

Work & Development Order

18/19

ANNUAL REPORT

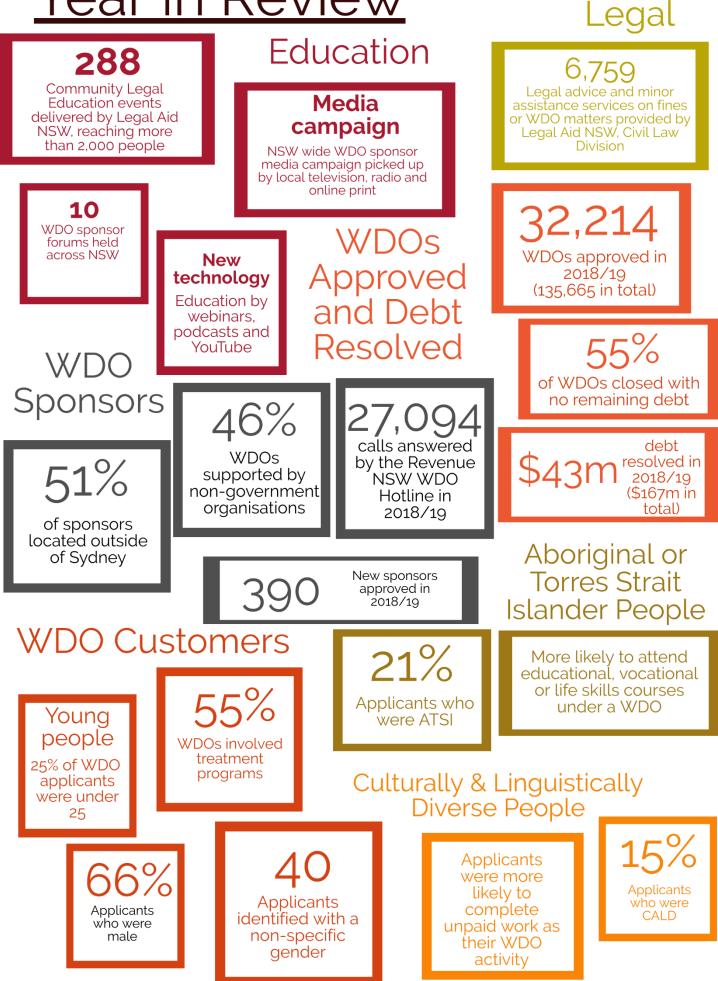


Keeping the community informed



Department of Communities and Justice | Revenue NSW | Legal Aid NSW

<u>Year in Review</u>



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1 About this report



This Work and Development Order (WDO) annual report provides an overview of the WDO scheme for interested parties.

The WDO scheme was implemented as a trial in 2009 and made permanent in 2011 after a positive evaluation. It is an example of co-design and collaboration between Government, community, health and private sectors to deliver real community benefit to the people of NSW. Under the WDO scheme, disadvantaged people who have fines can clear their debts by undertaking activities which benefit them and the community. The scheme is limited to people who have medical, mental health or addiction problems; who have a cognitive impairment or intellectual disability; who are homeless; or who are in financial hardship (including under 18s).

WDOs are supervised by sponsors in the community, including government agencies; non-government organisations (such as charities); or health practitioners (doctors, psychologists, nurses). For-profit organisations may be approved on a case-by-case basis.

The activities that can be included are very broad and are intended to benefit both the participant and the community. These include: unpaid work; education, vocational or life skills courses; financial and other types of counselling (including case management); medical or mental health treatment; drug or alcohol treatment; or mentoring (if the person is under 25). A WDO can reduce fines debt by up to \$1,000 per month.

This annual report covers the WDO scheme as at 30 June 2019. Departments and statutory bodies involved with the WDO scheme may be required to submit annual reports under the Annual Reports (Departments) Act 1985 or Annual Reports (Statutory Bodies) Act 1984. Those departments and statutory bodies are defined in the Public Finance and Audit Act 1983.

This report is provided for information only and does not meet or replace any other requirement to produce or submit an annual report.

The annual reports of the key departments and the statutory body responsible for overseeing governance of the WDO scheme can be viewed at:

Department of Communities and Justice www.justice.nsw.gov.au

Department of Customer Service www.customerservice.nsw.gov.au

Legal Aid NSW www.legalaid.nsw.gov.au

"The WDO program really helps people connect with their community."

WDO sponsor

2 Message from the WDO Governance Group



Welcome to the third edition of the WDO annual report. The WDO Governance Group met in July 2018 to establish a work plan for the 2018/19 financial year and we have worked systematically to implement the plan over the last year. I am pleased to share with you some of our achievements.

Audit

The Department of Justice led a compliance audit of approved WDO sponsors participating in the scheme. Throughout 2018/19, the WDO Governance Group has supported the audit team and we expect the final report to be released in 2019.

Managing risk

As the WDO scheme grows, it is critical that the WDO Governance Group continues to support the scheme through appropriate governance. In 2018/19 we commenced work to establish compliance and risk management frameworks. The frameworks will outline our commitment to audit and quality assurance to help sponsors meet their obligations under the scheme and our commitment to identify and manage risks to the scheme. This work will continue into 2019/20 financial year.

Program logic

The WDO Governance Group engaged a consultant to assist with the development of a program logic for the WDO scheme. The program logic is intended to clearly articulate the purpose and aims of the scheme and identify the activities that lead to short, intermediate and longer term outcomes of the program. The final version of the program logic will be released in 2019.

Guidelines

In 2018/19 the WDO Governance Group continued its ongoing review of the WDO Guidelines. Changes to the Guidelines will be proposed this year to help WDO sponsors better understand their obligations, manage risks to the scheme and make sure the WDO scheme responds to community needs and expectations.

Young people

The WDO Governance Group focused efforts on improving access to WDOs for young people in 2018/19. We worked closely with Police and Community Youth Club and Family and Community Services to improve the uptake of WDOs by young people. This follows changes to the WDO Guidelines in 2017 to make all under 18s eligible for a WDO under the acute economic hardship eligibility provision.

"(I) learnt a new trade, learnt computer skills and can now get my license. I've had issues with fines for 20 years and just couldn't manage to deal with it and now I finally have it under control."

WDO participant

WDO self-service portal

Revenue NSW made significant upgrades to the online selfservice portal in 2018. These changes made the system more user-friendly for sponsors and also helped sponsors understand their obligations under the WDO Guidelines.

Nominated for Premier's Award

Finally, I am pleased to share with you that the WDO scheme has been nominated for a Premier's award in the category of 'tackling longstanding social challenges' which recognises people and programs that deliver better social outcomes for the most vulnerable people and equality of opportunity for people across NSW. We look forward to sharing the outcome with you after the award winners are announced.

Thank you!

On behalf of the WDO Governance Group, I would like to extend my most heart-felt appreciation to all WDO sponsors who support the scheme and demonstrate their ongoing commitment to improve the lives of WDO participants.

Kind regards

Kathnora In

Kathrina Lo Deputy Secretary, Justice Services Department of Justice

"The WDO program is a gateway for people who have issues and have never before seen a psychologist or psychiatrist."

WDO sponsor

3 Governance & support

"I come here off the streets," he said. "I had almost \$9,000 worth of debt and I was never going to pay that back. It took me nine months, but I'm debt free."

WDO participant

From the Newcastle Herald, 22 February 2019, Max McKinney In this section of the report, we have provided information about how the Work and Development Order (WDO) scheme is governed and the role that scheme partners play to support it. In this section of the report, scheme partners include the Department of Communities and Justice, Revenue NSW and Legal Aid NSW.

About the WDO Governance Group

The WDO Governance Group oversees the WDO scheme to make sure it is administered responsibly and in line with Government and community expectations.

It is made up of representatives from the Department of Communities and Justice, Revenue NSW and Legal Aid NSW. The Group meets regularly and the meetings are chaired by the Department of Communities and Justice.

The WDO Governance Group is responsible for:

- monitoring scheme performance against its objectives
- anticipating and responding to issues affecting WDO sponsors and clients
- interpreting the WDO Guidelines and recommending changes to the NSW Attorney General as required
- adjudicating and acting on instances where possible breaches of the Guidelines are brought to its attention, or where special consideration (as defined by the Guidelines) may be appropriate
- adopting planning, probity, due diligence and other practices designed to ensure the longevity and integrity of the WDO scheme by focusing efforts on scalability, risk mitigation and inclusive engagement with all key stakeholders and participants.

2020 vision

The WDO Governance Group has a clear vision for how the scheme will evolve into 2020 and beyond. Some focus areas include:

- reviewing and implementing recommendations from the recent audit of the WDO scheme
- recommending changes to the WDO Guidelines to the NSW Attorney General to respond to audit

"Today I'm halfway through a [certificate] four in community services," he said. "My life is 100 per cent different from what it was like two years ago."

WDO participant

From the Newcastle Herald, 22 February 2019, Max McKinney recommendations and address issues raised by scheme partners and WDO sponsors

- improving access to the WDO scheme to ensure it is administered responsibly and is available for those who genuinely need assistance
- developing resources to help WDO sponsors understand and comply with their obligations.

Department of Communities & Justice

The Department of Communities and Justice governs the WDO scheme by:

- chairing the WDO Governance Group
- coordinating updates to the WDO Guidelines
- auditing WDO sponsors to identify risks and areas for improvement
- evaluating the WDO scheme to make sure it's achieving its stated objectives
- approving WDO sponsors.

Further, the Department of Communities and Justice helps to expand the scheme by working together with Legal Aid NSW to recruit sponsors at a high level, particularly within government.

The Diversity Services Unit within the Department of Communities and Justice also works to promote the scheme to Culturally and Linguistically Diverse community members and sponsors.

Revenue NSW

Revenue NSW supports WDO sponsors and customers through the WDO Hotline. Customers call the hotline to find out about WDOs and for help finding a sponsor. WDO sponsors call the hotline to enquire about signing up, to clarify the WDO Guidelines and for help with the WDO selfservice portal.

The WDO Hotline is a team of specialist staff who are passionate about the scheme. Sponsors often give positive feedback about the personalised service provided on the WDO Hotline.

It may surprise you to know how busy the WDO Hotline is. In 2018/19, Revenue NSW answered 27,094 calls on the WDO Hotline.

Legal Aid NSW

The Work and Development Order Service (WDO Service) at Legal Aid NSW was established in 2012. Staff in six locations across NSW provide fines advice, facilitate WDO placements for vulnerable clients and support the implementation and expansion of the WDO scheme in areas of high fines debt and social disadvantage.

Figure 3.1 – Locations of Legal Aid NSW WDO Service

The WDO Service recruits and trains sponsors, delivers an extensive community legal education program including outreach events, face to face training and webinars. Lawyers also provide fines advice and assistance services at fines clinics, outreach events and by phone.

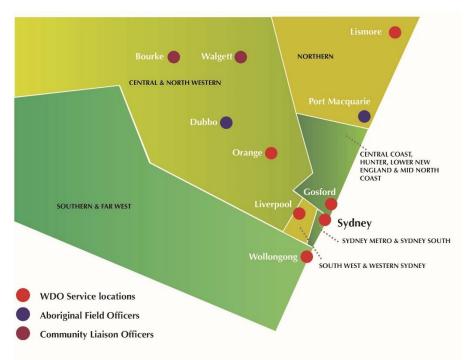


Figure 3.2 – A new look for WDO resources

The WDO Service recently produced new look co-branded resources for people who are experiencing fines debt.

Legal Aid NSW achievements are summarised on the following page.



Get in touch!

We really want to hear from you. Any ideas, compliments, complaints, good news stories, or other feedback can be shared with the WDO Governance Group by completing a feedback form at:

https://www.apps08.osr.nsw.gov.au/customer_service/forms/wdo/feedback

LEGAL AID NSW 2018/19

Fines and WDO work continues to be one of the highest categories of work done across the Legal Aid NSW civil law division. There were almost 7,000 instances of fines and WDO assistance provided to individual clients during the year.



Revenue NSW WDO Hotline working in an integrated way with Legal Aid NSW

Robyn works on the Revenue NSW WDO Hotline. She took a call from Elizabeth*, who was calling on behalf of her son Michael*, who has serious mental health problems and could not deal with his fines by himself. One of Michael's symptoms is that he finds it difficult to converse with people he doesn't know.

Robyn had to speak with Michael to ask for his permission to speak with Elizabeth about his fines. Revenue NSW staff have undergone training to better understand the needs of vulnerable people, so Robyn knew what techniques to use to put Michael at ease.

After obtaining Michael's authority, she then spoke with Elizabeth about the situation. They spoke about a WDO as a good option for Michael. During the conversation, Elizabeth told Robyn about another legal issue she was facing; she and Michael were being evicted from their home. Although this issue was not about fines, Robyn then referred Elizabeth to Legal Aid to speak to Nicole and a civil solicitor for guidance about dealing with her legal problems.

Revenue NSW knows that fines are often just one out of a number of legal problems faced by customers. We have a very close working relationship with Legal Aid NSW and have received training to help us identify legal issues and refer customers for legal assistance.

Elizabeth provided written feedback to Revenue NSW about her experience:

"Robyn needed to speak to him (Michael) to verify that I could talk on his behalf as his representative & after the conversation with her, I could see she put him at ease & he actually was smiling - what a change in his demeanour!!! She then continued to assist me in the most caring manner, giving me all the facts relating to his situation.

It was apparent from the beginning, she showed natural empathy when telling her of the situation. I can honestly say without hesitation that Robyn was/is outstanding in her role - feeling her determination to assist & simplify the process to move forward.

I also felt comfortable enough to discuss another pressing matter of our eviction from our present rental. Robyn then suggested that she connect me to Nicole who works at Wollongong Legal Aid, who could further assist me with the matter of dealing with NCAT (NSW Civil and Administrative Tribunal). She was amazingly helpful as well.

What could have been an extremely stressful situation, due to Robyn, turned out to be a positive experience & I thank her for that!"

*Name changed for this story

4 WDO sponsors

Leeton Community Op Shop – Big heart in a small community

The Leeton Community Op Shop is a WDO sponsor that proudly represents the community and its volunteers throughout the store.

The large area combines personal touches with community spirit including a quirky display of turkey serving platters and a dressing room themed as an outback toilet. There are words of wisdom within and throughout the shop. There is a lounge area for the not so serious shopper or the avid reader. For those who have limited access to the virtual world, there are computers and free wi-fi to allow that connection.

Just when you think the shop could not offer more, there is the "Leeton Cannery Tea House" that provides a breakfast and, during the day, a meal and coffee. For those who enjoy these finer luxuries, you can also pay it forward to allow someone who can't. At the tea shop a beautiful mural painted by a local shows what this community means. And community includes food donations from Woolworths, Baiada Chickens (Steggles) and JBS Riverina Beef.

The heart of the shop is, however, the workers, who are a beautiful blend of old and young, men and women, volunteering through programs such as the WDO scheme, work for the dole, over 50s work program, Kurrajong Waratah and Flourish. They also do a sports program for children who don't want to undertake high school sport; instead, they volunteer. And of course, they recycle the unusable Manchester by making rags; a role that is tasked to the men of the shop.

All volunteers are appreciated for their contributions and those who have committed themselves to service are even posthumously awarded on an honours wall by a fitting artwork.

Thank you Jodie, Narelle and your team of volunteers for your ongoing support to WDOs, Leeton and the wider community.



Brett Woolnough, Jodie Ridge and Sean Warburton – Leeton Community Op Shop, July 2019

Introduction

In 2018/19, Revenue NSW and the Department of Communities and Justice made the following changes to how WDO sponsors maintain their registration:

- the WDO self-service portal was upgraded so that sponsors are required to confirm annually that they still have current insurance, have appropriately qualified staff to deliver the activities they are approved for, and have a current Working With Children Check, and
- WDO sponsor registrations will lapse if a WDO sponsor has not supported a WDO client in the previous 12 months.

These changes were important to us because we want to be confident that WDO participants are safe, receiving appropriate support and are covered if something goes wrong. We also wanted to be sure that the list of WDO sponsors on the Revenue NSW website only contains information about sponsors who are actively participating in the WDO scheme.

As a result of these changes, the number of approved WDO sponsors has reduced since last year's annual report. However, we are confident the updated figures are a much more accurate representation of active WDO sponsors in the community.

We would again like to thank all of our WDO sponsors for their support and commitment to the scheme's success.

Legal Aid NSW story - Building relationships with community partners

Social Futures, formerly known as Northern Rivers Social Development Council, have been a WDO not-for-profit sponsor since February 2015. Since that time they have grown in size and currently operate various teams throughout the Northern Rivers working in their priority areas of housing and homelessness, youth and family services, and disability services.

Social Futures have recently established a new program called Opportunity Pathways, which supports adults who live in or are eligible for social housing to access education, training and work opportunities.

Legal Aid's Northern NSW WDO Team was contacted by the manager of the new team, who had just re-joined Social Futures after working elsewhere for some time. She had previously worked with the Legal Aid NSW team when initially registering the service as a sponsor in 2015, and Legal Aid NSW had conducted training sessions for her teams in Lismore and Grafton. She was keen for the new Opportunity Pathways team to receive training as soon as possible, and Legal Aid NSW has now completed the training sessions for them in Lismore and Tweed Heads.

All data in this section of the report is based on data as at 30 June 2019. It does not include sponsor applications that were submitted but not approved on 30 June 2019.

WDO sponsor approvals in 2018/19

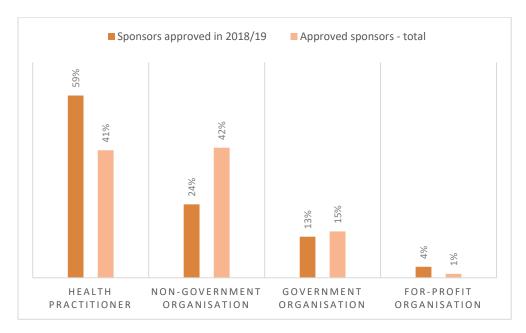
In 2018/19, 390 new WDO sponsors were approved. In total, there were 2,114 approved sponsors as at 30 June 2019.

Table 4.1 – Approved WDO sponsors by type

WDO sponsor type	Sponsors approved in 2018/19	Approved sponsors - total
Health practitioner	231	876
Non-government organisation	93	893
Government organisation	52	318
For-profit organisation	14	27
Total	390	2,114

Figure 4.1 compares the types of WDO sponsors approved and shows that in 2018/19 a higher percentage of health practitioners were approved compared with other types.





Location of WDO sponsors in NSW

Table 4.2 shows the number of approved WDO sponsors by NSW statistical division. Sponsors outside of NSW are not included.

Statistical division	Sponsors	Approved
	approved - 2018/19	sponsors - total
Capital Region	11	92
Central Coast	21	85
Central West	15	67
Coffs Harbour - Grafton	13	78
Darling Downs - Maranoa	-	1
Far West and Orana	8	52
Hunter Valley exc Newcastle	6	35
Illawarra	20	162
Mid North Coast	8	65
Mornington Peninsula	-	1
Murray	9	56
New England and North West	20	71
Newcastle and Lake Macquarie	23	89
Richmond - Tweed	19	113
Riverina	3	20
Southern Highlands and	10	55
Shoalhaven		
Sydney - Baulkham Hills and	12	45
Hawkesbury		
Sydney - Blacktown	12	81
Sydney - City and Inner South	33	206
Sydney - Eastern Suburbs	9	57
Sydney - Inner South West	22	114
Sydney - Inner West	20	72
Sydney - North Sydney and Hornsby	13	78
Sydney - Northern Beaches	6	39
Sydney - Outer South West	6	20
Sydney - Outer West and Blue	10	59
Mountains	10	00
Sydney - Parramatta	20	128
Sydney - Ryde	1	7
Sydney - South West	14	57
Sydney - Sutherland	6	38
West and North West	-	1
Total	390	2044

Table 4.2 – Approved WDO sponsors by statistical division

Figures 4.2 and 4.3 show the geographic dispersion of all approved WDO sponsors in NSW as at 2018/19. The statistical division or area is determined by the WDO sponsor's postcode; however, we acknowledge that many WDO sponsors support WDOs for customers outside of their own area.

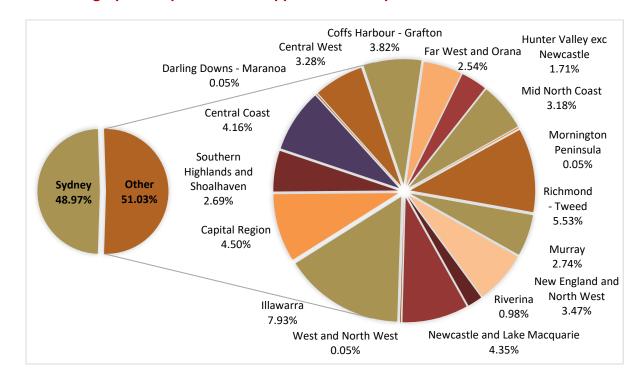
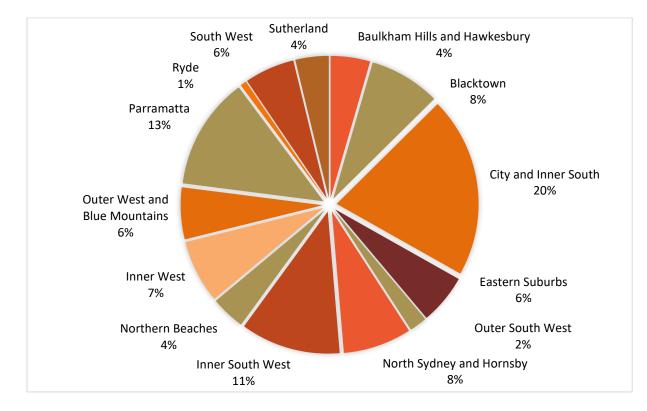


Figure 4.2 – Geographic dispersion of all approved WDO sponsors in NSW





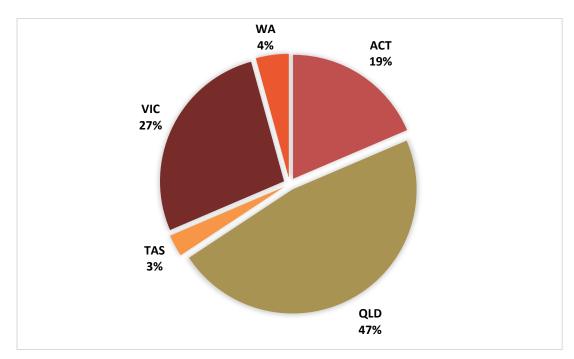
WDO sponsors outside of NSW

In 2018/19, WDO sponsors located outside of NSW continued to join the WDO scheme to support people who have NSW fines debt. Table 4.3 shows the number of WDO sponsors approved outside of NSW in 2018/19, compared with all WDO sponsors approved outside of NSW as at 30 June 2019. Figure 4.4 shows the dispersion of all WDO sponsors approved outside of NSW as at 30 June 2019.

State or Territory	Sponsors approved in 2018/19	Approved sponsors - total
ACT	2	13
QLD	14	33
TAS	1	2
VIC	2	19
WA	1	3
Total	20	70

Table 4.3 – Number of WDO sponsors approved outside of NSW

Figure 4.4 – Dispersion of WDO sponsors approved outside of NSW



5 Scheme overview

Growth in WDOs approved

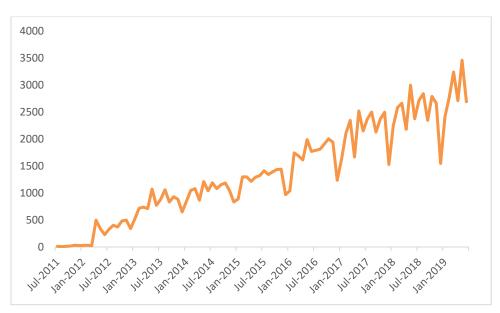
The WDO scheme continued to grow in 2018/19. As at 30 June 2019, a total of 135,044 WDOs have been approved. Figure 5.1 shows the increase in number of WDOs approved per month since the scheme commenced.

Financial year	Number of WDOs approved	Increase on previous
204.0/4.0		year
2018/19	32,214	13%
2017/18	28,456	23%
2016/17	23,122	29%
2015/16	17,857	29%
2014/15	13,820	22%
2013/14	11,354	63%
2012/13	6,960	452%
2011/12	1,261	-
Total	135,665	-

Table 5.1 – WDOs approved per month since 2012

Table 5.1 shows the number of WDOs approved per financial year and the rate at which the scheme has grown since it commenced. The rate of growth in 2018/19 has slowed to a 13% increase on the previous year.

Figure 5.1 – WDOs approved by financial year



The number of WDOs approved each month continued to increase in 2018/19. May 2019 was a record month with 3,462 WDOs approved.

Table 5.2 shows the number of WDOs approved in 2018/19 and the value of debt attached to those WDOs at the time they were approved.

Month	Number of WDOs approved	Value of debt attached to WDOs (at time of approval)
Jul	2,720	\$9,557,485
Aug	2,843	\$10,575,311
Sep	2,346	\$8,169,725
Oct	2,794	\$9,961,759
Nov	2,664	\$8,918,399
Dec	1,549	\$3,405,215
Jan	2,413	\$4,990,814
Feb	2,777	\$5,300,778
Mar	3,244	\$5,505,729
Apr	2,711	\$4,539,425
May	3,462	\$6,262,939
Jun	2,691	\$5,427,908
Grand Total	32,214	\$82,615,490

Table 5.2 – WDOs approved in 2018/19

Debt cleared through WDOs

In total, \$167m of debt has been cleared through WDOs since the scheme commenced.

Financial year	Value of debt cleared
2018/19	\$43,144,026
2017/18	\$34,713,740
2016/17	\$27,607,954
2015/16	\$22,029,150
2014/15	\$17,305,153
2013/14	\$14,664,000
2012/13	\$7,641,542
2011/12	\$676,931
Total	\$167,782,496

The value of debt cleared through WDOs increased in 2018/19, in line with the volume of WDOs approved. The WDO scheme met a milestone in May 2019 when \$4.2m of debt was cleared through WDOs. This is the highest amount of debt cleared in a single month since the WDO scheme commenced.

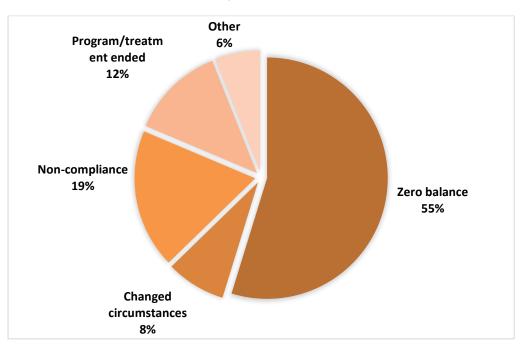
Table 5.4 – Debt cleared through WDOs in 2018/19

Month	Value of debt cleared		
Jul	\$3,481,501		
Aug	\$3,638,605		
Sep	\$3,430,345		
Oct	\$3,688,363		
Nov	\$3,728,171		
Dec	\$3,163,430		
Jan	\$3,228,572		
Feb	\$3,365,008		
Mar	\$3,851,459		
Apr	\$3,532,765		
Мау	\$4,208,846		
Jun	\$3,826,960		
Total	\$43,144,026		

Closed WDOs

WDOs can be closed for a number of reasons. One of the most positive outcomes is that a WDO is closed because all debt attached to the WDO has been cleared and there is a zero balance. In 2018/19, 15,823 WDOs were closed with a zero balance, representing 55% of all closed WDOs.

Figure 5.2 – WDOs closed in 2018/19 by reasons



6 WDO participants



Meg Everingham (Legal Aid NSW), Judy Gresham (Samaritans Foundation) and Chris Bowen Picture by Max McKinney, Newcastle Herald, 22 February 2019

Getting back on track

Chris Bowden, 31, worked with the Samaritans Foundation at Broadmeadow to clear almost \$9,000.

"I come here off the streets," he said. "I had almost \$9,000 worth of debt and I was never going to pay that back. It took me nine months, but I'm debt free."

Mr Bowden completed an addict recovery program, undertook voluntary work with Samaritans that eventually led to mentoring ex-prisoners, and education courses.

He said his life had "turned around completely" from the WDO-initiated activities.

"Today I'm halfway through a [certificate] four in community services," he said. "My life is 100 per cent different from what it was like two years ago."

Excerpt and image from the Newcastle Herald, 22 February 2019, Max McKinney

Age

People aged between 26 and 45 accounted for 50% of WDOs approved in 2018/19. Participation by young people remained strong with 1,607 under 18s and 6,426 people aged between 18 and 25 approved for a WDO in 2018/19.

Age	WDOs approved in 2018/19
Under 18	1,607
18 to 25	6,462
26 to 35	8,350
36 to 45	7,605
46 to 55	4,832
56 to 70	2,122
Over 70	1,236
Total	32,214

Table 6.1 – WDOs approved in 2018/19 by participant age

The age distribution of WDO participants remained similar to the previous financial year.

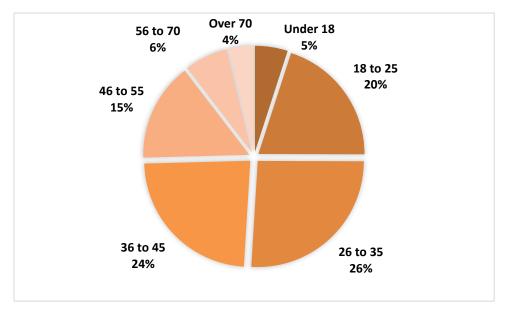


Figure 6.1 – Distribution of approved WDOs in 2018/19 by age

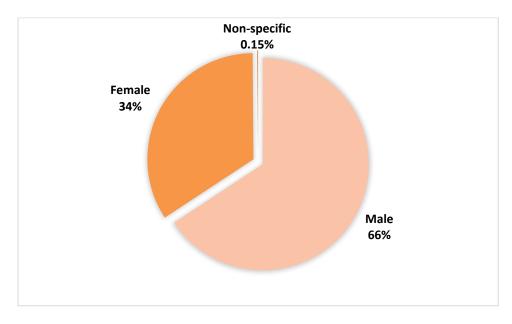
Gender

In 2018/19, more than 65% of WDOs were for males. There were 40 participants who identified with a non-specific gender.

Table 6.2 – WDOs approved in 2018/19 by participant gender

Gender	WDOs approved in 2018/19
Male	21,175
Female	10,999
Non-specific	40
Total	32,214

Figure 6.2 – Gender of WDO applicants in 2018/19



Centrelink status

Sixty per cent of WDO applicants in 2018/19 indicated that they receive a Centrelink benefit. This continues a small downward trend from previous years.

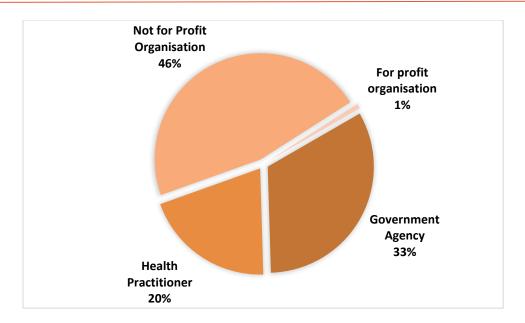
Table 6.3 – Centrelink status

Financial year	% of applicants receiving Centrelink
2018/19	60%
2017/18	62%
2016/17	65%
2015/16	66%
2014/15	69%

WDO sponsors

In 2018/19, not for profit organisations were again the biggest supporter of WDOs, helping 14,957 people to participate in the scheme. Health practitioners supported 20% of WDOs approved in 2018/19, representing a 3% increase on the previous year.

Figure 6.3 – WDOs approved in 2018/19 by sponsor type



We compared sponsor types by the age groups of WDO participants they supported in 2018/19. Government agencies tended to support younger applicants, whereas health practitioners tended to support middle-aged applicants. Applicant age was more evenly distributed for WDO participants supported by not for profit organisations.

35%

1%

36 TO 45



38%

19%

Figure 6.4 – Sponsor type by age range in 2018/19

29%

1%

16%

UNDER 18 18 TO 25 26 TO 35

45%

36%

18%

OVER 70

33%

5%

46 TO 55 56 TO 70

27% 27% We also compared sponsor type by gender of WDO applicants in 2018/19. Males were more likely to be supported by a Government agency, whereas females were more likely to seek the assistance of a not-for profit organisation.



Figure 6.5 – Sponsor type by gender in 2018/19

WDO Champions – helping regional communities to get on top of their fines

The Legal Aid NSW WDO service works closely with WDO sponsors in regional and remote areas of NSW. Many of these sponsors are WDO champions. These sponsors are willing to assist vulnerable people to pay off their fines through both direct WDO activities at their services but also on referral. This means that clients who may already be engaged with another service or health practitioner can use the hours of their existing activities towards their WDO hours.

We would like to thank two of our champion WDO sponsors who are always willing to help anyone we refer to them - Warilla North Community Centre in Wollongong and the Volunteer Resource Bureau in Albury. The Volunteer Rescue Bureau in Albury also assists cross border clients with NSW fines to complete their WDO hours in their hometowns in Victoria with a suitable service or health practitioner.

7 Eligibility & activities



Getting treatment while paying off his fines

In 2016 John* was referred to Legal Aid NSW by Revenue NSW with a debt of over \$30,000. John was recently released from custody and was suffering from a range of personal issues including addiction and mental illness. John was having trouble engaging in mental health treatment but when he heard that attending appointments would help him pay \$1,000 a month off his fines, he was surprised and agreed to engage with a psychologist.

After the initial consultation, the WDO psychologist created a treatment plan which included pro bono sessions beyond the limited sessions currently available through Medicare. John has been compliant with the treatment plan since 2016. John recently reengaged with Legal Aid NSW who noticed since doing his treatment under the WDO he had not re-offended and his mental health and addiction issues were under control. John is still engaged with the WDO sponsor but on a maintenance basis only. John also has a job and doesn't need Centrelink benefits. John has said he is in a much better place without the stresses he once had. He plans to continue seeing his psychologist after his fines have been paid in full.

* Name changed for this story

Eligibility reasons

The most common eligibility reason in 2018/19 was acute economic hardship, followed closely by mental illness and serious addiction to drugs, alcohol or volatile substances.

Figure 7.1 shows the split between eligibility reasons. Table 7.1 shows the number of WDOs approved for each eligibility reason.

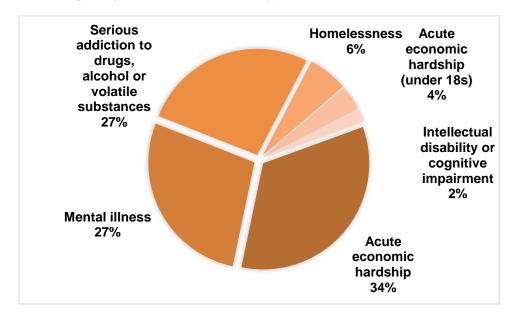




Table 7.1 – WDOs approved in 2018/19 by eligibility reason

Applicants can choose multiple eligibility reasons. Therefore, some WDOs will be counted in multiple categories.

Eligibility reason	Number of WDOs approved
Acute economic hardship	12,424
Mental illness	10,164
Serious addiction to drugs, alcohol or volatile	9,802
substances	
Homelessness	2,219
Acute economic hardship (under 18s)	1,356
Intellectual disability or cognitive impairment	749

We also compared eligibility reasons in 2018/19 by participants' gender. Figure 7.2 compares the eligibility reasons for female and male participants. Female applicants were more likely to apply because of acute economic hardship and less likely to apply because of serious addiction to drugs, alcohol or volatile substances.

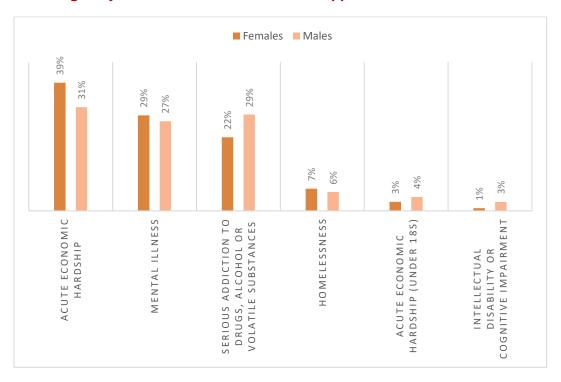
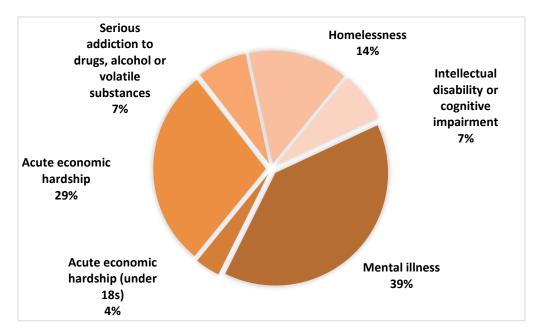




Figure 7.3 shows the eligibility reasons chosen by people who identify with a non-specific gender. Mental illness was more common amongst this group of applicants.

Figure 7.3 – Eligibility reasons in 2018/19 for applicants identifying with a non-specific gender



Activities

The most common activity in 2018/19 was drug or alcohol treatment, which is consistent with previous years. This was closely followed by medical or mental health treatment and educational, vocational or life skills courses.

Figure 7.4 shows the split between activity types. Table 7.2 shows the number of WDOs approved for each activity type.

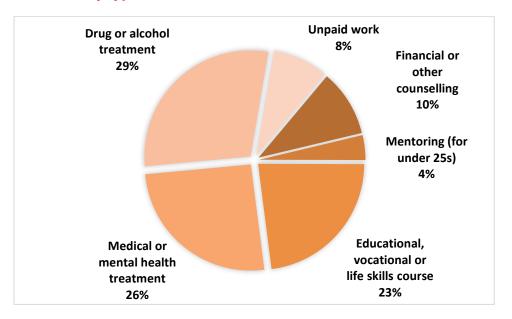




Table 7.2 – WDOs approved in 2018/19 by activity type

Activity type	Number of WDOs approved
Drug or alcohol treatment	9,992
Medical or mental health treatment	8,749
Educational, vocational or life skills course	7,851
Financial or other counselling	3,479
Unpaid work	2,883
Mentoring (for under 25s)	1,292

We also compared WDO activity types in 2018/19 by participants' gender. Figure 7.5 compares the activity types for female and male participants. Female applicants were more likely than males to undertake financial or other counselling and less likely than males to undertake drug or alcohol treatment or education as their nominated WDO activity.

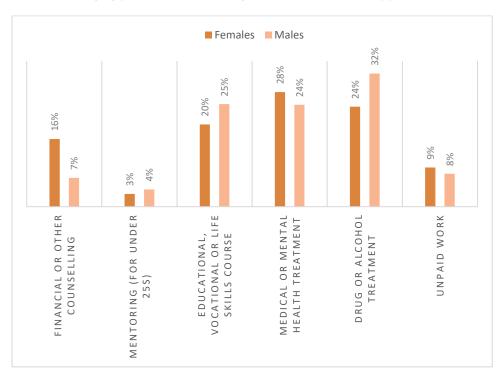
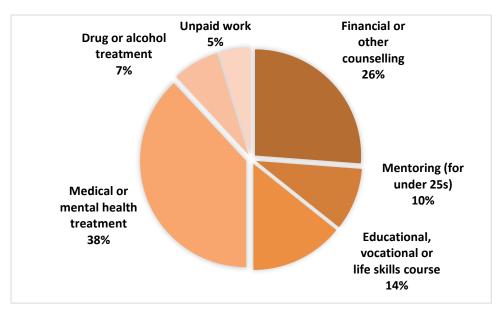


Figure 7.5 – Activity types undertaken by female and male applicants in 2018/19

Figure 7.6 shows the activity types undertaken by people who identify with a non-specific gender. Medical or mental health treatment and counselling was more common amongst this group of applicants.

Figure 7.6 – Activities in 2018/19 for applicants identifying with a non-specific gender



8 Aboriginal and Torres Strait Islander People



In this section of the report, we look at Aboriginal and Torres Strait Islander people's experience with the WDO scheme.

We are proud that the last financial year continued a trend of strong participation in WDOs by Aboriginal and Torres Strait Islander people.

Helping Aboriginal clients deal with their fines

Jane* is a young Aboriginal woman from the mid-north coast of NSW. She is a single parent with three children, including a foster child. She lives on the parenting pension and struggles to cover her day to day living costs.

Jane came to see Legal Aid NSW to get help with her fines and loss of driver licence. Jane owed \$5,000 in fines from when she was a teenager. Her driver's licence was suspended under a habitual traffic offender declaration and she had RMS business restriction due to the fines debt. Jane needed to get her licence back as public transport is limited in her area.

The Legal Aid WDO team referred Jane to her local neighbourhood centre who is a WDO sponsor and they got her involved in their parenting skills program. With her fines under management, the RMS business restriction was lifted. Legal Aid also assisted Jane to make a successful application to the Local Court to have her habitual traffic offender declaration quashed. Jane now has her driver licence back as well as new parenting skills to cope better with her day to day life as single mother.

* Name changed for this story

Participation

In total, 6,747 WDOs were approved in 2018/19, representing 20.9% of all WDOs. The average debt of Aboriginal and Torres Strait Islander participants was 17% higher than the average debt of non-Aboriginal or Torres Strait Islander people. In 2018/19, Aboriginal and Torres Strait Islander participants cleared \$9.07m of debt through WDOs.

Figure 8.1 – Aboriginal and Torres Strait Islander participation in WDOs in 2018/19

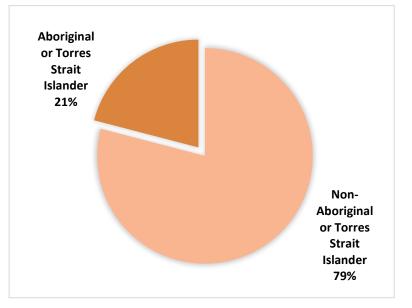


Table 8.1 – Number of WDOs approved for Aboriginal and Torres Strait Islander people in 2018/19

Month	Number of WDOs approved	of debt attached DOs at time of approval
Jul	598	\$ 2,506,687
Aug	601	\$ 2,476,835
Sep	495	\$ 1,935,065
Oct	604	\$ 2,288,942
Nov	559	\$ 2,190,432
Dec	306	\$ 863,324
Jan	497	\$ 1,274,507
Feb	629	\$ 1,318,116
Mar	723	\$ 1,328,122
Apr	517	\$ 942,673
May	655	\$ 1,322,482
Jun	563	\$ 1,073,742
Total	6747	\$ 19,520,927

Demographics

The gender distribution of Aboriginal or Torres Strait Islander WDO participants in 2018/19 was similar to non-Aboriginal or Torres Strait Islander WDO participants. Table 8.2 shows the number of WDOs approved for Aboriginal or Torres Strait Islander people in 2018/19 by their gender.

Table 8.2 – Number of WDOs approved for Aboriginal and Torres Strait Islander people in 2018/19 by gender

Gender	Number of WDOs approved
Male	4,295
Female	2,447
Non-specific	5

In 2018/19, Aboriginal and Torres Strait Islander WDO participants tended to be younger than non-Aboriginal and Torres Strait Islander participants. 82% of Aboriginal and Torres Strait Islander WDO participants were under 45, compared with 73% of non-Aboriginal and Torres Strait Islander WDO participants.

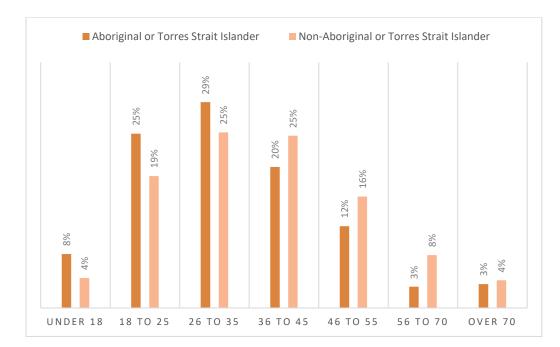


Figure 8.2 – Age of Aboriginal and Torres Strait Islander participants in 2018/19

Eligibility reasons

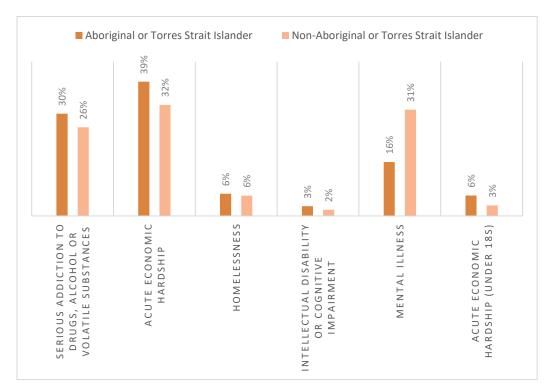
The most common eligibility reason for Aboriginal and Torres Strait Islander WDO participants in 2018/19 was acute economic hardship, followed by serious addiction to drugs, alcohol or volatile substances. WDO participants can choose multiple eligibility reasons, so WDOs may be counted in multiple categories.

Table 8.3 – Eligibility reasons for Aboriginal and Torres Strait Islander people in2018/19

Eligibility reasons	Number of WDOs approved
Acute economic hardship	3,123
Serious addiction to drugs, alcohol or volatile	
substances	2,379
Mental illness	1,254
Homelessness	515
Acute economic hardship (under 18s)	477
Intellectual disability or cognitive impairment	227

We compared eligibility reasons for Aboriginal and Torres Strait Islander WDO participants in 2018/19 with non-Aboriginal and Torres Strait Islander participants. Aboriginal and Torres Strait Islander participants were significantly less likely to apply on the basis of mental illness.

Figure 8.3 – Comparison of eligibility reasons for Aboriginal and Torres Strait Islander and non-Aboriginal and Torres Strait Islander participants in 2018/19



Activities

The most common activity types for Aboriginal and Torres Strait Islander WDO participants in 2018/19 were drug or alcohol treatment and educational, vocational or life skills courses. WDO participants can undertake multiple activity types on a WDO. Therefore, WDOs may be counted in multiple categories.

Table 8.4 – Activity types for Aboriginal and Torres Strait Islander people in 2018/19

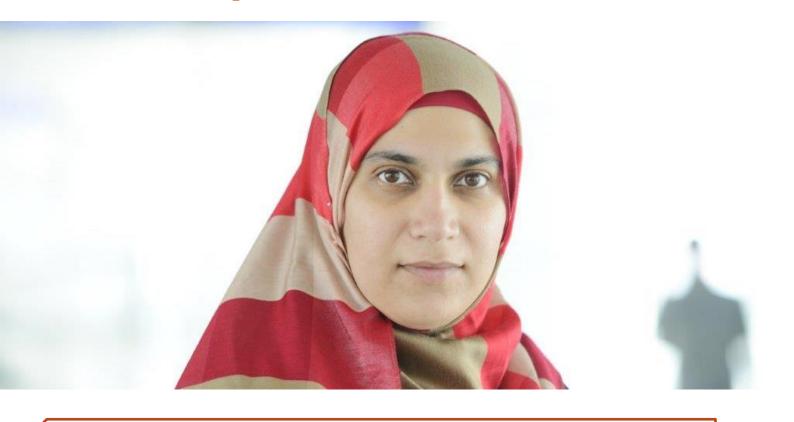
Activity type	Number of WDOs approved
Drug or alcohol treatment	2,343
Educational, vocational or life skills course	2,308
Medical or mental health treatment	953
Financial or other counselling	788
Unpaid work	497
Mentoring (for under 25s)	419

We compared activity types undertaken by Aboriginal and Torres Strait Islander WDO participants in 2018/19 with non-Aboriginal and Torres Strait Islander participants. Aboriginal and Torres Strait Islander participants were significantly less likely to undertake medical or mental health treatment and more likely to undertake education, vocational or life skills courses.





9 Culturally & Linguistically Diverse People



Culturally diverse clients – dealing with fines debt while building new skills

Aysha* is a single mother who moved to the Wollongong area from Iraq in 2013. Aysha has a physical disability which affects her ability to walk long distances. Aysha relies on driving herself and her children to and from their family commitments like school and her TAFE courses where she is learning English and skills to get work.

Aysha has a Mobility Parking Scheme permit (disability sticker) for her car but due to her limited English language skills found it difficult when she first got it to understand the rules around displaying the sticker and where she could park. This resulted in Aysha getting a number of fines which she could not pay. When Aysha came to Legal Aid to get help with her fines they were able to link her TAFE studies with a WDO and she has now repaid all her fines. They have also helped Aysha to understand the rules around her Disability Parking sticker to prevent her getting any more fines.

* Not her real name

Navitas Australia – English classes for recently arrived refugees and migrants

The Department of Communities and Justice, Diversity Services team together with Legal Aid NSW, Refugee Service extensively promoted and provided information to Navitas English encouraging them to sign up as WDO sponsors. This was achieved through various community engagement events throughout the year.

Legal Aid NSW WDO Service further supported sign up of Navitas English. Navitas English offers the Adult Migrant English Program (AMEP) and Skills for Education and Employment (SEE) program as approved WDO activities. A majority of the people they service are recently arrived refugees and migrants.

Since becoming a registered WDO sponsor, the staff of Navitas have received ongoing training and support from the Legal Aid NSW Sydney metro team. Legal Aid NSW was also very proud to be part of Navitas multicultural day at Cabramatta.

Diversity Services continues to provide information sessions to students, in partnership with Legal Aid NSW services, NSW Police, government and non-Government agencies. The team continues to work collaboratively, co-presenting information sessions to students with limited English information regarding Legal Aid NSW services, with a focus on fines law and the WDO scheme.



Image: Marina Attala and Giuliana Burgos-Portugal (Legal Aid NSW)

WDO postcard in community languages

We are pleased to report that the WDO postcard is now available in 6 community languages:

- Arabic
- Assyrian

Chinese (simplified)

- Dari/Farsi
- English

Vietnamese

You can order these resources online through the Legal Aid NSW publications page:

www.legalaid.nsw.gov.au/publications/order-a-publication

A big thank you to the team at Legal Aid NSW, and the Diversity Services Unit at the Department of Communities and Justice, for developing these fantastic resources.













Participation

In 2018/19, 15% of WDOs approved were for people from Culturally and Linguistically Diverse (CALD) communities. This represents a slight increase from the previous year (13%). The average debt per CALD participant was \$1,875, which was 30% less than non-CALD participants. In total, CALD people cleared \$5.3m in debt through participation in WDOs in 2018/19.

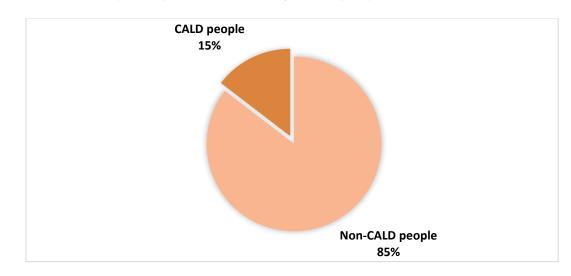




Table 9.1 – WDOs approved in 2018/19 for CALD people

Month	Number of WDOs approved	Value of debt attached to WDOs at time of approval
Jul	394	\$978,060.95
Aug	415	\$1,297,207.91
Sep	311	\$925,363.64
Oct	372	\$906,212.28
Nov	422	\$944,041.86
Dec	213	\$245,911.47
Jan	327	\$531,692.47
Feb	428	\$732,068.04
Mar	465	\$488,312.11
Apr	411	\$466,684.20
May	526	\$864,218.53
Jun	416	\$433,450.52
Total	4,700	\$8,813,223.98

Demographics

In 2018/19, 65% of CALD WDO participants were male and 35% were female. This distribution is similar to non-CALD participants. Six CALD participants identified with a non-specific gender.

The age distribution was also similar between CALD and non-CALD participants in 2018/19. There were slight differences in the 26-35 years old range (CALD = 22%, non-CALD = 27%) and 56-70 years old range (CALD = 10%, non-CALD = 6%).

There was no difference in Centrelink status between CALD and non-CALD participants. In both groups, 60% of applicants received a Centrelink benefit.

The most notable difference in demographics between CALD and non-CALD people was location, where known, with 62% of CALD participants located in Sydney, compared with 31% of non-CALD participants.

Eligibility reasons

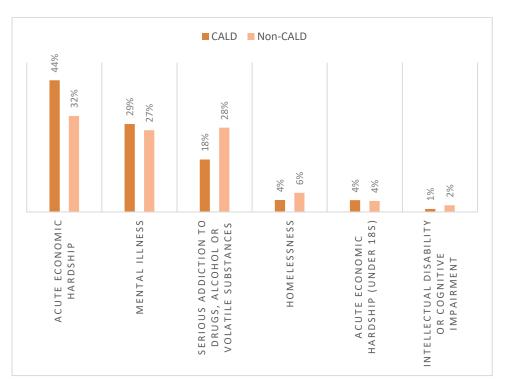
The most common eligibility reason for CALD participants in 2018/19 was acute economic hardship. WDO participants may choose multiple eligibility reasons. Therefore, WDOs may be counted in multiple categories.

Table 9.2 – Eligibility reasons for CALD people in 2018/19

Eligibility reasons	Number of WDOs approved
Acute economic hardship	2,308
Mental illness	1,541
Serious addiction to drugs, alcohol or volatile	918
substances	
Homelessness	208
Acute economic hardship (under 18s)	205
Intellectual disability or cognitive impairment	52

CALD people were much more likely than non-CALD people to apply because of acute economic hardship, and less likely to apply because of serious addiction to drugs, alcohol or volatile substances.

Figure 9.2 – Comparison of eligibility reasons between CALD and non-CALD people in 2018/19



Activities

The most common activity types for CALD WDO participants in 2018/19 were medical or mental health treatment and educational, vocational or life skills courses. WDO participants can undertake multiple activity types on a WDO. Therefore, WDOs may be counted in multiple categories.

Table 9.3 – Activity types for CALD people in 2018/19

Activity type	Number of WDOs approved
Medical or mental health treatment	1,384
Educational, vocational or life skills course	1,174
Drug or alcohol treatment	901
Unpaid work	738
Financial or other counselling	661
Mentoring (for under 25s)	166



We compared activity types undertaken by CALD WDO participants in 2018/19 with non-CALD participants. CALD participants were significantly less likely to undertake drug or alcohol treatment and more likely to undertake unpaid work.

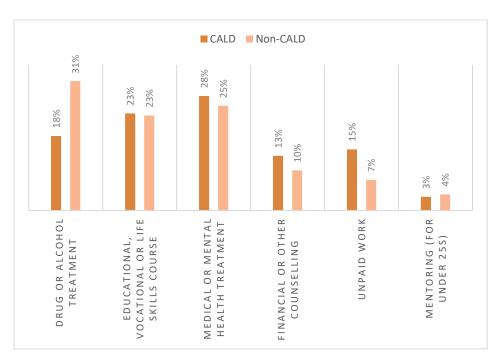


Figure 9.3 – Comparison of activity types for CALD and non-CALD participants in 2018/19

10 Young people

Kalissa – help at school

Kalissa is a young Indigenous woman with some fines. Kalissa attends a school that is the most disadvantaged in NSW because of the distance that students travel, the socioeconomic status of the household and because a large number of the students are living in out of home care.

Kalissa's teachers noticed that she was having some challenges at school. Kalissa's school had signed up to be a WDO sponsor. The Assistant Principal spoke with Kalissa about her issues and found out that she had fines.

One activity that could address her fines and also help her was to see the school counsellor. Kalissa agreed to see the school counsellor and quickly cleared her fines.

After this engagement, Kalissa's outlook to life changed. She can now get a driver licence which changed the way she got around, as before she would not go anywhere and now she goes everywhere.

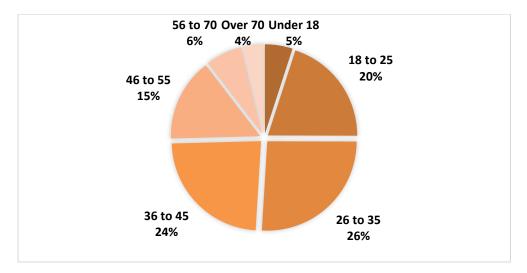
Kalissa now picks up and drops off her younger siblings at school and has been able to help her Mum. She has now completed a traffic controller's card course and will soon be getting a job.



Karina Inostroza, Legal Aid NSW, presenting Kalissa with her WDO Certificate of Achievement The *Fines Act 1996* and the WDO Guidelines 2017 provide specific concessions for young people under 18 and young people under 25. This section of the report provides information about both groups.

Participation

In 2018/19, 25% of approved WDOs were for people under 25 years of age. This is a similar distribution to the previous financial year.





In 2018/19, 1,607 young people under 18 and 8,069 young people under 25 were approved for a WDO.

Table 10.1 – Number and value of WDOs a	approved in 2018/19 for young peop	ole
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Month	Number of WDOs approved		Deb	t attached to V appro	at time of
		Under			
	Under 18	25	ι	Jnder 18	Under 25
Jul	146	655	\$	154,167	\$ 1,625,530
Aug	152	726	\$	119,898	\$ 1,728,320
Sep	122	587	\$	73,321	\$ 1,327,562
Oct	146	698	\$	108,574	\$ 1,615,843
Nov	168	738	\$	173,760	\$ 1,513,900
Dec	78	382	\$	46,982	\$ 619,571
Jan	95	558	\$	63,476	\$ 843,947
Feb	133	681	\$	78,376	\$ 874,866
Mar	171	820	\$	83,469	\$ 967,900
Apr	82	598	\$	40,564	\$ 806,354
May	160	900	\$	61,097	\$ 988,027
Jun	154	726	\$	70,188	\$ 823,772
Total	1,607	8,069	\$	1,073,874	\$ 13,735,593

Note: Under 25 refers to all participants under 25, including those under 18.

Debt cleared

In 2018/19, young people under 18 cleared \$1,016,613 through participation in WDOs, while young people under 25 (including under 18s) cleared \$8,600,980.

Demographics

In 2018/19, young people under 18 were more likely to be male (72%) compared with people over 18 (65%). The gender distribution of WDO applicants in 2018/19 was similar amongst young people under 25 and over 25. There were 14 participants under 25, including 2 under 18s, who identified with a non-specific gender.

There were 518 WDO participants under 18 and 2,193 participants under 25 in 2018/19 who identified as Aboriginal or Torres Strait Islander. This represents a participation rate of 32% for under 18s and 27% for under 25s. This is much higher than the overall participation rate for Aboriginal and Torres Strait Islander people of 21%.

There were 281 WDO participants under 18 and 1,171 participants under 25 in 2018/19 who were from Culturally and Linguistically Diverse (CALD) communities. This represents a participation rate of 17% of under 18s and 14.5% of under 25s, which is consistent with the overall CALD participation rate of 15%.

Young people participating in WDOs were less likely to receive a Centrelink benefit in 2018/19. 18% of young people under 18 and 48% of young people under 25 received a Centrelink benefit, compared with 64% of WDO participants over 25.

Eligibility reasons

The most common eligibility reason for young people, in both the under 18 and under 25 categories, was acute economic hardship, followed by mental illness and serious addiction to drugs, alcohol or volatile substances.

Table 10.2 – WDO eligibility reasons for young people in 2018/19

Eligibility reason	Number of WDOs approved		
	Under 18	Under 25	
Acute economic hardship	1620	4573	
Mental illness	160	2033	
Serious addiction to drugs,	208	1970	
alcohol or volatile substances	445	740	
Homelessness	115	742	
Intellectual disability or cognitive impairment	51	248	

Young people under 18 were more likely than people over 18 to apply on the basis of acute economic hardship. This is unsurprising, given changes to the WDO Guidelines in 2017 to deem all under 18s as being in acute economic hardship. The distribution of eligibility reasons for under 25s and over 25s was similar.

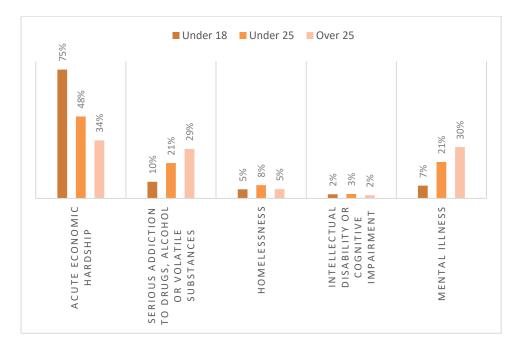


Figure 10.2 – Eligibility reasons for WDO participants in 2018/19 by age range

Activities

In 2018/19, the most common activity for under 18s was mentoring, followed by educational, vocational or life skills courses. The most common activity for under 25s was educational, vocational or life skills courses, followed closely by drug or alcohol treatment and medical or mental health treatment.

Table 10.3 – WDO activities undertaken by young people in 2018/19

Activity type	Number of WDOs approved		
	Under 18	Under 25	
Educational, vocational or life skills	449	2,113	
course			
Drug or alcohol treatment	253	1,966	
Medical or mental health treatment	181	1,746	
Mentoring (for under 25s)	635	1,260	
Financial or other counselling	274	1,049	
Unpaid work	156	723	

The distribution of activities across age ranges was stable for activities which attract an hourly cut-out rate (educational, vocational or life skills courses; financial or other counselling and unpaid work). There was variation across the compliance based activities (medical or mental health treatment, drug or alcohol treatment and mentoring), however, this is to be expected because mentoring is only available to people under 25 years of age.

In the under 18 age range, participants were more likely to undertake mentoring than drug or alcohol treatment or medical or mental health treatment, compared to under 25s.



Figure 10.3 - WDO activities undertaken in 2018/19 by age range

11 Location of WDO participants

Birrang Enterprise Development Company

Birrang Enterprise Development Company has been running sessions at Glenroi, Bowen, Bathurst and Kelso, attracting up to 50 at a time.

Training co-ordinator Peta McGrath said three-hour sessions equated to the removal of \$150-worth of fines, up to a cap of \$1,000 a month.

"Which is huge – you can attend for a couple of weeks and get your fines paid off," she said.

"The idea is making life at home on a low income easier, so things like healthy eating, budgeting, parental rights and responsibilities and home maintenance."

Legal Aid solicitor Lynne Worrall said accumulating fines added an extra impediment for low-income families.

"Their driver's licence can be suspended or a block can be put on so they're not even allowed to apply for a licence," she said.

"They're the most vulnerable people in society and they're the ones that can't pay – it's a bit of a downward spiral."

She said a loss of licence could lead people to face court for driving while suspended, and more fines, if they took the risk.

Ms McGrath said she had witnessed people move from homelessness to government housing to private rentals in three years because a licence and independence meant they could more easily seek work.

"Whole families have evolved, they get their kids back, they get treatment, they get off the drugs," she said.

Excerpt from the Central Western Daily, 12 February 2019, Danielle Cetinski



A key objective of the WDO Governance Group is ensuring the WDO scheme is accessible to all people in NSW. In particular, this is a focus for Legal Aid NSW which has specialist staff across NSW who continue to recruit new WDO sponsors in all areas of the state, as well as supporting existing sponsors through education and training.

In this section of the report we have provided heat maps showing the geographic dispersion of approved WDOs.

Location is determined by the WDO participant's residential postcode. Where a customer elected to use the sponsor's address for the WDO (for example, because they are in a residential facility or homeless), the sponsor's postcode was used.

WDOs supported by Corrective Services NSW or Youth Justice NSW for people in custody were excluded so areas with correctional facilities are not over-represented.

The figures on the following pages show the WDO scheme has reached community members right across NSW.

Figure 11.1 shows the geographic coverage of the WDO scheme for all customers in 2018/19. There was good coverage across the State, with only a small number of locations where a WDO was not available. The coverage in 2018/19 is consistent with coverage since the scheme commenced, which is illustrated in figure 11.2.

Figures 11.3 and 11.4 show the geographic dispersion of WDOs for Aboriginal and Torres Strait Islander applicants. Although the rate of participation in WDOs by Aboriginal and Torres Strait Islander people remained strong in 2018/19 (21%), figure 11.3 shows that there were a number of areas in Southern NSW where there were no WDOs undertaken by Aboriginal and Torres Strait Islander people. This may be an area for further investigation in 2019/20.

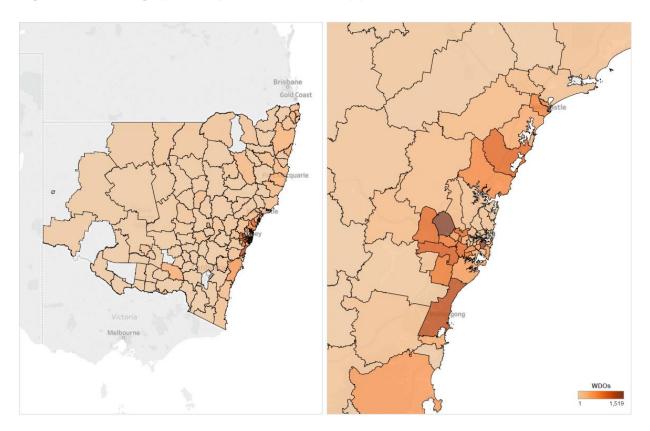


Figure 11.1 – Geographic dispersion of WDOs approved in 2018/19

Figure 11.2 – Geographic dispersion of WDOs approved since the scheme commenced

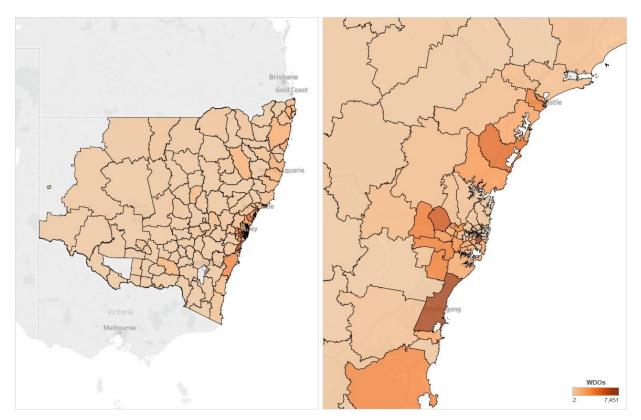


Figure 11.1 – Geographic dispersion of WDOs approved for Aboriginal and Torres Strait Islander people in 2018/19

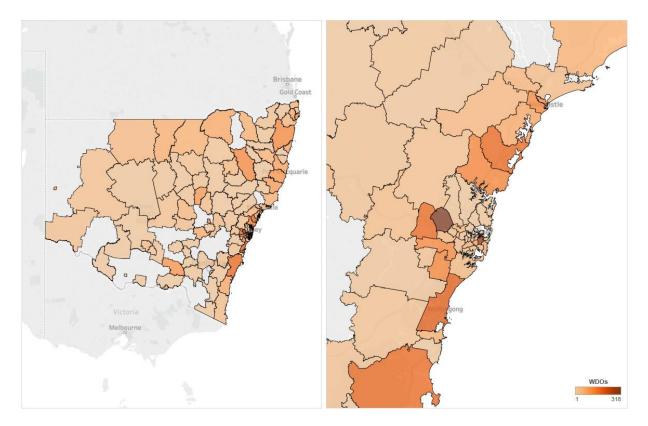


Figure 11.2 – Geographic dispersion of WDOs approved for Aboriginal and Torres Strait Islander people since the scheme commenced

