

Quarterly Highlights Report

This newsletter summarises the activities of the NSW Legal Assistance Forum (NLAF) during the period July to September 2016 including reports to the NLAF Plenary meeting held in September.

Message from the NLAF Chair, Nassim Arrage

The NLAF welcomed the NSW Family Violence Prevention Legal Services as a new member at our September meeting. We also acknowledged the pending retirement of Bill Grant from Legal Aid NSW. We thank Bill for his commitment and contributions to NLAF as a founding member and also Chair for many of the past 10 years. Bill's insightfulness and leadership will be missed by the NLAF.



NLAF Website (www.nlaf.org.au)

Quarterly working group reports tabled at the NLAF meetings are posted on our website. In addition the NLAF News page is updated weekly with links to NLAF member updates and news items.

Working Group Reports

Prisoners Forum

- Details about the Miranda Project diversionary program for women at risk of imprisonment, of offending or of reoffending were provided. The project is an initiative of Corrective Services NSW Women's Advisory Council and run by the Community Restorative Centre in partnership with women's health and support centres in four NSW locations – Leichhardt, Penrith and Central West Women's Health Centres (Bathurst) and Lou's Place in Kings Cross. The Project aims to keep women out of custody using case management focusing on their complex needs, health and wellbeing.
- Prisoners Aid NSW (PANSW) spoke about their Inmate Property Service assisting prisoners in 11 NSW prisons who reside within a 100km radius of the Sydney GPO by retrieving and safely storing their property while in custody. Also about their new social enterprise *Mates on the Move* which includes a 14 week training course incorporating work experience in their removalist service. PANSW is partnering with community housing providers to assist social housing tenants to relocate and also with Job Active providers / employer groups to set up employment pathways for prisoners who have completed the Mates on the Move training and work experience.

Fines and Traffic Law Working Group

- The Acting Registrar of Birth Deaths and Marriages (BDM) spoke about their Indigenous Access Program. Written applications for fee waivers can be submitted to the BDM Registrar in accordance with their Policy. If a fee waiver is not available a discount price may be offered, depending on the person's circumstances. These are only done on a case by case basis.
- A response letter received from the NSW Minister for Roads, Maritime and Freight regarding new bicycle penalties advised that the NSW Government has no plans to scale cycling offence fines for adults and children at this time.
- NSW Justice will chair the Implementation Working Group formed to oversee Driver Licence Disqualification Reforms. Their first meeting was in September.
- State Debt Recovery has changed its bank garnishee order (GO) procedures for overdue fines. These will now be in accordance with s122 of the *Civil Procedure Act 2005 (NSW)*, requiring that amounts under one or more GO must not, in total, reduce the bank account balance to less than \$480.50. This is referred to as the 'weekly compensation amount' which is adjusted in April and October each year.
- In the 2015/16 year 16,821 WDOs were approved and \$19,952,234 of fines debt was cleared through WDO activities.

Education Act (EA) Prosecutions Working Group

- A Legal Aid NSW Children's Civil Law Service solicitor spoke about their work with the NSW Ombudsman which resulted in the preparation of a *Joint Protocol to reduce the contact of young people in residential out of home care with the criminal justice system*.
- The NSW Ombudsman is consulting with a range of stakeholders regarding organising a round table meeting to talk about Education Act prosecution issues raised by Judge Johnstone, President of the NSW Children's Court, as well as the Working Group.
- Communication strategies used by the Department of Education, Legal Aid NSW, Law Access and Community Legal Centres regarding Education Act matters were discussed. Legal Aid is producing a new flyer to assist with promoting to parents and children the availability of free legal assistance at court for Education Act matters.

Groups reporting to NLA

Learning and Development Group

The July meeting heard from Jessica Raffal, NSW Women's Legal Service, about *Ask Lois*. *Ask Lois* is a free online legal information website. Started in 2011, *Ask Lois* now has 2000 members. Webinars are provided every fortnight on a different topic and uploaded to *Ask Lois* as an ongoing resource. Fact sheets accompany the webinars and are pitched at different levels of legal knowledge. *Ask Lois* has an "Ask a Lawyer" feature which enables users to seek advice and referrals.

Legal Information and Referral Forum

The July meeting heard from Leona Zumbo, Senior Digital Inclusion Consultant, Vision Australia about the development and testing of their Digital Accessibility Toolbar (DAT). The DAT provides a range of default and automated tools which work for all disability or age-related impairments. It is free to download and is a standard add-in for Microsoft Word. All functions for accessibility are located in one Ribbon. Each function has a tool tip which provides a brief description of what the function does and how this improves document accessibility plus a help button to navigate to a webpage containing more Word accessibility information.

Cooperative Legal Services Delivery Program (CLSD)

The identified legal needs, emerging and/or systemic issues raised across CLSD regions in this quarter were reported to NLA as:

- Criminal law offences and a critical lack of diversion options for offenders with alcohol, detox, drug and mental health issues in North West NSW - ongoing;
- Impact of ICE and crime consistently noted, amphetamine offences increases beyond 150% in some areas;
- Birth certificates for Aboriginal people – ongoing and unresolved;
- Housing arrears, repairs and maintenance, anti-social behaviour provisions – ongoing;
- Care & protection - ongoing
 - FaCS not using early intervention mechanisms and unclear what support services deemed suitable to FaCS
 - Working with Children Checks;
- Demand for wills in Aboriginal communities - ongoing;
- Financial hardship including gambling, funerals, TPD, DSP, rent arrears, Local Council rate arrears – ongoing;
- Working with Children Checks – in care and employment situations;
- Driving offences - visa cancellation on character ground detention and deportation because of (12 month) imprisonment for unauthorised driving offences;
- Employment
 - discrimination & bullying
 - sham contracting, exploitation of migrant workers
 - adverse Working with Children Check clearances impacting on employment and volunteering;
- Training of private solicitors in regional areas regarding legal aid type matters (care, civil law, traffic). Possibility of a regional training schedule being organised in partnership with the NSW Law Society.

More information about the Cooperative Legal Service Delivery Program and the location of/contacts for regional networks can be found at: <http://www.legalaid.nsw.gov.au/what-we-do/community-partnerships/cooperative-legal-services-delivery-clsd-program>.

Kerry Wright
NLAF Project Manager, October 2016