

*NORTH WEST
COMMUNITY LEGAL
CENTRE INC.*

COORDINATOR / PRINCIPAL SOLICITOR REPORT 2016/2017

Summary of the operations at the North West Community Legal Centre for the Financial Year 2016/2017 to be presented at the Annual General Meeting on Friday 8 September 2017

NORTH WEST COMMUNITY LEGAL CENTRE INC.

*COORDINATOR / PRINCIPAL SOLICITOR REPORT
2016/2017*

Staff

- **Coordinator/Principal Solicitor – Chris Young**

Continued to work full-time over the last (12) month period.

- **Karen Harris & Pat Morgan**

Karen continues to fulfill the role of Administrator working 30 hours per week.

Pat works part-time (25 hours per week) and is available for further hours as demand dictates

- **Jennifer Dunn**

Jennifer has been with the Centre since April 2012. Jennifer continues to work in the role of solicitor along with provision of Community Legal Education.

Her role this year was to also finish off this Centre's updated Policy and Procedures in line with the NACLC Accreditation process.

STAFF OF THE NWCLC

"The Staff of the NWCLC are our biggest asset.

Thank you to the Staff of the NWCLC for your efforts over the last 12 months and into the future."

Chris Young
Coordinator

- **Hew Roberston**

Hew commenced with the NWCLC in August 2016. Hew has handled general Legal Advice and Referral as well as conducting outreach services. 2017 saw the reintroduction of some in court and tribunal representation, particularly in the Magistrate's Court (Criminal Division) with clients unable to obtain Legal Aid assistance and could not afford private legal representation.

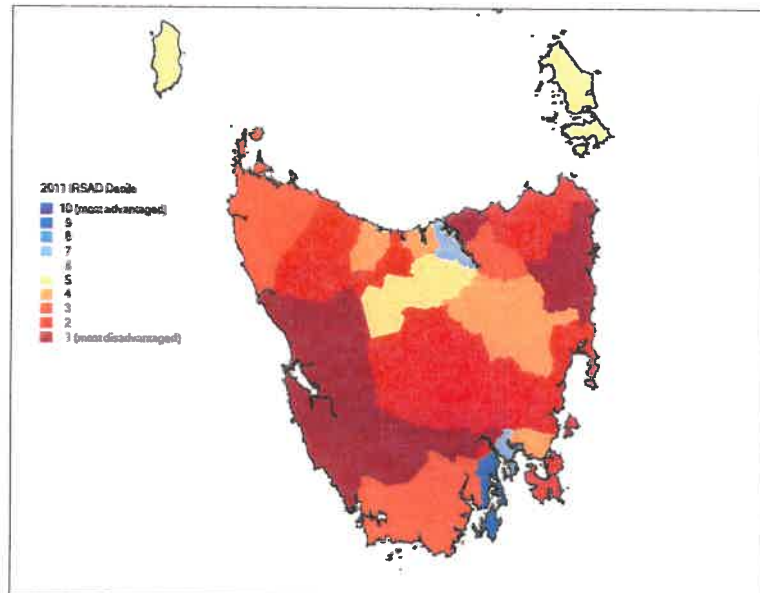
Outreach

The diagram below taken from the Australian Bureau of Statistics indicates that as of 2011 the entire catchment area that the NWCLC operates in has some of the most socially and economically disadvantaged residents in the State. I would suggest that this data would not be any different in 2017.



2011 SEIFA

Index of Relative Socio-Economic Advantage and Disadvantage - LGAs in Tasmania



Based on LGA - 2011 ASGS
Source: ABS
© Commonwealth of Australia, 2013

- **Burnie**

Burnie is the most frequently visited Outreach location by the Centre.

We continue to work out of the Centrelink office once a week of a Friday and other days by demand. The continued support of the staff at the Burnie Centrelink office must be acknowledged.

Without their support, and at times patience, we could not offer the service we do to clients in the Burnie area without incurring significant expense.

We are also able to use the Salvation Army rooms in the case of Centrelink unavailability as well as the Women Legal Service in Burnie.

- **Smithton**

Staff at the Centre and at Wyndarra who are our partner in the project have maintained the SKYPE service. The service will turn 5 in October 2017. Face to face visits on a monthly basis have slowed due to clients being seen via phone or SKYPE.

Thank you to the Wyndarra Staff who have again assisted over the last 12 months.

- **West Coast**

West Coast clients continue to be serviced mainly by telephone and by a monthly Outreach visit to the Hub in Queenstown. It is a fantastic building with centrally located services.

Other options include meeting clients in Zeehan and Rosebery at their respective Neighbour hood Houses.

- **King Island**

King Island continued to receive outreach services from the Centre this year. Hew will be returning later this year for another 2-3 day visit.

Service Agreement with the Commonwealth and State of Tasmania (NPA)

The National Partnership Agreement for Commonwealth funded Legal Assistance Services and the Tasmania State Government were the NWCLC's two main sources of funding for the 2016/17 Financial Year. We acknowledge the contribution of both levels of government:



**Tasmanian
Government**



Australian Government

Attorney-General's Department

We received a similar level of funding from the Commonwealth compared to last year and the State Government funding in place was repeated. The 2017/18 financial year will see a "top up" from the State Government that we are very grateful for.

The 2017/2018 Financial Year was to see the first round of sector wide cuts come into effect. The sector in Tasmania was facing a 30% cut across the board. This included the NWCLC.

The funding reduction was averted at the 11th hour with a one off top up from the State Government and a reversal of the funding reduction decision at the Commonwealth level where most of the funds were redirected for family law/family violence matters.

From a NWCLC perspective, this has given us the time and comfort to plan where the Centre needs and wants to get to before the conclusion of the 2017/18 funding cycle. This time needs to be used productively. We need to:

- Participate productively in the Evaluation of the Tasmanian Legal Assistance sector that is due to report in April 2018.
- Explore more partnership options for delivery of services that target and meet the needs of clients.
- Be responsive to any changes in the sector environment
- Acknowledge the effort of staff and support them in the roles in delivering these services.
- Complete outstanding tasks in our National Association of Community Legal Centre's Accreditation Plan.

The state of our financial affairs will be reported on separately by our Treasurer and reference should also be made to our Audited Financial documents from Don Willing and Associates.

My comments on the financial position and performance of the NWCLC are:

- The Centre maintained its tradition of very responsible financial action and allocation of resources in the 2016/17 Financial Year
- Funds invested leave the Centre less vulnerable to economic/funding decisions made at short notice.
- The 2017/18 Financials will outline increased expenditure in relation to the move of the office in August 2017.
- Funds provided by the State and Federal Government were used and allocated in line with the Funding Agreement in place.

Evaluation of the Tasmanian Legal Assistance Sector

The current NPA is due to expire as at June 30th 2020. The Tasmanian CLC's in negotiation with the Department of Justice and the former Attorney General agreed to participate in a thorough evaluation of the Tasmanian Legal Assistance sector. Parties to the review include Government, CLC's , Legal and the Law Society.

Similar reviews have been conducted in South Australia, Queensland and Victoria with differing results.

This evaluation will have a significant impact on future funding of the CVLC's in Tasmania and what the sector landscape looks like in a post 2020 NPA.

The NWCLC has, and will continue to be active in this process.

Statistics

The Community Legal Services Information System (CLSIS) for data collection ceased to be used by the NWCLC in February 2017. All CLC's were required to transfer over to the new database (CLASS) as of that date.

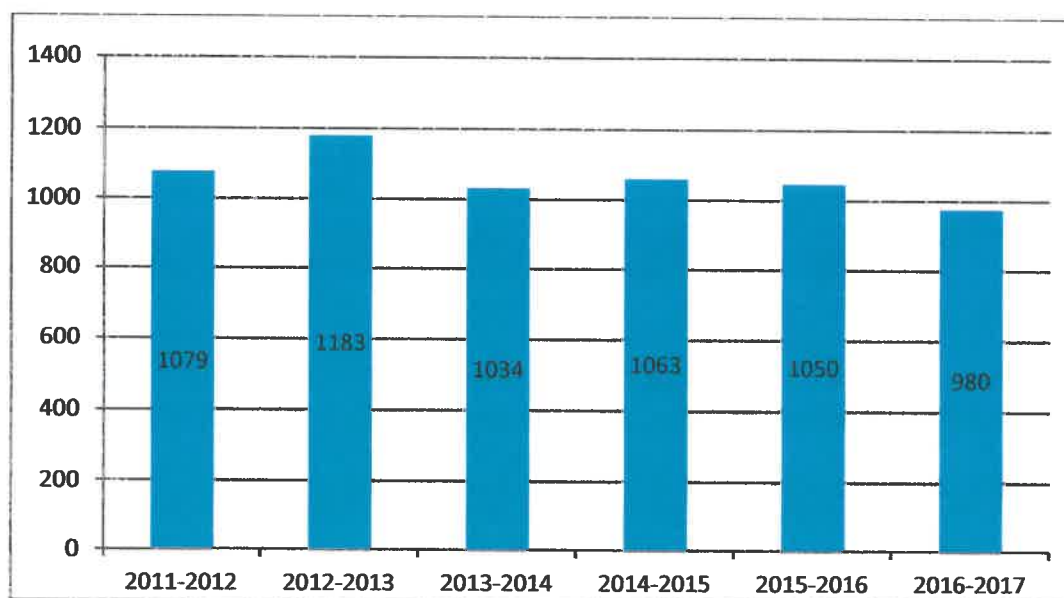
The transition has been a nightmare. Technical issues at the software developers end have left us with a system that to date can't generate reports.

Data produced below must be read with caution as the data fields will need to be tested for accuracy as of October / November 2017 when it is "hoped" full operation of the new system will be achieved.

The statistics are a combination of the old CLSIS program (1/7/16 – 30/12/16) and the new CLASS database (1/1/17 – 30/6/17).

CLASS will hopefully provide us greater tools and resources to map and identify trends of need to adapt in our planning process.

CLIENTS SEEN BY THE NWCLC



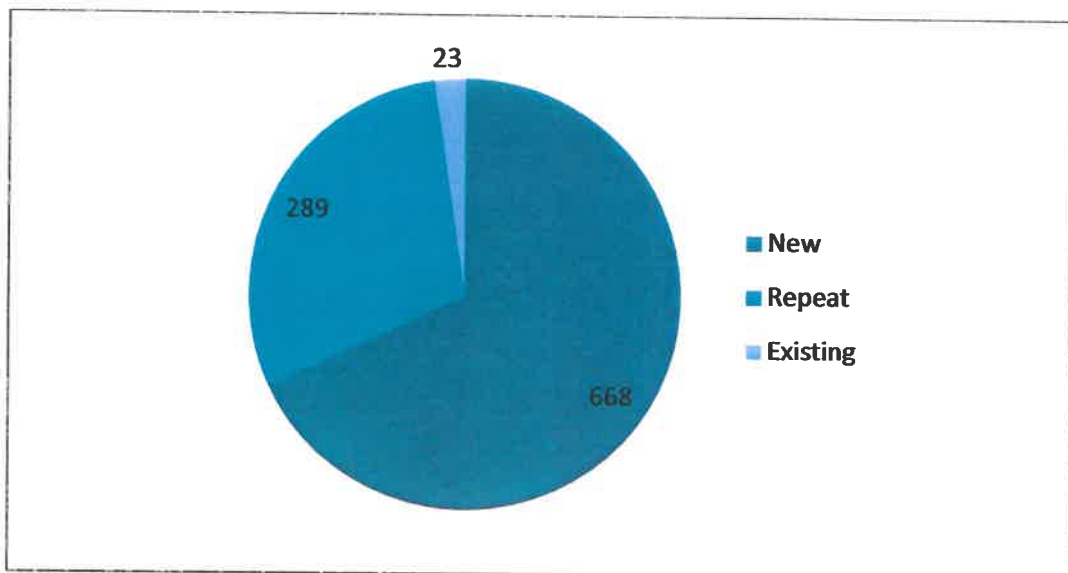
Clients access the NWCLC either face to face in Devonport and at Outreach locations, by phone or via SKYPE.

The 6.6% reduction of clients in this financial year as compared to 2016/17 is consistent with the reduction of working hours by one staff member who reduced their hours by one day per fortnight.

In all other respects client numbers look to be steady over the last 5 year period.

Amendment of these figures may occur upon the assessment of the overall accuracy of the new CLASS database system later in 2017.

BREAKDOWN OF NEW / REPEAT CLIENTS



The breakdown of clients over the 12 month period is consistent with the findings of previous National research conducted by the Law and Justice Foundation in NSW.

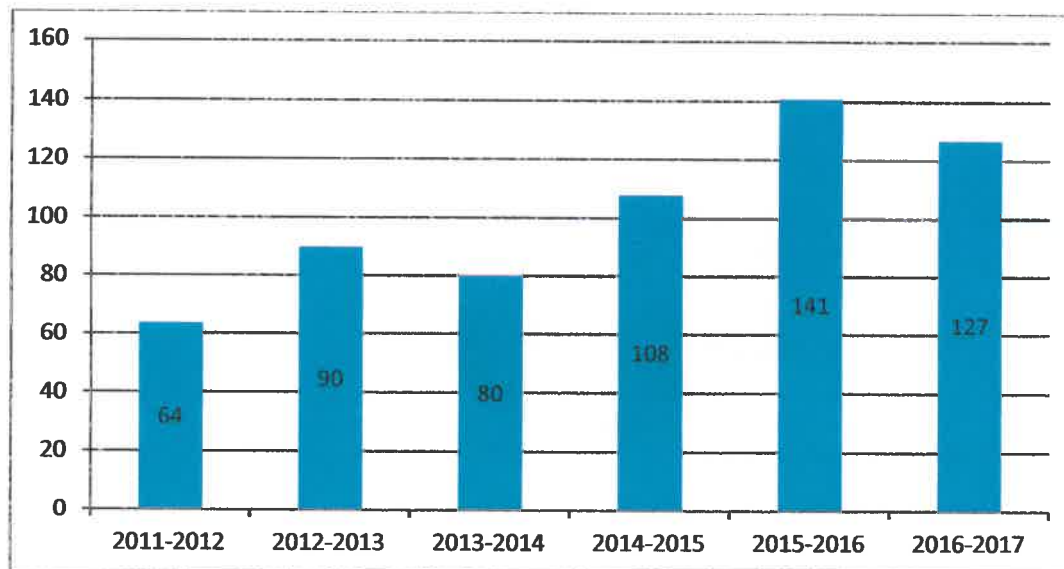
Legal Need was the basis of that ground breaking study and confirmed what many in the sector already knew, that is clients usually have either multiple legal needs at once or a number of legal matters within a 12 month window.

The issue of Legal Need in a majority of cases was in addition to Social Need whether that is counselling support, housing assistance and financial counselling.

NWCLC statistics show:

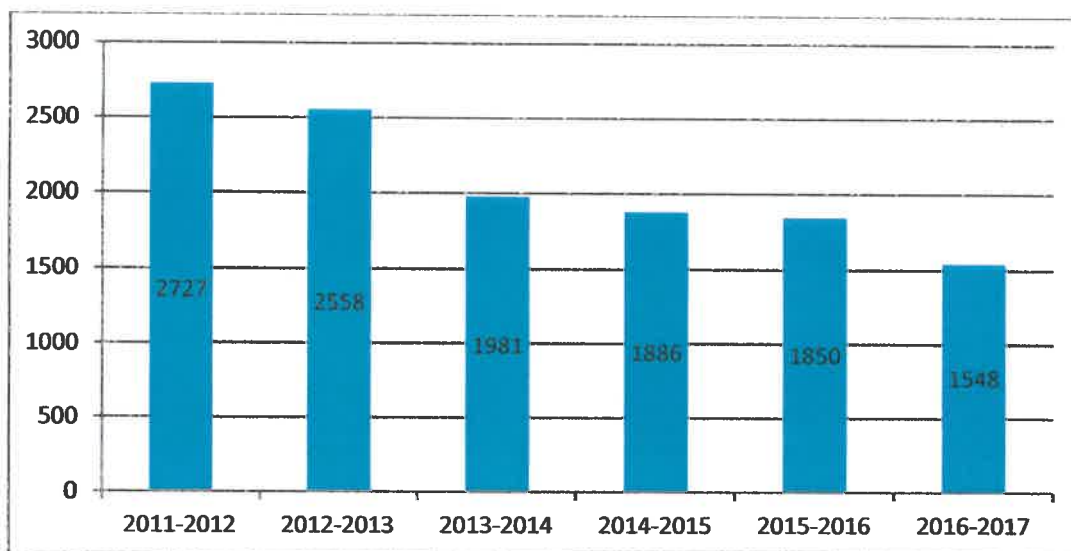
- 68% of our clients were new to the Centre; and
- 30% returned to the Centre with another matter

INFORMATION ACTIVITIES



Information activities appear to be on trend. These activities are basic instances of “information” provision only to direct clients in the right direction.

ADVICE ACTIVITIES

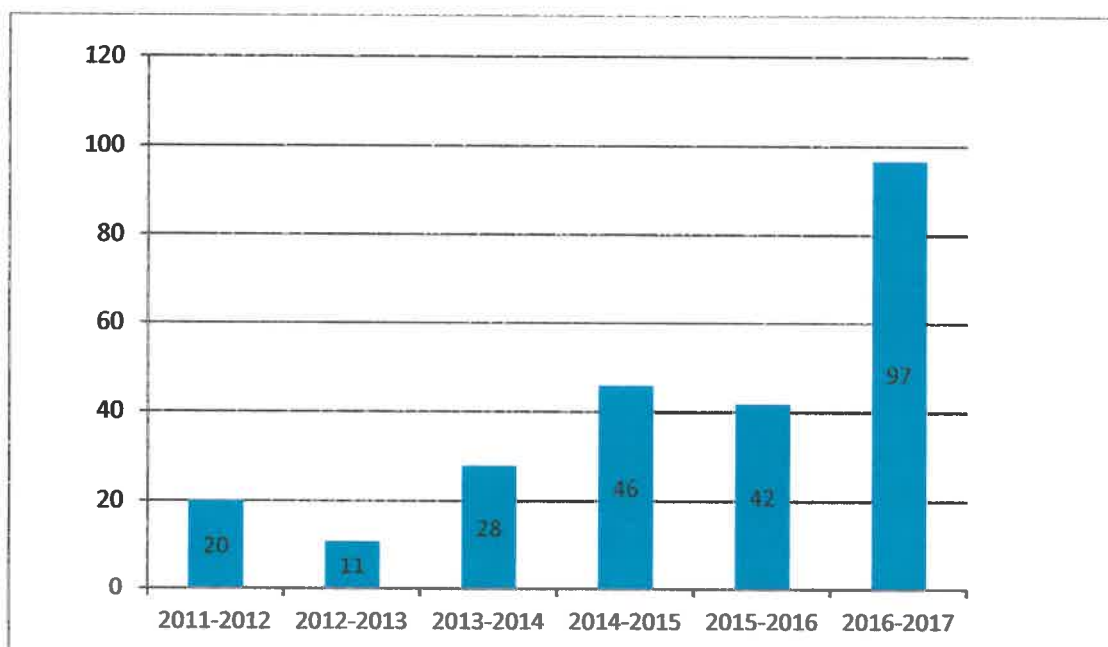


As with the number of clients that were seen in 2016/17, the number of discrete advice activities was down 16%.

Reduced working hours can partly explain this reduction, as well as the feedback from staff that clients are presenting with what appear to be more complex and time consuming matters that impact on the number. Appointment sessions can vary between 15 minutes up to 1.5 hours in some cases.

Note: Data collection and reporting standards and practices changed in 2013/14 so that direct comparison with 2011/12 data is not recommended. (refer to Minor Case Files Below)

MINOR CASE FILES/REPRESENTATION ACTIVITIES



Minor Case Work are files of 5 hours duration or less and where we advocate or represent the client. Examples include Administrative Appeals Tribunal matters, Residential Tenancy, Credit and Debt and Criminal. To qualify, cases where the client can access this service are:

- Has a Health Care Card or Concession Card
- Is not able to access Legal Aid (where applicable)
- The case has merit
- The client cannot reasonably afford a private legal practitioner

Law Reform and Community Legal Education

Mr. Ben Bartl continues to be employed part time by Community Legal Centre's Tasmania (CLC TAS) as the Policy and Law Reform Officer. We have assisted in providing information and guidance to Mr. Bartl along with other Centre's from Community Legal Centre's in Tasmania to formulate a joint voice in Law Reform issues that are currently before State and Federal Parliaments.

In the 2016/17 year we have participated in Law Reform activities listed on the CLC TAS webpage <http://www.clctas.org.au>

Papers include:

- Comment on the *Sentencing Amendment (Phasing out of Suspended Sentences) Bill 2017* (September 2017)
- Submission to the Tasmanian Law Reform Institute on Responding to the Problem of Recidivist Drink Drivers Issues Paper (August 2017)
- Submission to the Sentencing Advisory Council on the Mandatory Treatment for Alcohol and Drug Affected Offenders Research Paper (June 2017)
- Letter to Legislative Councillors calling for rejection of amendments to *Anti-Discrimination Amendment Bill 2016* (April 2017)
- Comment on the *Expungement of Historical Offences Bill 2017* (Tas) (March 2017)
- Submission to the Department of Justice on the *Family Violence – Strengthening our Legal Responses Consultation Paper* (February 2017)

A paper that CLC TAS is proud to promote is the paper on Drug Law Reform. We advocate the need to focus on the issue of drugs, criminal justice and support as a health issue as opposed to a purely criminal concern.

I recommend the paper and it can be accessed at: <http://www.clctas.org.au/wp-content/uploads/2013/06/DrugReformPaperFinal.pdf>

Community Legal Education in 2016/17 included fortnightly Legal Radio spots on Coast FM, presentations to community groups and other service providers, speaking to schools and students and running information sessions at service provider roadshows around the North West Coast.

Future Direction



After two decades in the 62 Stewart Street building the time came in August 2017 to move our home. The old premises was suitable for the size and nature of our operations when our staff numbers were less, but the reality of NWCLC life in 2017 meant we had to find larger accommodation.

The NWCLC wishes to thank the Devonport City Council (the owners of the previous site) for their support over the last 20 or so years.

Our new premises at 56 Formby Road will enable us to have conference room and interview room facilities as well as the option of further expansion in staff numbers to meet any further demand.



The Evaluation of the Legal Assistance Sector in the coming 6 months will go a long way in defining where our service will be heading in the next National Partnership Agreement in 2020.

This evaluation is the first of its kind in Tasmania. The importance of this process, the impact it will have on our service and other CLC's, demands that this be a priority action item in the coming 12 months.

Until then, the NWCLC will continue to fill some of the gaps in the sector. In Court representation of clients who are not eligible for Legal Aid nor can access the Private Legal Profession are one group who would greatly benefit from assistance in Court on the day, either presenting pleas in mitigation or assisting them navigate the Court process in general in the Civil jurisdictions.

Chris Young
Coordinator/Principal Solicitor
North West Community Legal Centre Inc.

**Presented to the Management Committee at the AGM of the NWCLC Friday
8th September 2017 at 6.30pm.**

