

Eastern Community Law

Newsletter

Autumn 2009



Legal Community Bushfire Response

When tragedy struck on Black Saturday, the Eastern CLC community was shocked at the devastation in our own community and staff and volunteers were most keen to assist in any way possible. Within our catchment, the areas of Steels Creek, Dixons Creek, Chum Creek, and Christmas Hills have been most affected, along with the centres of Yarra Glen and Healesville.

It was realised that people would face many legal issues. Working with our friends and partners, ECLC initiated the effort to provide legal support to those affected in our community. By the Friday after the worst fires, ECLC had a daily presence at the Healesville and Yarra Glen relief centres, with two lawyers and a paralegal in attendance.

This was clearly beyond the resources of ECLC alone. Staff put out a call to private law firms that already supported ECLC in our night service and other programs and other local firms. The response was overwhelming with so many local lawyers wanting to offer their services freely to assist in this time of crisis. Quickly a daily presence was provided at Healesville and Yarra Glen, usually with a private and community lawyer working side-by-side. Other CLCs and VLA staff also generously assisted.



ECLC Volunteer Rhonda Goodall & local lawyer Alan Alpass prepare to see clients at the Yarra Glen Recovery Centre.

While ECLC initiated a local response, within a week, this was part of a broader joint effort involving CLCs through the Federation of CLCs, Victoria Legal Aid, the Law Institute of Victoria, PILCH, the Bar and Victoria Law Foundation. *Bushfire Legal Help* was established to provide access to free legal advice at the various relief centres, as well as telephone advice line and other co-ordinated responses.

ECLC would like to acknowledge the amazing support we are receiving from the breadth of legal profession and offer our sincere thanks for their efforts.

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How is ECLC helping bushfire affected communities?

People seeking **legal advice** have a range of options for assistance:

- Call ECLC on **1300 797 088** for legal advice or referral. Telephone advice is available when needed.
- Call to make an appointment at the Yarra Glen Recovery Centre, our regular outreach services at Healesville, Lilydale or Yarra Junction or our offices.
- Visit the service at Yarra Glen as a drop-in client (appointments are preferred).
- The Bushfire Legal Helpline is also available **1800 113 432**
- Fact sheets and general information available at www.bushfirelegalhelp.org.au.

ECLC is also **working with communities** by:

- Providing induction training to case managers on the legal issues and options.
- Developing community legal education in response to local needs
- Partnering with agencies, government and lawyers, including VLA, LIV, VLF and PILCH.

This Edition

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- **Community Legal Education**
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- **Client Diversity**
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ECLC Services

Box Hill Office

Suite 3, Town Hall Hub
27 Bank Street, Box Hill 3128
Mon – Fri 9:00am – 5:00pm
Ph: (03) 9285 4822 Fax: 9285 4833
eclc@eclc.org.au

Outreach locations:

Hawthorn
Ashburton
Ringwood Magistrates' Court

Serving the Cities of Whitehorse, Boroondara & Manningham

For an appointment for these services, call (03) 9285 4822

Boronia Office

Suite B, 6 Floriston Road, Boronia 3155 (PO Box 747)
Mon – Thurs 9:00am – 5:00pm
Ph: (03) 9762 6235 Fax: (03) 9762 9751
Freecall: 1300 79 70 88
outereast@eclc.org.au

Outreach Locations

Rowville
Lilydale
Yarra Junction
Healesville
Ringwood Magistrates' Court

Serving the Cities of Knox & Maroondah & the Shire of Yarra Ranges

What do you do at ECLC?

I am the Co-ordinator of the Boronia office which covers the outer east region. In addition I co-ordinate the night service volunteer teams in Boronia and oversee the community development activities for the outer east region – sometimes it is a bit of a juggling act!



What did you do before working at ECLC?

I have worked in the community sector for nearly 20 years, with 10 years as the Co-ordinator of a consumer and tenancy advice service, 6 years as a consumer and tenant support worker providing advice on issues as small as a 5 cent bus fare dispute to chasing recalcitrant traders ripping off overseas travellers, to trying to secure housing for those facing homelessness. For 2 years I was the Policy Officer for the Financial and Consumer Rights Council being the peak body for Financial Counsellors. I love working in the community sector.

What do you like about ECLC?

I love being part of a team of dedicated staff that share similar values and a commitment to our community and social justice. We are so lucky having such a pleasant, supportive work environment and such great people to work with. It makes coming to work a pleasure.

Highlights of the work so far?

It cannot go unsaid – we share great cakes! On a more serious note, witnessing the compassion and generosity of staff and volunteers helping with the recent bushfire legal help effort.

Any funny or embarrassing moments in the job?

I can't think of any at the moment!

Any legal issue that frustrates you?

Any legal issue that is being fought solely on the basis of the 'principle' of the thing! This usually results in long protracted arguments with unsatisfactory results for all involved. I would also love to see us extend our service to include tenancy as I have a personal passion about people's rights to secure and appropriate housing.

Favourite food?

Anything that I don't have to prepare – but I do love seafood and a nice glass of wine.

Favourite holiday destination?

Fiji – soooooo relaxing.

Favourite time of the year?

I love autumn and spring, crisp mornings, warm afternoons, autumn colours and spring flowers.

Legal Community Bushfire Response: cont...

Working in partnership with the Shire of Yarra Ranges, DHS and others, the service has continued to be adjusted in response to the changing needs of the community. The Healesville Relief Centre has now closed and Yarra Glen is operating as a Recovery Centre. A daily presence continued for some time and a weekly service at Yarra Glen on a Thursday afternoon is now operating, still with pro bono support.

Beyond the outstanding initial efforts, work has commenced on a longer term response. As the community moves from a crisis relief focus to a recovery phase, it is vital that we do likewise. ECLC has expanded its legal and community development staffing and has returned to the local firms to develop a local pro bono service to assist affected clients. The Commonwealth government has provided some greatly needed and appreciated funding to support our response.

So far, the ECLC co-ordinated service has assisted over 100 clients. Of these, 53% had suffered the loss of their home, while another 19% had their house damaged. Clearly these community members have faced significant trauma and will take some time to work through a range of issues as well as the legal aspects.

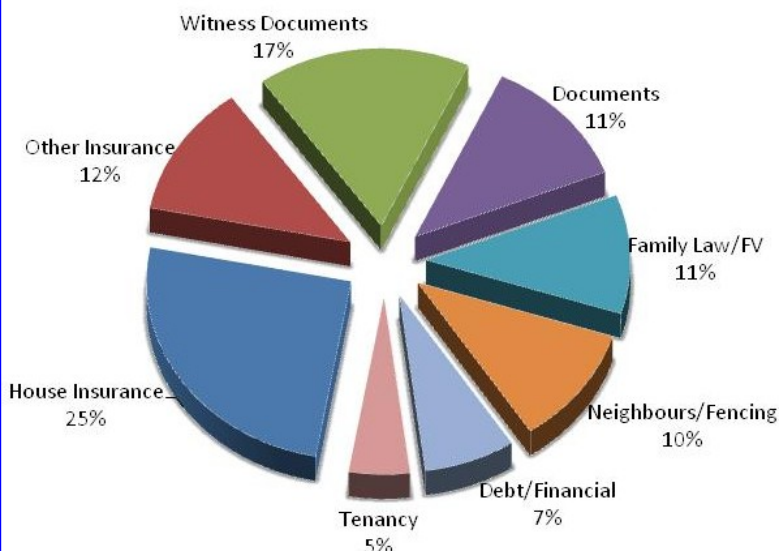
The home location of clients has reflected both the populations of the townships and the level of damage sustained, as indicated above. While initially documents and short term help was required, insurance is now more of an issue and we are anticipating the family law issues will unfortunately increase over time. See chart below for details.

As people start to return to their communities to rebuild their lives, an ongoing need for ECLC's presence is anticipated. The Centre is committed to assisting communities in the long term - we have been working in Yarra Ranges for some years but are expanding our efforts. We will continue to be guided by the communities utilising partnership and community development approaches.

We are one small part in a huge effort of support including the amazing efforts of the Council, Red Cross, DHS, Centrelink Salvos, Anchor and many more, as well as all those amazing and wonderful community volunteers that have spent days making sandwiches, coffees and providing a shoulder to lean on.

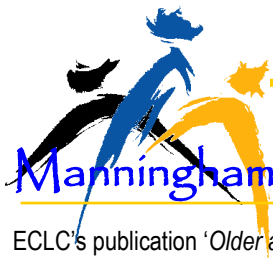
The ECLC website has been constantly updated with our latest information and response. Our current flyer for the Thursday Yarra Glen outreach is available now and the support of services to get the message out has been and will continue to be much appreciated.

Michael Smith & Denise Budge



For the latest information on ECLC's services projects and events

or to view a map of our office locations, please see the website or call the office directly.



Manningham is Older and Wiser!

ECLC's publication 'Older and Wiser' has been recognised as a valuable contribution to legal education for older residents, with Manningham City Council providing funding for the resource to be produced specifically for their municipality.

'Older and Wiser Manningham' was launched at the recent Manningham Retirement Expo as part of Healthy Lifestyle Week. The booklet outlines a range of common legal issues facing older residents and the local support available to them. ECLC has now produced Older and Wiser for Whitehorse, Knox and Manningham City Councils. The launch of the Knox guide was postponed due to the Bushfire response but copies are available now from the Boronia ECLC office.

Residents of Manningham should contact council directly and some Whitehorse editions are still available from the Box Hill ECLC office.



Michael Smith (ECLC), Cr Fred Chuah and Julie Nelson (Seniors Rights Victoria) proudly launch Older Wiser in Manningham.

YRIPP Goes to Court

A small group of East Metro Region volunteers recently visited the Melbourne Children's Court. Magistrate Greg Devine who has worked in the Children's Court for fourteen years gave a short presentation then we sat in on some cases that were before the court. Mr. Devine reported that whilst the crime rate for young offenders has decreased there has been an increase in the level and degree of violent crimes for both male and female young offenders. He believed that this was a reflection of an increase in violence in the wider community.

Part of the role of an YRIPP Independent Person attending a Police Station is to refer the young person to services that the young person might need. This was raised with Mr. Devine who emphasised the importance of connecting young people with their community in preventing recidivism. The session concluded with Mr. Devine praising the work of YRIPP volunteers and thanked and encouraged them to continue this valuable service.

Susan Hillman Stolz, YRIPP East Metro Region Co-ordinator

Would you like to donate to ECLC?

For more details and how your donation will be used, please visit ECLC's website. Donations over \$2 are tax deductible and can be made on-line.

Eastern Elder Abuse Network

The next meeting of this new network of service providers will focus on VCAT and how the OPA investigates neglect. Guest speakers will be **John Billings**, Deputy President, Guardianship List, VCAT and **Claire McNamara** Solicitor, OPA. The Network is co-ordinated by Seniors Rights Victoria and ECLC.

Details: 30 April 2009, 9.30 am. – 11.30 am

Manningham City Council, Function Room 1, 699
Doncaster Rd, Doncaster. (Melway 33 E12)

This is a FREE event open to all workers. For details contact Selina Neville at SRV on 9655 2129.

To RSVP contact Lauren Hills, at : laurenh@eclc.org.au or 9285 4822.

ECLC Volunteers Dinner

14th of May 2009

Save This Date!

This year's ECLC Volunteer Dinner will again thank all of the wonderful ECLC volunteers who assist their community in so many ways. Hosted by ECLC Patron, Chief Magistrate Ian Gray, this year it will focus on the bushfire response and recovery.

It is also hoped to raise some funds for local community projects for those affected by the bushfires. All are welcome and especially our fantastic volunteers. Contact ECLC or keep an eye on the website to be a part of this exciting event!

Put that date in your diary now! Don't miss it!

Client Diversity

ECLC is establishing a Consumer Reference Group, comprising members from culturally and linguistically diverse communities. ECLC will consult the group about service delivery improvements, developing appropriate legal information and identifying community legal needs.

For more information or to express your interest in participating, contact Amy Johnstone, Community Development worker at amyj@eclc.org.au or 9285 4855

Who said nothing's free...?

Did you know ECLC provides FREE Community Legal Education (CLE) sessions in the Eastern Region? Recent examples include speaking to:

- Disengaged young people about their rights
- Parents about police powers and family law
- Seniors groups about a range of legal issues facing older people
- Staff teams in agencies about how ECLC can assist their clients

This is a FREE service. All you need to think about is what group of people you think would benefit. Your staff team? Your community group? Your clients?

Contact ECLC to discuss further, or visit our website, www.eclc.org.au.



National Human Rights Consultation

ECLC is delighted that the Rudd Government has announced a National Human Rights Consultation, led by a skilled committee. The Consultation Committee consists of Father Frank Brennan (Chairperson), Mary Kostakidis, Mick Palmer and Tammy Williams.

ECLC has been active in promoting the Victorian Charter of Human Rights and Responsibilities – through Fred's Fair Play and other work – and is most supportive of a national approach being considered. The consultation process in Victoria that preceded the establishment of our Charter proved a most productive and important exercise in raising community awareness of human rights as well as achieving the positive outcome at its conclusion. Let the conversation begin!

ECLC has spoken strongly of the need to ensure the debate engages with the broadest possible community and that human rights must be for everybody, including 'ordinary Australians' in all of their depth and diversity.

To this end, the Centre has encouraged the Government to minimise the legal aspect of the debate and focus on the principles of fair play and good sportsmanship. In other words, to talk of human rights as Aussie Rules, something more analogous to a sporting code than a legal document. ECLC hopes the format of the review is accessible to ordinary Australians, with community consultations and submissions that are as easy to submit as footy tips.

What can you do?

There are a number of options for those seeking to contribute to the national consultations:

- Contribute to ECLC's submission – contact us to find out how
- Write a submission on behalf of your organisation
- Encourage other organisations or individuals to make a submission
- Help others make a submission (eg. clients of your service)
- Write a submission yourself!
- Attend one of the National Roundtable seminars.
- There are also opportunities to contribute online, by SMS and on Facebook!

A submission could be large or small (1 page will do!)

You could also consider and modify another submission to suit your organisation. For example, the Human Rights Law Resource Centre and the National Association of Community Legal Centres have invited others to endorse or modify their submissions as they develop.

What sort of things should be considered in a submission?

You might consider the following questions:

- Have you had any success stories in using human rights to advocate for your clients?
- Have you had any situations of 'unfair' treatment where you think better human rights protection might have been useful?

You might look further at:

- Which human rights should be protected?
- Whether particular vulnerable groups or people in the community should be specifically recognised?

- What the role of Parliament, Government Departments and agencies and Courts might be in protecting human rights?
- What avenues for complaint, remedy, assistance or advice should be available to people whose rights are breached?
- What strategies might be developed to educate Australians, service providers and government about human rights?

What is ECLC doing?

ECLC is undertaking a number of actions over the consultation period:

- Promoting the National Consultation to our community;
- Undertaking Consultation workshops with a number of our existing networks;
- Preparing an ECLC submission to the Consultation
- Participating in the Consultation workshops
- Seeking to run Human Rights are Aussie Rules workshops in schools;
- Contributing to the national debate through networks and publicly.

More information

For more information about the National Human Rights Consultation visit www.humanrightsconsultation.gov.au

Other useful sites:

- Human Rights Law Resource Centre www.hrlrc.org.au
- Victorian Equal Opportunity and Human Rights Commission www.humanrightscommission.vic.gov.au
- Australian Human Rights Commission www.hreoc.gov.au/
- Amnesty International Australia www.amnesty.org.au
- Human Rights Act TV www.humanrightsact.tv

Support

In this edition we would particularly like to thank the law firms and other organisations who have supported the response to the bushfires:

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|------------------------------------|--|
| ACTU | Mercader |
| Alpass and Associates | Moores Legal |
| Armstrong Ross Lawyers | Peninsula CLC |
| Barnett & Barnett | Perry Weston |
| Baumont Lawyers | Peter Pi Hao Wu |
| Bayani Harvey Lawyers | Pilley McKeller Pty Ltd |
| Brand Partners Commercial Lawyers | Robinson Gill |
| Clayton Utz | South East Lawyers |
| Darebin CLC | Stephen James Fenton Pty Ltd |
| Delmonaco Wooten and Co | Victorian Commission for Gambling Regulation |
| DKP Lawyers Pty Ltd | Women's Legal Service Victoria |
| Guild Lawyers | ECLC Volunteers |
| Holt and Macdonald Pty Ltd | |
| James Hooper and Associates | |
| JH Legal | |
| KA Metcalf & University Solicitors | |
| Katherine SpoonerLukaitis Partners | |
| Makin and Kinsey Solicitors | |
| Mason Sier Turnbull | |
| Maurice Blackburn | |
| McKean Park Lawyers | |
| | Mercader |
| | Moores Legal |
| | Peninsula CLC |
| | Perry Weston |
| | Peter Pi Hao Wu |
| | Pilley McKeller Pty Ltd |
| | Robinson Gill |
| | South East Lawyers |
| | Stephen James Fenton Pty Ltd |
| | Victorian Commission for Gambling Regulation |
| | Women's Legal Service Victoria |
| | ECLC Volunteers |

And for their ongoing support, thanks to:

Victoria Legal Aid
Commonwealth Government
City of Boroondara
City of Whitehorse
Knox City Council
Rotary Club of Balwyn