



Peninsula Community  
Legal Centre Inc

# Community Law News

December 2010

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## Outreach Services to:

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Hastings  
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Pakenham

## 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  
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Service to the Community  
since 1977



## Family Law Services Launch

**The Honourable Robert McClelland, Commonwealth Attorney General, launched Peninsula Community Legal Centre's Family Law Services on Wednesday 1st December 2010.**

Over the past 5 years, Peninsula Community Legal Centre has experienced a 150% increase in clients seeking assistance for family law matters. The Centre has a dedicated Family Law Program to meet this need, which also addresses the acute vulnerability of self-represented litigants at the Dandenong Family Law Courts through provision of a duty lawyer service.

In addition to the Family Law duty lawyer services at the Dandenong Family Law Courts, Peninsula Community Legal Centre is pleased to be offering additional services to clients with family law matters, through its partnership project with Family Life as the provider of the Frankston Family Relationship Centre. This project has been funded by the Commonwealth Attorney General's Department to provide Frankston Family Relationship Centre clients with legal information, individual legal advice and ongoing assistance. Considering the significant legal consequences which arise from relationship breakdown, it is important that clients receive advice about the family law system and about their rights and responsibilities.



**Pictured Left to Right: Back row,** Chris Gallagher (Management Committee, Peninsula CLC); His Honour Federal Magistrate Maurice Phipps (Dandenong Federal Magistrates Court); Brendan Stackpole (Senior Family Lawyer, Peninsula CLC); **Middle row,** Philippa Godhino (Board Member, Family Life); Graeme Seamer (Board Member, Family Life); Victoria Campbell (President, Peninsula CLC); the Hon. Robert McClelland (Federal Attorney-General); **Front row (seated),** Helen Constat (CEO, Peninsula CLC); Judy Small (Manager Child Youth & Family Services, Victoria Legal Aid); and Alison Normanton (Program Manager, Family Life).



Peninsula Community  
Legal Centre Inc

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 more than 30 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, Tenant and Consumer Advocacy Programs.

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

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

# Advocacy Program

**“Each day nearly 1 in every 200 Australians is homeless, without safe, secure or affordable housing. Last year, 105 000 Australians experienced homelessness. One in every 154 Australians sought help from a homeless assistance service and one in every 39 children aged under 4 slept in a homeless service. 23% of Australia’s homeless are children – almost one in four homeless people is under 18. Of every 42 Australian children under four, one has experienced homelessness. Every day, half the people who request immediate accommodation from the homeless service system are turned away. Two in every 3 children who need support are also turned away, as are almost 80% percent [sic] of families.”<sup>1</sup>**

Securing a safe place has increasingly become more difficult for many in our community with issues such as no security of tenure, unregulated rooming houses, low vacancy rates in the private rental market, a lack of affordable housing and the absence of minimum housing standards compounding difficulties for those trying to secure a place to call home.

The Peninsula CLC Advocacy Program is funded by Consumer Affairs Victoria to assist vulnerable and disadvantaged consumers and tenants with advice, information, advocacy and Tribunal support, assistance and representation across the Eastern and Southern Regions of Metropolitan Melbourne. The program has successfully assisted many clients to maintain a home for their family when facing possible eviction.

In the past year alone the Advocacy Program assisted a total of 617 clients – 495 tenants and 122 consumers. A total of 534 cases were conducted including 171 Tribunal appearances. Tribunal appearances were conducted in the Civil Claims List and the Residential Tenancies List in Dandenong, Dromana,

Frankston, Korumburra, Melbourne, Moorabbin and Ringwood.

Senior Advocate, Jackie Galloway, has reported an increase in clients seeking assistance after receiving ‘notices to vacate’ and there has been an increase in tenants not exercising their rights for fear of eviction. She says “Many of our clients are experiencing extreme financial hardship and cannot afford increases in the private rental market, which results in clients falling into rent arrears. Where properties are not in appropriate condition, tenants are reluctant to pursue their rights as the possibility of retribution through eviction would render them homeless”.

The lack of affordable housing has also resulted in increases in the private rooming house sector. Largely operated by private profiteers, rooming houses are becoming a last resort for many families facing homelessness, placing more emphasis on the legal regulation of the management of such premises.

<sup>1</sup> [http://www.homelessnessaustralia.org.au/UserFiles/File/Homelessness%20in%20Australia%202010%20lr\(1\).pdf](http://www.homelessnessaustralia.org.au/UserFiles/File/Homelessness%20in%20Australia%202010%20lr(1).pdf)

## NEW OUTREACH SERVICE TO CITY LIFE

**Peninsula CLC is pleased to announce that it is providing free legal advice and ongoing assistance at City Life Inc. in the centre of Frankston.**

The service operates every second Friday at City Life in Clyde Street, Frankston, for a period of four hours, coinciding with the hours of operation of the City Life Café, which offers a free lunch for vulnerable and disadvantaged members of the Frankston community, many of whom are homeless.

Peninsula CLC welcomes the opportunity to work in partnership with City Life Inc. to ensure that services are available to those in need when they are in need. The Centre is keen to ensure that all members of the community are aware of the services provided by the Centre and where these services can be accessed.

Individual legal advice and assistance in areas such as debt, crime, family law and fines, as well as information in relation to the rights and responsibilities of rooming house and caravan park residents is available to those who attend. This outreach service increases the accessibility of legal and related services to the Frankston community.

A Lawyer and a community worker from the Legal Centre attend at City Life from 10.00am, and people who require assistance are encouraged to drop in at City Life at this time to make a time to see the lawyer during the day.

Organisations such as Peninsula CLC need to be proactive in identifying need and ensuring that services are located as close as possible to those requiring the use of the services. The Centre is very pleased to be delivering this initiative.



**Pictured Left to Right:** Mark Whitby, Director Citylife; Janet Reid, Citylife; Kate Ross, Community Lawyer Peninsula CLC; and Marc Westley, Community Worker, Peninsula CLC.

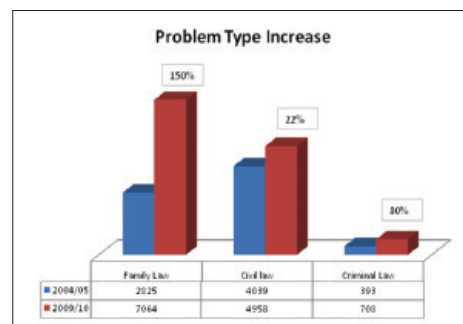
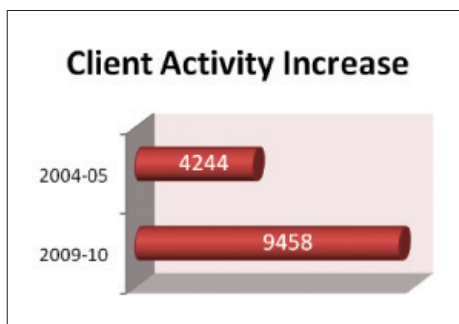
# Responding to Community Need

Peninsula CLC held its Annual General Meeting on 19 October 2010 and released its Annual Report.

Victor Harcourt, Pro Bono Principal at Russell Kennedy Lawyers (pictured), was the key note speaker for the evening, who spoke of the importance of the work of Community Legal Centres in identifying and responding to community need. Mr. Harcourt also emphasised the rewarding nature of pro bono work for private practitioners.

The AGM enabled a review of the assistance provided to our community over the past year. There was a general consensus that this year has been extremely busy and challenging - not only in the volume of enquiries, but also in the level of assistance

required. The graph below demonstrates the increase in client activities since 2005. Whilst Peninsula CLC notes with concern the continuing and increasing need of our community, the Centre is proud of its ability to respond to that need.



## SNAP SHOT 2009-2010

Telephone Enquiries	25,011
Information & Referrals	12,574
Website Visits	3,522
Advice Type	4,428 Face to Face 1,058 Telephone Advice
Interpreter Usage	24 % Telephone 57% Onsite 19% Other

Top 11 Referrals From			
Self/friend/relative/neighbour	856	Federal Magistrates' Court	227
Been before	720	Internet	188
No referral	618	Consumer Affairs department	161
Victoria Legal Aid	600	Pamphlet/poster	109
Magistrates' Court	524	Community Legal service other	101
Community support Other	325		

## White Ribbon Day message



Brendan Stackpole, Senior Lawyer – Family Law, (pictured) is a White Ribbon Day Ambassador. White Ribbon Day, 25th November, coincides with International Day for the Elimination of Violence Against Women and is a male-led campaign that aims to engage men to end violence against women. White Ribbon focuses on the positive roles that men can play to create a culture where violence, and attitudes that support the use of violence, are increasingly unacceptable.

"The issue of violence, especially the high incidence of violence against women, is a major concern for Peninsula Community Legal Centre and affects many of our clients.

As part of my role as an Ambassador for the White Ribbon Campaign, I am trying to raise awareness about the need for cultural change when we talk about family violence, and violence more broadly. This cultural change is necessary to change the attitudes that allow violence to occur, namely:

- The attitude of both men and women that violence in intimate relationships is no one else's business; and
- The attitude that allows our society to tolerate violence, and more particularly as far as White Ribbon is concerned, violence against women.

The White Ribbon Campaign is about putting men at the forefront of that cultural change, because men are more likely to be perpetrators than women, and if change is to occur, the issue of violence must be seen more broadly than just as a women's issue – it is also a men's issue, and one that mostly occurs in the context of relationships. Although statistically men are more likely to be the victims of violence from a stranger, women are more likely to suffer harm at the hands of an intimate partner, usually male. It is therefore up to men to take a stand. By remaining silent we can be seen to be complicit. Men who care about the issue need to help other men to see violence as unacceptable, and we can do that in what we say and do."

## Case Study

During the year the Advocacy Program conducted a matter on behalf of a group of twelve caravan park residents. The residents were seeking to challenge the park rules in the Residential Tenancies List of the Victorian Civil and Administrative Tribunal. This action led to a threat of a park closure. Under current legislation the caravan park residents, many of whom are retired, and on minimal incomes, have no security of tenure despite their significant investment in the purchase of their home on site. Closure of the park would likely result in the loss of their home, and only asset. The Centre conducted extensive negotiations and is pleased to report that the park residents will be offered agreements which will provide security of tenure for residents.

## Volunteers

**2011 has been proclaimed International Year of Volunteers, with the theme - "Inspiring the Volunteer in You".**

Peninsula Community Legal Centre is privileged to have 120 dedicated and inspired volunteers who were recognised at a special thank you function this month, ahead of celebrations for International Volunteer Day on December 5. International Volunteer Day aims to recognise the work of volunteers around the world and the difference they make in their communities.

For more than 30 years, Peninsula Community Legal Centre has provided much needed free legal services. Throughout that time, the Centre has relied on – and received – the generosity and support of volunteer lawyers, paralegals and administrative workers, who have donated their time to help others. In 2009-10 alone, 1,786 clients were assisted at volunteer advice sessions - an increase of more than 11% on clients assisted by volunteers in the previous year.

Peninsula CLC's volunteers help improve accessibility of free legal services for our local community. We estimate that their in-kind assistance is equivalent to monetary contributions of around \$200,000.00 each year.

Peninsula CLC values the efforts of all volunteers and has created awards to recognise exceptional contributions. Since 2002, the Kath Neilsen Memorial Award has been presented to a volunteer who has made an outstanding contribution to the Centre. This Award was created in honour of the late Kath Neilsen who was a founder and strong supporter of the Centre. The 2010 Kath Neilsen Memorial Award was presented by her daughter, Mandy Arthur, to Judy del Rio, in recognition of her volunteer efforts over 30 years, including paralegal work, serving on the Centre's Management Committee and pro bono interpreting.

Judy del Rio is passionate about improving access to justice for those in our community who are disadvantaged by lack of resources and language barriers, and has assisted members of culturally and linguistically diverse communities to access

free legal services, often accompanying them and interpreting for them pro bono. Her warmth and compassion make her a joy to work with, and she is held in the highest regard by fellow volunteers and staff at the Centre.

Volunteer Encouragement Awards, sponsored by Slater and Gordon, were also presented at the thank you function to recognise the exemplary volunteer contributions of Olga Pecherski, Ash Galvin and Danielle Mercuri.

Gifts for all volunteers were donated by Peninsula Community Legal Centre's pro bono partner, law firm Russell Kennedy. Peninsula CLC thanks all of its volunteers for their commitment and support in 2010.

International Volunteer Day was adopted by The United Nations General Assembly by resolution in 1985 to give volunteer organizations and individual volunteers the opportunity to highlight their contributions to society, and to encourage others to follow. 2011 marks the 10th anniversary since the inaugural International Year of Volunteers.



**Pictured Left to Right:** Carlos del Rio; Mandy Arthur; Judy del Rio; and Victoria Campbell, President Peninsula CLC.

**SEASON'S GREETINGS AND BEST WISHES FOR THE NEW YEAR**