legal services face some issues in finding free legal service for their clients
- a fine is the most common issue seen by non-legal services

- financial stress and lack of accommodation is a significant issue for vulnerable and disadvantaged people in the region
- there is interest in training on identifying legal issues and making better referrals; and
- there is strong support for the continuation of outreach activities targeting people who are struggling with bills and fine debt.

CENTRAL TABLELANDS

Quarter 1 meeting – 16 February (online)

A large focus of this meeting was planning the outreach events scheduled in Forbes on the 28th and 29th of April this year.

On day one, the Women's Legal Service will deliver community legal education to local community workers on family law, ADVOs, domestic violence and victim's support. Day two is a community information day which will include representatives from Services Australia, Legal Aid NSW, Binaal Billa, Your Story Disability Legal Support, the Energy and Water Ombudsman and Revenue NSW. Births, Deaths and Marriages will also attend to process fee-free birth certificate applications for eligible residents on day two.

Legal Aid NSW civil lawyers in Orange, the community legal education team and the Intellectual Disability Rights Service (IDRS) are also working to deliver community legal education about NDIS consumer issues and the safe use of technology and social media in this region.

Issues raised by local services

- Increase in tenancy terminations: services reported a significant increase in matters involving tenancy termination, particularly in the lead up to Christmas. IDRS also reported seeing clients who are receiving eviction notices following a criminal charge, but before there is an outcome in those proceedings. These clients have been told to relinquish their tenancy and re-join the waitlist.
- Changes to victims' services: Elizabeth Evatt CLC reported seeing clients who are having a lot of difficulty obtaining evidence for themselves and choosing an appropriate counsellor. An added challenge in the Central Tablelands region is the limited number of counsellors.

CENTRAL WEST

Quarter 1 meeting 25 February in person in Dubbo

Your Story legal service spoke with partners about their service and the focus of the Disability Royal Commission (DRC) on the experiences of people with disability in the criminal justice system. They encouraged partners to link people who would like to share their experience with their service and the DRC. People with a disability are overrepresented in the criminal justice system and face barriers as both victims and alleged perpetrators of criminal offences. Specialist support for Aboriginal people is also available through Your Story.

Outreach legal events are being planned for Coonamble, Goodooga, Collie and Coonabarabran in the middle of this year. The days will coincide with the sitting of the local court in these communities to maximise exposure. Key services for the outreach days will include assistance with fine debt and free birth certificates for vulnerable people.

Partners also discussed ongoing advocacy projects. A separate meeting will be held to address concerns about ADVOs.

Lack of allied health providers such as occupational therapists in the region is having an impact on the ability of people with disability to gain access to the NDIS and diversion from the criminal justice system under the *Mental Health (Forensic Provisions) Act 1990*. One service provider at the meetings spoke of having to seek funding from philanthropic sources to assist a client to gain evidence for an NDIS application. Access to specialist help was formerly available through Medicare hub centres. Partners agreed to consider making a joint submission to the DRC on this issue.

FAR WEST

Quarter 1 meeting held on-line 11 February

Partners heard from guest speaker Dinny Reardon from Mission Australia and their men's behaviour change program called *Disrupting family violence and moving towards family wellbeing*. This 18 week program has capacity for eight to ten participants. Partners of participants are contacted by the program and offered support by the family support workers at Mission Australia based in Dubbo.

Mandy Carroll from Family Connect and Support Program gave information to the partners about this program which provides early intervention for children and young people so that they are kept safe and well.

Warra Warra Family Violence Prevention Legal Service shared information about their new art program for Aboriginal women and a new weekly literacy pilot program.

Legal services and Wilcannia services on-line meeting 15 February

The purpose of this meeting was to connect legal services to significant stakeholders in Wilcannia and to hear from those services about the legal needs in the community. Face to face outreach services provided by Legal Aid NSW, the Far West Community Legal Centre (FWCLC) and Warra Warra Family Violence Prevention Service (WWFVPS) were disrupted in 2020 by Covid-19 restrictions. WWFVPS and the FWCLC have resumed face to face services in Wilcannia.

Feedback from Wilcannia services about legal needs included:

- access to the NDIS
- people not understanding their employment related rights.
- requirements for identification which is needed to access education, housing and to obtain a working with children's check.
- wills, assistance with small estates
- legal advice for victims of domestic violence who are on bridging visas; and
- tenants who are at risk of falling into arrears.

HUNTER

Quarter 1 Meeting – 3 February, Newcastle (in-person)

The purpose of this meeting was to reconnect in person and to do a stocktake of the partnership's progress on its action plan, that was developed in quarter one last year.

Completed actions under the action plan:

- Hunter housing forum: the forum was attended by Hunter Community Legal Centre, Hunter Tenants' Advocacy Service, Northern NSW Aboriginal Tenants Service, Legal Aid NSW, Hume Housing, Compass Housing and the Department of Communities and Justice Housing.

Following the forum, the community housing providers invited the lawyers to deliver community legal education to their frontline workers.

- Cut it Out workshop for salon professionals.
- Integrate training on spotting legal problems into regular CLSD meetings: this activity was included in the quarter 3 and 4 meetings in 2020 and will be incorporated into appropriate meetings this year.
- Older persons' legal service community legal education and advice clinics were completed by Hunter CLC in March 2020.
- Hold quarterly meetings in Cessnock, Raymond Terrace, Muswellbrook and Lake Macquarie: while three meetings were held online in 2020, they were still designed to focus on regions within the Hunter. The regional coordinator has met with Lake Macquarie Council and a meeting is planned for that location in-person later this year.

The meeting also included a presentation from Callan Lawrence from Hunter Community Alliance, which aims to strengthen local organisations in the Hunter and the connectivity between them through storytelling, training and advocacy. Callan was invited to speak about a listening campaign that the Alliance held during 2020 to learn about the impact of covid-19 on the local community, which shaped their advocacy work last year.

KEMPSEY/NAMBUCCA

Quarter 1 meeting - 2 March, Kempsey (in-person)

The purpose of this meeting was for partners to reconnect in-person to share their resources and upcoming activities, having spent all of 2020 online, and to identify their current priorities as a community.

Fiona Pace (senior solicitor, Legal Aid NSW) spoke to partners about her role in supporting the community members in Kempsey and surrounding areas who are concerned about unfair treatment by police. Fiona is providing legal advice and community legal education and is developing a referral pack for local community workers to use with clients who have had contact with police.

To support this work, a community legal education event about police powers was also held at YP Space in Kempsey after the CLSD meeting.

The second half of the meeting addressed how partners could engage with the local Police Aboriginal Consultative Committee (PACC).

MOREE

Quarter 1 – community consultation held on 19 February, on-line meeting for legal services 17 March.

A community consultation was held in Moree to gain information for the new Moree partnership action plan. Around 15 service providers and community members participated in the meeting which focused on the questions of: where or how are clients missing out on legal help, what do they like about legal services in their community and what changes would they like to see in legal services in the region.

Participants said that they like having access to services that help with wills and civil law problems and considered it important that locals are working in legal services in the region.

They also said that there could be more or improved access to specialist services in the areas of care and protection and fines and work and development orders. There is a service gap for fathers who need help with care and protection and family law matters. In relation to legal needs for care and protection participants noted that people are likely to have a need for this type of assistance in the early stages where the Department of Communities and Justice and non-government family support services are engaging with a family prior to any formal court proceedings.

Participants also highlighted the importance of trusted navigators or community linkers who can assist vulnerable and disadvantaged people to connect with the right legal service.

NORTHERN RIVERS

Quarter 1 meeting – 30 March (in person in Casino)

At the planning meeting in quarter 3 2020, partners decided to introduce the following as standing items on the agenda of their CLSD meetings:

- legal service delivery in the wake of Covid-19
- transformative justice, and
- opportunities to work with our most disadvantaged communities.

A facilitated discussion about transformative justice, and what it could look like in Casino, was the centrepiece of the meeting. This conversation built on earlier presentations that JustReinvest and the Law Enforcement Conduct Commission made to CLSD Program partners in the Northern Rivers. Partners will consider the next steps in this work out of session, which could be organising some informal community consultations and approaching the local Aboriginal Medical Service was also suggested.

Housing, particularly the lack of transitional housing for people leaving prison and social housing in the region was raised as a significant issue. One organisation shared that they have received a grant to run a transitional accommodation program for 12 months, which they might not be able to use because they cannot find an appropriate location to rent.

Some service updates shared during the meeting include:

- Northern Rivers CLC has employed a domestic violence specialist solicitor who will be based in Casino and Kyogle for the next 9 months. One aim of the position is to educate local services about the changes to applications for victim's support, and how to best support their clients under the new rules.
- Plans are underway to hold the first domestic violence training for salon professionals in the region in Kyogle, with other towns to follow.
- The Department of Communities and Justice is running a pilot project at the female gaols in Grafton and Kempsey which aims to reconnect mothers with their children who are living in out-of-home-care. So far, the program has been running for 6 months and outcomes are positive.
- In response to Lismore City Council taking steps to auction people's homes late last year due to unpaid rates, Legal Aid NSW is developing a guide for solicitors to use when engaging with clients about these issues and has worked with Council to allow people to use Centrepay to pay their rates.

SOUTH COAST

Quarter 1 meeting – 23 February (online)

Erin Weatherly (Shoalcoast Community Legal Centre) and Sharlene Naismith (Legal Aid NSW) jointly presented about the ongoing legal issues impacting bushfire affected clients and the available support services, including the bushfire legal aid scheme for businesses, advice from the Financial Rights Legal Centre and pro-bono help through Justice Connect.

Antonietta, who is a new outreach worker with the Australian Centre for Disability Law, introduced herself and her role to partners, which is to provide information and referrals for legal advice to any person with a disability who has faced discrimination due to Covid-19 restrictions.

Issues raised by local services

- Illegal charges to access information about TICA listings: following changes to the legislation governing the TICA database last year, people do not need to pay to access information about a listing, however partners reported that they are still seeing clients being charged. The CLSD Unit will include advice for services about this in the next CLSD e-update.
- Issues impacting re-building after the fires: Shoalcoast CLC reported that they are seeing many clients who lost their homes in the fires now facing further legal problems due to poor re-building work and inappropriate temporary accommodation. Some residents have also reported that their properties are covered by new local environment plans, which significantly restrict their ability to re-build. Services were encouraged to connect people in these situations with legal help.
- A disability advocate on the far south coast raised concerns about the outcome of some applications for the disability support pension and how Services Australia communicates with clients who are illiterate. The meeting was a great opportunity for the solicitors and disability advocate to meet and the solicitors shared the details of specialist services that can help with these matters.

Project update

Two TAFE and Community Colleges have asked to receive the Cut it Our domestic and family violence training and partners have also suggested the Bega Women's Centre as a partner.

TAREE/FORSTER

Presenters at the quarter 1 meeting:

- Russell Cavanagh Aboriginal Field Officer, Legal Aid NSW Port Macquarie spoke about the work being undertaken in the Kempsey region on legal advice and community legal education addressing concerns about unfair treatment by police.
- Bud Crawford, Aboriginal Customer Advisory Officer, Hardship Team Revenue NSW.

Bud spoke to partners about the Revenue NSW Hardship Program focussing on Aboriginal and Torres Strait Islander people and young people. Bud announced that Taree has been chosen as a target location under the program. This means that Revenue NSW will work closely with the community to tackle its fine debt through education, diversion, community partnerships, work and development orders and enforcement. The first step is an in-person community consultation to develop an action plan, which will be used to track the progress of the program. The consultation will likely take place by the end of April.

Partner updates

- A new solicitor for family and domestic violence matters has started at Mid-North Coast CLC
- Taree court has been chosen to receive a court companion dog, which will service both Taree and Forster court.
- Partners agreed to prioritise holding another fines and legal help day at Taree court. The Court Registrar has agreed to propose appropriate dates and Mid-North Coast CLC has offered to coordinate the event.

WAGGA WAGGA

Quarter 1 meeting - 25 February (online)

The first half of the meeting provided an opportunity for partners to re-connect and share their workplans, including outreach and education events for the year ahead. There are a number of new staff working for the Legal Aid NSW office in Wagga Wagga and Linda Meyns has returned to her role covering this region in the WDO team. The meeting provided a great opportunity for these staff to meet with local non-legal services. A few staff members from regional TAFE offices, who are now all work and development order sponsors, also joined the CLSD meeting for the first time.

Access to affordable housing is an ongoing issue in the region, particularly for people leaving Junee Correctional Centre. Partners noted that the number of properties available to rent in the private market has reduced significantly since the onset of Covid-19 and the wait time for a public housing property has increased. Courtney Law, who is the new homelessness outreach solicitor for Wagga Wagga agreed to meet separately following the meeting with staff from Community Corrections, Edel Quinn crisis accommodation and Pathways Murrumbidgee, about the support available clients who are homeless or at risk of homelessness.

During the second half of the meeting partners discussed the actions that should be prioritised under the action plan that was developed at the beginning of 2020.

Action plan priorities include:

- Seeking an update from Births, Deaths and Marriages about the number of birth certificate applications made under the prisoner project.
- Investigating opportunities to advocate for people working with Community Corrections to have access to work and development orders.
- Holding a work and development order sponsor event for services in Wagga Wagga and Griffith.
- Seeking an update from the Women's Centre about their project to provide CLE to real estate agents about family and domestic violence.
- A demonstration of self-help tools related to driver licence disqualifications during a CLSD meeting in 2021.