



## CLSD Program Quarterly Report

Q3 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 including a fact sheet on the availability of free birth certificates under the partnership and other options for obtaining a free birth certificate, such as the program offered to inmates by Corrective Services.

### Headline issues

#### *Equity in the regions*

The new Moree CLSD action plan highlights some important issues about access to justice in regional NSW. Moree is a relatively small CLSD region (population 12 750), with complex and significant legal needs. 19.9% of the population is First Nations people, and 20.9% of the population falls into the NSW Law and Justice Foundation NLAS (community) category, a count of people who have medium household income and low educational attainment.

As at May 2023 the total value of overdue fines in the region was over \$3.5 million, over \$2.6 million has been overdue for over 2 years. Nearly 100 people have licence restrictions due to unpaid fine debt, a significant majority are managing their fine debt through Centrepay, and there is comparatively low use of work and development orders.

Over the next 2 years CLSD partners would like to work with Revenue NSW to offer to people with licence restrictions a pathway to regain their licence through the WDO scheme and fine waiver.

BOCSAR data shows that the number of young people taken to court by police for criminal matters has steadily increased over 3 years, from 102 in the 12 months to September 2020, to 248 in the 12 months to September 2022.

Consultation with non-government organisations and community members held to prepare the action plan shows support for increasing access to diversion such as circle sentencing and having a specialist Children's Court, and Youth Koori Court, in the region.

The rate of domestic violence related assault per 100 000 is very high compared to the rate for NSW; in the year to December 2022 the rate for Moree Plains LGA was 2, 495 compared to the NSW rate of 409. Apprehended domestic violence orders made against adult First Nations women in the region has increased over the last 5 years. The region has no specialist domestic violence legal help available at court for people in need of protection, and no behaviour change programs for people who use violence.

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## ***Court election of infringement notices***

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 next meeting will be held on 20 September.

Working with colleagues from the community legal centres and the Aboriginal Legal Service NSW/ACT, we have produced a [social media toolkit](#) to raise awareness about the risks of court election.



## **Issues and activities from the regional partnerships**

### **GREATER ALBURY**

Like other regions, the Justice Partnership in this region is wrestling with issues surrounding domestic violence and plans are afoot to bring awareness to a plethora of services about how to recognise, respond and refer people who disclose they are facing DV. There is interest from services in Albury, Deniliquin and Corowa for 'Cut it Out' workshops for hairdressers, personal trainers and beauticians.

#### *Activities*

Q3 meeting face to face and online, 23 August.

At this meeting, the Public Interest Advocacy Centre (PIAC) presented on the legal implications of the Referendum with the aim of arming attendees with the legal and historical knowledge needed to make an informed decision.

### **CENTRAL COAST**

There is currently no regional coordinator in place for this region. The CLSD Program is supporting the region on an interim basis.

#### *Activities*

Q3 meeting face to face, Gosford, 26 September. This will be soft launch of the young people's legal clinic at the Regional Youth Support Services (RYSS) Youth Hub in Gosford.

## **CENTRAL TABLELANDS**

### *Activities*

Q 3 meeting online, 15 August. Like the Greater Albury meeting, PIAC also presented re: the Referendum.

Attendance at Orange Community Expo, 5 September

Coming up: Orange and Forbes NAIDOC events.

Legal health check and referral guides for locations throughout the region and a wills clinic in Cowra with support from Sparke Helmore.

## **CENTRAL WEST**

The partnership is currently working 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.

At the Q2 meeting 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.

### *Activities*

A free birth certificate and legal health check-up event was held at Dubbo West Primary School on 27 June with support from the Western NSW Community Legal Centre and the Legal Aid NSW Dubbo office.

The partnership has produced a guide on free legal services for Coonamble.

## **FAR WEST**

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.

### *Activities*

Q3 meeting will be held online on 21 September, focusing on collaborating on fines debt.

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.

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Collaborative work between the financial counsellor at CatholicCare and Legal Aid NSW in Broken Hill assisting people with rates debt facing forcible sale of their homes.

## **HUNTER**

As in many regions, fine debt continues to be a major issue, along with lack of identification creating barriers for people to access government services such as Centrelink and NDIS.

### *Activities*

Q3 meeting face to face, 17 August, Cessnock.

Following the meeting, an article about fine debt featured on the front page of the Newcastle Herald, 4 September, which included the important role that legal services play in supporting people with fine debt. In a region with few WDO sponsors, the meeting also resulted in 2 organisations indicating that they would like more information on WDO sponsorship as they would potentially like their service to become one.

The new CLSD coordinator recently brokered a stakeholder meeting between Survivors R Us and the Legal Aid NSW Solicitor in Charge, to explore how people using this service can get access to legal assistance. Survivors R Us is a self-funded charity that helps survivors of domestic violence, and anyone who needs assistance. They can have up to 100 people come for a BBQ breakfast and 10,000 have accessed their service in the past 12 months. The founder explained how many of the women at their service need family law advice (often quite urgent advice) and they don't yet have a referral pathway with a legal service.

## **KEMPSEY/NAMBUCCA**

Q1 and 2 meetings in Kempsey have focused policing and relations with police. Chief Inspector Martin Burke from Kempsey Police and Area Commander Jo Schulz attended the Q2 meeting held on 19 June which was well attended with around 30 people from legal services and local community services.

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**

Just Reinvest NSW and the CLSD Program have undertaken a survey of services who work with young people and their families or carers with the aim of better understanding what each service provides, and how they refer to each other and what gaps exist.

The partnership also wanted to understand what challenges exist in the service sector in Moree, and to gain feedback on what would help make the service sector better for young people and families.

Preliminary analysis of the survey results (18 services) reveals that while there are programs available in Moree and surrounding areas, there is little to do on weekends for young people as the majority of services are only open 9-5 on weekdays; young people aged 18-25 years have the most service provision, closely followed by 13-17 year olds, and the majority of services that undertook the survey say their 'service delivery is flexible,' that they adapt to the needs of the young person.

### *Activities*

Q3 meeting online, 15 September. The survey results will be discussed, and next steps planned.

## **NORTHERN RIVERS**

### *Activities*

Q3 meeting face to face, 5 September, Ballina. This was a community legal education session about Apprehended Violence Orders (AVO). Women's Domestic Violence Court Advocacy Services (WDVCAS) facilitator took participants (43) through the process of obtaining an order and the various conditions; the types of AVOs, and the steps taken to ensure both survivor and their family, as well as the defendant, understand the order.

The second part of the session had lawyers from both Legal Aid NSW and Northern Rivers Community Legal Centre on a panel in a Q&A format, with questions about disaster relief. Tenancy and housing were the most frequently asked questions, particularly in relation to the 'pod villages,' as well as grants for rebuilding and insurance claims. The 2 services also explained what issues they can and cannot deal with.

## **SOUTH COAST**

There is no regional coordinator in this region and the CLSD Program is supporting the region on an interim basis.

### *Activities*

Q3 meeting online, 29 August.

Q4 meeting in November will be face-to-face and include an event where various services attend a venue possibly in Moruya to support those needing help with identification and tenancy issues.

## **TAREE/FORSTER**

Fine debt is a key issue in the region, particularly for young people. Noting that mentoring is the least utilised activity in the Work and Development Order scheme, planning is underway to increase the uptake of this activity in the region through the collaboration of various community and specifically youth services.

A new 2-year CLSD action plan is now available for this region.

### *Activities*

Q3 meeting face to face, 3 September, Taree. This will be a training session by Legal Aid NSW on Work and Development Orders and the potential of a CLSD 'mentoring' project in the region.

## **RIVERINA**

### *Activities*

Q3 meeting online, 24 August.

A face-to-face meeting is planned for Leeton for the first time in Q4, which will include a 'Legal Information Access Day' with legal and community services: legal health checks, identification support, fines and WDO information, help with electricity bills and wills.