Central Coast CLSD Q2 Meeting

28.06.2023 | 10am - 12pm | Central Coast CLC

MINUTES

Present: Deborah MacMillan, Sym'mon Andrews (Central Coast CLC); Chris Murnane, Kate Halliday, Kai Wu, Seema Sanghi, Haney Cho, Sophia Cloke (Legal Aid NSW); Silas Pollard (Headspace)

Agenda item	Discussion
1.Opening and purpose	Deborah MacMillan acknowledged that the meeting took place on Darkinjung Country (and noted that this region has the fastest growing first nation population in Australia)
	 Purpose of today's meeting: Final meeting for Central Coast CLC in the role of Regional Coordinators. Opportunity for any organisation interested in hosting the Regional Coordinator role to ask questions. Information share with regards to grants of legal aid (from Legal Aid NSW) for family law matters A review and discussion of where we are up to with current CLSD projects
2. Accessing Legal Aid Grants - Family Law	A grant of legal aid provides people with advice and legal representation by a lawyer who works for Legal Aid NSW or a private solicitor paid for by Legal Aid NSW. This session, presented by Haney Cho from Gosford/Newcastle, looked at the operation of grants for family law matters.
	Grants of Legal Aid in Family Law Matters
	Haney Cho (Solicitor, Family Law Gosford/Newcastle).
	There are different kinds of grants of legal aid depending on the type of help needed and the areas of law (family law, care and protection, child support). The means test applies to most grants of aid for family law assistance.
	Haney emphasised that people can get quick guidance about whether they are eligible for a grant of legal aid for family law matters by making an appointment to get legal advice from a Legal Aid NSW family lawyer, this can be done by contacting LawAccess 1300 888 529. Legal Aid NSW now applies triage when people contact LawAccess for legal advice to ensure that people who are offered a legal advice appointment for family law are likely to benefit

most from their help. She also emphasised the importance of getting advice early. Legal Aid NSW has an inhouse Family Dispute Resolution Service providing mediation across all areas of the family law practice.

Legal Aid NSW Family Law Policies and Guidelines

The family law policies and guidelines set out when aid is available for family law matters.

Legal aid is available for mediation of disputes about property matters where the net value of the pool of assets is less than \$600 000 (excluding superannuation) and the applicant is a survivor of domestic violence, has a disability or is over the age of 55 years. Legal aid may also available for proceedings in court regarding property where mediation has not been successful. Further detail here.

Family Extended Legal Assistance (ELA) provides advice and representation for early intervention in adoption, child support, care and protection and family law matters and is provided by the in-house lawyers only.

Care and Protection - Early Intervention Mediation is also now available

Mediation is also available at an early stage where DCJ has started to have contact with a family regarding concerns about children, before any court proceedings have been started by DCJ.

The general principle with grants of legal aid is that there is a means test.

Legal Aid NSW Means Test

- The means test considers a person's income and assets.
- It is important to know that when Legal Aid NSW assesses a person's income, they consider whether they have any dependents, and they deduct costs like:
 - o Rent
 - Mortgage repayments
 - Childcare
- There is a cap on the value of a home, which operates to exclude properties from the means test below the cap and include properties above the cap.
- There is a <u>Means Test Indicator</u> online that people and services can use to gauge whether someone may be financially eligible for legal aid
- Important Update: on 2 May 2023 the Means Test was increased to reflect increases in the cost of living and
 for the purpose of the Means Test the Central Coast is now considered part of Greater Sydney. As a result, it

is likely that the dollar amount of rent and the value of property allowed under the test will likely increase in this region.

3. Update on Current Region projects

a. Sorry Business and the Law project

The Sorry Business and the Law project was instigated by Bobbi Murray when she was in the role of Central Coast CLSD regional coordinator. She identified a need to bring together different sources of guidance and assistance for when people are trying to navigate the legal and administrative requirements following the loss of a loved one. With funding assistance from the CLSD Program Bobbi undertook research and consultation on the areas and topics that should form part of a new legal resource to assist Aboriginal and Torres Strait Islander people. The Central Coast CLC, Legal Aid NSW and pro bono legal firms Gilbert + Tobin and Ashurst worked together on draft content for the resource. At this stage the topics to be addressed by the resource were: wills and future planning documents. Funding assistance for funerals, coronial inquests, counselling and support, funeral funds and what to do when someone has passed away.

A further community consultation on the draft content was held with support from BJ Duncan and the Central Coast CLC in Wyong on 23 and 24 March 2022. Feedback was given the content, and platform for the resource. There was strong support for the guide on what to do when someone passes away to be available an online resource, which would allow people to choose what area they needed help in. The consultation indicated further areas for work on the content, including advice on resolving disputes, the content on coronial inquests and the language of the content. Over the last 6 months the project has focused on liaising with the Coroner's Court and the Aboriginal Legal Service NSW/ACT about the project. The ALS NSW/ACT has kindly offered to assist with completion of the coronial inquest content, and the Legal Aid NSW community legal education team is editing all of the content. Some issues regarding hosting of the online resource need to be resolved before a consultation resource can be made.

b. Gosford Clinic

Legal Aid NSW has been working with the Regional Youth Support Service and the Central Coast CLC to offer a new children's law advice clinic to be opened at RYSS's premises in Gosford. Advice on criminal law/Children's Court issues will be provided by a panel lawyer engaged through the Legal Aid NSW Regional Outreach Clinic Program. It would be ideal to offer wrap around services at the clinic including free birth certificates and advice on civil law issues (including fines and fines debt). We discussed how we might be able to add in some civil law advice at the same time – it may be possible to use Teams for this. The CCAS worker at Central Coast CLC, Wayne Cook will be available at the clinic to offer support.

- Draft copies of the guide were distributed during the last meeting

C.	Central Coast Joint Legal	-The CLSD Unit to send through the updated template to both Deborah and Chris to settle the content.
	Referral Guide	Revenue NSW Update – June 2023
		Outreach officer: Central Coast/Hunter: Laurence (Bud) Crawford: laurence.crawford@revenue.nsw.gov.au
d.	Revenue NSW	
	Update	-Kate Halliday (Legal Aid NSW Program Manager) acknowledged the dedication of the CLC to the CLSD partnership
		for 16 years and the many varied projects that have been undertaken including many wills clinics, the Sorry Business
e.	Final CLC CLSD	and the Law project, Aboriginal Access Worker, Traffic clinic and the Legal Health = Mental Health collaboration.
	meeting	
		TBC
4. Nex	t Meeting	