



## CLSD Program Quarterly Report

Q1 2023

The CLSD Program [website](#) has a page for each CLSD Program region with links to:

- minutes from the last 4 regional meetings
- the regional action plan;
- the regional profiles; and
- our voting and transport fines social media toolkit.

### Headline issues

#### *Birth certificates / need for ID*

An MOU in place between the CLSD Program and the NSW Registry of Births Deaths and Marriages for the 2022/2023 financial year provided 700 free birth certificates for people experiencing financial and other forms of disadvantage and dislocation at CLSD events. Since its inception this program has been in high demand, and the allocation for this financial year will be exhausted before the end of this year. ID is essential to access financial support, including disaster relief grants, education, housing, employment and other essential government processes such as a working with children check. A significant proportion of people seeking help through our program are not registered with BDM, and often need further assistance with that process. The CLSD Program is grateful for the support of the Registry of Births Deaths and Marriages for this program and look forward to continuing this important partnership in the next financial year.

#### *Apprehended domestic violence orders against Aboriginal and Torres Strait Islander women*

Following concerns raised at the Kempsey Nambucca region's planning meeting held in November 2022 about an increase in the number of ADVOs being made against Aboriginal and Torres Strait Islander women at Kempsey Local Court, the CLSD Program obtained data from BOCSAR about apprehended domestic violence orders (ADVOs) made against women. The data confirmed significant increases in Aboriginal and Torres Strait Islander women as defendants to ADVOs in some regional locations over the 5 years up to June 2022. The increase is frequently not matched by an increase in ADVOs being made against non-Aboriginal women in the same locations.

Local Courts where there has been a marked increase in orders made against Aboriginal and Torres Strait Islander women include:

- Dubbo: increase from 63 in 2017 – 2018 to 109 in 2021 – 2022.
- Broken Hill: increase from 30 in 2017-2018 to 71 in 2021 – 2022.
- Coonamble: increase from 10 in 2017-2018 to 31 in 2021 –2022.
- Kempsey: increase from 32 in 2017 – 2018 to 70 in 2021 – 2022.

#### *Updated voting fine social media resources*

The CLSD voting fine [social media resources](#) have been updated for the upcoming state election. Our suggested posting text includes the message that people can be registered to vote without knowing it, and how to check their enrolment.

### ***Tackling fine debt in the regions and increasing access to WDOs***

Fine debt is a prominent issue in many CLSD regions and Revenue NSW data indicates that for some regional locations marked by economic disadvantage a significant amount of fine debt is older than two years, and there is a relatively high use of payment plans using Centrepay for management of fine debt.

For example, in Coonamble 447 people have 1 838 overdue fines, with a total value of \$1 112 413. 420 of those fines are managed through a Centrepay payment plan and 57 are managed with a WDO. The Central West CLSD partnership is holding a legal outreach day on 21 March 2023 with fine and licences as a major focus.

The lack of options for work and development orders is an ongoing challenge in many regional locations where there is high fine debt and economic disadvantage. A related issue is the need for more reliable information about WDO sponsors at a local level.

In 2021 and 2022 the Legal Aid NSW Work and Development Order (WDO) Service, CLSD Program and Advocacy Law Alliance worked together to test whether a dedicated third-party WDO service can increase access to the work and development order scheme for people with complex needs and high fine debt. The Project has been evaluated and the full report on the evaluation will be available soon. The evaluation found that the Project

- effectively connected eligible people to the WDO scheme who were engaged with a service provider who were not a WDO sponsor
- filled a gap for eligible people with fine debt where they could not identify a sponsor, due to no sponsors in their location or lack of sponsors offering activities meeting the person's needs.
- increased the range of approved WDO activities available to people who wanted to undertake a WDO particularly in regional and rural areas.
- responded flexibly to people with fine debt with complex needs.

### ***The pitfalls of electing to take traffic penalty notices to Court***

One of our valued partners, the Mid North Coast Legal Centre, raised the issue of people electing to dispute traffic penalty notices in court without getting legal advice during the final CLSD meeting of the Taree/Forster partnership last year. In their experience many people court elect without knowing the risk of having a conviction recorded against them and/or an increased fine. Another partner, the Central Coast Community Legal Centre, has also raised this issue during meetings, noting that young people often choose to challenge fines in court for fear of losing their licence. The MNCLC is advocating for clear information on infringement notices about the importance of getting legal advice before electing to have a matter determined by court, and for infringement notices to give guidance about how to get that help.

The CLSD Program took this issue to the recent NLA Fines and Traffic working group which agreed to work together on a proposal for reform.

# Issues and activities from the regional partnerships

## GREATER ALBURY

*Quarter 1 meeting face to face in Albury 29 March 2023*

This meeting focussed on the legal and social support services now available in Albury following the expansion of the Family Advocacy and Support Service (FASS) to regional locations. Workers from the legal and support services attended the meeting to talk who FASS how FASS can help people affected by domestic violence who need assistance with family law issues.

Partners also welcomed the new CLSD regional coordinator, Colette Quin.

The partnership is working on:

- An event in Deniliquin offering free birth certificates, legal health checks and assistance with fines.
- Women in law breakfast
- There is interest from Albury, Deniliquin and Corowa in further Cut it Out domestic violence workshops for hairdressers, personal trainers and beauticians.

The South West Tenants Advice and Advocacy Service spoke about challenges faced by tenants in Albury who are involved in NCAT proceedings. NCAT does not currently sit in Albury and tenants must travel to Wagga Wagga or make an application to participate via AVL. However, the policy regarding participation via AVL is unclear, and sets a high threshold for the distance that is considered reasonable for a tenant to travel to participate in proceedings face to face.

## CENTRAL COAST

*Quarter 1 meeting 3 May*

Partners have indicated interest in learning more about grants of legal aid and the Q1 meeting will focus on this issue.

## CENTRAL TABLELANDS

*Quarter 1 meeting – 7 March on-line*

Jemima Mowbray and Riley Brooke from the NSW Tenants Union spoke with partners about the varied roles of the Tenants Union as a specialist community legal centre, the peak body representing the interests of renters in NSW and the resourcing body for the local Tenants Advice and Advocacy Services state-wide. Riley also provided in-depth information about the Tenants Union's current campaign work and the resources it has prepared that might interest partners, both as planning resources for their own services or if they would like to be involved in the Tenants Union campaigns. The [interactive maps](#) provide a significant amount of data to the public about renting in regional NSW.

Lucinda Walder, solicitor with the Civil Law Service for Aboriginal Communities spoke about the upcoming deadlines for people to access support from the Stolen Generations Reparations Scheme and Clancy Von Schoenberg, solicitor spoke about the new Respect at Work Legal Service within Legal Aid NSW for people who have experienced sexual harassment or sexual discrimination in the workplace.

Part of the meeting was also dedicated to plans for joint outreach and community events for the year. The regional coordinator will work with partners to hold a speed networking event in Bathurst, a fines clinic in Orange and a wills clinic in Cowra.

Happily, the availability of legal services in the region is increasing. Central Tablelands and Blue Mountains CLC is opening an office in Orange very shortly and has partnered with Binaal Billa Family Violence Prevention Legal Service in Forbes. Lawyers from CTBMCLC in Orange will provide legal services at Binaal Billa in Forbes fortnightly and conduct outreach to nearby communities. Orange Legal Aid will be employing a second family lawyer for a two-year period.

## **CENTRAL WEST**

### *Quarter 1 meeting – 16 March face to face in Dubbo*

The Family Advocacy and Support Service (FASS) has expanded to the Central West and partners heard how these new legal and social support services can help people affected by domestic violence and who need assistance with family law issues. Two important messages are that the FASS duty lawyer service is not means tested and is available for all parties to the dispute. The social support services are available to work flexibly with people affected by domestic violence even prior to and during family law court proceedings.

The partnership is hosting a legal outreach day at Coonamble on Tuesday 21 March, participating services include the Aboriginal Legal Service NSW/ACT, Western NSW Community Legal Centre, Legal Aid NSW, Revenue NSW and Disability Advocacy. Free birth certificates will also be offered at the event for people facing financial and other forms of disadvantage and dislocation.

The partnership is also working on other projects:

- A potential new resource for young people and their families so that they are better informed about obligations and rights in relation to bail.
- Consultation on a new version of '[How to stick to your order](#)' which is specifically tailored for Aboriginal and Torres Strait Islander people. Draft content for this new resource has been developed with support from Corrective Services and the Legal Aid NSW Domestic Violence Unit.

## **FAR WEST**

### *Quarter 1 meeting – on-line meeting 16 February 2023*

The Far West partnership is working on:

- A wills clinic for Wilcannia in May. Warra Warra Family Violence Prevention Legal Service is providing on the ground coordination for this event. Gilbert + Tobin will be drafting wills and other future planning documents for Aboriginal and Torres Strait Islander community members.
- The Family Advocacy and Support Service (FASS) has expanded to many regional areas including the Far West. This has also coincided with the positive news from CatholicCare that they have been funded to offer a child contact service for Broken Hill. Many people and organisations have been advocating for such a vital service for Broken Hill for many years. The partnership is planning to hold a networking event to raise awareness about FASS and the new child contact centre when the Family Court and Federal Circuit Court is on circuit in Broken Hill in the week of 24 – 28 July 2023.

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.

## **HUNTER**

### *Quarter 1 meeting – face to face meeting in Raymond Terrace 16 February*

This meeting focused on local referral pathways and the opening of a new fortnightly legal clinic in Raymond Terrace, which is a partnership between the Homeless Persons's Legal Service at the Public Interest Advocacy Centre and private law firm Hall & Wilcox. Anyone who is experiencing homelessness or is at risk of homelessness is eligible to receive support from the clinic and the definition of homelessness includes people living in inappropriate housing, for example housing that is over-crowded or unsafe. Partners were guided through a case study exercise about someone experiencing homelessness, amongst other issues, to demonstrate what the clinic can help people with and the referral options available for issues that it can't assist with directly.

Partners noted that the strongest driver of homelessness locally is domestic and family violence. Difficulty accessing identity documents was raised as a barrier for people obtaining housing, engaging in education, and accessing employment. Information about how to use the NSW Registry of Births, Deaths and Marriages general fee-waiver policy was shared with partners as clients experiencing homelessness and/or domestic and family violence are eligible.

## **KEMPSEY/NAMBUCCA**

### *Quarter 1 meeting – face to face meeting to be held in May*

Partners are planning to have a conversation with local police regarding their responses to young people who come into contact with police and domestic and family violence.

## **MOREE**

### *Quarter 1 meeting – online 24 March*

Jake Fing, a solicitor with the new Family Law Service for Aboriginal Communities (FamAC) at Legal Aid NSW spoke about the service generally and provided specific information about his regular in-person outreach to Moree, which takes place every 6 weeks.

All NCAT matters that originate in Moree are still being heard 1 hour away in Narrabri. This continues to cause difficulty for people who can't access transport. People don't always know that they can request to attend via telephone and attending via telephone doesn't suit everyone. The regional coordinator is supporting as many people as possible who are comfortable attending via telephone to do so.

The regional coordinator and CLSD Program Unit are considering how to approach community legal education about the legal help that is available for students and parents that have an issue with a school in response to concerns about the number of lockdowns that happened at the local high school during term 1.

## **NORTHERN RIVERS**

### *Quarter 1 meeting – face to face in Lismore 28 March*

It has become an annual practice in the Northern Rivers for the regional coordinator to facilitate a 1-hour meeting of legal services only before the first CLSD Program meeting of the year.

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The meeting is an opportunity for legal services to reconnect, share program, staffing and outreach updates, and discuss joint outreach opportunities. There was lots to discuss this year with Northern Rivers CLC increasing face-to-face outreach targeting homelessness, the pod villages, traffic, disaster recovery and smaller communities in the region, the Aboriginal Legal Service NSW/ACT Family Violence Prevention Units and Children and Family Advocacy Service, and the expansion of the Family Advocacy Support Service and the introduction of the Family Law Service for Aboriginal Communities and the Respect at Work Legal Service at Legal Aid NSW. The information collated at this meeting is then shared with non-legal service partners during the CLSD meeting that follows.

The Women's Domestic Violence Court Advocacy Service (WDVCAS) in the Northern Rivers is opening a second office in Murwillumbah. The WDVCAS reported a significant increase in its workload during the first quarter of this year, one year on from the flood, which manager Kylie Mackenzie noted is reflected in the research about the cycle of domestic and family violence following disasters. Kylie shared that there has been an increase in non-intimate partner violence and referrals for child perpetrators. Positively, Kylie said that the newly created hearing support worker roles are already having a positive impact across the region; helping women both at police stations and as their matters go through court.

The volume of matters going through the Local Courts in the Northern Rivers is extremely high. Legal Aid NSW shared that courts may need to cap their lists shortly because of the number of matters coming in. Partners reported the positive impact being made by the specialist Children's Court Magistrate now working in the region. Casino lost its Children's Court a long time ago, but while the specialist Magistrate is sitting at the Children's Court in Lismore, she has recommended that as many young people as possible from Casino have their matters heard by the specialist court.

## **SOUTH COAST**

*Quarter 1 meeting – online 14 February*

The Stolen Generations Reparations Scheme is closing on 30 June 2023. Kerry Wright from Legal Aid NSW spoke to the meeting about the Scheme, the assistance available to make an application and the related legal issues that should be discussed with potential claimants such as the impact of reparations on debts and fines and the importance of making a will.

The partnership is working together on

- Barriers to getting court representation/legal aid particularly on the Far South Coast
- Legal service guides/flyers for locations on the South Coast: these one page guides were originally developed in 2020 and Legal Aid NSW Nowra is leading a refresh of these guides.

Pro bono partner Hall + Wilcox is also keen to partner on a wills clinic for Aboriginal people in the region.

## **TAREE/FORSTER**

*Quarter 1 meeting – face to face in Taree on 15 March*

This meeting was held at the newly opened First Steps Count Child and Community Centre in Taree, which supports children aged 0-12 and their families. The centre is operated by Uniting and was built with philanthropic and government funding. After the meeting partners were

invited to tour the facilities, which include multi-purpose spaces that services can use to deliver outreach.

Fiona Bennett, manager of Taree Community Corrections spoke with partners about how they support people who have been released from custody and are reintegrating into the community. Fiona noted that locally, Community Corrections is focusing on increasing its engagement with external stakeholders to improve the support network that they can access for clients and to increase awareness of their operations amongst stakeholders. Representatives from local legal services, financial counselling services, tenancy services and Services Australia were all interested to connect with Fiona about the issues that they can support clients of Community Corrections with.

Partners then discussed the possibility of replicating a successful homelessness hub that operates in Port Macquarie, in Taree. One idea is to build upon a food service already provided by Wesley which Orange Sky Laundry attends. The CLSD Program supported several legal clinics in partnership with Orange Sky Laundry in Taree in 2022. The potential homelessness hub would aim to include a variety of services on rotation to support people with both non-legal and legal issues.

## **RIVERINA (formerly known as Wagga Wagga)**

### *Q1 meeting – 23 February online*

Kyle Burgess (Senior Aboriginal Client and Community Support Officer, DCJ) spoke with partners about the expansion of the Circle Sentencing Program to Wagga Wagga Local Court, which started with its first circle late last year. Kyle shared some background information about the program and provided an overview of eligibility for referral to the Circle, how it operates locally, and his hope that it will reduce reoffending in the community and support people to lead better lives.

Ellie Haas, a civil solicitor with Legal Aid NSW in Wagga Wagga spoke about the looming deadlines for people to apply for reparations under the Stolen Generations Reparations Scheme and to submit an application for review of a decision to reject an application in June and December respectively. The CLSD Program is using its state-wide network to promote the scheme as much as possible between now and the 30 June deadline. Staff from the Defence and Veterans Legal Service and the new Respect at Work Legal Service also attended to share information about how these services can assist people state-wide.

At the beginning of March, shortly after the meeting, the CLSD Program held a legal outreach and birth certificate clinic in partnership with Edel Quinn Homelessness Service in Wagga Wagga. The lawyer, Ellie, saw 9 people for advice during the half-day clinic and 31 birth certificate applications were completed for adults and children.