



Peninsula Community
Legal Centre Inc

Community Law News

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Mornington Peninsula Shire

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Service to the Community
since 1977



We "go orange" to end family violence

Peninsula Community Legal Centre went "orange" on the International Day for the Elimination of Violence Against Women, also the start of the global campaign, "16 days of activism" to end gender-based violence, concluding on International Human Rights Day.

Family violence continues to affect many of our clients, with 29 percent of clients identifying family violence as an issue in 2015-16. To raise local awareness of the campaign, the Frankston & Mornington Peninsula Family Violence Network and Bayside Peninsula Integrated Family Violence Partnership designed and purchased disposable cups with slogans such as "Why doesn't she leave? Why doesn't he stop? No Excuses". Throughout the 16 day campaign, local cafes are using these cups to show their support and help shift public attitudes towards perpetrator accountability.

We have also been proud to support the continuation of the network's Clothesline Project, with anti-violence themed t-shirts created by women and children in art therapy classes being displayed at the Frankston Service Centre (Centrelink) throughout the 16 days.

Elder abuse is a form of family violence that tragically affects many vulnerable older people in our community who are harmed by those they most trust. We have been working closely with Senior Rights Victoria (SRV), the Peninsula Advisory Committee for Elders (PACE) and Frankston City Council and Mornington Peninsula Shire for several years to provide community legal education activities that alert seniors to the risks of elder abuse and inform them of steps they can take to protect themselves and seek help if needed. We were pleased to see the "going orange" of McCrae Lighthouse, which was illuminated in orange light to highlight issues of elder abuse and family violence, an initiative of PACE, SRV and Rosebud Rotary. We also welcomed the announcement of an Elder Abuse Ambassador by the Minister for the Prevention of Family Violence and Minister for Women at an event in McCrae.



Pictured: Staff at our "Go Orange" afternoon tea and an awareness-raising cup.



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This newsletter was produced with pro bono support from Russell Kennedy

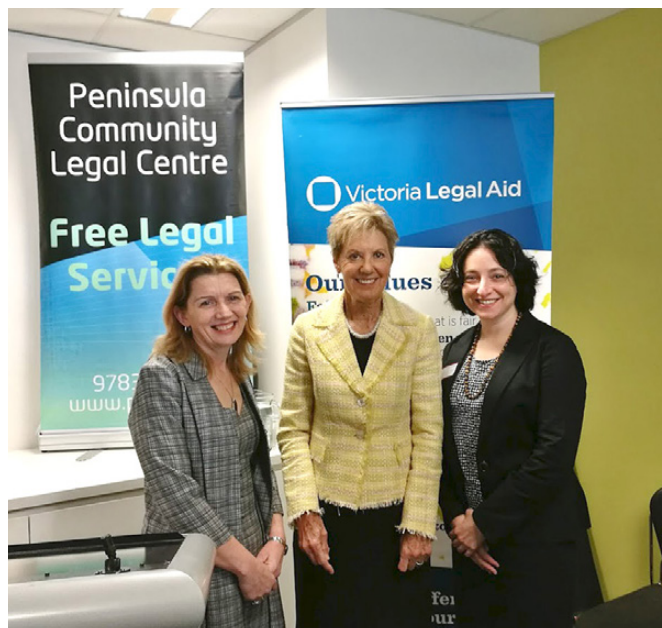
Vulnerable families won't "fall through the cracks"

We are pleased to have strengthened capacity to assist clients experiencing family violence to resolve family law matters, through a two year pilot being funded by a \$500,000 grant from Victoria Legal Aid.

The 'Family Violence to Family Law Continuity Program' was launched by Chief Justice Diana Bryant of the Family Court of Australia at Peninsula CLC in late November. It aims to provide streamlined legal help to families affected by family violence who are also experiencing family law problems like property settlement, child support and arrangements for the parenting and care of children.

Under the pilot, we have employed three family lawyers, who will attend Frankston Magistrates' Court and Moorabbin Justice Centre to identify potential family law issues and offer advice, at the time clients are receiving duty lawyer assistance for family violence matters. Clients may also be referred from our other intake services. For clients who meet Victoria Legal Aid guidelines, we will be able to assist throughout any family law proceedings.

This Pilot represents a new era of collaboration with Victoria Legal Aid and Peninsula CLC to extend our present capacity and move towards a 'one stop shop' family violence and family law services. At the launch Nicole Rich, Executive Director Family Youth and Children's Law at Victoria Legal Aid, said, "We know that accessing legal help can be difficult, particularly when you're already dealing with family separation or family violence issues. Legal issues can become complex and carry significant consequences if they are not dealt with quickly. We're pleased to be working with Peninsula Community Legal Centre on this pilot to reduce the time it takes to identify and resolve ongoing family law issues so vulnerable families don't fall through the cracks."



Pictured (from left): Jackie Galloway (CEO, Peninsula CLC), Chief Justice Diana Bryant and Nicole Rich (Executive Director, Family, Youth and Children's Law, Victoria Legal Aid)

Access to Justice Report

Peninsula CLC joins others across the legal assistance sector in welcoming the Victorian Government's release of the Access to Justice Review Report and Recommendations. This was a comprehensive review of access to justice in Victoria, building on the earlier work of the Productivity Commission¹. We were honoured that the Review took up issues put forward in our submission.

The Report acknowledged the growing gap between the legal needs of Victorians and the justice system's ability to meet those needs. We were gratified by the "keen sense of gratitude to the workers and volunteers who keep the system going, and an understanding of the seriousness of the needs of vulnerable and disadvantaged Victorians"² with which the Review introduced its findings. The Review made 60 recommendations for change, around the themes of:

- better data and evidence to inform the system;
- more co-ordinated governance arrangements;
- appropriate resourcing;
- integrated services; and
- community-centred design.

The Report noted that "Legal assistance services are an important part of the safety net for vulnerable and disadvantaged people in Victoria.

Legal assistance services help people to get access to justice and ensure that they are treated fairly in the justice system."³ It recognised that, "Even with full efficiency measures applied and accounted for... there is a significant gap between the legal needs of the most vulnerable and disadvantaged people in Victoria, and the resources available for legal assistance services to meet these needs."⁴ It called for the Commonwealth and Victorian Governments to identify additional resources for legal assistance services, as well as recommending four-year funding allocations, which would improve the ability of legal assistance services to plan effectively and efficiently.⁵

1 Productivity Commission, 'Access to Justice Arrangements: Inquiry Report', 2014

2 State of Victoria, 'Access to Justice Review: Summary Report', August 2016, p.3

3 State of Victoria, 'Access to Justice Review: Report and recommendations (Volume 2)', p.290

4 Ibid.

5 Ibid, Recommendations 6.7, 6.20, 6.21, 6.22, pp.413, 431-433

Duty Advocate saves Susan

A very nervous Susan approached our duty advocate for help defending an application against her by the Director of Housing at the Victorian Civil and Administrative Tribunal (VCAT). Susan was a sole parent trying to find work, made harder by her hearing-impairment. She was very worried by the Director's application that she pay almost \$700 for having failed to remove a pergola when she moved out of the property two and a half years earlier.

Susan had lived in the property for over 20 years and had permission to build the pergola. She didn't know she had to remove it when she left.

The VCAT member indicated they would make the order, until our advocate successfully put forward counter-arguments about the delay in lodging the application, length of tenancy and frivolous nature of the claim.

Susan was saved from a debt she could not afford, and months of worry as she struggled to pay it back.

Volunteers Applauded

'Global applause: give volunteers a hand' was the theme of this year's International Volunteer Day on 5 December, and one that Peninsula CLC was delighted to embrace. We estimate that volunteers donate over 5,000 hours a year to support our services. In 2015-16, volunteers provided 1,697 free legal advices to clients from our Frankston, Pines (Frankston North), Bentleigh, Cranbourne and Rosebud offices. They also provided paralegal support and undertook special projects, organisational governance, trainee and student placements.

With the sponsorship of Maurice Blackburn Lawyers (Frankston), we recognised exceptional volunteer achievements at our recent Annual General Meeting.

Our highest honour, the Kath Neilsen Memorial Award¹, was presented to Victor Moss, a lawyer volunteer with the Centre since 2009. Over the past seven years, Victor has provided 299 free legal advices to clients in a way that is thoughtful and practical. His professionalism and compassion have seen him do follow-up work, and sometimes even entire matters, on a pro bono basis for clients who could not afford a lawyer. Victor has also demonstrated real caring and generosity towards fellow volunteers, last year organising and presenting a series of professional development workshops for staff and volunteers to help them assist clients with criminal matters. We congratulate Victor on his distinguished service to Peninsula CLC.

We were pleased to recognise the efforts of a number of our 'rising stars', who excel in their reliability, flexibility and dedication, often helping us in extra ways. Congratulations to the six winners of 2016 Volunteer Encouragement Awards, Patrick Smith, Emily McAlister, Jesse Williams, Damien Christmas, Tia Wishart and Lillian O'Connor.

We also honoured and thanked volunteers for their long service to the organisation: Bill Boucher, Ian Hone and Jonathan Sise for 10 years' service, and Michael Denison for 35 years' service.

¹ Since 2002, we have presented the Kath Nielsen Memorial Award to a volunteer who has made an outstanding contribution. The late Kath Neilsen was a passionate community activist, a founder and strong supporter of Peninsula CLC.



Pictured: Victor Moss



Pictured: Michael Denison

All in a year's work



Peninsula CLC celebrated a year of high achievement at its recent Annual General Meeting, also launching its 2016-20 Strategic Plan.

Highlights of the 2015-16 year included:

- 7,966 legal advices
- 3,109 ongoing cases
- 13,994 information and referrals
- 177 community legal education activities.

The most common characteristic of our clients is having no or low income (less than \$26,000 gross per annum), the situation for 75 percent of our clients. Almost a third experience family violence (29 percent) and one in five report a disability. Family law continues to be the most common issue for our clients (47 percent), followed by civil (26 percent), tenancy / consumer (16 percent) and lastly criminal law (11 percent).

In looking towards the future, our 2016-20 plan includes five strategic goals:

1. Deliver high quality and holistic community legal services, targeting individuals and communities most in need.
2. Connect with our communities and collaborate with other organisations to understand and respond to community legal need.
3. Actively engage in systemic advocacy to promote and enhance human rights and ensure access to justice.
4. Build and maintain a healthy and sustainable organisation.
5. Demonstrate leadership within our community and the legal assistance sector.

We encourage you to read our Annual Report 2015-16 and Strategic Plan 2016-20, available on our website.

Family violence...more help is on its way

We have welcomed a further 12 month grant from the Victorian Department of Justice and Regulation's Community Legal Centre Family Violence Fund. This enables us to employ a community lawyer three days per week at our Cranbourne and Rosebud branches to assist clients with Family Violence

Intervention Orders and other legal issues arising or impacted upon by family violence. Commonly clients also experience legal issues like 'sexually transmitted debt', fines incurred by a perpetrator of violence, tenancy and family law issues.

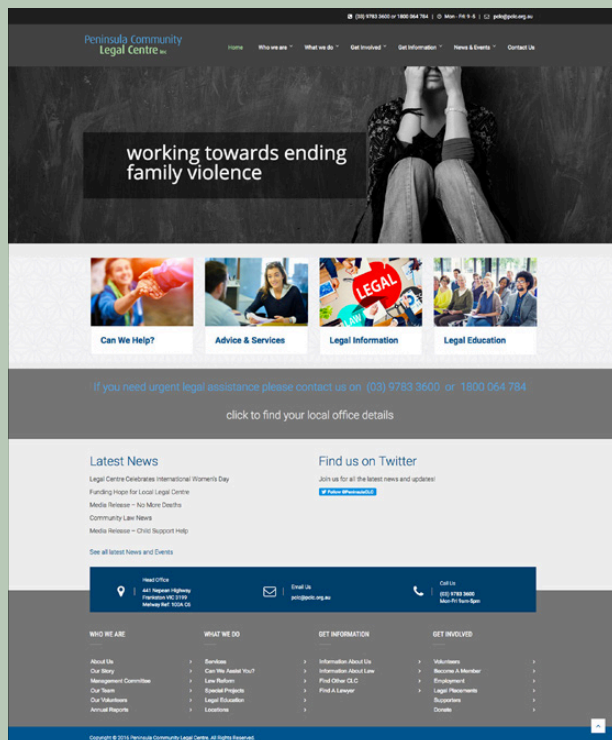
Ian Potter Foundation helps us send lawyers to school!

Recognising the increased vulnerability to legal issues experienced by disadvantaged people, we are eager to explore new ways of reaching people who need us. With a grant from the Ian Potter Foundation, we are sending a lawyer to school! That is, to provide free legal advice from two school locations in Frankston North to

members of the school community identified by wellbeing officers and professional staff. The 12 month pilot will enable us to provide onsite legal advice as well as community legal education activities aimed at improving understanding of legal issues and increasing engagement with legal assistance services.

Our 'new look' website

Increasingly, clients needing help and workers seeking to make referrals to us are turning to the internet to find the information they need. Aware that many people now do this from smart phones and tablets, rather than traditional computers, we have updated and refreshed our website to make it easier to navigate and compatible with most mobile devices. We encourage you to visit our new look website, at the same address: www.pclc.org.au.



Pictured: Home screen of our updated website

We help Cameron find hope for the future

The future looked bleak when we first met Cameron. We were at an alcohol addiction recovery clinic and had just finished a game of 'Legal Lingo Bingo' to help patients recognise and seek help for legal issues. When Cameron spoke to us, he was physically shaking. He had been charged with assaulting his brother and was scared about what would happen next as he could not afford a lawyer. As the carer for a disabled parent, he was also frightened about what might happen to his family if he was imprisoned. We encouraged him to speak with one of our lawyers, which he did the next day.

It soon unfolded that Cameron's act of aggression was an isolated and unprecedented one; in fact, Cameron had been sexually abused and physically assaulted by that same brother throughout his childhood. This trauma had caused Cameron to suffer psychological issues, which he had tried to self-medicate with alcohol and drugs for nearly three decades.

We represented Cameron in the Magistrates' Court and provided evidence of the mitigating circumstances of the offence. The Magistrate noted the seriousness of the offence, but placed significant weight on the evidence in mitigation, as well as the absence of any prior criminal offences.

Cameron was deeply relieved to be sentenced to pay a \$300 fine with no conviction recorded. Now in receipt of support for his psychological conditions and alcohol addiction, he is able to look towards a brighter future.

Peninsula Community Legal Centre offers free legal advice to people who live, work or study in our community. Ongoing assistance is targeted to clients experiencing disadvantage, subject to guidelines. Our general catchment includes the municipalities of Frankston, Casey, Cardinia, Glen Eira, Kingston and Mornington Peninsula, with a larger catchment area for some programs.