

Submission to Productivity Commission

Inquiry into Access to Justice Arrangements

Appendix A



Peninsula Community
Legal Centre Inc



Peninsula Community
Legal Centre Inc

Registered No. A8T
ABN 23 591 244 622

Head Office

441 Nepean Highway
Frankston Vic 3199

Tel 03 9783 3600

Fax 03 9770 5200

Free Call 1800 064 784

DX 19953 Frankston

Email pclc@pclc.org.au

www.pclc.org.au

Bentleigh Branch

82 Brady Road
Bentleigh East Vic 3165

Tel 03 9570 8455

Cranbourne Branch

Bella Centre
Suite 12
33-39 High Street
Cranbourne Vic 3977

Tel 03 5995 3722

Pines Branch

2A Candlebark Crescent
Frankston North Vic 3200

Tel 03 9786 6980

Rosebud Branch

1375 Point Nepean Road
Rosebud Vic 3939

Tel 03 5981 2422

Visiting Services to:

Chelsea
Hastings

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

Donations over \$2.00
are tax deductible

Service to the Community
since 1977



Community Law News

June 2013

Issue 7

SUCCESS STORY EDITION

All in a Day's Work: *When Ordinary is Extraordinary!*

In an environment where the demand for services is relentless and resources are invariably stretched, it is easy to fall into the habit of focusing on what needs to be done rather than celebrating what is being done. This 'Success Story Edition' provides us with the opportunity to highlight the many ways in which Peninsula CLC is advancing justice for its community.

Take for example Thursday, 30 May. It was a busy day for Peninsula CLC, which is perfectly ordinary. Here's a snapshot of just some of the things accomplished in that day's work:

- A duty lawyer assists self-represented litigants with family law matters at the Federal Circuit Court at Dandenong;
- Staff lawyers and advocates provide advice to clients on a variety of issues at the Centre's Frankston and Cranbourne offices;
- Volunteers provide advice to clients at the Centre's Frankston office during the day and Bentleigh office in the evening;
- Administration workers field over 30 enquiries, including:
 - A man who is facing court over traffic offences;
 - A community worker seeking information about tenancy issues for a client;
 - A mother calling for information about managing her son's affairs while he is in prison;
 - A mental health worker making an appointment for an elderly client with family law issues;
- A health practitioner calling to discuss a rooming house;
- A client calling to say thank you to a tenant advocate who helped him win his case in VCAT and to keep his home.
- A workshop on 'Legal Issues for Separated Parents' is delivered to 13 participants at the Family Relationship Centre Frankston and Mornington Peninsula;
- Senior Civil Lawyer, Kate Ross, attends a Practice Forum on 'Responding to the Abuse of Older Women and Men' organised by the Outer South Peninsula Integrated Family Violence Partnership;
- A public information stall is held at the 'Pathways to Better Living Expo' at Chisholm Institute to help link culturally and linguistically diverse community members with services that can assist them;
- We attend a meeting of the Peninsula Community Development Network, convened by Victoria Legal Aid (Peninsula Regional Office) and attended by a range of organisations to consider local issues, share information and facilitate cross-referrals;

continued...

CONTENTS

Bowling for Justice!	2
Clients Put First	2
Connecting for Homeless People	3
Consumers Helped in a Couple of Clicks	3
Case Studies - Working Together to Save a Home	4
- Working Together for a New Start	4
- Elderly Man can Breathe Easier	4
- "You've changed my life!"	4
Invaluable Experience: A Volunteer's Perspective	4

This newsletter was produced with pro bono support from Russell Kennedy

- We host a Partnership Working Group Meeting with Family Life and Victoria Legal Aid (Peninsula Regional Office), to review the operation of the Frankston Family Relationship Centre and Legal Assistance Service Partnership project;
- Staff meet with representatives of the Federation of Community Legal Centres to share information and ideas and explore opportunities for sector collaboration.



Pictured: Senior Civil Lawyer, Kate Ross



Pictured: Saskia Weerheim, Deputy General Manager, Volunteers & Education, at the 'Better Pathways' Expo

As this snapshot illustrates, Peninsula CLC is highly engaged with its community and responds to a large range of legal needs.

For the Peninsula CLC team, Thursday 30 May was just an ordinary day – but maybe, upon reflection, it was actually extraordinary!



Pictured: Administration Workers, Lisa Green and Beth Weerheim

Bowling for Justice!

Peninsula Community Legal Centre volunteers celebrated National Volunteer Week (13-19 May) in a friendly bowling tournament at Moorabbin AMF on Friday 17 May 2013.

Volunteers are highly prized at Peninsula Community Legal Centre. During National Volunteer Week alone, volunteer lawyers provided 45 free legal advices across five locations, paralegal volunteers co-ordinated and supported legal advice sessions and management committee volunteers met to provide strategic governance for the organisation.

General Manager of Volunteers & Education, Andrea Staunton, says "We are exceptionally proud of our team of around 150 volunteers, who greatly extend and enhance our free legal services to the community. National Volunteer Week provides us with a great opportunity to say thank you to our volunteers on behalf of our Centre and community."

Peninsula CLC's Acting CEO, Jackie Galloway, was the 134th of 225 signatories to Volunteering Victoria's Thank You petition, which states:

"We, the undersigned, take this opportunity to make it known that we appreciate the thousands of volunteers who make our organisations and our State great. We rely

on your commitment, skill, time and energy as volunteers in and through our organisations. Your efforts make our community great. We simply could not do it without you. "Thanks a million!"



The 'Thanks a Million' petition can be viewed at www.volunteeringvictoria.org.au/resources/nvw-2013/thank-you-petition/.

Clients Put First

"A God send!" is how one client described the assistance provided by Peninsula CLC in a recent client satisfaction survey. Each year the Centre conducts an anonymous survey to obtain client feedback. This year's survey showed a high level of satisfaction, with 99% of clients who responded saying they were satisfied with the service they received. Other comments included:

"I was treated with respect and empathy."

"It seems as if the client is put first."

"Excellent. She was very busy, but took the time to explain everything to me."

Connecting for Homeless People

Peninsula CLC was pleased to support 'Frankston Connect Day' held at Seaford Community Centre on 17 April 2013. The event was initiated by the Australian Government Department of Human Services and supported by 22 government, private and community agencies, who provided a range of information and services for people experiencing housing difficulties and homelessness.

The sun shone on the event – both literally and metaphorically, with around 250 vulnerable community members coming along for free health checks, flu injections, dental assessments, giveaways and connecting with services like Peninsula CLC.

Our free legal services were promoted throughout the day, with workers in attendance to provide free legal information and engage with people needing legal help. Rooming house residents were able to speak with our Rooming House Outreach Program Workers, and obtain information about their rights and supports available. Peninsula CLC's Rooming House Outreach Program, funded by Consumer Affairs Victoria, was also part of the organising committee for the event.

Jean-Michel Heurtau, Homeless Outreach Program, Australian Government Department of Human Services, describes a conversation with a local worker who had been concerned that the Frankston Connect event would not attract the long term homeless who were 'sleeping rough':

"...On the day of the event [the worker] spoke about his amazement that some of his regular homeless people had made it to the event. One person in particular that he had seen walking up and down the streets a few times 'staging out the place' before he finally came in. I saw the person laughing, smiling and having a great time on a grassy area outside in the sunshine... [The worker] told me that this was the first time that he had ever seen this person smile and enjoy himself, interact with more than one person and was amazed that he had managed to get from Frankston to Seaford to attend the event. A few hours later I saw the same person come inside the hall and get a cup of coffee. This story really stood out for me as here was a person who felt safe and comfortable enough to join in the event and then felt safer as the day went on to venture inside."

Peninsula CLC values its community connections, and regularly collaborates in public events across its catchment to provide information about the law and raise awareness of free legal services.



Pictured: Information stall at the Frankston Connect Day



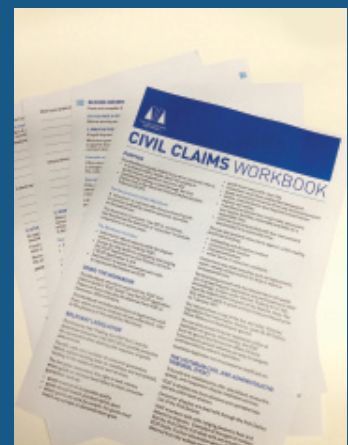
Pictured: Rooming House Outreach workers, Jasmin Underwood and Chris Horsburgh

Consumers Helped in a Couple of Clicks

Recent research shows consumer issues to be the most common legal problem in Australia, affecting around one in five people in a single year¹.

With funding from Consumer Affairs Victoria, Peninsula CLC has been providing information and advocacy for vulnerable consumers for over 15 years. In 2012, the Centre completed the second edition of its highly-respected Civil Claims Workbook, a guide for consumers who are considering making claims against traders in the Civil Claims List of the Victorian Civil and Administrative Tribunal. The Workbook is free and is available online – just click on the Resources tab on Peninsula CLC's webpage, www.pclc.org.au.

¹ Coumarelos, C, Macourt, D, People, J, MacDonald, HM, Wei, Z, Iriana, R & Ramsey, S 2012, Legal Australia-Wide Survey: legal need in Australia, Law and Justice Foundation of NSW, Sydney, p.59



Case Studies

Working Together to Save a Home

It wasn't raining, it was pouring for a client with mental health issues who had experienced family violence, was being prosecuted by Centrelink and was about to become homeless.

Fortunately, she sought help from Peninsula CLC and we were able to work intensively with the client and other services assisting her. We helped her defend the alleged breach with Centrelink and obtain a crimes compensation payout that went towards her debts. We negotiated extra time with the Sheriff's office and obtained specialist support for her housing issues.

The outcome? Our client has kept her home and is receiving her pension. While life is still not easy for her, the sun is peeking out from behind the clouds.

Working Together for a New Start

Our client was very vulnerable, experiencing both physical and psychological disabilities. She was physically assaulted by a male family member on numerous occasions, until police obtained a Family Violence Intervention Order and laid criminal charges.

Our client was struggling to cope with her life, but with flexible and intensive support from our Centre, and a high level of co-operation between the different services assisting her, we were able to make a successful application to the Victims of Crime Assistance Tribunal, which saw our client reimbursed for her medical and security expenses, as well as receiving a lump sum payment that will enable her to visit family overseas and begin rebuilding her life.

Elderly Man can Breathe Easier

Our client was worried that he and his seriously ill wife would lose their home because of the exploitation of a power of attorney by another family member. Already the agent appointed under his wife's power of attorney had taken considerable money from his wife's bank account for an undisclosed purpose. Our client was worried that the power of attorney would be used to secure a loan against the family home. He was relieved to learn that, as joint tenant, the property could not be mortgaged without his consent; and further, if his suspicions about the misuse of the power of attorney were not allayed, he could apply to the Guardianship List of the Victorian Civil Claims and Administrative Tribunal ("VCAT") for accounts to be produced and the power of attorney to be revoked.

"You've changed my life!"

Our client had the misfortune to be in the wrong place at the wrong time, when a car being pursued by police crashed into her vehicle, causing her serious injuries as well as her car being written off. Our client was uninsured and could not save enough money from her disability pension to purchase a reliable vehicle. She was delighted when we were able to help her obtain a settlement in respect of the accident, which is enough to buy a decent second-hand car. Our client is ecstatic with the outcome and said our lawyer has "changed her life".

Invaluable Experience: A Volunteer's Perspective

Shai Sommer is a paralegal volunteer with Peninsula CLC, a commitment he juggles with the demands of studying law and fulfilling the role of President of Deakin Law Students' Society (DLSS). We were delighted with Shai's recent comments about volunteering in the DLSS Careers Guide 2013 (available at www.deakinlss.org/careers-guide-2013/) :

"...I was fortunate enough to obtain a volunteering position at the Peninsula Community Legal Centre in January 2012. Whilst volunteering, I found the centre provided me with invaluable experience and skills. Interviewing clients, briefing lawyers and overcoming cultural and socio-economic differences were only some of the tasks that I was required to do. This centre, and any other CLC for that matter, should be the first stop for any law student endeavouring to gain legal insight and experience!"

Peninsula Community Legal Centre law reform submissions and media releases are available on www.pclc.org.au.

Peninsula Community Legal Centre is an independent, not-for-profit organisation that has been providing free legal services to Melbourne's south-eastern communities for over 35 years.

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, Rooming House Outreach and Tenant and Consumer Advocacy Programs.

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

