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About the Hunter Community Legal Centre

The Hunter Community Legal Centre (HCLC) was established in 1991. The HCLC is an independent, not for profit, Community Legal Centre (CLC) funded by the State and Federal Attorneys General Departments.

The HCLC provides free legal advice and representation to disadvantaged people who live, work or study in the Newcastle, Lake Macquarie, Hunter Valley, Port Stephens and Great Lakes regions.

The HCLC's Family Law Program (FLP) provides a free duty solicitor service for self-represented litigants in the Newcastle Family Court and the Federal Circuit Court, as well as free legal advice by appointment in separation, divorce and parenting matters, to people who meet the FLP criteria for assistance. The HCLC provides free legal advice to parents undertaking family dispute resolution at the Newcastle and Taree Family Relationship Centres.

The HCLC provides free duty solicitor services for unrepresented parties in the Newcastle Local Court in relation to apprehended violence orders. HCLC solicitors also represent disadvantaged clients in other Local Court matters.

The HCLC provides a Community Legal Education (CLE) program for community groups and community sector workers on a range of legal matters. The HCLC also engages in law reform projects to address inequalities in the legal system that impact adversely upon its clients.

About this Submission

This submission seeks to provide case studies relevant to each of the Inquiry's terms of reference. Unless otherwise stated, the case studies provided in this submission are based on the experiences of specific HCLC clients. All names have been changed to protect the identity of those clients.

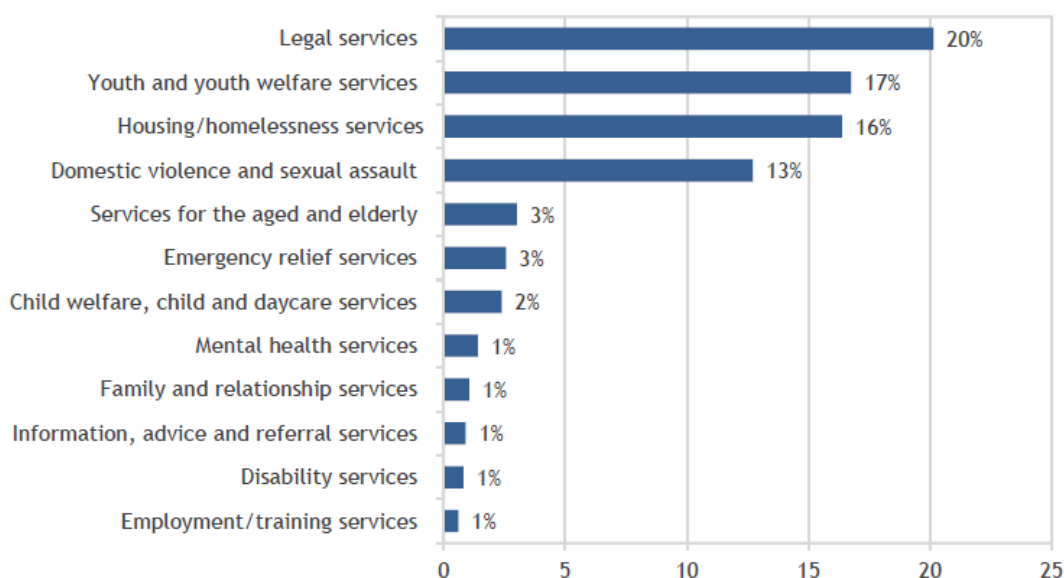
TOR 2: Level of Demand for Legal Services

The commission should have regard to an assessment of the level of demand for legal services, including an analysis of the number of persons who cannot afford to secure legal services, but who do not qualify for legal assistance and the number of pro bono hours provided by legal professionals.

2.1 Unmet Legal Need

A recent survey of the Australian community sector conducted by the Australian Council of Social Sciences (ACOSS) revealed that there are high levels of unmet legal need across the country. The survey found that 20% of all clients in need of assistance are turned away from community legal services each year because those services either lacked the capacity or expertise to provide assistance. 63% of legal service providers reported that they were unable to meet demand for their service.¹ Turn away rates were higher in the legal sector than any other service area surveyed by ACOSS.

Figure 1: Turn-Away Rates for 2011/12 by Service Type (ACOSS, 2013)



Question: For the service area identified, please estimate the number of people to whom your organisation provided services in 2011/12 and **Question:** For this service, please estimate the number of times people who were eligible for this service were turned away from your service. **Note:** Turn-away rates are calculated as follows: total annual turn-aways divided by total annual people served (expressed as a percentage of total people served).

2.1.1 Employment Law Turnaways

The HCLC faces particular difficulty meeting the high levels of demand for assistance with employment law issues. Employment law is a highly specialised area. The HCLC's Managing Solicitor is the only member of staff at the HCLC who is qualified to provide employment law advice. As Managing Solicitor, there are other demands on her time which necessarily reduce her availability to provide employment law advice to all those seeking it. The level of assistance which can be provided is also limited to advice by telephone, rather than assistance with casework or representation.

¹ Australian Council of Social Science, 'Australian Community Sector Survey 2013: National Report' ACOSS Paper 202, July 2013.

The level of demand for employment law services is compounded by the fact that the neighbouring Central Coast Community Legal Centre does not have any staff members who can provide employment law advice. This means that the HCLC handles employment law inquiries from both the Hunter and Central Coast catchment areas.

Two solicitors from a private law firm in Newcastle, each provide two hours of pro bono assistance each week to HCLC clients experiencing employment law issues. Even with this extra assistance, the HCLC has had to turn away a number of disadvantaged people who have been treated unfairly in the workplace or who have lost their jobs. The HCLC endeavours to refer those individuals to other services or private solicitors, though in most cases clients cannot afford the cost of private legal assistance and so end up self-representing in their matters.

The table below shows the number of clients that the HCLC was able to assist with their employment matter, and the number of clients who were turned away from June to October 2013.

Month	Clients Assisted	Clients Turned Away
June	15	16
July	17	22
August	17	22
September	14	11
October	8	0
TOTAL	71	71

Fig 2: HCLC Employment Law Inquiries in 2013

2.2 Persons who cannot afford to secure legal services but who do not qualify for legal assistance services

The HCLC commonly assists individuals who cannot afford private legal representation but who do not qualify for a formal grant of Legal Aid. Individuals may be denied assistance by Legal Aid because:

- a) They do not pass the Legal Aid means or merits tests, or do not meet Legal Aid policy guidelines;
- b) Legal Aid has a conflict of interest which prevents them from representing that individual; or
- c) Legal Aid do not practice in the area of law in which the person requires assistance.

The following two case studies show the experience of two HCLC clients who were unable to access Legal Aid services but were nonetheless unable to afford to engage private legal services.

CASE STUDY 1: Failing Legal Aid's Means Test

Katherine* was the maternal grandmother of a 13 year old child. The mother of the child was in a violent relationship. The child was being exposed and subjected to family violence at the hands of the mother's partner. Katherine had serious concerns about the safety and well-being of the child in the mother's household.

Katherine's only source of income was her old age pension and she could not afford a private solicitor. She did however own her own home, which was counted as an asset in her means assessment. Despite her low income, she was found to be ineligible for a grant Legal Aid.

In this case, the HCLC was able to provide Katherine with general advice and help her to draft the documents required to make an application to the then Federal Magistrate's Court. HCLC solicitors also represented Katherine through the HCLC duty solicitor service and helped Katherine to negotiate terms of settlement with her daughter. The matter was resolved by the second Court date and procedures were put in place to ensure that the child lived in a safe environment.

CASE STUDY 2: Area of Law Not Covered by Legal Aid

Leo* was facing criminal charges for assaulting his housemate and damaging his property. On his first Court date, Court staff recommended that he seek assistance from Legal Aid.

His housemate had also applied for an Apprehended Personal Violence Order against Leo. When Leo spoke to the Legal Aid representative he was told that they cannot assist in APVO matters except in exceptional circumstances.

In this case the HCLC duty solicitor was able to give Leo brief face-to-face advice about his criminal matters and the APVO and represent him in the Court room. If Leo had been in another local Court in the Hunter region, this assistance would not have been available.

* Not the client's real name.

TOR 3: Factors Contributing to the Cost of Legal Representation

The commission should have regard to the factors that contribute to the cost of legal representation in Australia, including an analysis of legal and professional rules and practices and Court practices and procedures.

3.1 Conflict of Interest Rules

Rule 3 of the *Revised Professional Conduct and Practice Rules 1995* prohibits solicitors from acting for one person in opposition to the interests of a current or previous client. This rule regularly prevents the HCLC from providing advice to disadvantaged individuals because it has provided assistance to the other party in the dispute.

Whenever a conflict situation arises, the HCLC endeavours to refer the individual to another free legal service or a private solicitor. In some cases, there are no appropriate or affordable services available. In other cases, services are available, but are unable to provide legal assistance within the time frame required by the individual seeking assistance.

This issue highlights the need for alternative free legal assistance services to be made available to disadvantaged people, especially in areas where the availability of free legal services is limited.

3.1.2 Conflicts of Interest & the AVO Duty Service

As noted above, the HCLC runs a duty solicitor service during the AVO list at Newcastle Local Court. As part of this service, HCLC solicitors provide free legal advice and representation to individuals who have arrived at Court unrepresented. The duty solicitors provide legal assistance to those who meet the HCLC's criteria for assistance, on a "first come first served" basis.

It is common for both parties in a private AVO application to be unrepresented. The conflict of interest rules mean that the first party to speak to the duty solicitor will have access to free legal advice, whereas the other party will be unable to access any assistance from the HCLC.

It is rare that either party in these matters has the financial resources to obtain private legal representation. Even if they did have the funds, there are relatively few private firms in Newcastle who take on AVO matters. Options for free legal assistance are also limited. The other party cannot access assistance from Legal Aid as Legal Aid is not generally available for assistance with AVO matters. The party might be able to access free telephone advice from another Community Legal Centre outside the Hunter region, however it is unlikely that those CLCs would be able to provide that advice on the day and it would not be possible for those CLCs to represent the other party in Court.

What this means in practice is that the matter will either be adjourned to allow the other unrepresented party to obtain legal advice and representation, or the other party will proceed with the matter as an unrepresented litigant. Both options cause significant delays. In the case of an adjournment, all parties have effectively come to Court for no reason. Granting the adjournment takes up Court time that could have been spent on other

matters. Where the other party self-represents, there is extra pressure on the Magistrate to ensure that the self-represented party understands Court procedures and the effect of any orders made. Matters involving self-represented parties tend to take significantly longer to deal with than matters where both parties are represented.

3.1.2 Conflicts of Interest & Family Court Duty Service

The conflict issues which arise for the AVO duty service at the Newcastle Local Court are partially overcome in the Newcastle Family Court. Both the HCLC and Legal Aid offer a duty solicitor service. The duty solicitors from HCLC and Legal Aid work together so that if one service has a conflict which prevents them from assisting one party in a family law matter, that party can be referred to the other service.

CASE STUDY 3: HCLC & Legal Aid Duty Services

James* was involved in a parenting matter before the Federal Circuit Court. He was in attendance at Court for his second Court date following the parties' participation in a Child Dispute Conference at the Court.

Both James and the mother were self-represented litigants. James was assisted by the HCLC duty solicitor and the mother was assisted by the Legal Aid duty solicitor. The duty solicitors were able to assist the parties in the early stages of their matter to negotiate a final agreement. Final terms of settlement were drafted by the duty solicitors and the matter was finalised on this occasion avoiding the need for any further Court appearances or lengthy litigation.

Having two separate free legal assistance services available in the same location is not a duplication of resources. Instead, it provides disadvantaged people with better access to timely, affordable legal assistance, as well as saving Court time in dealing with self-represented litigants.

3.2 Case Management Procedures

The Issues Paper released by the Productivity Commission on 16 September 2013 recognised that delays in the resolution of disputes can exert a significant toll on the parties involved. Case Study 4 demonstrates the adverse impacts of delay on children and parents in family law disputes.

CASE STUDY 4: Costs of Delay

In April 2013, Helen* made an application for a recovery order for her three children, ranging in age from 18 months to 6 years. The children's father had picked each of the children up from their school and day care providers and refused to return them to the mother's care.

Helen asked that the matter be listed on an urgent basis as, firstly, the children had never spent extended periods away from her and secondly, the youngest child had significant health problems.

The matter was not listed on an urgent basis. Instead it was listed in June 2013, almost a month and a half after filing. When the matter was heard, the recovery order was successful and the children were returned to the mother's care.

However, during the intervening period, Helen had been unable to see her children. She had also been unable to communicate with the father about the youngest child's health issues. The father had enrolled the eldest child in a new school without the mother's consent and all three children were exposed to an incident of family violence while in their father's care.

These issues may have been avoided if the matter was listed on an urgent basis and the recovery order had been made earlier.

TOR 5: The Ability of Disadvantaged Parties to Self-Represent

The commission should have regard to the impact of costs of accessing justice services and securing legal representation on the effectiveness of these services, including an analysis of:

- *The ability of disadvantaged parties, including persons for whom English is a second language, to effectively self-represent; and*
- *The extent to which considerable resource disparity impacts on the effectiveness of the adversarial system and Court processes.*

The HCLC does not apply any strict criteria for providing legal advice and assistance to its clients. The level of advice and assistance provided will depend largely on the client's resources and capacity for self-help. The HCLC attempts to educate and empower its clients by providing them with the information they need to manage their legal problem independently. The HCLC will provide a greater level of ongoing assistance to those disadvantaged individuals who, for whatever reason, lack the resources or capacity to effectively self-represent. This part of the submission aims to highlight the barriers faced by some of the HCLC's disadvantaged clients in their interactions with the legal system.

5.1 Disadvantage and the Ability to Self-Represent

5.1.1 People from Non-English Speaking Backgrounds

Understanding legal language can be difficult for individuals who speak English as their first language. People from non-English speaking backgrounds (NESB) face even greater barriers. They must overcome both language and cultural barriers to effectively self-represent.

CASE STUDY 5: Language & Disability as Barriers

Solomon* is a recently arrived refugee. English is Solomon's second language. Solomon had received a phone call from Centrelink telling him that his benefits had been suspended and that he owed a debt. Written correspondence had previously been mailed to Solomon but he was unable to read any of the documents because he is blind. Solomon disputed the debt and relied on his Centrelink payments to pay his rent.

Solomon could not explain the contents of the letters to the HCLC solicitor over the phone. Fortunately, Solomon lived close to public transport links and was able to come to the HCLC for a free, face to face appointment. He was able to bring in all the relevant Centrelink documents. He also brought along a support person who could act as an informal interpreter when required.

The HCLC provided him with the assistance he needed to resolve his problems with Centrelink and have his payments reinstated.

CASE STUDY 6: Language Barriers

Abbas* is an Arabic speaker with very limited English language skills. Abbas was a defendant in an AVO matter. His children were able to speak to the police officers who served Abbas with the AVO application. The children understood that Abbas needed to be in Court on a particular date and passed this information on to him.

Abbas did attend Court, however when he came before the Magistrate it became apparent that Abbas did not fully understand why he was there. The Court was able to adjourn the matter for a week and organise for an accredited interpreter to be present on the next occasion. HCLC's duty solicitor was able to provide advice to Abbas through the interpreter and represent him in Court. Abbas' limited English and limited knowledge of the Australian legal system posed significant barriers to his ability to effectively self-represent.

5.1.2 Cognitive Impairment

People with cognitive impairments face added challenges when interacting with the legal system. Cognitive impairments might include intellectual disabilities, acquired brain injuries and periods of severe mental illness.

CASE STUDY 7: Intellectual Disability

Tom* and Rachel* both have moderate intellectual disabilities and low levels of literacy. They live in social housing and have experienced ongoing problems with two of their neighbours. These neighbours regularly harassed Tom and Rachel and threatened to damage their property, have them kicked out of social housing and cause harm to their friends and their pets. On one occasion the neighbours physically assaulted Tom, and slapped Rachel on the stomach. Rachel was pregnant at the time. Neither Tom nor Rachel were aware of any legal avenues they could pursue to make the harassment stop.

Tom and Rachel were referred to the HCLC by the Intellectual Disability Rights Service. The HCLC provided them with advice about applying for an AVO to stop the harassment. Tom had low literacy levels and was unable to prepare the affidavits that he needed to submit alongside his application without assistance. The HCLC solicitor was able to draft the documents, and then read them aloud to Tom so that he could confirm that they were accurate. The HCLC's duty service was also able to assist Tom at all his Court appearances. This regular advice was particularly important for Tom, as he experiences difficulty retaining information and would often require prompting to remember what had happened at previous meetings.

Final orders were granted which prohibited the neighbours from approaching or contacting Tom and Rachel.

5.1.3 Low Income

Individuals with low incomes face significant barriers to accessing the justice system. These individuals cannot afford to pay for private legal representation. Even if they are lucky enough to secure representation from a free legal assistance service, they may still be incapable of paying other costs associated with enforcing their rights in Court.

In the Issues Paper, the Commission invited ‘comment on the financial costs of civil dispute resolution and the extent to which these costs dissuade disputants from pursuing resolution’. The following scenarios demonstrate how Court filing fees can dissuade individuals from upholding their rights. Case Study 10 is a hypothetical scenario.

CASE STUDY 8: Filing Fees as a Barrier

Jake* was subjected to racial vilification at work by his supervisor. Jake’s supervisor told offensive stories, made derogatory jokes and sent emails to staff containing videos that contained racially offensive material.

The HCLC assisted Jake in lodging a complaint with the Australian Human Rights Commission (AHRC) and making an application for conciliation. The AHRC terminated Jake’s complaint after his employer indicated that they would not participate in conciliation.

The HCLC advised Jake that if he wished to pursue the matter further he would need to commence proceedings in the Federal Court. Due to Jake’s personal circumstances he could not afford to pay the necessary Court filing fees that were applicable at the time and so he was unable to take the matter further.

CASE STUDY 9: Filing Fees as a Barrier

Sarah* and her daughter were living in a women’s refuge after leaving the family home to escape domestic violence perpetrated by Sarah’s husband. Sarah wanted to get a divorce, but she found out that it costs \$800.00 to lodge the relevant application.² Sarah could not afford to pay the fee and her weekly income was less than \$450 per fortnight.

The staff at the refuge referred Sarah to a pro bono solicitor who helped her apply for a fee reduction on the grounds of financial hardship. The reduced fee is \$265.00,³ still higher than Sarah’s current weekly income. Sarah decided not to lodge a divorce application.

² *Family Law (Fees) Regulation 2012* (Cth), Schedule 1; Family Law Courts, ‘Court Fees (Family Law Courts Brochure)’

http://www.familylawCourts.gov.au/wps/wcm/resources/file/eb05bc406c3ac03/FeesDL_0313V1_web.pdf;

³ *Ibid.* Note that prior to 1 January 2013, the fee for an application for divorce where the applicant was suffering financial hardship was \$60.00. If Sarah were a client of a CLC or another legal assistance service, she might be entitled to a fee exemption.

5.1.4 Geographic Barriers

People living in rural, regional and remote areas have less access to free legal assistance services than those living in metropolitan areas. The Law and Justice Foundation of New South Wales conducted a survey in August 2012 called the 'Legal Australia-Wide Survey: Legal Need in Australia'. This survey found that the primary barriers to obtaining help with legal problems faced by people living in regional areas include:

- Difficulty getting through to telephone-based legal advice services;
- Delays between the client's initial contact and the delivery of the advice;
- Difficulty accessing face-to-face legal assistance due to distance or lack of transport options.⁴

The HCLC endeavours to service the rural, regional and remote areas within its catchment area by providing telephone advice and providing regular outreach clinics in regional centres. Due to its limited resources, the HCLC is only able to provide duty solicitor services in the Newcastle CBD. Individuals attending local Courts in regional areas do not have the same access to free legal assistance and representation.

Telephone Advice

The HCLC operates a free telephone-based legal advice service three days per week. Rural callers can access this service through a toll free number. While this service is available throughout the whole catchment area, some callers may have difficulty getting through the intake process due to the high volume of calls received. Clients generally experience a 2-5 day wait after their initial contact, before they receive telephone legal advice.

Outreach Clinics

The 'Legal Australia-Wide Survey: Legal Need in Australia' reported that disadvantaged people benefit from high quality face-to-face advice, as telephone advice is often not appropriate for people with poor communications skills, low literacy skills or other disadvantage.⁵

The HCLC attempts to address these issues by offering face-to-face legal advice at outreach clinics. These clinics are held in key regional centres that are accessible to the HCLC's disadvantaged client base. In 2013, these clinics were held in Cessnock, Raymond Terrace, Muswellbrook and Nelson Bay.

⁴ C. Coumarelos, D. Macourt, J. People, H. McDonald, Z. Wei, R. Iriana and S. Ramsey, 'Legal Australia-Wide Survey: Legal Needs in Australia' Volume 7, *Access to Justice and Legal Needs* (August 2012)

⁵ Ibid.

5.2 Resource Disparity in the Adversarial System

A significant power imbalance exists within the legal system, between individuals who represent themselves and large well-resourced individuals and organisations with ready access to legal representation. A number of individuals with strong legal cases abandon their claims because the thought of facing a more experienced and better resourced opponent is too daunting.

CASE STUDY 10: Private Car Park Fines

Danny* received a number of letters from a private car park company. The letters stated that Danny had to pay a fine for an alleged breach of the conditions of entry of a car park that Danny had used. The letters also said that if Danny did not pay the fine by a specified date, legal action would be commenced against him to recover the debt.

Danny believed that he had not breached the rules and wrote to the company, explaining the situation and asking that the fee be waived. His request was rejected and he continued to receive more threatening letters from the company.

Danny called the HCLC and was advised that the conduct of the car park company was unfair and illegal. He was offered representation if he was taken to Court by the car park company.

Despite this, Danny paid the fine because he was scared of going to Court, he felt bullied and he wanted the letters to stop.

CASE STUDY 11: Workplace Discrimination

Kate* faced ongoing racial discrimination in her workplace. She contacted the Anti-Discrimination Board (ADB) to organise conciliation with her employer. The employer refused to attend conciliation. The ADB has no power to compel parties to attend conciliation.

The next legal avenue available to Kate was to take her matter to the Administrative Decisions Tribunal. Kate's employer engaged private solicitors to represent them before the Tribunal.

In contrast, Kate could not afford a private solicitor to represent her. She lacked the finances and resources necessary to compile her evidence, draft documents and prepare for the Tribunal on her own. Kate felt powerless and decided not to pursue her claim.

TOR 8: Alternative Dispute Resolution and Early Intervention

The commission should have regard to alternative mechanisms to improve equity and access to justice and achieve lower cost civil dispute resolution in both metropolitan and regional and remote communities and the costs and benefits of these, including analysis of the extent to which the following could contribute to addressing cost pressures:

- *Early intervention measures*
- *Different models of legal aid assistance*

8.1 Early Intervention Measures

8.1.1 Family Law Program

The HCLC's Family Law Program aims to provide clients with legal advice and assistance at the earliest possible stage of a family law dispute in the hope that the dispute can be resolved without the need for lengthy litigation.

CASE STUDY 12: Early Intervention

Sarah* contacted the HCLC when her child was 6 weeks old. Sarah had recently completed her application for child support and had been advised by the Child Support Agency (CSA) that she did not meet the requirements for proof of parentage for the father. The CSA had told Sarah that she would need either a statutory declaration from the father acknowledging that he was the father or a Court order.

Sarah had attempted to contact the father, however he was refusing to communicate with her. An application to the Court would involve completing the required Court documents and also potentially having to pay for parentage testing, which costs about \$800. Sarah was unable to pay this fee.

The HCLC provided Sarah with advice about her options and drafted a letter to the father, asking him to complete the enclosed statutory declaration. The father completed the statutory declaration and returned it to the HCLC. Sarah was then able to complete her application for child support.

HCLC's early intervention meant that Sarah did not have to go to Court and within a short period of time was able to start receiving much needed child support payments.

8.1.2 Family Law Program – Duty Solicitor Service

In the 2011-12 financial year, the HCLC's family law duty solicitor service provided legal advice and assistance on 325 occasions to 266 self-represented litigants. Providing these litigants with timely information and engaging in negotiations with the other party increases the likelihood that matters will be resolved at an early stage of the litigation. On 58 of these occasions, the matters that the duty solicitors dealt with were settled on an interim or final basis on the first Court date.

8.1.3 Community Justice Centre

The HCLC regularly refers clients to the local Community Justice Centre (CJC). CJs receive funding from the NSW Department of Attorney General and Justice. They offer free mediation service run by impartial, trained mediators. The CJC provides a neutral forum for parties to resolve disputes outside of the Court system.

8.2 Different Models of Legal Assistance

8.2.1 Law Reform

The Hunter Community Legal Centre engages in law reform activities aimed at addressing inequalities in the legal system. The HCLC challenges laws, policies and practices which adversely affect its disadvantaged clients and makes recommendations for improvements.

CASE STUDY 13: Reforming NSW Road Rules

The HCLC is currently advocating for changes to the Road Rules in NSW for the benefit of an HCLC client.

Andrew* has a number of intellectual and physical disabilities. Due to his physical disability, he is unable to wear a bicycle helmet. Andrew cycles to his workplace because he has no private transport. As the law currently stands in NSW, Andrew breaches the Road Rules every time he rides to work without a helmet. Last year, Andrew received twenty-six penalty notices and over \$900 in fines for failing to wear a bicycle helmet whilst riding.

In most other State and Territory jurisdictions, an exemption exists which excuses people from wearing bicycle helmets if they provide a medical certificate as evidence that their disabilities or physical characteristics make it impossible for them to wear a helmet. If a similar exemption was made in NSW, Andrew would be able to maintain his independence and participate fully in his community without being fined.

CASE STUDY 14: Exemptions from Federal Court Filing Fees

In June 2013 the HCLC made submissions to the Legal and Constitutional Affairs References Committee's Inquiry into the 'Impact of Federal Court Fee Increases Since 2010 on Access to Justice in Australia'. These submissions advocated an exemption from filing fees in the Federal Courts for CLC clients, and other individuals in receipt of free legal assistance.

The committee was supportive of these submissions and recommended that the exemptions be made available to all CLC clients. Exemption from filing fees removes a significant financial barrier for disadvantaged individuals seeking to assert their rights in the Federal Courts.

8.2.2 Community Legal Education

The HCLC runs a Community Legal Education Program for community sector workers in the Hunter region. This program enables community sector workers to update their knowledge and understanding of common legal issues that affect their clients. HCLC solicitors deliver workshops which equip community sector workers with the skills needed to support clients experiencing legal issues and make effective referrals.

The rationale behind the program is that front line community sector workers will help clients to identify legal issues as they arise, and encourage them to seek assistance at an early stage.

Outreach CLE

The HCLC also provides one-off legal education sessions for school groups and community organisations.

CASE STUDY 15: Legal Education Through Theatre

The HCLC and the Newcastle Cooperative Legal Service Delivery Network recently collaborated with a local youth theatre group to develop an interactive play. The play educates young people about the legal issues surrounding family violence and sexting and empowers them to take positive steps to resolve these issues if they do arise in young peoples' lives.

The initial performance was delivered to nearly one hundred Year 10 students at a local high school. The theatre group has received further funding to develop a DVD and education program to take the play to other schools.

Legal Factsheets

Each year the HCLC develops and distributes information kits, pamphlets and other material aimed at educating and empowering the community.

In the 2013 financial year the HCLC developed a brochure called "My Credit Report". This brochure provides information about credit reports, how to access copies of them and what can be done if the information contained in the report is incorrect. Attached to the brochure is a tear-away strip that individuals can post to credit reporting agencies to obtain a copy of their credit report. These resources empower individuals to take steps to resolve their own legal issues before they escalate to a point where professional legal assistance is required.

8.2.3 Legal Health Check

The Homeless Persons' Legal Clinic ('HPLC') in Queensland provides free legal advice and assistance to people experiencing or at risk of homelessness at a number of community agencies across the state. The HPLC has developed a resource called the "Legal Health Check", which is a simple questionnaire that can be used by community sector workers to help them identify the legal issues that a particular homeless person might be experiencing. The questionnaire and the training program which accompanies it aims to equip those community workers who deliver front line services to homeless people with the skills they need to identify legal issues and make effective referrals when their clients need legal help.

The HCLC is in the process of developing a similar 'Legal Health Check' that can be used by volunteers and staff at the community organisations and neighbourhood centres which host the HCLC's outreach clinics. Currently clients approach these community workers and request an appointment to discuss one specific issue. The solicitor then provides advice on this issue. If the 'Legal Health Check' is completed before the appointment, the solicitor would be able to provide advice about other issues, so that the client can take steps to resolve them earlier.

CASE STUDY 16: Legal Health Check

Chloe* approached the HCLC seeking advice about a family law matter. A volunteer from the HCLC completed the Legal Health Check with Chloe. The Legal Health Check revealed that Chloe also had an outstanding fine debt which she had to pay by the end of the week or she would face enforcement action. Chloe told the volunteer that she couldn't afford to pay the fine.

The HCLC was able to provide Chloe with the family law advice she requested and assist her to make arrangements to pay the fine off by instalments to be deducted from her Centrelink benefits.