



MURRAY MALLEE COMMUNITY LEGAL SERVICE
Interim Legal Needs Analysis

ANALYSIS ASSESSMENT UNDER- STANDING



Gaining an insight and identifying areas for deeper exploration: An interim legal needs analysis of the Murray Mallee Community Legal Service.

Cover Image
Mildura Law Court 56 Deakin Avenue



LNA Workshop March 2015

Executive Summary Introduction	2
About Us	3
Background to Legal Need and Why?	4
History of MMCLS	6
Our Services	7
Geographic Analysis of the MMCLS	13
Demographic Analysis of the MMCLS	21
Analysis of MMCLS Client Demographics by Socio-Economic Status	24
Solving Problems of MMCLS	31
Education as Key to Legal Knowledge and Empowerment	33
Conclusions and Recommendations	37
Reference List	40
National Legal Needs Toolkit Tables	41

MMCLS acknowledges the many Indigenous peoples as the traditional owners of the lands on which we live and work. We pay deep respect to Elders past and present.

The Interim Legal Needs Analysis was commissioned by the Director Community Services/Manager of the Murray Mallee Community Legal Service (MMCLS). This analysis was conducted using the National Association of Community Legal Centres (NACLC) Legal Needs Assessment Framework as a guide, then adjusted to meet the local needs and capacity of the time available of the in house working group.

MMCLS had as its goal in 2014-2015 to undertake a legal needs analysis to determine priorities, identify improvements, identify met and unmet legal needs to consider in the allocation of resources and future strategic planning. The service wanted to better understand legal need across our catchment, so that evidence based strategic planning could be completed.

Additionally, funding bodies required evidence based argument to support funding submissions for Community Legal Centres (CLC) activities or projects. MMCLS had not completed a legal needs analysis in the past and it was considered a priority project for the future development and direction of the Service.

^

EXECUTIVE SUMMARY

^

INTRODUCTION

The MMCLS commenced operating in 1996 and covers an area of more than 100,000 square kilometres which includes ten Local Government Areas. MMCLS is an auspiced Community Legal Centre - having the Legal Centre as a co-located service within Mallee Family Care, the largest Welfare not for profit non-government agency, allows us to work together on common issues, build and support each other in community development initiatives and also meet the ever increasing needs of residents living in the MMCLS boundaries.

Since the commencement of the Murray Mallee Community Legal Service (MMCLS) outreach services have been provided to various locations in both New South Wales and Victoria. Over the past 19 years, the MMCLS has evolved and the outreach services offered have been adjusted as per demand with expansion. However, this expansion has occurred without the service undertaking a comprehensive legal needs analysis but in response to requests from partner organisations.

It has been a constant concern, given the limited resources of the service, whether we were attending the most needed outreach locations and on what rotation basis. This was particularly the case where few clients were being seen at these locations and lawyers were out of the office for considerable time. This raised the issue of whether resources were being appropriately used. It was clear that it was time for the MMCLS to complete a legal needs analysis, for the ongoing development of the Service, for the clients of the Service and also for our funders.

Thank you to all legal staff who have assisted with the Interim Legal Needs Analysis, a first for the Murray Mallee Community Legal Service; in particular our fantastic Administration Officer, Nicole, and our Community Legal Education worker, Allie. We were very lucky to have had the support and professional assistance of Alexandra Ridgway, our ‘fantastic find’ to help us out with this daunting task – thank you Alexa!

ABOUT US



Objectives
To provide a high quality, free and accessible legal service in the Murray Mallee which will empower and support communities in the resolution of legal problems and stimulate understanding of the legal system.

To use community legal education to provide the people of the Murray Mallee region with a better understanding of the role of the Murray Mallee Community Legal Service.

To promote the Murray Mallee Community Legal Service to the isolated and remote areas of the region.

To provide a high quality and accountable legal service to the Murray Mallee region based on the human, administrative and financial resources available within and externally to the Service.

Vision
That the Communities of the Murray Mallee Region have a clear understanding of the Legal System and are able to access it to resolve their legal problems.

Mission
To render legal assistance to the most vulnerable members of Murray Mallee communities. The assistance will be offered with due regard to the worth, independence and dignity of each individual. Service provision should reflect a continuing awareness of community needs and the value of community support.

BACKGROUND TO LEGAL NEED AND WHY?

In 2012, the first comprehensive, quantitative assessment of legal need in Australia was undertaken by the NSW Law and Justice Foundation. The National Legal Australia Wide Survey (LAWS) provided a much needed overview of legal need nationally and a vital insight into its complex dynamics. Incredibly, the LAWS found that 65% of legal problems in Australia were experienced by only 9% of the population and 85% of legal problems by only 22% of the population.¹ Further, the LAWS discovered that only 51% of individuals actually sought assistance for their legal issue.² Findings such as this revealed that legal need in Australia does not only comprise of those legal problems which receive support ('met' legal need) but also includes the legal problems that are left unsupported ('unmet' legal need).

Consequently, rather than waiting for clients to 'walk through the door', legal services were encouraged to identify the legal needs in their catchment area or target group and how effective their service was in reaching and supporting these needs. In other words, were the services actually responding to the greatest legal needs in their catchment or target group? Were there legal issues in the catchment or target group which were being overlooked? The LAWS revealed the vital importance of legal services using data as a key driver for legal service delivery and provided inspiration to the community legal sector to incorporate an evidence-based approach into their service delivery.

The National Association of Community Legal Centres (NACLC) has encouraged all Community Legal Centres in Australia to undertake a Legal Needs Analysis (LNA) in order to assess their effectiveness in meeting the legal need in their region. This document is the first version of a Legal Needs Analysis (LNA) for the Murray Mallee Community Legal Service (MMCLS) (further detail on the service and its catchment is provided in the following section). Importantly, due to resource constraints, this is an interim version which makes no claim to provide the in-depth, comprehensive analysis that is required for a total analysis of legal need in this region. It acts as a scoping exercise – an environmental scan – which involves an initial, overarching exploration of MMCLS' current service provision in terms of geographic spread, ability to

target high need clients and support the most pressing legal issues. It also uses an online survey to gain an insight into the key legal issues faced by different parts of the region and identify recommendations for change from service providers on the ground. This Interim Legal Needs Analysis also pinpoints those areas where further research is necessary so that the legal needs of the region are comprehensively understood, and legal service delivery can be designed and funded to respond effectively to these needs.

In the Murray Mallee region, legal need is complex. The isolation of the region along with the particular needs of diverse communities with high levels of disadvantage and, importantly, the lack of legal services, all compound to create a situation where legal need is high and requires a distinct, locally-driven response. The region is a melting pot of complex needs which, in order to be unravelled, require in-depth research where local, community voices are prioritised. The legal needs of the Murray Mallee region have often been understood abstractly by those who do not reside there, and this has resulted in regional issues being misunderstood and/or overlooked.

The Interim Legal Needs Analysis is the first step in unravelling the complexity of legal need in the catchment of area of the Murray

Mallee Community Legal Service. Primarily, it reveals the shortage of legal service provision in the region and the high reliance on MMCLS as the only free, generalist legal service in the area. Notably, there is no Legal Aid Office in the area, the closest being in Bendigo, a five hour drive away.

Although the Interim LNA reveals MMCLS' increased service distribution across the region, it also highlights some catchment areas which are less likely to access the service and therefore require further exploration. The Interim LNA also demonstrates the excellent ability of MMCLS to reach those clients with the greatest likelihood of legal need as well as to respond to the two primary legal issues in the area, specifically family violence and family law. Although there appears to be a service gap with supporting younger clients, this is compensated by the excellent community legal education program which MMCLS provides.

Most importantly, the Interim LNA reveals the need for more extensive research into legal needs in the region. It is hoped that this interim version will provide the impetus for a comprehensive Legal Needs Analysis to be fully funded and undertaken so that an evidence-based, true account of legal need across the region is obtained to guide future service delivery.

Study Limitations

It is important to note that this document does not provide a comprehensive study into the legal needs of communities within the MMCLS catchment area. It is an interim Legal Needs Analysis which provides baseline data on how MMCLS responds to legal need within its catchment. As the study relies heavily on the Community Legal Service Information System (CLSIS) data it is limited by the way that the CLSIS program records and interprets data. For instance, CLSIS records data by matter rather than client and so one client could have numerous matters. In order to obtain an accurate and in depth picture of legal need in the MMCLS catchment area a comprehensive research study needs to be fully funded and undertaken over an extensive period of time.

The Community Legal Service Information System (CLSIS) database has been used for data collection by Community Legal Services across Australia since 2003 and is a requirement of the funding Service Level Agreement. Data is collected about clients, their legal matters, and the advice and casework services provide, as well as Projects undertaken by Centres. Information collected can provide Centres with detailed demographic and social data useful for planning, accountability and advocacy purposes.

¹ Coumarelos, C et al. (2012). Legal Australia-Wide Survey: Legal Need in Australia.

² Coumarelos, C et al. (2012). Legal Australia-Wide Survey: Legal Need in Australia.

HISTORY OF THE MMCLS

As the only generalist community legal service in its region, the Murray Mallee Community Legal Service has acted to support the local community since its establishment in 1996. Situated in Mildura, MMCLS was created to respond to the difficulties

Mallee Family Care (MFC) was established in 1979 after studies commissioned by the Victorian Government revealed the need for an agency dedicated to the care of children and families in north-west Victoria. As a consequence, Mallee Family Care's early services were

Funding for the Murray Mallee Community Legal Service was initially provided by the Federal Attorney General's Office as one of its Social Justice initiatives in North West Vic and South West NSW. Since this point, MMCLS has been funded by the Commonwealth Government Attorney General's Department and the Victorian State Government via Victoria Legal Aid.

MMCLS is in a unique position due to its cross border location and as an auspiced CLC within a broader multidisciplinary welfare agency.

experienced by people in isolated communities in need of free legal advice and referral to legal aid. It was and continues to be auspiced by Mallee Family Care.

directed to the needs of children at risk of removal from the care of their biological families. MFC celebrated its 35th year of operation in 2014 and now delivers over 65 programs across both North West Victoria and South West NSW.

OUR SERVICES

MMCLS delivers free legal services to residents located within its catchment. Along with providing legal support (information, advice and casework), MMCLS also works in the area of community legal education and law reform.

In terms of legal assistance, MMCLS provides generalist legal services as well as the Rural Women's Outreach program and Intervention Order Support Service (IOSS).

They also deliver services at the Family Relationship Centre in Mildura under the FRC/CLC Partnership, including family law advice, workshops and legally assisted mediations when required. In terms of legal staff, MMCLS' lawyers are mostly part-time and amount to 4 EFT.

The MMCLS Community Legal Education program has one staff member working 0.5 EFT, has a Manager and a full time Administrative Officer also.

MMCLS participates in ten working groups/committees in the region. These are:

1 Two Rivers Interagency Group (TRIG)

This involves a monthly meeting of service providers who work in the Wentworth Shire to share information and build community links and networks.

2 Balranald Interagency Group (BIG)

This involves a regular meeting of service providers who work in the Balranald Shire to share information and build community links and networks.

3 Robinvale Early Years Network (REYN)

Facilitated by the Robinvale District Health Service (RDHS) – This is a network of service providers who support families with young children in the Robinvale area. RDHS and the Robinvale community have created a coordinated plan which defines

where the community is heading in relation to improving outcomes for children and families. The development of the Robinvale Early Years Network was a step towards the creation of this plan. By creating an Early Years Network, Robinvale is more supportive for families, early years services are more connected with active linkages in place, and the community has more opportunity to communicate their needs to services and influence the way services address those needs.

4 Receipting Proof of Concept Working Party with Victoria Police and Community Agencies (RPOC)

The Working Group provides input, guidance and feedback and works collaboratively with local communities on the implementation and evaluation of the RPOC. The role of the Working Group is to work collaboratively with Victoria Police on the RPOC implementation and evaluation.

The group undertakes an advisory role, and group findings, advice and recommendations are forwarded to the RPOC Oversight Committee for consideration.

5 Mallee Sexual Assault Unit/Mallee Domestic Violence Service Inc.

(Committee of Management)

The MMCLS Manager is the President of this Committee. This service covers similar geographic areas as MMCLS and is the local domestic violence support service and sexual assault unit providing counselling, advocacy, support and forensic facilities to victims of family violence and sexual assault. The services are co-located within the Victoria Police Multidisciplinary Centre with the following staff – child protection practitioners, police investigators, and sexual assault counsellor/advocates. These services work collaboratively to provide integrated responses to child victims of sexual abuse.

6 Loddon Mallee Takes A Stand

MMCLS Community Legal Education Worker is a Facilitator in this primary violence prevention project that is based upon a model developed by Women's Health Victoria. This unique project, funded by the Department of Justice, aims to challenge attitudes and behaviour that supports violence. The project uses a train the trainer, bystander approach,

where employees in workplace settings are provided with knowledge and tools to 'Take a Stand' in the face of attitudes and behaviours that sustain violence in our community.

7 Mentor for Access to Justice through Technology Program

This is a family violence project with the Centre for Innovative Justice (RMIT University) which aims to identify those legal assistance needs 'gaps' most appropriate for a technological solution. These solutions could involve the adaptation of an existing technology or application or the development of something new. MMCLS' Principal Solicitor has joined this recently developed group to provide a regional focus on access to justice issues.

8 Local Aboriginal Justice Action Committees

MMCLS participates in the Local Aboriginal Justice Action Committees (LAJACs) in Mildura. The LAJACs bring together local Koori community members, justice representatives and other community organisations in locations experiencing poor justice outcomes. LAJACs develop and guide responses to local justice issues and provide the opportunity for promotion of MMCLS services and valuable links to the Aboriginal community in Mildura, Robinvale and Swan Hill.

9 Mildura Court User Group

MMCLS is a member of the Mildura Court User Group. The group meets on a quarterly basis and comprises of local service providers including Mallee District Aboriginal Service, Sunraysia Community Health, Victims Assistance Program, Mallee Domestic Violence and Sexual Assault, Youth Justice, Corrections Victoria, Aboriginal Family Violence Prevention Legal Service, Dispute Settlement Centre Victoria and local private solicitors. The meetings provide an avenue for all users of the court to exchange information, discuss current programs, initiatives and issues.

10 Robinvale Service Providers Meeting

This meeting is facilitated by Robinvale District Health and brings together agencies, both Robinvale based and other locations, that provide services to the Robinvale area. MMCLS is a member. As many services visit on an outreach basis, it is an excellent opportunity for service providers to exchange information and be aware of any events and issues that are happening in the area.

“

MMCLS also undertakes law reform activities and assists with research projects.

”

MMCLS also undertakes law reform activities and assists with research projects. In 2014-15, they provided a submission to the Victorian Royal Commission into Family Violence and Victorian Legal Aid's 'Family Law Review'. They also assisted with research conducted in the region including the University of Melbourne's research project, 'Predatory conduct, consumer rental goods and Indigenous consumers', and Deakin University's 'Landscapes of

violence: Women Surviving Family Violence in Regional and Rural Victoria'.

The service has undertaken significant advocacy in the area of family violence including participating in White Ribbon events; the Mallee Family Violence Executive Network's 'Family Violence Has No Borders' campaign; and supporting the development of the Northern Mallee Community Partnership

Primary Prevention of Violence against Women Project Group's Regional Action Plan. MMCLS also lobbied to receive ongoing funding for their Intervention Order Support Service (IOSS) and was successful in having funding for the IOSS re-instated for 2015-16 and 2016-17 years.



LEGAL CRISIS

Federal cuts force sole legal service solicitor to quit

By Toni Briant
tonibriant@sunraysiaadaily.com.au

THE Federal Government's cuts to social services would take \$100,000 a year from a Sunraysia legal service which assists victims to obtain intervention orders.

Prime Minister Tony Abbott said this week that under his government, the federal government would cut \$300 million from social services, including legal services for victims of domestic violence.

Murray Mallee Community Legal Service manager Lisa-Marie Stevens said the cuts would mean at least 150 victims a year missed out on assistance in the courts.

The service, run through Mallee Family Care, operated in its 10th year when it was forced to close its doors last month.

Stevens said the service was run through Mallee Family Care, operated in its 10th year when it was forced to close its doors last month.

Stevens said the service was run through Mallee Family Care, operated in its 10th year when it was forced to close its doors last month.

Scam warning

By Christopher Testa
christophertest@sunraysiaadaily.com.au

SUNRAYSA residents are being encouraged to open up and talk about scams, as part of an awareness campaign being launched this week.

More than 200 people took part in a seminar on the topic of scams, held at the Sunraysia Mallee Ethnic Communities Centre.

Murray Mallee Community Legal Service manager Lisa-Marie Stevens said the seminar was a good opportunity for people to learn about scams and how to avoid them.

Stevens said the seminar was a good opportunity for people to learn about scams and how to avoid them.

Stevens said the seminar was a good opportunity for people to learn about scams and how to avoid them.

Stevens said the seminar was a good opportunity for people to learn about scams and how to avoid them.

Budget to decide fate of legal centre still in doubt

By Toni Briant
tonibriant@sunraysiaadaily.com.au

THE fate of the Mallee Community Legal Centre is still in doubt as the Federal Government considers its budget.

The centre, which provides legal services to victims of domestic violence, is one of many social services facing cuts.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Legal help for artists

By Toni Briant
tonibriant@sunraysiaadaily.com.au

MILDURA'S artistic community has access to free legal advice as part of National Law Week.

A seminar on the topic of legal advice for artists was held at the Mildura Rural City Council.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Intervention orders 'need legal backup'

By Toni Briant
tonibriant@sunraysiaadaily.com.au

NATIONALLY recognised intervention orders can be accompanied by access to legal services which help victims obtain them, says the Attorney-General.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Showing violence has no borders



AWARENESS: Violence Has No Borders walk participants spread the word about domestic violence on George Chaffry Bridge.

ON behalf of Mildura Rural City Council, Mallee Family Care and Sunraysia Daily, a day dedicated to stopping violence against women in Australia.

White Ribbon Day encourages "primary prevention", which means stopping the violence before it occurs, changing attitudes and behaviours and engaging and educating boys and young men to be the leaders of this change.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Violence funding

By Toni Briant
tonibriant@sunraysiaadaily.com.au

THE funding for the Mallee Community Legal Centre is under threat as the Federal Government considers its budget.

The centre, which provides legal services to victims of domestic violence, is one of many social services facing cuts.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Stevens said the centre was a vital service for the community and that she was hopeful it would be funded.

Praise for family violence service

By Toni Briant
tonibriant@sunraysiaadaily.com.au

MURRAY Mallee Community Legal Centre has been given a two-year reprieve, with the Federal Government extending current funding until 2017.

It puts an end to months of uncertainty in the face of drastic cuts which threatened to strip \$100,000 a year from the service's budget.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Reprieve for legal centres

By Toni Briant
tonibriant@sunraysiaadaily.com.au

MURRAY Mallee Community Legal Centre has been given a two-year reprieve, with the Federal Government extending current funding until 2017.

It puts an end to months of uncertainty in the face of drastic cuts which threatened to strip \$100,000 a year from the service's budget.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Domestic violence victims hit by cuts



CONCERNS: Murray Mallee Community Legal Service manager Lisa-Marie Stevens.

THE Federal Government's cuts to social services would take \$100,000 a year from a Sunraysia legal service which assists victims to obtain intervention orders.

Prime Minister Tony Abbott said this week that under his government, the federal government would cut \$300 million from social services, including legal services for victims of domestic violence.

Murray Mallee Community Legal Service manager Lisa-Marie Stevens said the cuts would mean at least 150 victims a year missed out on assistance in the courts.

The service, run through Mallee Family Care, operated in its 10th year when it was forced to close its doors last month.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Helping victims

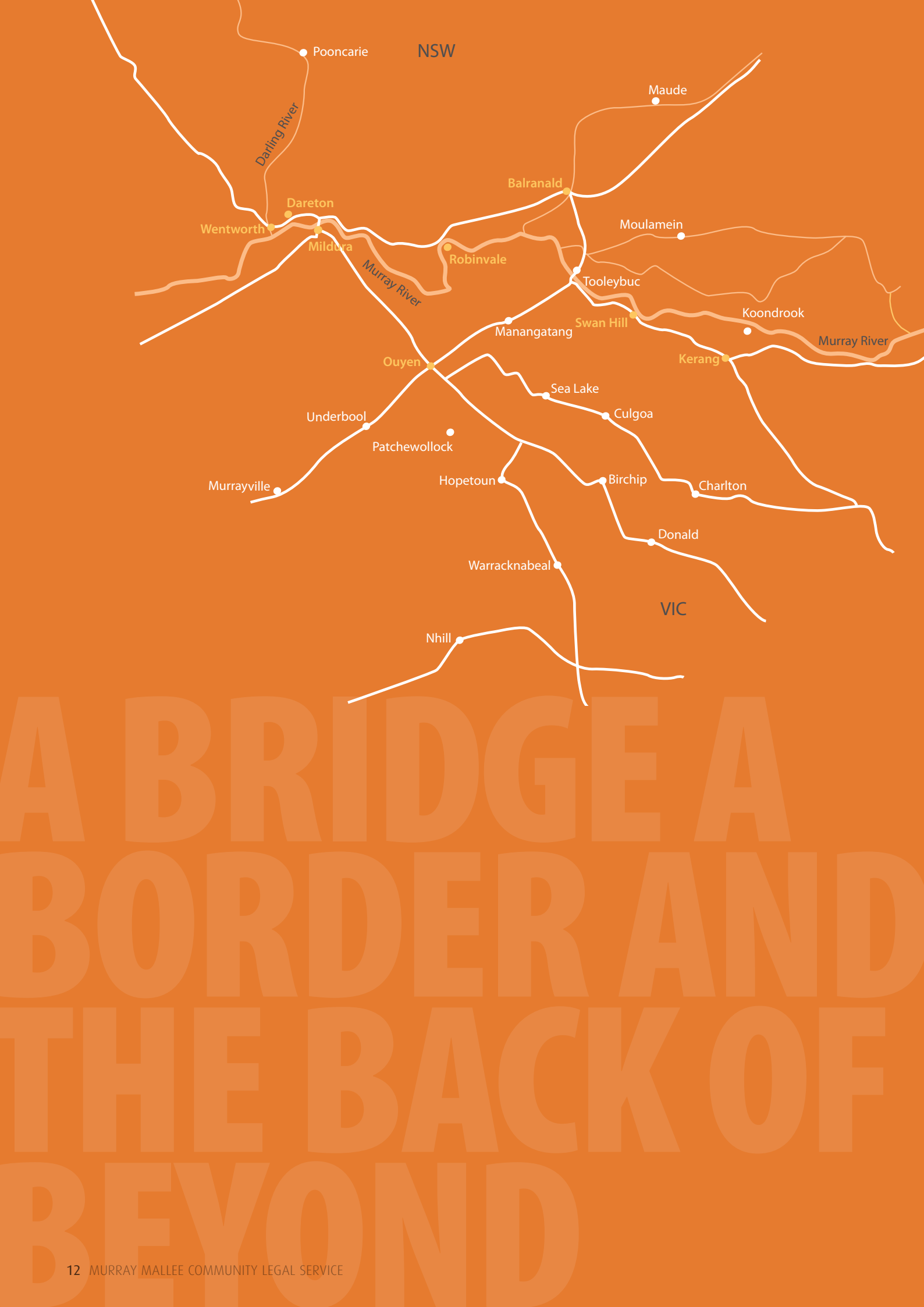
By Kaitlin Thals
kaitlinalthals@sunraysiaadaily.com.au

LABOR candidate for Mildura Shire Shire Council, Sharon Roberts, has welcomed a party promise to allocate almost \$25 million across Victoria for more services to help family violence victims.

With just seven days until the state election, Opposition Leader Daniel Andrews announced, if elected, Labor would provide funding to relieve short-term pressure on family violence services.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.

Stevens said the seminar was a good opportunity for artists to learn about legal advice and how to access it.



GEOGRAPHIC ANALYSIS OF THE MURRAY MALLEE COMMUNITY LEGAL SERVICE



Overview of Murray Mallee Community Legal Service Catchment

The catchment of the Murray Mallee Community Legal Service (MMCLS) can only be described as immense. Its coverage includes ten Local Government Areas (LGAs) and more than 100,000 square kilometres. The service proudly notes how, within the 2013-2014 financial period, its staff travelled 12,550 kilometres which would ‘almost get them the entire way around Australia’³. This provides a strong representation of the importance MMCLS places on outreach and its dedication to supporting the vast region that comprises its catchment.

The ten LGAs covered by MMCLS include; Mildura, Swan Hill, Balranald, Buloke, Gannawarra, Hay, Hindmarsh, Loddon, Wentworth, and Yarriambiack.

Monthly outreach services are provided to Swan Hill (now fortnightly), Wentworth and Robinvale. Although, Robinvale is only one hour from the town of Mildura, it has its own Court sitting dates as well as needs which are particular to its community and therefore requires a specialist response. It is also on the way to Swan Hill and so acts as an excellent opportunity to provide two outreach legal services during the same journey.

It is almost impossible to get a sense of the distance that the Murray Mallee Community Legal Service covers until it is explored in person. It is only through driving through the open fields and visiting the far flung, and often isolated, communities that you can truly understand the magnitude of the region.

An ethnographic experience of shadowing MMCLS staff during their outreach service reveals the challenges the organisation faces in providing legal services to such dispersed communities.

MMCLS covers a geographic region which is complicated by its cross-jurisdictional nature. Based in Mildura but bordering New South Wales, the lawyers of MMCLS work across the two States which requires additional legal knowledge both in terms of law and referral pathways. There is also the added Tri-State issue – South Australia only being one hour away and again the need for staff to understand different legislation and jurisdictions. The effectiveness of MMCLS in supporting such a large and complex region is the focus of the geographic analysis.

³ Murray Mallee Community Legal Service. Murray Mallee Community Legal Service Annual Report 2013-14.

Geographic Analysis – Research Methodology

In order to examine the effectiveness of MMCLS in responding to the legal needs across its broad catchment area along with areas for improvement, a geographic analysis was undertaken. The geographic analysis used quantitative and qualitative research methods. The first was an examination of CLSIS data to determine MMCLS’ service distribution geographically. The purpose of this stage was to evaluate the effectiveness of MMCLS in providing service coverage across its catchment area and identify any areas which were particularly under-served. It did so by looking at the residential location of all MMCLS clients including those who attended its outreach program. It examined the data over the past seven years to highlight service trends and also includes a ‘per 10,000 ratio’ to accommodate for small population sizes.

CLSIS data was used to examine MMCLS’ geographic distribution as well as the service gaps but, being quantitative in nature, was unable to explain why this was the case. A second research method was required to provide an explanation for the CLSIS findings. An online survey was developed for service providers which particularly targeted those areas which, according to the CLSIS data, were under-served by MMCLS. The survey was distributed to various service providers in the community and government sectors across the MMCLS catchment and particularly

targeted those areas with less MMCLS clients. Ninety-six people completed the survey.

Geographic Analysis – Exploration of Met Legal Need: CLSIS Data

The key finding from the CLSIS data was that the total number of clients supported by MMCLS has increased over the past seven years. This was found for virtually all the LGAs in the MMCLS catchment and demonstrates improved service across the board. The service improvement has been consistent over the seven year period except for a temporary drop in 2011/12. In terms of particular LGAs, MMCLS’ service delivery is, understandably, more centrally located in those areas within a closer proximity to the MMCLS office and where there

The fact that MMCLS has retained the same percentage of Mildura clients over the past seven years is a positive sign in terms of consistent service provision.

are larger population sizes. Some areas had notable client increases over the past seven years while others remained low or non-existent. The findings are outlined in detail to follow.

Predictably, the two largest LGAs in the region had the highest total number and percentage of MMCLS clients. The majority of the service’s clients came from Mildura where the MMCLS office is located. In 2014-15, 668 of MMCLS’ clients were residents of Mildura, amounting to 65% of all

clients. This equated to 126 clients per 10,000 residents. Considering that Mildura is the location of the MMCLS office as well as the largest LGA in the catchment, this result was to be expected. The high rate is further explained by MMCLS’ role as the only free, generalist legal service provider in the LGA.

The fact that MMCLS has retained the same percentage of Mildura clients over the past seven years is a positive sign in terms of consistent service provision. In saying this, a greater distribution to the outlying regions would be ideal. Although MMCLS is clearly committed to providing an outreach service, there are some challenges in doing so. Increasing service provision in the outlying areas would require greater resourcing in terms of funding,

staff and increased technological capacity. This should be an area for ongoing advocacy and exploration.

As the second largest LGA in the region as well as a specific outreach location, Swan Hill also had a significant MMCLS client cohort. In 2014/15, 14% of MMCLS’ clients were from Swan Hill with a total of 150 clients overall supported. The 2014/15 rate is lower than the 2008/9 rate of 21% but also an improvement since 2011/12 when there was a significant drop to 7%.

Client Numbers over 7 Years	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Mildura	291	345	424	292	541	626	668
Mildura - Percentage %	63	65	69	67	63	64	65
Swan Hill	100	92	60	32	112	128	150
Swan Hill - Percentage %	21	17	10	7	13	13	14
Wentworth	29	46	67	60	99	73	80
Wentworth - Percentage %	6.18	8.64	10.90	13.79	11.48	7.43	8

Once population is taken into account, the result is even more positive. In 2008/9, the rate of clients from Swan Hill accessing MMCLS was the equivalent of 48 per 10,000 which increased to 73 in 2014/15.

When considering the Swan Hill results, it also needs to be noted that MMCLS has not been the sole provider of free generalist legal services in Swan Hill.

In 2011, Loddon Campaspe Community Legal Centre (LCCLC) received a grant from the Legal Services Board of Victoria to conduct a three year research project into family violence in the Loddon Mallee region. Recognising the importance of this research for Swan Hill and the region, MMCLS and LCCLC formed an agreement to share the fortnightly IOSS duty lawyer service in Swan Hill. This allowed LCCLC to build the evidence for their research report, ‘Will somebody listen to me?’ published in 2015. Now that LCCLC’s research project has been completed, MMCLS is returning

to provide the fortnightly duty lawyer service in Swan Hill. With an increasing presence in Swan Hill, MMCLS is likely to see client levels rise and, predictably, return to previous levels.

The third highest client group comes from Wentworth, across the border in New South Wales. This makes sense as, although Wentworth is in another jurisdiction, it is very closely located to Mildura (approximately a 10 minute drive). It also includes the towns of Wentworth and Dareton which are both outreach locations for MMCLS. In 2014/15, MMCLS supported 80 clients from Wentworth which was 8% of all clients. This is a significant increase from the 29 who attended the service in 2008/9. When considered on a population scale, the outcome is even more notable. From, the number of per 10,000 people went from 42 to 116. The rate of 116 clients per 10,000 ratio is not far from the Mildura rate (126 per 10,000) and demonstrates the real impact MMCLS is making in these areas.

The geographic analysis also revealed notable improvements in service delivery in certain LGAs outside of Mildura, specifically Buloke and Gannawarra. Only two clients from Buloke attended MMCLS in 2008/9. In 2013/14 this increased to 21. In percentage terms, MMCLS clients from Buloke were 0.5% and 2% in 2013/14. When the population ratio is taken into account, the improvement is even more impressive. In 2008/9, there were 3 MMCLS clients for every 10,000 residents but this rose to 33 in 2013/14 – an increase of over 1000%. Unfortunately, this did drop in 2014/15 to 10 clients (less than 1% of all MMCLS clients). In spite of this, the upcoming establishment of a Mallee Family Care office in Buloke is expected to act as an outpost and referral pathway into MMCLS which will, consequently, increase client numbers.

There has also been an increase in Gannawarra clients. In 2008/9, 7 residents from Gannawarra accessed MMCLS which increased to 20 in 2014/15. When considered in terms of per 10,000 residents, this was estimated at 6 in 2008/9 and 20 in 2014/15. Considering, that the 'per 10,000 rate' in Gannawarra was 0.9 in 2011/12 and 2 in 2012/13, the increase to 20 in 2014/15 can be read positively. Although there is most definitely room for improvement in terms of Gannawarra, the signs are strong for increased service delivery in this area in the future.

In regards to actual client numbers, Balranald has remained relatively steady at around 0.60-1% of total clients. However, when examined in terms of a 'per 10,000 ratio' the client numbers have doubled over the past seven years. In 2008/9, MMCLS supported 12 clients per 10,000 whilst in 2013/14 this reached 25.

In comparison to the LGAs listed above, others had few or no clients accessing MMCLS. Only two clients (0.19%) came from Hindmarsh in 2014/15 and there was only one client for the years of 2013/14, 2011/12 and 2009/10. For the other years reviewed there were zero clients from this LGA. There were also low client numbers from Loddon. In 2014/15, there were zero clients from Loddon which was down from the three residents who accessed MMCLS in 2013/14. Other than one client in 2008/9 and another in 2012/13, no residents from

Loddon have accessed MMCLS in any of the other years reviewed. There were also low numbers of MMCLS clients coming from Yarriambiack. There were 3 clients from Yarriambiack in 2014/15, which equated to only 0.24% of all MMCLS clients and 4 per 10,000 residents. Lastly, the LGA of Hay had one client which is the only client who has accessed the service for the entire seven year period under review.

The low numbers of clients from these LGAs can be explained by their distance from the MMCLS office in Mildura. To provide a sense of distance, Loddon is 326 kilometres from Mildura, Hindmarsh is 314 kilometres, Hay is 293 kilometres and Yarriambiack is 253 kilometres. With such long distances to travel, it is understandable why residents would not access MMCLS in person.

It is MMCLS' understanding that those residents based in Hay attend legal services in Griffith, Wagga or Deniliquin (all based in NSW). Likewise, it is believed that residents from Loddon contact legal services in Bendigo for assistance. Yarriambiack residents are believed to attend Victoria Legal Aid in Horsham. Although MMCLS may not be the preferred legal service for these outlying areas, for reasons most likely due to location, they can still play an important role for matters where there may be a conflict of interest.

This would be a similar to the current partnership between MMCLS and Hume Riverina CLS based in Albury-Wodonga. Exploring partnerships in these areas with low client numbers is recommended.

Although MMCLS improved its service delivery and continues to do so, there is room for improvement, particularly in terms of the areas with low client rates. A technologically-enhanced service could be a possible solution. However, to identify the specific legal and service needs of these locations, further research is required. In this Interim LNA, an online survey provides a more in depth view of the quantitative data and some further details in relation to the outlying areas which are currently under-served. The findings of the survey research are included in the next section.

Geographic Analysis – Exploration of Unmet Legal Need: Online Survey

Although the CLSIS data provided an important overview of MMCLS' distribution of services across the region, it was unable to explain the legal needs of those clients and communities who had not accessed legal assistance (the 'unmet' legal need).

To delve into this level of analysis, an online survey was developed. The survey was distributed to service providers across MMCLS' catchment area in May 2015.



Clients in our furthest part of our catchment have to travel up to 5 hours return if they wish to see a person in relation to their legal concerns

health and family service provider for Mildura, Buloke, Yarriambiack



It was completed by a total of 93 respondents.

The primary purpose of the survey was to gather more detailed information on legal needs within the MMCLS catchment and whether the current level and form of legal service provision adequately meets these needs. This allowed for an exploration of service gaps. The survey also had a particular interest in the needs of those geographic areas who, according to the CLSIS data, were less likely to access MMCLS (specifically Loddon, Hay, Hindmarsh and Yarriambiack).

Although the majority of respondents were from Mildura (47%), there was a distribution of responses from across the region which allowed for the gathering of diverse voices and perspectives. The percentage of respondents from other areas in the catchment included Swan Hill (30%), Buloke (19%), Wentworth (15%), Gannawarra (9%), Yarriambiack (9%), Balranald (5%), Hay (4%), Loddon (3%), and Hindmarsh (3%). Out of the areas where MMCLS currently has a low client rate, Yarriambiack provided the highest number of responses while the other areas (these being Hindmarsh, Loddon and Hay) were quite low. Notably, the lack of

responses may be due to limited technological access in some of these areas. In the future it is recommended that a targeted, in-person approach is used for researching legal need in these locations.

All of the respondents were service providers, as this was the target group for the survey. The respondents predominantly worked in family services (25%) but also came from the fields of health (23%), education (14%) justice (8%), local government (6%) and housing (6%). Eight percent of respondents also described themselves as working for a general not-for-profit organisation.

The survey respondents were asked several questions relevant to the geographic analysis. These were in relation to the adequacy of legal assistance in their area, challenges they faced in accessing legal support, and the referral pathways they used.

Adequacy of Legal Assistance in the MMCLS Catchment

Survey respondents were asked to assess the adequacy of legal assistance in the area and identify service gaps. Out of the 93

respondents, only one quarter considered legal service delivery in the area to be 'adequate', with 75% classifying it as 'not adequate'. The respondents were asked to provide an explanation for their answer.

A high proportion of the respondents referred to the lack of resourcing for legal services in the area. They described legal service provision in the MMCLS catchment as 'Basically non-existent' (family service provider, Mildura), that 'legal need far outweighs demand' (legal service provider, Wentworth) and 'more is required to meet the needs of a growing area. Legal Aid support is limited' (general community service provider, Mildura, Wentworth, Swan Hill)

The omission of a Legal Aid office in the region was regularly highlighted. 'No Legal Aid available. Closest is Bendigo and usually by phone' (family service provider, Buloke, Gannawarra, Swan Hill). The impact of Legal Aid's absence was also noted, 'We do not have a Victoria Legal Aid Office in Mildura and the community relies on the NGO to provide the only free legal service in Mildura' (health service provider Mildura, Wentworth, Swan Hill). It is presumed that the NGO referred to here is MMCLS.

Isolated areas expressed the greatest difficulties in having their legal needs met. 'Being remote it is hard for the community to access services' (health service provider, Hindmarsh and Yarriambiack).

Limited legal services were particularly noted for the areas across the NSW border such as Wentworth and Dareton where the Indigenous population is high.

The need for those from more isolated areas to travel in order to access legal services was emphasised. *‘Clients in our furthest part of our catchment have to travel up to 5 hours return if they wish to see a person in relation to their legal concerns’* (health and family service provider for Mildura, Buloke, Yarriambiack). This was also noted by service providers in Hindmarsh, *‘We have to travel to get a legal service’* (neighbourhood house service provider) and in Buloke, *‘I know lots of people have to travel when legal issues arise’* (education service provider).

Although isolated communities can access legal support via phone, including through the Legal Aid Helpline, this was not the preferred option. A survey respondent from Hay stated, *‘We have telephone services available but it (sic) would be great to have more face to face services’* (general community service provider).

The preference for in-person service delivery was further expressed by a service provider based in Wentworth. *‘Isolated communities only have telephone based legal services, otherwise they have to travel which they often can’t afford. Phone service*

has its drawbacks and it (sic) often has time restraints. Country people, particularly low socioeconomic and under educated, prefer face to face meetings. They want to tell the whole story and ensure, by reading your face, that you understand what has transpired’ (family service provider).

Challenges in Accessing Legal Services in the MMCLS Catchment

A particular survey question asked the respondents to identify any challenges they had experienced in referring matters for legal assistance. Importantly, 43% of respondents were unsure of where to refer legal issues. This highlights a need to expand education and awareness-raising across the region on the role of legal services. It may also indicate that the lack of services, discussed above, and the restrictions involved with access (such as travel), may result in service providers being unsure which legal option provides the most suitable referral point. Legal services were also found to be too expensive (35%) illustrating the need for more affordable, preferably free, legal assistance in the area. There were also difficulties with opening hours (11%) and the phone service (10%). Other challenges mentioned were transport, waiting times, conflict of interest and Legal Aid eligibility criteria.

The challenges were also analysed by geographic area. Hay respondents were the most unsure of who to call (75%) followed by Loddon (67%) indicating the need for expanding community legal education into these areas. This was also identified as the greatest challenge for service providers in Balranald (60%) and Buloke (50%).

Loddon actually had high identification for most of the challenges, with 67% of respondents choosing opening hours issues, lawyers cannot assist, and legal services too expensive. Interestingly, 67% of Hindmarsh respondents and 55% of Yarriambiack respondents chose none of the provided options suggesting that there may be other issues in these areas which require exploration. For Gannawarra and Swan Hill, the key challenges lay with lawyers being unable to assist or too expensive.⁴ The survey option of ‘difficulties in accessing legal assistance’ was also chosen as the highest issue for Wentworth (50% of respondents).

There was no standout challenge for survey respondents in Mildura. However, interestingly, a third of the respondents (37%) were unsure of who to contact. Since MMCLS is located in Mildura, this is a surprising result, although it may be due to respondents seeking legal assistance for specialist legal issues which MMCLS is unable to support. Further exploration would

be useful here. Other challenges which were identified by around a third of respondents were services not being able to assist (35%) and too expensive (37%). It is important to note that 31% of respondents also chose ‘none of the above’ which may indicate a certain proportion of service providers are satisfied with current legal assistance in the area. Alternatively, this may mean that although the challenges listed were not identified, there may be others. In hindsight, and upon consideration of some of the comments provided in the survey, it would have been useful to ask respondents whether the limited number of legal service providers in the area and the under-resourced nature of these services posed a challenge. This is an important question for further research.

Legal Assistance Referral Pathways in the MMCLS Catchment

An examination of referral pathways found that MMCLS along with private practitioners were the primary referral point (each being chosen by 50% of respondents). It is well known in the region that, due to the absence of a Legal Aid office, private practitioners undertake the Legal Aid funded work and so this result is to be expected. The remaining results found 43% of respondents had referred to Legal Aid itself and 26% to Aboriginal Legal Services. Other community legal centres had been contacted by 17% of the respondents.

When the referral pathways were analysed on an area by area level, different results were found. In Hay, Hindmarsh, Loddon and Yarriambiack the majority of respondents (between 66 and 75%) referred to private lawyers. This correlates with the CLSIS findings which found less MMCLS clients came from these areas. Although the survey respondents are only a small sample, the finding does imply that private lawyers are the preferred referral point for these areas. Notably, other than Loddon where 100% of the respondents had referred to Legal Aid, the three other areas were unlikely to use this referral pathway.

Gannawarra and Buloke also preferred referring to private lawyers (78% and 50% of respondents respectively) and had equal rates of referral to Legal Aid. They were, however, much more likely to refer to MMCLS than residents from the areas mentioned above. In Gannawarra, 66% of respondents referred to MMCLS. In Buloke, the rate was 39%. Once again, this appears to reflect the CLSIS data findings that access to MMCLS appears to be growing in these areas.

Survey respondents in Balranald and Swan Hill appeared to refer more widely. In Balranald, all referral pathways were regularly utilised (Aboriginal Legal Services were used by 100% of respondents whilst private lawyers were used by 80% and MMCLS and Legal Aid

were both used by 60%). In Swan Hill, MMCLS had been referred to by 61% of respondents, Legal Aid by 68%, private lawyers by 54% and Aboriginal Legal Services by 35%. Interestingly, only 18% (5 respondents) said they had referred to other community legal centres. Due to the operation of Loddon Campaspe CLS’ IOSS duty lawyer program, one would have expected a higher result. This result may be due to the generic term of ‘community legal centre’ rather than referring to Loddon Campaspe CLC specifically.

Finally, in terms of Wentworth and Mildura, MMCLS is the preferred legal service provider. Out of the Wentworth respondents, 83% referred to MMCLS as compared to 58% to Legal Aid, 50% to private lawyers, 50% to Aboriginal Legal Services, and 42% to other community legal services. In Mildura, 65% of survey respondents referred to MMCLS followed by 50% who referred to both Legal Aid and private practitioners. The geographic location of the MMCLS office in Mildura (which is also close to Wentworth) is a strong explanation for this finding as proximity increases accessibility. Additionally, MMCLS’ regular outreach program to Wentworth would explain the preference of referring to this service.

⁴ In Gannawarra, 60% of respondents were challenged by lawyers being unable to assist and 60% found them too expensive. In Swan Hill, 46% of respondents were challenged by lawyers being unable to assist and 46% found them to be too expensive.



I have been provided very good service from Murray Mallee Community Legal Service but have heard of difficulties involved in accessing VLA’
mental health service provider, Swan Hill



Appraisal of Murray Mallee Community Legal Service

A number of service providers who had referred clients to MMCLS provided additional comments about their satisfaction with the service. There was no specific question asked in relation to MMCLS’ service provision so these comments were instigated by the respondents themselves.

‘I am always successful in getting a timely appointment for clients through the MFC service’ (family service provider, Swan Hill)
‘Professionally I have been able to access Murray Mallee Community Legal Service several times and always been provided prompt and more than adequate support’ (health service provider, Swan Hill).

‘I have been satisfied with the availability of services available through Murray Mallee legal service through Mallee Family Care for vulnerable clients’ (health service provider, Swan Hill)

‘I have been provided very good service from Murray Mallee Community Legal Service but have heard of difficulties involved in accessing VLA’ (mental health service provider, Swan Hill).

‘Very happy with the services provided by the Murray Mallee Community Legal Service’ (justice service provider, Mildura)
There were no negative comments made in relation to the provision of legal services by MMCLS.

The research findings from the survey suggest that it is not the quality of the legal service provision itself which is of concern. Rather, unmet legal need appears to be due to limited resources which do not adequately meet the legal needs of the region. Within the Murray Mallee region, there are limited legal services available and the issue of isolation and preference

for in-person rather than phone advice creates particular challenges for those residing in outlying areas. The survey results further affirm the findings from CLSIS that the limited resources have led to certain locations in the region being particularly under-supported.

Although the positive appraisal of MMCLS’ services demonstrates the pivotal role it plays in providing community legal services across the region, it cannot distract from the broader context of high levels of legal need which are under-supported. The absence of Legal Aid in the region is a strong theme which resonates throughout the results. In the next section, the legal needs of particular clients from different demographic groups is examined.

DEMOGRAPHIC ANALYSIS OF THE MURRAY MALLEE COMMUNITY LEGAL SERVICE

Demographic Analysis – Research Methodology and Limitations

According to the Assessment Tool developed by Judith Stubbs and Associates in the Legal Needs Assessment Framework (LNAF), certain indicators are demonstrative of likely legal need. This is obviously not a pure science as these indicators are just what they claim to be – indicative. In other words, they are not determinative of actual legal need. However, they do provide us with a sense of what demographics we should expect to see in MMCLS’ CLSIS data if the service is supporting groups with predicted levels of high legal need.

The Interim LNA used the LNAF indicators as a guide for assessing the effectiveness of MMCLS in reaching clients who are more likely to have legal need based on their demographic factors. Specifically, the literature identified the following

indicators as having relevance in the MMCLS catchment area – Ethnicity; Disability; and Indigenous background. These indicators have been reframed for the purposes of this paper to Culturally and Linguistically Diverse (CALD) background; Disability; and Aboriginal and Torres Strait Islander background. Due to particular issues for both ageing and young populations in the MMCLS catchment, the Interim Legal Needs Analysis also examined the service’s support of clients from within these age categories. In addition, considering the importance of reaching those clients with the greatest need for a free legal service, it was seen as beneficial to examine MMCLS’ ability to support clients from a low socio-economic background.

In order to explore the presence of these indicators in the region, a literature review was undertaken. Unfortunately, the literature on this topic was limited and dispersed. For some indicators, there was significant literature which was up to date and useful. For others, it was limited to a particular location or group or was significantly out of date. An outline of the data collected is provided below. In order to assess the effectiveness of MMCLS in supporting clients from the demographic groups with the greatest likelihood of legal need, CLSIS data was once again used. Data from the online survey was used, where relevant, to ‘flesh out’ the research findings and provide greater context.

By relying on the available literature and CLSIS data, there are limitations on the conclusions which can be drawn. Although the Interim LNA’s Demographic Analysis provides important baseline data and insights, it is not a comprehensive account. This is a notable limitation of relying on secondary research methods. In order to truly understand the effectiveness of MMCLS in reaching groups with high legal needs in the region, a fully funded LNA is required which would use primary research methods such as more targeted surveys, file reviews, interviews with specialist service providers, community consultations and focus groups.

Demographic Analysis – Research Findings

1 Assessing Indicators of Legal Need: Socio Economic Status (SES)

A pronounced level of low socio-economic status was found in certain corners of MMCLS’s catchment. This was revealed through an analysis of the region’s SEIFA ranking, rates of employment/unemployment, income levels and food insecurity. Notably, the data here is sporadic and could not be obtained for the entire region. Further research is required in order to obtain more comprehensive data. The Social Economic Indexes for Areas (SEIFA) rankings are a nationwide system used by the Australian Bureau of Statistics to identify and grade the socio-economic status of

Local Government Areas across Australia. SEIFA 2011 was used as the key data source for identifying the socio-economic status of LGAs within the MMCLS catchment.

According to SEIFA, a number of the LGAs within the MMCLS catchment area were ranked highly in terms of low socio economic status. Mildura LGA features in the top 20-40% of Australia’s most disadvantaged areas (ranked 117th in Australia) and has the third highest level of disadvantage in Victoria. In terms of Victorian rankings, Mildura was followed by Loddon (4th in Victoria; 122nd in Australia), Hindmarsh (6th in Victoria; 131st in Australia), Swan Hill (12th in Victoria; 182nd in Australia), Gannawarra (13th in Victoria; 187th in Australia), Yarriambiack (16th in Victoria; 195th in Australia), and Buloke (22nd in Victoria; 233rd in Australia). For those LGAs based in New South Wales, the rates were lower in terms of State rankings but actually higher when compared nationally. Hay had the highest ranking out of MMCLS catchment in NSW (21st in NSW; 97th in Australia) followed by Balranald (33rd in NSW; 133rd in Australia) and Wentworth (65th in NSW; 215th in Australia). Notably, once the Australian rankings are reviewed it can be seen that Hay actually has higher levels of socio economic disadvantage than Mildura according to SEIFA.

With three of the LGAs being in the top 10 SEIFA rankings in Victoria and the other four in the top 25, it can be concluded that MMCLS has one of, if not the most, disadvantaged catchment areas within the State of Victoria. In terms of NSW, the low socio-economic status of the LGAs included in MMCLS’ catchment over the border was evident once the Australian rankings were taken into account.

Socio-Economic Status: SEIFA Rankings

Victoria
Mildura (3)
Loddon (4)
Hindmarsh (6)
Swan Hill (12)
Gannawarra (13)
Yarriambiack (16)
Buloke (22)
NSW
Hay (21)
Wentworth (65)

Economic status was also assessed through the indicator of employment. Employment was found to be an issue in certain parts of the region with the unemployment rate higher than the State average. In Mildura, the unemployment rate was 7% in 2011⁵. This was found to be a particular issue for young people (aged 15-24 years) across the region with more than 15% unemployed in the North West region⁶. In mid-2014, the ABC reported that 42% of the Aboriginal male population in Dareton were found to be unemployed⁷.

A large wealth gap was also found in the LGA of Mildura. At the one end, during the 5 years leading up to 2011, the number of high income families increased by 5.6 percentage points⁸. Further, the percentage of long term

residents earning over \$1,000 per week increased by 10-17%⁹. However, this group appears to be the minority. On average, residents had a lower income than that of the surrounding region and State. For instance, in Mildura the average person earned \$515 per week and more than half the population earn less than \$400 per week¹⁰. This is a significant difference to \$613 per week in the Loddon Region and \$749/week in Victoria¹¹. Swan Hill also had low rates of income at \$582 per week¹². Even worse was the rate in Wentworth/Dareton at \$259 per week¹³.

Low socio-economic status is also reflected in the high level of food insecurity in the region. ABS data shows that 9% of the Mildura community experienced food insecurity at least once in the previous year while in Loddon

it was 7.1% and in Victoria 6%¹⁴. The level in Mildura is therefore almost double that of the State average. Food insecurity was average in Swan Hill (5%) and could not be identified for the other LGAs¹⁵.

Based on the data above, low economic status is an indicator for legal need in the MMCLS catchment area. As such, the following analysis of MMCLS’ CLSIS data should reflect that the service is supporting clients who can be classified as being of low socio-economic status.

⁵ Australian Bureau of Statistics. (2011). Census of Population and Housing.
⁶ Australian Bureau of Statistics. (2011). Census of Population and Housing. This data specifically comes from the area on youth employment and study.
⁷ King, C. (2014). ‘Aboriginal jobs program in far west NSW getting results’, ABC News, 28/5/2014.
⁸ Mildura Rural City Council. (2012). Mildura Social Indicators Report.
⁹ Mildura Rural City Council. (2012). Mildura Social Indicators Report.
¹⁰ Australian Bureau of Statistics. (2011). Census of Population and Housing.
¹¹ Australian Bureau of Statistics. (2011). Census of Population and Housing.
¹² Australian Bureau of Statistics. (2011). Census of Population and Housing.
¹³ Australian Bureau of Statistics. (2001). Census of Population and Housing. Please note that the Wentworth/Dareton data was from 2001 as the 2011 Census did not record income rates for small areas.
¹⁴ Victorian Department of Health. (2011). Victorian Population Health Survey 2011-12.
¹⁵ Victorian Department of Health. (2011). Victorian Population Health Survey 2011-12.

Analysis of MMCLS Client Demographics by Socio-Economic Status

MMCLS' Clients Income Level

CLSIS data indicates that MMCLS is doing an excellent job in targeting and prioritising low income clients. In 2014/15, 84% of MMCLS generalist clients were low income and only 1.4% were high income earners. There was an increase in medium income clients from 9% in 2011/12 to 14% in 2014/15.

In terms of FRC, the majority of clients in 2014/15 were also from a low income background (83%) and 16% from a medium income background. Importantly, there has been a notable improvement over the last few years with high income reducing from 5% in 2009/10 to 0.4% in 2014/15.

MMCLS' Women's Services were particularly successful at engaging low income clients in 2013/14 and 85% from a low income background. There was 15% from a medium income background.

There was approximately the same rate of low income earners in MMCLS' IOSS program (82%) and the rate of high income earners was low (1.6%). Medium income earners were 15% of all clients.

Whether there needs to be a focus on engaging more low income clients would depend on the nature of the medium income cases which are being supported. These cases may be strategic (for instance there have been notable scam cases in the region) or involve clients who have an income but experience other barriers to accessing justice which require the support of a community legal centre.



Two CLSIS data sets were reviewed to identify the socio economic status of MMCLS' clients, these being income level and income source.



2014/15 Recent Data;

Client Source of Income (Generalist)

68% Pension
29% Earned
0.7% Other
0.9% No Income
1% Not stated

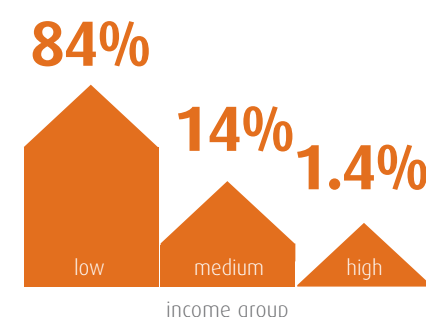
Rural Women's Outreach Program;



REMAINED
CONSISTENT
from 2013/14

Total Advices 145
Total Case Opens 34
Total Number of Clients 174

Client Income Levels (Generalist)



MMCLS' Clients Income Source

Income sources for generalist clients in 2014/15 were mostly from Government pensions (68%) with some from earnings (29%). For those clients accessing the MMCLS Women's Service, there were a higher number of clients whose main income source was pensions (77%) and almost a quarter from earnings (23%). In terms of IOSS, pensions (69%) were also a more common income source than earnings (28%) and this was also the case for FRC (67% from pensions and 30% from earnings).

There could be some room to increase the number of Government pensions but it needs to be recognised that although some clients are earning, this may be in terms of casual or seasonal work, thereby creating a low and/or inconsistent income. The high number of low income earners noted in the section above suggests that this would be the case. The fact that there is still a large percentage of clients on Centrelink is a good indication of MMCLS meeting the legal needs of low income earners. If further resources were available, it would be worthwhile undertaking a case file analysis of the income earners to identify the sources of the income and how many were actually stably employed.

2 Assessing Indicators of Legal Need: Clients from Culturally and Linguistically Diverse (CALD) Backgrounds

Data on the cultural and linguistic diversity within the region was acquired for the LGAs of Mildura (specifically the towns of Mildura and Robinvale) and Swan Hill. It was not found for other LGAs in the catchment, which may be due to these areas having lower CALD populations or less data being collected in those areas.

In 2014, Mildura was identified as the most culturally diverse provincial city in Australia.¹⁶ One possible reason for this is Mildura Rural City Council's very strong Cultural Diversity and Inclusion Strategy 2012-2017 and Skilled Migration Program since 2005. Out of Mildura residents, 19% were found to be born overseas.¹⁷ Although this is not particularly high, when you consider the number of new settlers arriving in Mildura on humanitarian visas (36%) the LGA is ranked as the second highest number in the State.¹⁸ It should be noted that there is a reluctance for newly arrived residents to participate in the Census and so this may impact on the findings.

The top five overseas countries of birth for residents in Mildura are England (2%), Italy (1.5%), New Zealand (1%), Turkey (0.8%) and India (0.5%). There is also a growing Samoan community (0.3%).¹⁹ The number of people who speak a language other than English is 8%.²⁰ In terms of new migrants specifically, the majority arrived from India, Afghanistan and the United Kingdom, with one third speaking English as their major language (therefore leaving two thirds who would need interpreter assistance as well as English classes).²¹ The Afghani group was released from Christmas Island around 2010²² and has been described by AMES as 'blooming'.²³

In the broader region, Robinvale has an incredibly high level of cultural diversity with 37% of the population being born overseas with the primary groups being from Tonga, Vietnam, New Zealand and Thailand.²⁴ Almost one fifth (18%) of Swan Hill's population were born outside Australia. There was a particular increase in migrants from South East Asia with a growth of more than 500 residents between 2006 and 2011, half of these coming from India.²⁵ There has also been an increase in languages spoken other than English with Italian, Tongan and Punjabi being the most spoken. Between 2006 and 2011, the number of residents speaking Punjabi increased from 23 to 181.²⁶

¹⁶ Smith, L. (2014). 'Proud of Cultural Diversity', Sunraysia Daily, 20/6/2014.

¹⁷ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

¹⁸ Victorian Department of Health. (2013). Mildura Statistical Profile.

¹⁹ Mildura Rural City Council (2009). Mildura Regional Economic Profile.

²⁰ Mildura Development Corporation. (2014). 2014 Regional Overview Mildura-Wentworth.

²¹ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

²² Mildura Rural City Council. (2012). Mildura Social Indicators Report.

²³ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

²⁴ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

²⁵ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

²⁶ Swan Hill Rural City Council. (2013).The Swan Hill Region Workforce Development Strategy.

Interestingly, a PhD conducted by Gayle Farnsworth noted that ‘The Robinvale community is poorer, more multicultural, less educated, has more unemployment, is younger and has lower rates of home ownership than Mildura or Swan Hill’.²⁷ In conclusion, Robinvale is an area whose cultural diversity should be noted in providing legal services.

Analysis of MMCLS Client Demographics by Culturally and Linguistically Diverse Background

It is very difficult to ascertain how effectively MMCLS is supporting the legal needs of the CALD communities in its catchment based on CLSIS data alone. This is because CLSIS only collects data on the level of ‘English proficiency’ of the client. Data items such as English proficiency being ‘not well’ or ‘well’ could be determined in really different ways. For instance, it may mean the client has minimal literacy rather than speaks English as a second language. The only piece of data which has relevance is when English is spoken ‘not at all’, although this may also be due to other reasons. Regardless, the ‘not at all’ clients attending the service is very low – 0.65% of all clients services in 2014/15. A review of the files (or a different

method of recording the number of CALD clients from now on) is required to truly know whether this legal need has been met.

3 Assessing Indicators of Legal Need: Clients from Aboriginal and Torres Strait Islander Backgrounds

The literature review found a high Aboriginal and Torres Strait Islander population in the MMCLS catchment area. In Mildura and surrounding area, the traditional Aboriginal owners are the Latje Latje and Wergaia people. Across the border in Wentworth, NSW, the native land belongs to the Barkindji, Maraura and Kereinji people. In Swan Hill, the Aboriginal community is that of the Wemba-Wemba people and Wati-Wati people. Research on the LGA of Hay mentions both the Nari Nari and Wiradjuri people. Balranald is located on the traditional country of the Mutthi Mutthi people. The research was unable to identify the Aboriginal populations for the LGAs of Loddon, Yarriambiack or Hindmarsh. It is important to acknowledge the diversity of the Indigenous communities who live across this region.

In 2014, Mildura was found to have the second highest Aboriginal and Torres Strait Islander population in the State of Victoria at 4%.²⁸

This was a 66 per cent growth in the ten years since 2001.²⁹ Swan Hill has a similar rate at 4%. Robinvale had more than double this rate at 9.5% and over the border in NSW, Wentworth (LGA) had 9%.

It should be noted that the ABS has predicted a 5% undercount by Aboriginal and Torres Strait Islanders. This was further affirmed by the Mallee Family Care Office in Robinvale, who reported a trend in Aboriginal communities of avoiding Census out of fear that they were being monitored and that the data collected would be provided to Centrelink. With this in mind, the numbers could be significantly larger than those reported above.

Regardless, the catchment area of MMCLS has a significant proportion of Aboriginal and Torres Strait Islander residents which should be reflected in the service numbers. However, it should also be noted that there are specialist Aboriginal Legal Services operating in the region (the Victorian Aboriginal Legal Service and the Aboriginal Family Violence and Prevention Legal Service) and, therefore, less clients may access MMCLS if their legal needs are being met elsewhere.

Analysis of MMCLS Client Demographics by Aboriginal and Torres Strait Islander Background

The majority of MMCLS clients are from a non-Aboriginal or Torres Strait Islander background (87%). However, it is still really pleasing to note that in 2014/15, 12% of MMCLS’ generalist matters were for clients who identified as Aboriginal and/or Torres Strait Islander. This is more than double the proportion of Aboriginal and Torres Strait Islanders residents in the Mildura and Swan Hill areas (both rated at 4%)³⁰ and is also higher than the population rates in Robinvale and Wentworth (both rated at 9%).³¹ The only area where the ratio of population to client is disproportionate is Dareton at 33%.³²

It is impossible to correlate the Aboriginal and Torres Strait Islander clients accessing MMCLS and their location of residence based on CLSIS data alone. In order to explore where they reside, a case file review would need to be undertaken. In terms of overall numbers, however, MMCLS seems to be successfully supporting the legal needs of the Aboriginal and Torres Strait Islander communities within their catchment.

It is important to acknowledge that Aboriginal and Torres Strait Islander communities are known to have higher levels

of legal need³³, so it is not overly surprising that their proportion of the MMCLS client group is higher than their percentage rate of the population. However, considering the existence of specialist Aboriginal and Torres Strait Islander legal services in the Murray Mallee region who only work with this client group, and would presumably support most of the clients, the rate of Aboriginal and Torres Strait Islander clients accessing MMCLS should be considered a very positive reflection on the service’s ability to meet the legal needs of this population.

4 Assessing Indicators of Legal Need: Clients with Disabilities

The Department of Health in Victoria provides rates of ‘severe and profound disabilities’ for its LGAs. Although the average rate for Victoria is 4%, it is higher for the LGAs within the MMCLS catchment. The rates are Swan Hill (4.5%), Gannawarra (5%), Mildura (5%), Hindmarsh (5.4%), Buloke (5.4%), Loddon (6.1%) and Yarriambiack (6.8%). It was also found that the town of Mildura has a high level of residents on the disability support pension (67 per 1,000) which is followed by the rates in Ouyen (64.5) and Millewa/Red Cliffs (63). Unfortunately, similar data could not be acquired for the LGAs based in NSW (Balranald, Hay and Wentworth). This should be explored further in future research.



The rate of Aboriginal and Torres Strait Islander clients accessing MMCLS should be considered a very positive reflection on the service’s ability to meet the legal needs of this population.



Analysis of MMCLS Client Demographics by Disability

A third of MMCLS clients have consistently identified as having a disability since 2009/10. In 2014/15, the rate was 31%.

The rates were around the same for IOSS (28%) but higher for the women’s program (54% - a 20% jump) and less so with FRC (17%). Maintaining this number of clients with a disability demonstrates MMCLS’ consistent success in supporting this client group.

²⁷ Malcolm, S. (2015). ‘Sunraysia towns struggling to keep migrant women’, ABC News, 30/1/15.

²⁸ Victorian Department of Health. (2014). Local Government Area Profiles.

²⁹ Napthine, D. (2014). ‘Working together to close the gap in Mildura’. [Media Release]. 29/6/14.

³⁰ Australian Bureau of Statistics. (2011). Census of Population and Housing.

³¹ Australian Bureau of Statistics. (2011). Census of Population and Housing.

³² Australian Bureau of Statistics. (2006). Census of Population and Housing.

Unfortunately, Dareton was not examined for the 2011 Census and so no data is available for that period.

³³ NSW Law and Justice Foundation. (2013). ‘Legal needs of Indigenous people in Australia’, Updating Justice, Issue 25.

In terms of disability type, MMCLS' generalist services predominantly supported clients with physical disabilities (97 clients) with psychiatric disabilities being the second largest group (68 clients). For other areas such as the Women's Service, IOSS and FRC the numbers were evenly distributed between physical and psychiatric disabilities. This indicates the importance of ensuring that MMCLS offices are easily accessible by people with physical disabilities and also that all staff receive regular refresher training in supporting clients with psychiatric disabilities. It also suggests that linking in with organisations who support these client groups will be vital to ensuring that MMCLS provides a best practice service to this cohort to assist them in accessing justice.

5 Assessing Indicators of Legal Need: Ageing Clients and Young People

There is substantial evidence of an ageing population within MMCLS' catchment. Additionally, the research has identified that young people within the region are often marginalised. Both of these age groups are known to face significant barriers to accessing justice. As such, it is important to examine how effectively MMCLS is responding to younger and ageing cohorts.

Ageing population

The demographic analysis found that the MMCLS' catchment has an ageing population, with the fastest growing age segments being 80-84 years, 45-49 years and 55-59 years. The number of Mildura residents aged over 80 years went up by 30% between 2006 and 2011.³⁵ Certain communities have a very high number of aged residents. Ouyen/Walpeup is 43.8 years and Mallee Track is 46.8 years.³⁶ Considering the ageing population in the region, it is worthwhile analysing whether MMCLS is providing support to this particular group.

How effective is MMCLS in supporting Ageing Clients?

CLSI data indicates that MMCLS responds well to an ageing populace. In terms of those clients accessing the generalist service, those in the 65+ age group has increased by 6% in the past seven years to 13% of all clients in 2014/15. In the 50-64 age group the numbers are very positive at a rate of 31%. This is a very good result, particularly considering that the ageing population is a smaller age group within the region (those aged 80 plus made up 4% of Mildura's population in 2006). They are theoretically less likely to have legal issues (other than wills and estates and elder abuse).

In terms of the Women's Service, the numbers are lower for the older client cohorts. However, this is to be expected as most family related legal issues will occur at separation. The median age of divorce for men is 44.8 years and 42.2 years for women.³⁷ This trend was reflected in the data for the Women's Service where clients aged 35-49 made up 46% of the client base, which then dropped to 31% for those aged 50-64 and significantly decreased to 8% for those clients aged over 65 years. The trend is even more noticeable for the FRC program where the percentage of clients accessing the program at the age 35-49 (49%) dropped suddenly for those aged 50-64 (9%), and again for those aged over 65 years (0.80%). Interestingly, the 18-34 age group for IOSS was more significant (36%) which increased slightly for 35-49 years (38%), but then dropped for 50-64 years (17%) and once more for those aged over 65 (7%).

MMCLS' data on ageing clients appear positive, especially in regards to their generalist services. However, it would be worthwhile considering ways in which MMCLS' service delivery to older populations could be enhanced. This would be worth exploring in a more in depth LNA through the use of focus groups and interviews with services that specialise in working with ageing populations.

Young People

It is difficult to determine the level of disadvantage experienced by young people across the MMCLS catchment. However, data from specific LGAs in the region indicate that it is significant. For instance, in Mildura, 30% of 17-24 year olds are not attending school, and, out of these early school leavers, only 54% were engaged in work or training opportunities.³⁸ In Swan Hill, Buloke and Gannawarra, there is also a high level of youth disengagement. Although the number of disengaged young women aged between 15-19 has dropped in these areas (a positive trend), this is not the case for young women aged between 20-24 who are the most likely segment to be neither in employment or education.³⁹ They equate to 25% in Swan Hill, 26% in Gannawarra and 9% in Buloke.⁴⁰ Further, although the rates of disengagement for young men in Gannawarra reduced for both 15-19 year olds and 20-24 year olds, it increased in both Swan Hill and Buloke.⁴¹ The increase of disengagement for Buloke men aged 20-24 years was particularly pronounced, rising from 6.7% in 2001 to 16.3% in 2011.⁴² Many of the disengaged youth are early school leavers from an Indigenous background.⁴³

Agencies in the Swan Hill area estimate that this group consists of about 100 individuals at any one time.⁴⁴

With a significant number of young people in the region either moving into the workforce early or, alternatively, relying on Centrelink, we can predict potential legal issues arising for this group. For instance, new workers may face issues in the area of employment law. This is especially so in a community where a lot of work is linked to the fruit industry, and certain operators in this industry have recently been found to breach workers' rights. In early 2015 there were reports of fruit workers being paid as little as 60 cents per hour.⁴⁵

Young people on Centrelink may also experience legal issues relating to social security. MMCLS has reported a number of scams in the region which may result in consumer law matters. The current scam which recruits people for an online education course could easily target disillusioned young people who are trying to determine the next step in their career path (see next section for further details).

How effective is MMCLS in supporting young people?

Although very few young people aged under 17 years are accessing MMCLS (it was 0.9% in 2014/15), this is not surprising as most would still be school and living at home, thereby reducing their likelihood of legal issues. In terms of the next age cohort (18-35 years), unfortunately it is not possible to identify the legal issues for the 18-25 age group specifically and thus we cannot draw relevant conclusions from this data. This would be an area worth exploring through a random case file review to see how many younger clients are accessing the service. It would also be worthwhile running focus groups and interviews with young people in the area to identify their key legal issues and information needs. Notably, MMCLS has developed and implemented targeted programs for young people in its region. This is demonstrated through its youth-focused community legal education program which is discussed in further detail below.

³⁵ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

³⁶ Mildura Rural City Council. (2012). Mildura Social Indicators Report.

³⁷ Australian Bureau of Statistics. (2013). Marriage and Divorces, Australia.

³⁸ Australian Bureau of Statistics. (2006). Census of Population and Housing.

³⁹ Murray Mallee Local Learning and Employment Network. (2014). MMLLEN Environmental Scan.

⁴⁰ Murray Mallee Local Learning and Employment Network. (2014). MMLLEN Environmental Scan.

⁴¹ Murray Mallee Local Learning and Employment Network. (2014). MMLLEN Environmental Scan.

⁴² Australian Bureau of Statistics. (2011). Census of Population and Housing.

⁴³ Murray Mallee Local Learning and Employment Network. (2014). MMLLEN Environmental Scan.

⁴⁴ Murray Mallee Local Learning and Employment Network. (2014). MMLLEN Environmental Scan.

⁴⁵ Brennan, B., & L. McNally. 'Fruit picking industry operator investigated over claims of sexual harassment, bullying in Mildura', ABC News, 6/01/2015.

SOLVING PROBLEMS - LEGAL MATTER ANALYSIS OF MURRAY MALLEE COMMUNITY LEGAL SERVICE

In addition to considering MMCLS' geographic distribution and ability to reach key demographic groups, there is a third level of analysis which is required. Specifically, it is vital to assess MMCLS' ability to respond to the most pressing legal issues in its catchment. This is the third point of inquiry for the Interim Legal Needs Analysis.

It is difficult to ascertain which issues can be classified as the most important in the region. The best research method for determining this would be through the use of focus groups with both local services and the community, as well as a widely-distributed survey. These methods are recommended for future research.

For each indicator, a list of likely legal problem types is included. The difficulty is that all of these socio-demographic indicators are prevalent in the catchment area for MMCLS. This means that, in essence, MMCLS should be covering all the legal issues for all of these groups equally. As the only free, generalist legal assistance service in the catchment, MMCLS does provide support for a wide range of legal problems. The challenge is determining which of these legal issues are priority and therefore should be supported more often by MMCLS. The LNAF Assessment Tool provides no guidance for prioritisation.

As there was no capacity within the Interim LNA to undertake focus groups, it was necessary to use another method for analysis. The LNAF provides an Assessment Tool for identifying potential legal issues from within a particular geographic area.

The LNAF Assessment Tool uses socio-demographic indicators to predict which legal issues are most likely to exist in the CLC's catchment. It includes the following socio-demographic factors: lone parent; victim of crime; cohabiting with children;

disability/chronic ill health; Indigenous; on benefits; social renter; private renter; age categories, 5-24, 25-34, 35-44, 45-54 and Ethnicity.

To determine this, the MMCLS online survey was used. Survey respondents were asked to choose the issues which they considered to be the 'top three legal issues' in their area. They were provided with the list of legal issues drawn from the LNAF Assessment Tool and were also given the opportunity to choose other legal issues which were not listed.

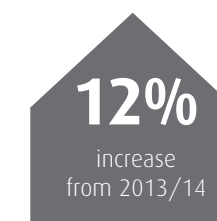
Family violence was identified as the top legal issue by 39% of survey respondents. This was followed by family law (22% of respondents) and drug-related offences (9% of respondents) which was under the broader category of 'other'.

It is unclear what type of offences 'drug-related offences' is referring to. It could be drug acquisition, drug use or offences that occur whilst the client was drug-affected. This is an area requiring further exploration. The fourth priority legal issue was crime against the person (5% of respondents) and the fifth was crime against property (4% of respondents).

When examined against CLSIS, MMCLS is found to have very good response rates for family violence and family law. This was based on an assessment of both MMCLS casework and advices. In 2014/15, family violence was over a third (34%) of all MMCLS casework and 67% of all family law cases. This was a notable improvement from 2008/09 when family violence was 4% of all case work and 8% of all family law cases. In terms of advice, family violence was 7% of all advices and 18% of family law advices in 2014/15. The broader area of family law was 44% of all advices and 17% of all casework in 2014/15. The advice rate was consistent in the seven years prior whilst the casework rate had dropped from 33% in 2008/9.

CLSIS does not allow for the examination of drug-related offences. This would need to be

Family Violence Victims (2014/15)



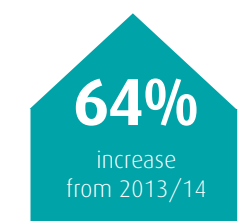
167 Total Supported
47 Advices
152 Case Opens
136 at Local Courts as part
of the Intervention Order
Support Service program

examined through a case file review. In terms of MMCLS' support for criminal matters, the rates are much lower. Crimes against property were identified as issues in 7% of all advices (only 1% more than in 2008/9) and 2% of all cases (a 15% drop from 2008/9 when the rate was 17%). In terms of crimes against the person, these were 2% of all advices (up from 1% in 2008/9) and 0.3% of all cases which was approximately the same rate in 2008/9. This can be explained by the fact that most of these matters are supported by private solicitors who specialise in criminal law.

In hindsight, there are limitations with the question asked in the survey regarding legal problems in the MMCLS catchment. Does 'top three legal issues' refer to the most prevalent or the most pressing legal issue? The question could be interpreted in various ways, and, as a result, the answers may not be an appropriate reflection of the situation. This further confirms the role of focus groups as a more suitable forum for exploring this topic.

It is important to note that the role of a community legal centre is not only to respond to those issues which are most prevalent, but also support problems which

Family Relationship Centre/Community Legal Centre Partnership (Family Law 2014/15)



Total Advices 232
Total case opens 24
Total Number of Clients 218

are of local importance. This can also be referred to as strategic legal practice. Over the three previous financial years (2012/13, 2013/14 and 2014/15), MMCLS has used its strategic legal practice to respond to pressing community issues. In 2012/13 and 2013/14 this involved supporting members of the local community who have signed up to unfair contracts with lenders, specifically Zaam Rentals and Make It Mine. Consumer rental scams such as these can particularly affect those members of the community who already experience various forms of disadvantage. MMCLS responded to this issue by providing legal advice and community legal education as well as working in partnership with ASIC to support their investigation. Further information can be found in the MMCLS Annual Reports for 2012/13 and 2013/14.

In 2014/15 the focus of MMCLS shifted to respond to a significant number of clients who were misled into signing agreements to undertake tertiary study and, therefore, acquire FEE HELP debts. A large number of these clients were from an Aboriginal and/or Torres Strait Islander background.

Following, an MMCLS lawyer describes the situation and explains how this was resolved.

“

Several clients attended MMCLS describing that they had been approached by door to door marketers offering “free laptops” if they signed up for online courses. The clients signed some paperwork but the particulars of the paperwork were not explained by the marketers. The clients were concerned this might be a scam and sought some advice from MMCLS. The clients were left with some brochures for private educational institutions. It appeared that the clients had been signed up for diploma level courses and VET FEE-HELP loans. I liaised with a range of institutions mentioned in the material provided by the clients. I sought information about whether the clients were enrolled in a course, and if so, seeking immediate withdrawal for the course and remittance of any VET FEE-HELP loan. After protracted negotiations with several institutions and their legal representatives, we were able to achieve satisfactory outcomes for all our clients, including those that had passed the census limitation date for withdrawal from their course without any financial penalty.

”

As mentioned previously, illegal employment practices are also present in the region. MMCLS undertakes some casework in this area. When MMCLS is unable to assist, the service draws on its strong referral pathways with specialist providers such as Job Watch, Fair Work Australia, as well as private practitioners to work collaboratively to support the client.

There is also the issue of cross-border legal issues such as in the areas of fines and intervention orders. Essentially, interim intervention orders will only apply in the jurisdiction in which they are granted and the protection is lost once the applicant travels into another

State. In an area like Mildura, where the border crossing between NSW and Victoria is used regularly, this can cause safety concerns for the intervention order applicants. MMCLS has assisted with several matters of this kind. The service has also advocated for law reform in the area of cross-border intervention orders, most recently through their submission to the Victorian Royal Commission into Family Violence. Not forgetting the South Australian border only one hour away also for other legal matters that arise, the Tri-Star issues.

In conclusion, the analysis of MMCLS’ legal matters identified that the service provides effective

support (both in terms of advice and casework) for the top two legal issues of family violence and family law. However, this support was less for criminal matters which were identified as a key issue in the region. This may be explained by the role of private lawyers who provide specialist criminal law support in the region. MMCLS has also undertaken some important strategic legal work in the areas of consumer rentals and cross-border fines and intervention orders. Admittedly, the research methods used for the legal matter analysis have limitations. However, the research results do provide a useful starting point and can be used to frame future research questions.

EDUCATION AS KEY TO LEGAL KNOWLEDGE AND EMPOWERMENT

A REVIEW OF THE MURRAY MALLEE COMMUNITY LEGAL EDUCATION PROGRAM

In addition to undertaking legal advice and casework, the Murray Mallee Community Legal Service (MMCLS) also provides a Community Legal Education (CLE) Program. The goal of the MMCLS CLE program is to, ‘use community legal education to provide the people of the Murray Mallee region with a better understanding of the role of the Murray Mallee Community Legal Service’.⁴⁶ With only one dedicated staff member on 0.5EFT, the MMCLS CLE Community Legal Program has been able to achieve significant results, particularly in the year of 2013-14.

In total, 129 CLE activities were performed in 2013-14. This is a 15.5% increase from the previous year (2012-13) and a 65% increase from 2008/9. Although MMCLS’ CLE output for 2014-15 dropped to 94 activities, this can be explained by the fact that MMCLS’ CLE Worked was also

engaged by Mallee Family Care as a Financial Counsellor during this period which reduced her time in conducting CLE sessions.

Community Legal Education has been used by MMCLS in three key ways to meet legal need in its catchment. First, it increases the span of its service delivery across the geographic region by reaching those areas whose residents are less likely to access MMCLS. Second, CLE is used to target particular groups who have predicted high levels of legal need. Third, CLE can be used as a strategy for providing information on problematic legal issues which are present in the region. These three ‘roles’ of CLE are discussed in further detail below.

Geographically, MMCLS is increasingly exploring ways to use its CLE sessions to reach those areas whose residents may be less likely to contact the

service. For instance, in 2013-14 the CLE program ran two sessions on wills and power of attorney in Murrayville (near Ouyen), reaching both an outlying community but also an older demographic. The CLE program was also used to inform young people at Murrayville College about sexting and healthy relationships. All of the CLE sessions in Murrayville were run in partnership with the Dispute Settlement Centre of Victoria. MMCLS also runs regular CLE sessions in Dareton with NSW Legal Aid.

A further three information sessions to the Murrayville community will be delivered in October 2015. These sessions will focus on older residents and also youth attending the local P-12 school.

Aware of the geographic findings identified within the LNA, MMCLS has decided to use

⁴⁶ Murray Mallee Community Legal Service. Murray Mallee Community Legal Service Annual Report 2013-14.

its CLE program as a method for increase awareness of the service in those areas. The first half of 2015 involved connecting with organisations in Sea Lake, Hopetoun, Birchip and Wycheproof. These interactions led to the implementation of two meetings in Hopetoun which consequently led to several residents contacting the service for phone advice. This demonstrates the power of CLE as a referral pathway into MMCLS. Community Legal Education sessions on sexting and healthy relationships were presented in May 2015 at Tyrell College P-12 (Sea Lake) to 120 children from years 5-12. The students' parents and carers will also be invited to attend a session on the same topic in October 2015.

MMCLS also presented to the thirty staff members at Manangatang's P-12 school. In addition, MMCLS also connected with staff in Birchip and Wycheproof by phone to discuss methods for increasing community access to MMCLS and explore community events which can act as a forum for CLE. In March 2015, MMCLS partnered with NSW Legal Aid to deliver a "Law Check-Up" information session to workers in the NSW area of our catchment. The session was attended by 12 community workers and focussed on helping workers to be able to identify a legal issue and how best to assist clients with appropriate referrals.

Over the past 12 months, MMCLS has targeted the following groups – disengaged youth, the elderly,

“

Demographically, the MMCLS CLE program has been used to access groups who are more likely to have high levels of legal need. This is both in order to provide information which can help prevent legal issues from occurring and also assist participants to identify legal needs they may already have and referrals into relevant support services, including MMCLS.

”

Culturally and Linguistically Diverse (CALD) populations and Aboriginal and Torres Strait Islander communities. In terms of young people, one of the primary focuses of the CLE program was to provide "Sexting and the Law" information sessions. Six sessions were provided to the students of St Josephs' College in 2013/14 with approximately 30 students attending each session (176 in total). 'Healthy Relationships' sessions were also delivered to students attending Flexible Learning Options (FLO) programs from five schools – Chaffey Secondary, Coomealla High, Irymple Secondary, Mildura Primary and Red Cliffs Secondary focus. These students are disengaged or at risk of disengaging from school and a significant proportion are from an Aboriginal and Torres Strait Islander population. In July and August 2015, MMCLS delivered two more information sessions to students at the Mildura FLO Connect Campus. The program was designed for disengaged and vulnerable young people to provide re-engagement pathways to education, training and/or employment. Further information

sessions have been scheduled for October 2015 to continue MMCLS' engagement with this important target group.

The CLE program has also targeted ageing communities. In addition to the Murrayville sessions mentioned above, MMCLS also delivered two talks on Wills and Power of Attorney for Vision Australia. MMCLS will be attending the Seniors Expo in October 2015 and delivering two separate information sessions in addition to staffing an information display for the duration of the event.

The CLE program has also provided culturally-specific programs for CALD populations who have recently arrived in the MMCLS catchments. MMCLS' CLE worker has built a strong relationship with the Sunraysia Mallee Ethnic Community Council (SMECC) who are the principal agency for CALD communities in the area. Through this partnership, MMCLS has provided seminars on the Australian legal system with specific sessions on consumer leases, worker's rights, tenancy and wills, and funerals.

The service also delivered a CLE program on family safety to over 40 CALD students at the TAFE in Swan Hill in 2013-14. This involved running separate men and women's sessions. In order to engage effectively with CALD participants who speak English as a second language, MMCLS has developed pictorial presentations. These have been very successful in translating often complex messages regarding Australian law. MMCLS continued to embolden its relationship with SMECC in 2014-15 through its delivery of two education sessions on the legal issues of power of attorney and discrimination to 37 CALD participants.

MMCLS has used its CLE program to build strong relationships with local Aboriginal and Torres Strait Islander organisations.

This included delivering sessions to the Coomealla High School Girls Group and the Mildura District Aboriginal Coop (Swan Hill). Additionally, MMCLS was invited to attend three Indigenous Youth Leadership Workshops in 2013-14 in partnership with the Department of Justice and YMCA. The focus of these sessions was on bullying and the role of social media and legal issues from misuse. In 2014-15, MMCLS focused its community legal education program for Aboriginal and Torres Strait Islander communities on consumer law and particularly the issue of consumer scams. With scams being increasingly experienced by Aboriginal and Torres Strait Islanders in the region, it is vital that community legal education is provided on this topic. This is especially the case for the Dareton and Wentworth areas.

In addition to the legal issues discussed above, MMCLS has also delivered CLE sessions on particular legal issues relevant to the region. For example, presentations have been run on the topics of divorce and consumer rights. Six divorce workshops were presented by MMCLS in 2013-14 and 2014-15. This was a notable increase from 2008-9 and then this rose slowly but steadily for the years following. The education program also provided CLE programs on financial literacy and consumer rights with a particular focus on the LGA of Wentworth. This LGA is located on the NSW border and is an area where consumer scams have been circulating.

“

In a region with high levels of unmet legal need and significant challenges in accessing legal services, the role of community legal education and training is incredibly important. Over the past seven years the community legal education program delivered by MMCLS has expanded significantly. In addition to provide more sessions, the program has also become more specialised, focusing on key demographic groups and legal issues. It is also now being used to connect with services and communities across the region, especially those outlying areas which are less likely to access MMCLS.

”

CONCLUSIONS AND RECOMMENDATIONS

Legal need runs deep across the Murray Mallee region. The significant levels of socio-economic disadvantage in the catchment along with resource-restricted services has led to much of this legal need being unmet. As the starting point to researching legal need in the area, the MMCLS Interim LNA has provided vital insights into legal needs in the region whilst also identifying areas for further examination in the future.

The geographic, demographic and legal issue data demonstrate that the level of legal need in the Murray Mallee region is profound on all levels. It exists throughout the large regional towns, within its small outlying pockets, and across its State borders. It comes in various forms - criminal, civil and family - and is experienced across the community. Specific legal issues such as consumer rental scams, cross border intervention orders and employment matters which are unique to the region exacerbate and complicate legal need.

The region also has a significant number of demographic groups who are presumed to have a higher likelihood of experiencing legal need and greater barriers to accessing justice. These are, specifically, ageing populations, disengaged youth, Aboriginal and Torres Strait Islanders and CALD communities. All of the elements above culminate in predicted high levels of legal need in the catchment of MMCLS.

Through its examination of CLSIS data, the Geographic Analysis found that MMCLS had steadily increased its service delivery to the region over the past seven years. Recently, MMCLS had also achieved a greater geographic distribution of services. Although Mildura is still the primary location for most MMCLS clients and has been consistently for the past seven years, there has been an increase in service delivery to clients from three other LGAs within the catchment, Balranald, Buloke and Gannawarra. Further, although the provision of services in Swan Hill has dwindled in

recent years, the re-instatement of MMCLS' fortnightly duty lawyer service at the Swan Hill Magistrates Court means that these numbers can be expected to rise. The current challenge for MMCLS is reaching clients in those areas which are still less likely to access the service, specifically Hay, Hindmarsh and Loddon. As these areas are located within the MMCLS catchment, it is therefore necessary to explore why they are not accessing MMCLS. It may simply be that they are having their legal needs met at other legal services but, alternatively, they may not be having their legal needs met at all. This requires further examination and possible discussion with funding bodies regarding the catchment area covered with some negotiation of review.

The results received from the online survey undertaken in May 2015 deepened the findings into overarching legal need in the region. A strong finding was that legal service provision in

the catchment is inadequate to meet legal needs in the area (75% of respondents agreed with this). Although MMCLS was appraised very positively by the survey respondents they also acknowledged that it does not have the resources to respond to the high level of need within the region. The survey responses also emphasised the need for a Legal Aid Office in the region. Further, the costs of accessing legal support was stressed which may be the result of the strong reliance on private practitioners in certain areas (specifically Hay, Hindmarsh Loddon, Yarriambiack). The issue of being unsure of who to call was also strongly raised. The Geographic Analysis raises some key issues in regards to legal service access across the region which would benefit from further research.

Looking beyond its service delivery on a geographic level, the Interim LNA also examined MMCLS' ability to reach those client groups who are predicted to have the greatest likelihood of legal need. With the high SEIFA rankings in the region, it was pleasing to see that MMCLS has been especially successful in reaching low socio-economic clients. It was also important to note that MMCLS had a high number of Aboriginal and Torres Strait Islander clients which was particularly important due to their large population size in the region. The data was more difficult to acquire for CALD communities and clients with disabilities so these would

be areas for further research. In terms of ageing and young populations, although the rates of advice and casework clients from these groups was not significant, they are cohorts which have been specifically targeted through the MMCLS Community Legal Education program. This is discussed in further detail below.

Finally, the Interim LNA examined the effectiveness of MMCLS in responding to legal matters which are prevalent in the region. It found that the service provides effective support (both in terms of advice and casework) for two of the top legal issues in the region, specifically family violence and family law. This was less so for criminal matters - also a prominent issue in the region - which could be explained by the number of private lawyers who specialise in this area (and often take on legally aidable work). There was also an emphasis by MMCLS over the past few years in undertaking strategic responses to legal problems unique to the region, especially in the areas of consumer rentals and cross-border fines and intervention orders.

Notably, legal matters relating to employment are also prevalent in the region, especially in relation to the fruit industry. Although this is not an area of MMCLS specialisation, a strategy for responding to this issue - whether it be through developing partnerships, undertaking legal advocacy or running specialised community legal education

sessions - is advisable. Although the research methodology used for the Legal Matter Analysis has limitations, the findings provide a useful starting point for further examinations in the future.

In addition to MMCLS legal advice and casework, the Service's Community Legal Education program has been particularly successful with high need demographic groups, especially disengaged youth, ageing populations, Aboriginal and Torres Strait Islanders and CALD communities. It has also recently begun extending into new locations. MMCLS' Community Legal Education program is a vital addition to the Service which allows for additional targeting of services to key geographic areas and demographic groups.

In the future, a comprehensive Legal Needs Analysis of the Murray Mallee region is required to provide a strong evidence-base for what is required to increase access to justice across the region. To fully understand the legal needs of such a large and diverse region, this in-depth Legal Needs Analysis would require significant funding to cover the costs of using multiple research methods (qualitative and quantitative) which would allow for a complete picture of the region's legal needs to be acquired rather than a superficial overview.

All the data of the Interim Legal Needs Analysis indicates that MMCLS is having notable successes in responding to the legal needs of its catchment area. It continues to expand the geographic coverage of its services, support clients who are most likely to face barriers to accessing justice and respond to legal problems which are of prominent importance in the region. The challenge is that the legal need in this region is so extensive that it outweighs the services available.

Effectively responding to this legal need depends upon the implementation of an evidence-based strategic plan. To identify the evidence for this strategy, further research is required. Until then, it is vital that MMCLS continues to further its excellent work by exploring ways to enhance its services within the limited resources available. This is a huge endeavour but for a service with a history of identifying creative ways to meet the legal needs of the communities it supports, it is most certainly not beyond reach.

Recommendations

- Continue examining ways to enhance and develop legal service provision in the MMCLS catchment area.
- Explore options for increasing legal assistance in outlying areas which are less likely to contact MMCLS. This could occur through a technologically-enhanced legal service model and/or building partnerships with legal service providers in these areas.
- Continue to explore ways to use the MMCLS Community Legal education program to access outlying geographic areas and hard to reach, high need groups.
- Explore ways to increase engagement with younger and older demographics whether this be through legal service delivery or community legal education programs.
- Examine ways to collect data on MMCLS service delivery to CALD communities.
- Enhance service provision in key areas such as criminal law and employment law such as through building greater partnerships with specialists. Continue to identify and provide legal assistance on issues which are unique to the catchment.
- Continue to provide law reform submissions on issues that are of relevance to the region.
- Seek funding to undertake a comprehensive Legal Needs Analysis across the region using in-depth qualitative and quantitative research methods. This should have a focus on research which consults with the local community to acquire on the ground knowledge. It would use primary research methods such as more targeted surveys, file reviews, interviews with specialist service providers, community consultations and focus groups.
- Examine other opportunities to undertake greater research on legal need in the region.
- Apply for various funding sources to assist with achieving the recommendations above.



Notably, MMCLS has already begun working towards these recommendations since the LNA data was provided to the Service in its raw form. Specifically, MMCLS has already begun expanding its community legal education program into outlying areas and is exploring opportunities to provide greater legal provision in these areas. It is also focusing on increasing legal assistance for older and younger demographics. Importantly, MMCLS has also increased its focus on seeking funding opportunities to advance its research and response to legal needs within its region.



REFERENCE LIST

Quantitative data

Australian Bureau of Statistics. (2006). Census of Population and Housing.
Australian Bureau of Statistics. (2011). Census of Population and Housing.

Research Reports

Coumarelos, C et al.(2012). Legal Australia-Wide Survey: Legal Need in Australia.
Mildura Development Corporation.(2014). 2014 Regional Overview Mildura-Wentworth.
Mildura Rural City Council.(2009). Mildura Regional Economic Profile.
Mildura Rural City Council.(2012). Mildura Social Indicators Report.
Murray Mallee Local Learning and Employment Network.(2014). MMLLEN
Environmental Scan.

Academic Articles

NSW Law and Justice Foundation. (2013). ‘Legal needs of Indigenous people in Australia’, Updating Justice, Issue 25.

Media Articles

Brennan, B., & L. McNally. ‘Fruit picking industry operator investigated over claims of sexual harassment, bullying in Mildura’, ABC News, 6/01/2015.
King, C.(2014). ‘Aboriginal jobs program in far west NSW getting results’, ABC News, 28/5/2014.
Malcolm, S.(2015). ‘Sunraysia towns struggling to keep migrant women’, ABC News, 30/1/15.
Smith, L.(2014). ‘Proud of Cultural Diversity’, Sunraysia Daily, 20/6/2014.

Media Releases

Napthine, D. (2014). ‘Working together to close the gap in Mildura’. [Media Release]. 29/6/14.

Government Sources

Swan Hill Rural City Council. (2013).The Swan Hill Region Workforce Development Strategy.
Victorian Department of Health. (2013). Local Government Area Profiles.
Victoria Department of Health. (2011). Victorian Population Health Survey 2011-12.

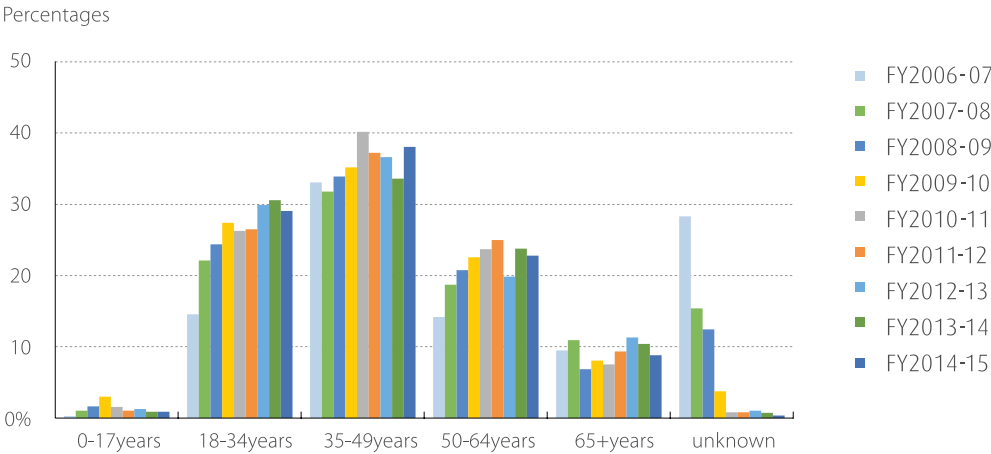
Other Sources

Murray Mallee Community Legal Service. Murray Mallee Community Legal Service Annual Report 2013-14.

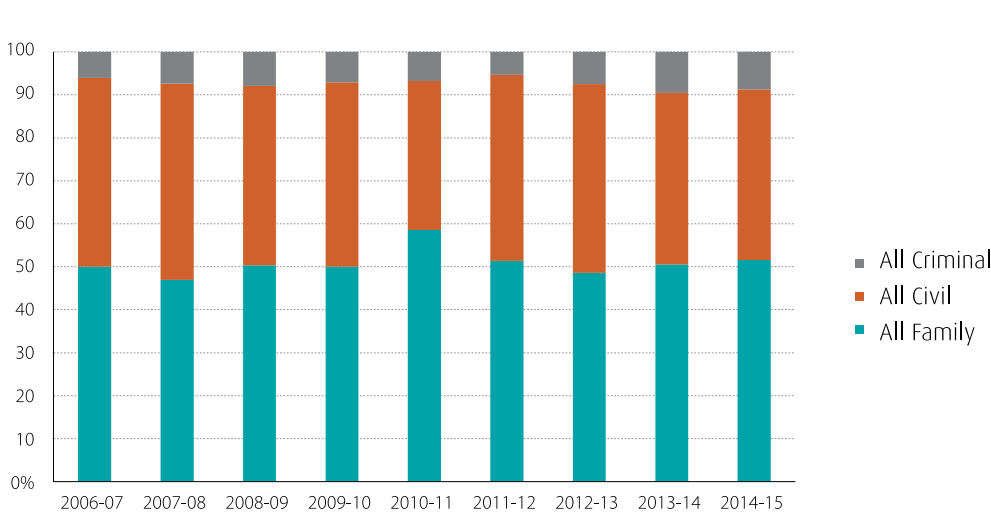
The following Data graphs were produced from the National Legal Needs Toolkit as created by NALCL

NATIONAL LEGAL NEEDS TOOLKIT TABLES

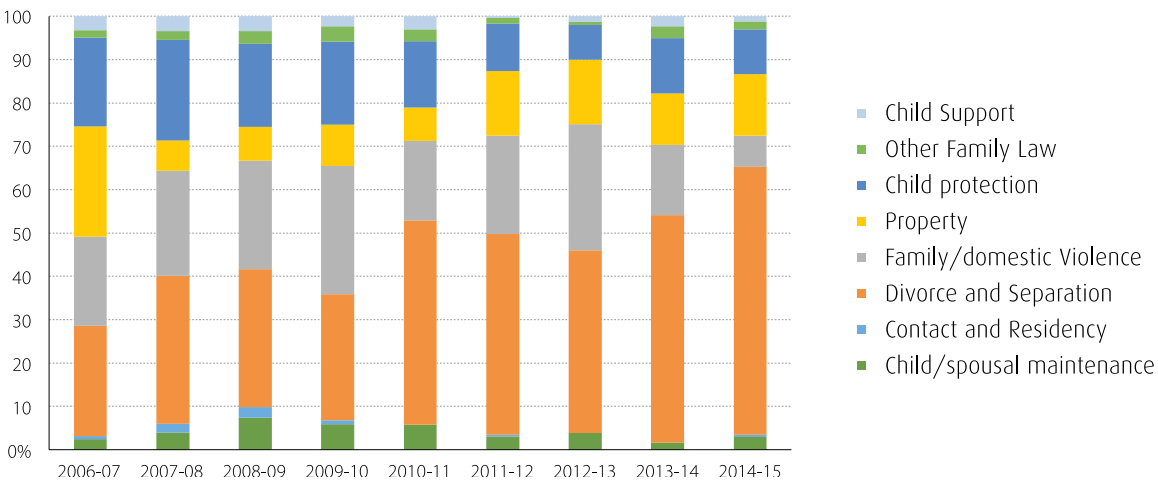
Age Group (Multiple Items) - All Law Types
Percentage of Active Clients by Financial Year



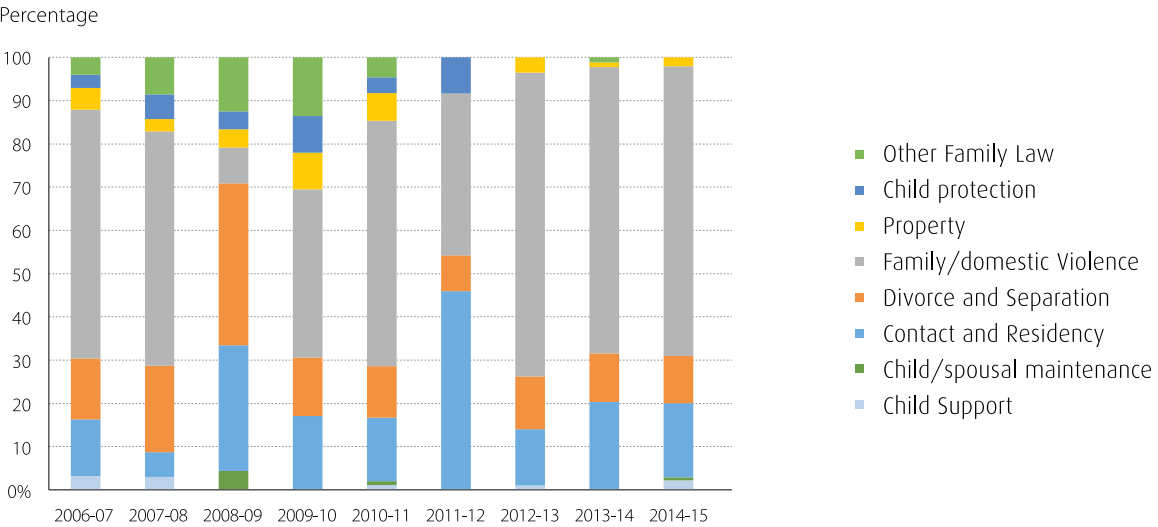
Advice Trend by Problem Type by Year
Law Type as Percentage of All Advice - Advice



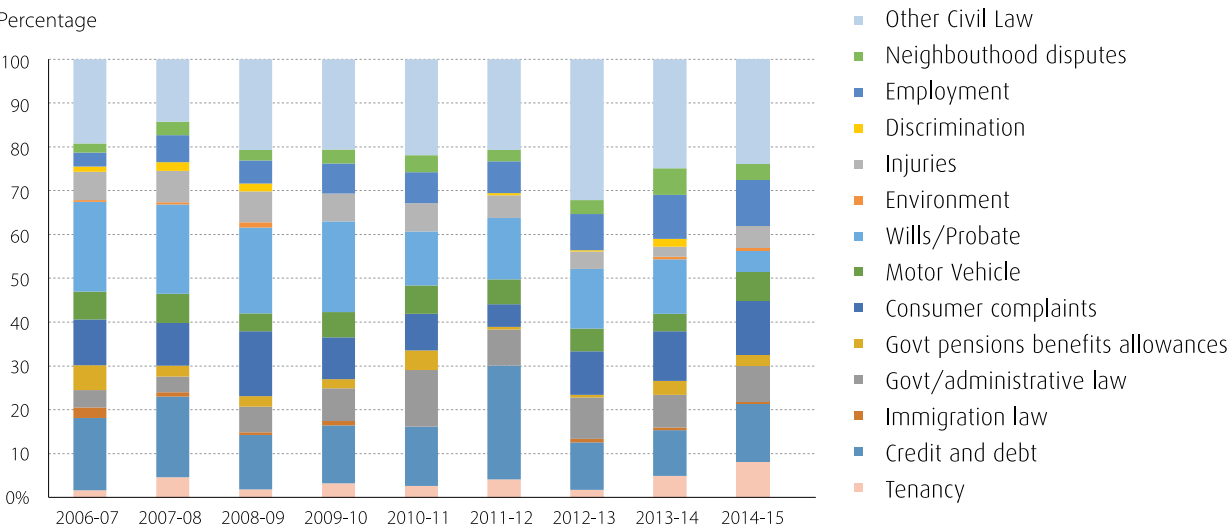
Family Law Problem Type Trend - Advice



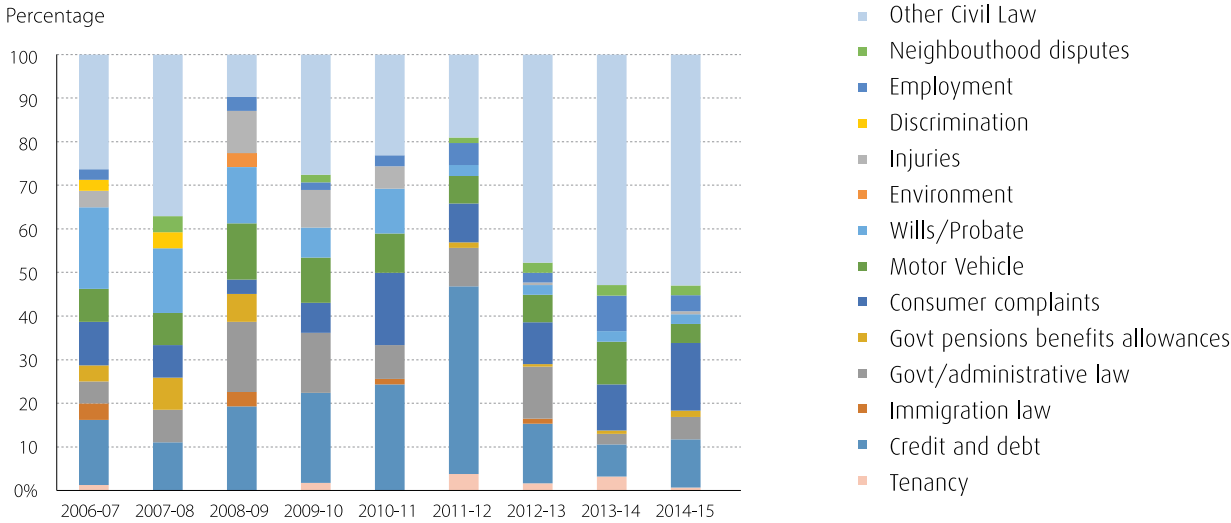
Family Law Problem Type Trend - Case Opens



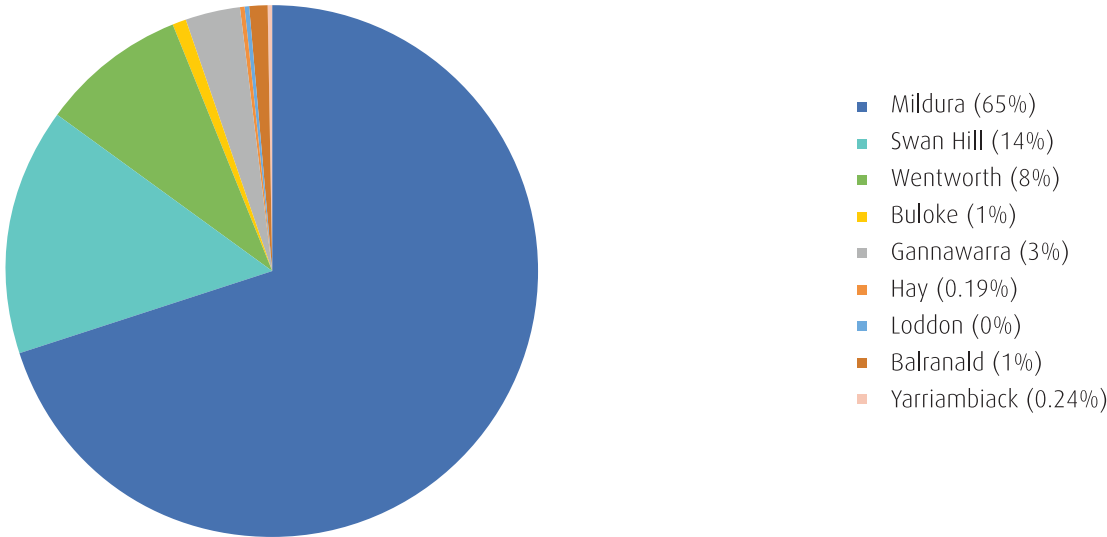
Civil Law Problem Type Trend - Advices



Civil Law Problem Type Trend - Case Opens



Geographic Analysis 2014-1015





MURRAY MALLEE COMMUNITY LEGAL SERVICE

HASELGROVE HOUSE

122 NINTH STREET MILDURA VIC 3500

PO BOX 1870 MILDURA VIC 3502

TEL 03 5023 5966

FAX 03 5021 7357

FREE CALL REGIONAL VIC 1800 243 002

EMAIL MMCLS@MALLEEFAMILYCARE.COM.AU