



Peninsula Community  
Legal Centre Inc

# Community Law News

June 2015

Issue 11

Registered No. A8T  
ABN 23 591 244 622

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**We gratefully acknowledge the financial assistance of:**

Commonwealth  
Attorney-General's Department  
Department of Justice (Vic)  
Consumer Affairs Victoria  
Victoria Legal Aid  
City of Casey  
City of Glen Eira  
City of Kingston  
Frankston City Council  
Mornington Peninsula Shire

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## We “Bomb” for Seniors!

**Peninsula CLC has “yarn bombed” its office to raise awareness of World Elder Abuse Awareness Day (WEAAD), June 15. Staff and volunteers of all crafting abilities held their own “knitting bee” to help decorate the front noticeboard with purple – the official colour of WEAAD.**

Yarn bombing has taken place across the City of Frankston, with volunteers knitting and crocheting squares to raise awareness about elder abuse and how to get help. We are delighted to partner again with Senior Rights Victoria and the Ageing Positively Team at Frankston Council, co-presenting and holding an information stall at a ‘Trivia and Tea’ event for around 100 seniors.

“Elder abuse” includes any act of harm to an older person that is committed by someone with whom there is a relationship of trust, such as a partner, family member, friend or carer. It is a form of family violence and may include physical, sexual, financial and / or social abuse, or neglect.

We have recently partnered with Seniors Rights Victoria to deliver community legal education to seniors, including a ‘Law Week Seniors Forum’ in Hastings with Mornington Peninsula Shire and the

Peninsula Advisory Council of Elders and ‘Legal Matters for Elder Fellas’ in Caulfield with the City of Glen Eira. Upcoming events are planned for the October Seniors Festivals in the Cities of Kingston and Frankston at which participants will learn about elder abuse, powers of attorney and wills (including our new ‘Wills Lingo Bingo’ session, which builds on an initiative of Eastern CLC). This is part of a preventative strategy, aimed at encouraging participants to plan for the future and protect themselves and their assets. A high level of interest and satisfaction from past participants is seeing these events become annual traditions in our local communities.

Anyone seeking help with elder abuse is encouraged to call Seniors Rights Victoria on 1300 368 821, or Peninsula Community Legal Centre on 9783 3600.



*Pictured Yarn bombing in Frankston Library, Staff and Volunteers’ Knitting Bee*

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*This newsletter was produced with pro bono support from Russell Kennedy*

# Funding Crisis to Worsen

Peninsula CLC is alarmed at projected decreases to legal assistance funding in the May Federal Budget, due to take effect in the 2017-18 financial year and the proposed introduction of stringent means testing.

This is despite the Productivity Commission, in its Report into Access to Justice released last December, finding that legal assistance services “generate net benefits to the community” and recommending that government funding for legal assistance services should be increased by around \$200 million. Instead, community legal centres - already stretched to meet the growing demand for free legal help - will face a cut of nearly 30 per cent nationally in two years’ time.

We are further concerned that new proposals to means- test services will exclude a number of disadvantaged people, including women facing family violence, from the free legal help they need.

Executive Officer of the Federation of Community Legal Centres, Liana Buchanan, said in a press release on 2 June 2015:

“Coming on the back of deep cuts in the May Federal Budget, means-testing would narrow the legal help community legal centres can offer and restrict what counts as legal need at the cost of greater risk to women and their children. The cuts and means-testing risk leaving women threatened by violence ex-

partners on their own in court as they seek intervention orders, and on their own as they seek to untangle legal issues around custody of their children, where they live, and the financial control that perpetrators often seek over their victims. With around two women dying every week in Australia through family violence, means-testing would also likely mean that community legal centres would be prevented from assisting families through the inquest process. Legal help cuts and means-testing undermine the protection of women from family violence, and abandon them – or the families left behind – in its too often fatal aftermath.”

Rosie Batty, Australian of the Year and family violence advocate, echoes this sentiment and is cited as saying she is “dismayed and disappointed” with the Federal proposal.

Last financial year alone, Peninsula CLC received 31,275 telephone enquiries, provided 7,451 advices and opened 2,659 cases for ongoing work. Three quarters of clients earned less than \$26,000 per annum. One in four clients reported family violence.

## Royal Commission into Family Violence

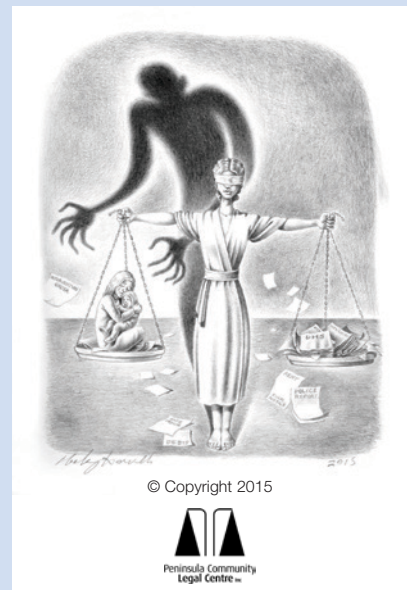
**Acutely aware of the harm caused to individuals and the wider community by family violence, we recently made a submission to the Royal Commission into Family Violence.**

In our submission, we shared some of our initiatives aimed at better informing our community about family violence and we touched on research into underlying causes of family violence and experiences of other jurisdictions with lower rates of family violence. We noted that, in our experience, both the prevalence and severity of family violence have been rising. We also recounted our clients’ stories and experiences to highlight the challenges they faced in navigating inadequate, complex and fragmented systems, which made it difficult for them to feel safe and compounded their distress.

We recommended major reforms to the ‘system’, as well as calling for the underlying causes of family violence to be recognised and addressed. We also emphasised the importance of access to timely, free legal help, and the need for the legal assistance sector to be adequately resourced to meet growing demand.

A copy of our submission can be found on our website [www.pclc.org.au](http://www.pclc.org.au).

**Pictured** A visual representation of the family violence system, as experienced by many women and children, created by artist Ricky Howell to support the submission of Peninsula Community Legal Centre to the Royal Commission into Family Violence, 2015.



## We Help a Client who “Didn’t Do It”!

Veronica, a sole parent, thought she had done everything right when she sold her car to Trevor and had him sign a receipt. Veronica then moved interstate and was unaware that Trevor had not only failed to transfer the vehicle into his own name, but committed several offences while driving the car.

When Veronica moved back to Victoria, she discovered there were six offences recorded against her, with fines of almost \$2,000. Her attempts to nominate Trevor as the driver of the

vehicle were rejected and she was unable to pay the fines. When she saw a lawyer at our Cranbourne branch office, Veronica was very distressed and frightened.

Although Trevor evaded our attempts to reach him, our lawyer was able to present Veronica’s application for revocation to the Infringements Court Registrar. To Veronica’s great relief, the application was successful, with the infringements cancelled and reissued to Trevor.

## Helping Disadvantaged Young People become 'Rent Ready'

Peninsula CLC has been working collaboratively with Department of Human Services – Centrelink, Communities for Children (Anglicare), and Frankston City Council Maternal and Child Health to develop and deliver workshops for young people who are considering renting for the first time.

The interactive workshops offer participants an overview of the legal issues that tenants face as well as income, budgeting and life skills activities. The workshop feedback has been excellent and participants leave with a pack containing practical tips for low cost or free stuff plus information on where to go for help if things go wrong.

Recent attendees to the workshops included young people who are exiting residential care and young people with a mental illness.

## Lawyer Discount Scheme



*Pictured*  
Michael Morehead

Peninsula CLC has been piloting a “lawyer discount scheme” from its Rosebud branch with local firm, Moreheads Lawyers. The initiative was suggested by Michael Morehead, a lawyer volunteer with the Centre, after identifying that some clients were “falling through the cracks” because they do not qualify for legal aid, cannot afford to pay market rates for a private lawyer and cannot be assisted by our Centre, due to limited capacity and competing client priorities.

Under the discount scheme, clients referred by Peninsula CLC are offered a discount of up to 50 percent on legal fees, plus GST and disbursements. Moreheads retains discretion to determine whether a client is eligible for the scheme, and reports regularly to the Centre about how the scheme is working. A number of clients have now received discounted legal fees under the service, with some excellent outcomes, and the Centre is hoping that the scheme can be expanded and will be inviting other local firms to participate.

*“Amy” was referred to Moreheads for assistance with an urgent Family Court application, after her abusive ex-partner refused to return their children to her. Amy had some financial means, but could not afford to pay full legal fees. With a discounted fee, she was able to provide instructions for an urgent application to be lodged, resulting in the Court ordering the immediate return of her children to her.*

## Trainee Lawyer Pilot Program



*Pictured* Elena Farro

Peninsula CLC has always enjoyed the support of a dedicated team of volunteers, and has recently explored ways of enhancing and expanding the experiences it can offer to volunteers. Following scoping work undertaken by volunteer, Villy Raki, in a six month placement at the Centre, it was decided to trial offering volunteer placements to law graduates undertaking practical legal training courses, prior to their admission to practise law.

The pilot commenced in mid-2014, and we congratulate our first two trainees, Nina Zec and Elena Farro, on completing their 40 day placements with the Centre. We are delighted that both have decided to continue their relationship with the Centre, becoming lawyer volunteers. We also welcome volunteers Katrina Markwick and Amelia O'Donovan Schulz who have now commenced their trainee lawyer placements with the Centre.

*“My time at PCLC was a wonderful learning experience and a fantastic insight into community law. I enjoyed working with the diverse clientele and learning on the go. The work PCLC engages in is fascinating and working with the staff was a fulfilling experience. I want to thank you for giving me the opportunity to complete my practical legal training and learn about the community legal sector. Everything I have been exposed to has been educational, eye opening and rewarding.*

*I have thoroughly enjoyed my time at PCLC and I am looking forward to volunteering here in the future. I have enjoyed meeting all the staff and thank you for all your kindness and assistance.”* **Nina Zec**

*“I started the trainee lawyer program at PCLC in October 2014 and have gained an ocean of invaluable experience and knowledge. I have been working one-on-one with a community lawyer, Sokha Um, on a range of casework, sitting in on client interviews as well as attending court for Intervention Orders.*

*What I found exceptionally impressive was no matter how busy the lawyers were, they were always willing to sit down and talk things through with me, making sure I really grasped the content of what I was asked to do. This quality was seen again and again and really made me feel like the staff at PCLC wanted me to learn as much as I could during my placement. I found this type of support quite refreshing and encouraging to see in a legal practice setting. I have found the high quality work that the lawyers carry out for their clients has driven me to work in the community legal sector with the same approach and attitude.”* **Elena Farro**



# Clients give us the Thumbs Up

Clients of Peninsula CLC have reported a high level of satisfaction with our services, based on the results of our annual client satisfaction survey conducted in April 2015. Clients said they found it easy to contact or visit us, understood the advice

they were given and found it useful. Comments included:

"I was treated very good and very fairly."

"Feel much better with my direction to take and options."

## Integrated Law and Social Work Project

In late 2014 Peninsula CLC made a successful application to the Phyllis Connor Memorial Innovation Program (Equity Trustees) for funds for a two year pilot of the Integrated Law and Social Work Project.

Findings of the Legal Australian-Wide Survey: Legal Need in Australia Report produced by the Law and Justice Foundation of New South Wales in 2012 underpin the Project. The Report indicates that "... integrated service delivery across legal and broader human services is critical, given that legal needs are often interconnected with non-legal needs..... legal problems can cause a broad range of non-legal problems. Many people, most notably disadvantaged people, experience multiple interrelated legal and non-legal problems".

The aim of the Integrated Law and Social Work Project is to improve client outcomes through a more holistic approach. We believe that clients will benefit from an integrated and collaborative service which is able to deal with the legal problem(s) and better identify and address associated non-legal matters. The Centre's lawyers and advocates are now able to refer clients to a social worker or seek secondary consultation regarding how best to support clients in relation to their non-legal matters.

The Project will also explore how we might strengthen the organisation's capacity to deliver services more holistically, will seek to identify areas where strategic collaborations with other services could be beneficial for enhanced client interventions and will be alert to responding on systemic as well as individual levels. Project development, operation and evaluation will be documented and learnings are to be shared with the broader legal assistance sector.

The Social Worker may help with issues such as housing, financial/debt issues, family support, Centrelink, counselling, mental illness, material relief, gambling, drug and alcohol, family violence, employment, social isolation, homelessness, disabilities. Types of intervention clients could receive through this project include psycho-social assessment, emotional support, information and advice (non-legal), advocacy, supported referrals to appropriate services, support letters and outreach (by accompanying to court or other important appointments).

We are pleased to welcome Michelle Cauchi, an experienced Social Worker, to our team and wish her every success with the project.



*Pictured Michelle Cauchi*



**Warmest congratulations and thanks to our Principal Lawyer, Victoria Mullings, on achieving 20 years' service with Peninsula Community Legal Centre.**

### Helping a Victim of Crime

Stan, an aged pensioner, was struck down by a shoplifter fleeing from a store. Stan suffered bruising and a fractured pelvis and required hospitalisation. Stan was deeply distressed by the incident and sought compensation from the Victims of Crime Assistance Tribunal (VOCAT). He approached us for help after being told he was a "secondary victim" and would only be entitled to reimbursement of his out of pocket expenses.

With our assistance, Stan was found by VOCAT to be a "primary victim" and he was awarded more than \$3000 in special financial assistance.

*Peninsula Community Legal Centre is an independent, not-for-profit organisation that has been providing free legal services to Melbourne's south-eastern communities since 1977.*

*The Centre helps people use the law to protect and advance their rights, offering free advice on most legal issues. Ongoing assistance is targeted to assist clients who are experiencing disadvantage. In addition to its general services, the Centre operates Family Law, Child Support, Family Violence, Tenant and Consumer Advocacy and Rooming House Outreach Programs.*

*Community legal education, special projects and participation in law reform are also important aspects of the Centre's work.*