

TARGETING JUSTICE IN THE LODDON CAMPASPE REGION

A review of the
Loddon Campaspe Community Legal Centre

September 2008



A report on the progress towards Access to Justice
in the Loddon Campaspe Region

This report **updates the original report *Access to Justice in the Loddon Campaspe Region*** produced by the *Access to Justice in the Loddon Campaspe Region Project*. The purpose of this report is:

- First, to report back to the community on the achievements made and challenges faced by the Loddon Campaspe Community Legal Centre (LCCLC) in its first three years of operation.
- Second to assess community feedback about the LCCLC and its servicing of the local area.
- Third, to demonstrate that there is an ongoing need for a Loddon Campaspe Community Legal Centre

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3 List of Abbreviations

ABS	Australia Bureau of Statistics	EASE	Emergency Accommodation and Support Enterprise
ARC	Advocacy and Rights Centre Limited	LC	Loddon Campaspe
CASA	Centre Against Sexual Assault (Loddon Campaspe)	LCCLC	Loddon Campaspe Community Legal Centre
CLC	Community Legal Centre	LGA	Local Government Area
DHS	Department of Human Services	VLA	Victoria Legal Aid

4 Executive Summary

The Loddon Campaspe Community Legal Centre (LCCLC), based in Bendigo, was established as a two-year pilot service in October 2004, and received State government funding to establish a permanent service from 1 July 2005.

The key activities of the LCCLC are:

- Legal information, advice and casework services
- Community legal education
- Law reform and policy work

Legal information is provided on an ad hoc / as needs basis to clients accessing the service. It includes simple referral information and the provision of information resources.

Legal advice is provided in four key areas:

- **Night Service:** A night service operates once per week. This is the key service delivery vehicle for legal advice, harnessing the skills of local practitioners and para-legal volunteers (principally from the La Trobe University Law Faculty).
- **Telephone Advice:** A telephone advice service operates twice per week, with each session being for three hours duration.
- **Bendigo Day Service:** A day service is operated on an appointment basis.
- **Outreach Day Service:** An outreach day service is operated on an appointment basis.

Community legal education is provided in partnership with other local community agencies based on identified need and interest. Family violence prevention has been the major community education focus in the first two years of operation.

Law Reform and policy work has in the first instance been focused on establishing the role of the LCCLC as an agent of reform. Early campaigns have focused on family relations centres and homelessness.

Four innovative projects have been funded and developed focused on older persons, homelessness, migration and family violence.

The overwhelming response to this service review has been extremely positive with all participants indicating the service had achieved way beyond their expectations. The following key achievements and challenges were identified in the survey.

Key Achievements	Key Challenges
<ul style="list-style-type: none"> • Highly regarded legal advice service • Successful community development strategy engaging a large range of community organisations • Strong compliance with principles as articulated in the Access to Justice Report • Established outreach in 3 rural areas • Established 4 innovative legal projects • High compliance with performance indicators across all aspects of the service plan • Successful partnership with Latrobe University providing clinical legal education • Seen as leaders with the community legal service field 	<ul style="list-style-type: none"> • Strengthening target of legal advice toward disadvantaged groups • Developing collaborative links with Victoria Legal Aid and Consumer Affairs Victoria focused on expanding regional coverage and clarifying core business • Further engaging community re the identification of priority legal needs • Developing a training calendar for professional development and Victoria Legal Aid • Further engaging local legal practitioners with professional development and community legal education • Expand and further develop partnership with Latrobe Bendigo • Expand community input to Committee of Management

5 Introduction to the review

5.1 Background

This report was commissioned to update the *Access to Justice in the Loddon Campaspe Region Report*, undertaken in 2004 to articulate the need for a community legal centre in the Loddon Campaspe region.

The update aims to serve a number of purposes:

- Assess the service against the original premises of the Access to Justice report
- Identify achievements and challenges
- Demonstrate the need for an ongoing service
- Update the Loddon Campaspe regional profile
- Re-engage stakeholders
- Provide a resource to guide the development of the service

5.2 Methodology

Process for the review has included:

- Focus group/interviews with key stakeholders involved in producing the original report
- Updating of statistical data – ABS, Jesuit Social Services Report, CASA, EASE , Child Protection, Police, Statistics
- A follow up survey involving agencies from the original survey to measure changes in legal issues by clients by agencies and legal referrals data
- A report identifying achievements, shortcomings and unmet need and including updated data from the original report.

The review has focused on measuring performance against the following stated goals from the original 'Access to Justice in the Loddon Campaspe Report':

- Establishing a Rural and Regional Service
- Community Involvement
- Targeting Services to Communities in Need
- Legal Services Provision
- Legal Advice
 - Community and Clinical Legal Education
 - Professional Training and Support
 - Law Reform
- Community Development
 - Volunteers
 - Clinical Legal Education
 - Community Service Integration and Cooperation
- Organisational Structure
 - Legal Entity
 - Membership and Management Committee

The establishment of the LCCLC service has been reviewed using the following methods:

- Interviews with persons involved in writing the access to justice report and establishing the program
- Meetings with current staff of the centre
- Interviews with relevant stakeholders from other legal and community organisations closely involved with the service

- Surveying of volunteers working in the service
- Feedback from Latrobe law students placed in the service
- Surveying of workers from agencies working closely with the service.

Details of those who participated in the review can be found in Appendix A

5.3 Outcomes

Achievements and challenges have been identified and recorded. The need for an ongoing service has been articulated, the regional profile updated and a range of stakeholders re-engaged through the individual interviews and follow up surveys.

It is hoped that the document will help to guide future development of the service.

6 Establishment of the Loddon Campaspe Community Legal Centre

The Loddon Campaspe Community Legal Centre (LCCLC), based in Bendigo, was established as a two-year pilot service in October 2004, and received State government funding to establish a permanent service from 1 July 2005. The service was established as a program within the Advocacy and Right Centre Ltd.

The following excerpt from the Loddon Campaspe Community Legal Centre CLSP Plan 2005-2008 articulates the vision, mission and objectives of the service.

Vision: To work towards a humane, fair, equitable and accessible legal system.

Values: The LCCLC is committed to principles of quality, integrity, empowerment and participation in all service activities.

Mission: To promote, protect and enhance the rights and interests of individuals, groups and organisations within the LCCLC catchment who are disadvantaged in their access to justice; and contribute to the reform of laws and structural inequities which limit access to justice.

Objectives:

1. Legal Services: To provide free and accessible legal services, targeting disadvantaged members of the community.
2. Social Action: To advocate for and actively work towards changes which redress injustices and inequities in the law.
3. Effective Operation: To ensure that the Centre is able to operate effectively.
4. Strategic Direction and Activities: To ensure that the Centre is strategic in its approach to program/project identification and delivery, specifically including processes for strategic planning and activity evaluation.
5. Social Marketing: To promote awareness of the Centre and its activities in the community.

The key activities of the LCCLC are:

- Legal information, advice and casework services
- Community legal education
- Law reform and policy work

Legal information is provided on an ad hoc / as needs basis to clients accessing the service. It includes simple referral information and the provision of information resources.

Legal advice is provided in four key areas:

- Night Service: A night service operates once per week. This is the key service delivery vehicle for legal advice, harnessing the skills of local practitioners and para-legal volunteers (principally from the La Trobe University Law Faculty).
- Telephone Advice: A telephone advice service operates twice per week, with each session being for three hours duration.
- Bendigo Day Service: A day service is operated on an appointment basis.

- Outreach Day Service: An outreach day service is operated on an appointment basis.

The service has established three outreach locations in Maryborough, Castlemaine and Echuca.

Community legal education is provided / facilitated by the Community Legal Education worker. Solicitors also participate in Legal Education, as coordinated by the CLE worker. Law reform and policy work is shared between the Solicitors and the CLE worker.

6.1 History

The **principal solicitor** was appointed April 2005 with 4 initial goals:

- Start a night service
- Champion for recurrent funding
- Provide some sort of day service
- Continue service in Maryborough

In May 2005 the state government provided funding to the LCCLC as part of a funding round for 4 new services in Victoria

Staffing in the first year comprised – 1 full time lawyer, a .6 community legal education worker and 1 full time administration/management.

In 2006 revised funding for CLC's provided for an additional generalist Lawyer.

State government funding provided an extra level of accountability and the Loddon Campaspe Community Legal Service Plan (CLSP) was developed covering the period 2005 -2008. CLC's have strengthened under the current Labor government in Victoria.

LCCLC presently services six Local Government Areas: Macedon Ranges, Mt Alexander, Central Goldfields, Greater Bendigo, Loddon and Campaspe. There are five Magistrates Courts operating in this region: Bendigo, Echuca, Maryborough, Kyneton and Castlemaine.

7 Assessment of the service against the original report

The following section summarises the feedback received from staff and community stakeholders about the service. It also lists the achievements and challenges identified in the review process. The review focused on measuring performance against the stated goals from the original 'Access to Justice in the Loddon Campaspe Report':

- Establishing a Rural and Regional Service
- Community Involvement
- Targeting Services to Communities in Need
- Legal Services Provision
- Legal Advice
 - Community and Clinical Legal Education
 - Professional Training and Support
 - Law Reform
- Community Development
 - Volunteers
 - Clinical Legal Education
 - Community Service Integration and Cooperation
 - Organisational Structure
 - Legal Entity
 - Membership and Management Committee

7.1 Establishing a Rural and Regional Service

The Access to Justice in the Loddon Campaspe Region Project sought to:

'adopt a regional focus and consult with people and agencies throughout the region in the establishment of the service.'

'establishing a free legal advice clinic one or more evenings a week and developing a volunteer program of local private lawyers, a clinical legal education program with law students from Latrobe University and links with the Latrobe University social work department'

'building networks, partnerships and profile in the local community and thus a level of trust and confidence.'

Evaluation

This has been achieved with many organisations across the region working closely with the Centre. The roll out of the outreach programs in rural areas and the implementation of regular community legal education and law reform programs are taking more time to establish but are all underway. The Centre's achievements over such a short period of time have been considered remarkable by all those interviewed. Its success has been directly related to two factors: the strength of the initial planning and consultation as evidenced in the original Access to Justice report and the skill, passion and motivation of the staff engaged in the project.

LCCLC has provided services in all areas identified in the Access to Justice Report – Bendigo, Maryborough, London, Echuca, Kyneton, Castlemaine, Boort and Inglewood.

The major service area for the region is Bendigo where the goals of:

'establishing a free legal advice clinic one or more evenings a week and developing a volunteer program of local private lawyers, a clinical legal education program with law students from Latrobe University and links with the Latrobe University social work department'

have fundamentally been achieved.

In Maryborough the service has had less time to consolidate but has already achieved the goal of:

'building networks, partnerships and profile in the local community and thus a level of trust and confidence'.

In the Loddon shire the report proposed that the CLC would:

'focus on professional training and support and community legal services...primarily by telephone and email due to the dispersed and isolated nature of the population.'

A face to face service is being trialed, in the Loddon LGA to assess local need in one of the small towns and use has been made of the telephone service promoted through local community agencies

The proposed direction for Castlemaine in the Access to Justice Report is to:

'Seek to work with and build on the current youth initiative and export options of servicing other community groups'

Castlemaine has been a major focus for working with newly settled migrants. This service, funded as a graduate position from law firm Clayton Utz, has been targeted at recently arrived Sudanese migrants living in the area.

7.2 Community Involvement

The Access to Justice Report presented outcomes that a Community Legal Centre for the Loddon Campaspe region would achieve once established and report provided:

'a community development approach will be adopted enabling local communities to shape the CLC'

'Representation will be sought from each local government area to participate in the management of the centre.'

Evaluation

The general consensus from those surveyed is that the LCCLC has achieved beyond expectations in relation to its community involvement.

- There is very high participation from local legal sector – evidenced through active volunteers
- The Family violence network has been successfully engaged in Bendigo and Maryborough.
- LCCLC has been very successful with community engagement.
- The Access to Justice Report itself is seen as an innovative contribution to community legal service research
- In establishing the Older Persons Program LCCLC has been seen to take on the job of filling gaps that are not easily addressed.

Challenges:

- Getting wider representation on Committee of Management
- Targeting specific community groups to provide representation
- Extending the collaborative working relationship working with the local VLA

7.3 Targeting disadvantaged communities

The original Access to Justice Report's draft model identified that:

'Given the high level of socio-economic disadvantage and legal need, large geographic region and finite funding, legal services would be targeted to the legal needs of the most disadvantaged communities in the region. Services would also focus on early intervention and prevention strategies that seek broad, long term and systemic changes to access to justice in disadvantaged communities.'

Evaluation

The LCCLC service has been seen to be excellent in relation to targeting family violence, older persons, homeless people and rural disadvantage. It is also being favourably recognised for its work with non English speaking communities in Castlemaine and Bendigo.

The outreach services to rurally disadvantaged areas such as Loddon, Maryborough, and Kyneton are seen to be very good.

The Older law program is seen as innovative and is highly regarded in the community legal service field.

7.4 Providing Legal Services

7.4.1 Legal Advice

The Access to Justice Report's draft model suggested that:

'A Loddon Campaspe community legal centre would provide free legal advice throughout the Loddon Campaspe region. Guidelines would be developed to target legal advice to disadvantaged people without resources to access assistance elsewhere. The centre would develop expertise in legal issues affecting disadvantaged communities: discrimination, social security, consumer and tenancy, disability/mental health, family violence, debt and credit, and fines. Where a local community justice strategy identifies a particular legal issue, the centre would develop a legal advice session focused on that issue – for example, a women's clinic focused on family law/family violence. Legal advice would be provided by telephone (via a 1800 number) and email throughout the region.'

Evaluation

The LCCLC has been seen to do this extremely well. Clients consider the legal service to be very accessible, flexible and positively focused towards service users.

The service is offered as a night service or a day service by appointment. Main legal issues covered by volunteers include; family law, family violence, intervention orders and debt and credit issues.

The general centre stats for legal advice provision from 1/7/05 to 4/9/09 include:

- Clients 2700
- Advices 3213
- Cases 912

Challenges:

- Targeting in relation to who receives advice (most disadvantaged) and what type of advice (areas such as family violence given a priority)
- Referring some areas of general advice to private lawyers e.g. property investment enquiries, city link payments or other services e.g. neighbourhood disputes
- Engaging with community about prioritising agendas of communities in need
- Targeting legal advice provision– broad brush approach doesn't do the job – needs to find the LCCLC niche
- Expanding the number night sessions provided
- High number of family law advice cases require all solicitors to be well briefed in this specialty area

7.4.2 Community Legal Education

The Access to Justice Report stated that:

'A Loddon Campaspe community legal centre would provide community legal education as a key prevention and early intervention tool to increase access to justice. Lack of education about the law and legal process is a significant barrier to many disadvantaged people asserting their legal rights, complying with the law or navigating their way through the justice system.'

'A Loddon Campaspe community legal centre would also advocate on social justice issues within local communities, with a view to educating the broader community and changing community attitudes. Issues such as discrimination and family violence need to be tackled at the community and institutional level, rather than just at an individual level.'

Evaluation

Community legal education (CLE) has had a major focus on family violence and the agencies from this area were very positive in their feedback about the leadership role the centre has played in a number of projects.

In the 2008 survey most agencies said they hadn't referred clients for community legal education. One responded that they had sent clients to a workshop on Guardianship/Powers of Attorney and Wills.

Suggestions for workshops included – intervention orders, family violence, migration information, neighbourhood disputes, issues with Centrelink, Guardianship/Wills and mental health rights.

Community legal education is accessed less by those interviewed for this survey than the legal advice area.

Many agencies and volunteer solicitors were unaware of activity but many expressed interest in participating if kept informed.

Community legal education is rated highly from the local law student perspective.

Many agencies were not aware of and hadn't participated in CLE. It was noted that workshops were very successful when they were held in the early days of the service.

Challenges:

- Encouraging students through two year placements (may return to Bendigo after completing studies if offered longer term connection)
- Ongoing calendar of training and Professional Development (PD) would be helpful to promote CLE
- Engaging volunteer solicitors and other legal agencies in the program

Some suggested areas of community legal education:

- *family law*
- *drug use and the law*
- *housing/tenants' rights*
- *young people's rights*
- *the court system*
- *wills*
- *carers issues/Older abuse*
- *family violence*
- *intervention orders*
- *court process*
- *representing oneself in court*
- *mental health*
- *young women and sexual assault*
- *preparing to visit a lawyer*
- *employment*
- *community safety*
- *parent/children rights*
- *powers of attorney*
- *child protection*
- *neighbourhood disputes/mediation*
- *young people and the implications of breaking the law debt/bankruptcy*
- *sentencing*
- *dealing with the police*
- *guardianship/trustee services*
- *victims of crime*
- *school issues (expulsions, withholding reports, fees*
- *zoning*
- *rights of students/parents*

7.4.3 Professional Training & Support

The Access to Justice Report suggested that:

'A Loddon Campaspe community legal centre would provide community agency workers with professional training and support on legal issues affecting their clients. Professional training would enable workers to identify legal issues, provide information about the law and legal process, and refer clients to an appropriate legal justice agency for further assistance. Community agency workers would also be able to access secondary consultations in relation to legal issues. Both professional development and secondary consultations would facilitate disadvantaged people accessing initial legal information and assistance from a familiar and local agency. This is particularly important for isolated clients.'

Evaluation

This area is the least well known of the LCCLC's activity. Activity to date has been focused on students. 'Freedom of Information' sessions were acknowledged as being helpful and there was agreement of a need for more professional training.

In the original survey seventy-seven per cent of agencies were interested in legal education sessions for workers. In consultations many workers expressed a need for legal education given their relative isolation and need to deal with a wide range of issues. Workers were also keen to access secondary consultations on legal issues.

In the 2008 survey 3 respondents said no to having been involved in professional legal education – one said yes. This related to legal services and family violence. It was noted that the LCCLC had successfully lectured La Trobe Social Work students as part of the Family Violence Elective.

Areas of interest for Professional Legal Education included

- family law
- child protection
- intervention orders
- court procedure
- domestic violence
- family law for women and children
- Centrelink - eligibility and claims
- note taking
- credit and debt, and
- applications for civil claims.

Challenges:

- Could provide more training opportunities for volunteer lawyers

Some suggested areas for future professional development:

- | | |
|--|---|
| <ul style="list-style-type: none">• family law; mediation/dispute resolution• discrimination• responsibilities as a housing provider• social security• consumer rights• duty of care around• issues of suicide and self harm• alcohol and drug laws• intervention orders/family violence• juvenile justice• Law Reform and Social Justice Issues | <ul style="list-style-type: none">• older people's rights• employment/education for the disadvantaged• police assistance• mental health• child protection• guardianship• giving evidence in court• wills for people with disabilities• legal aid• young people and the law |
|--|---|

7.4.4 Law Reform

The original Access to Justice Report made the following comment:

'A Loddon Campaspe community legal centre would facilitate community participation in law and policy reform. Without a facilitator such as a community legal centre, the perspective of disadvantaged communities is often not heard in the development and reform of the law. Community legal centres play a critical role in ensuring that disadvantaged communities are heard and that the law applies fairly to all sections of the community.'

Evaluation

Once again this area is less developed and recognised. The LCCLC is seen as active with lots of media coverage. Some people were a bit unclear about the specific areas of focus for law reform activity. It was generally acknowledged that for such a new service it was expected that little would be happening in this area. As one participant put it 'the service needs to find its feet before it can launch too heavily into law reform issues'.

Challenges:

- Developing a strategic approach to identifying issues
- Engaging broader legal community in issues.

Survey respondents identified the following areas of social justice/ legal issues:

- access to appropriate legal support and information
- penalties for drug use
- access to intervention orders (applicants often feel threatened by both the perpetrator and the legal system)
- lack of affordable housing
- poverty
- family violence
- neighbourhood disputes
- disability discrimination
- access to medical services
- cross border issues
- transport
- over policing of young people
- young people and the criminal legal process
- access to private rental accommodation
- Centrelink appeals
- sexual offences
- police response to family violence and sexual assault
- public housing (public tenants living in areas of extreme violence/drug issues)
- access to contact centres including centres for older children and parents
- lack of criminal prosecutions for family violence matters
- lack of enforcement of intervention orders where breached; limited access to services (police, transport, doctor, housing)
- lack of treatment options for illicit substance users
- means testing of legal aid, issues for migrants on temporary visas
- family violence
- civil remedies rather than criminal
- impact of shared care on mothers fearing child abuse by spouse

7.4.5 Community Development

In this area the Access to justice Report stated the following:

'A Loddon Campaspe community legal centre would work with existing community networks to keep up-to-date with services and programs and to work towards broader community goals. In particular, a community legal centre would bring a justice perspective, legal knowledge and advocacy skills to community networks and collaborative projects.'

Evaluation

The family violence project has been identified as a great example of community development with the LCCLC actively engaging all agencies in the network. The Glove and White Ribbon projects were noted as good examples of promoting a strong message about the role of law in local lives.

The outreach services have also been seen to use community development frameworks. This is exemplified through the Maryborough project.

7.5 Organisational structure

7.5.1 Legal Entity

The Access to Justice Report said that:

'The organisational structure of the Loddon Campaspe community legal centre must be developed to protect and promote the key objectives and activities of the organisation.'

'The project partners of the Access to Justice in the Loddon Campaspe Region Project support the Advocacy and Rights Centre operating the Loddon Campaspe community legal centre because of the benefits of pooling resources and the compatibility of vision and program areas. The Advocacy and Rights Centre has already made a substantial commitment to the Loddon Campaspe Community Legal Centre by auspicing the Access to Justice in the Loddon Campaspe Region Project.'

Evaluation

Feedback from staff and community agencies supports decision to the establishment of LCCLC as part of the Advocacy and Right Centre Ltd. Whilst there have been organizational challenges in running the two separate parts of the organization (housing support and legal aid) the benefits have been seen to outweigh the challenges.

7.5.2 Membership and Management Committees

In the Access to Justice Report it was suggested that:

'Membership of the Loddon Campaspe community legal centre would be open to all community members. A management committee would be made up from the membership and annual general meetings held each year. Participation on the committee of management would be encouraged from across the region. It is anticipated that through the development of local community justice strategies a representative from each local government region would be appointed to the board.'

Evaluation

Whilst much has been achieved through the Committee of Management there is still room for improvement in terms of community involvement. Representation from each local government area has not been achieved but legal representation has been very good.

Challenges

- Strengthen the committee of management through targeted involvement of other community agencies

7.5.3 Volunteers

In the Access to Justice Report it was suggested that:

'Community legal centres have a strong tradition of involving volunteers, including lawyers, law students, social work students, ex-clients and community members. Private lawyers have a professional ethic of undertaking pro-bono work and many community legal centres run legal advice clinics staffed by a roster of volunteer private lawyers. For private lawyers, it is an opportunity to give back to the community, to develop networks with other lawyers, law students and community members and to practice in poverty law. For students, it is an opportunity to gain experience in a legal practice and to network with lawyers and others. For ex-clients and community members, it is an opportunity to give back to the community, to gain work experience and to see the law at work.'

Evaluation

The LCCLC has established a very successful volunteer solicitor program providing legal advice services one night a week in Bendigo. The service also offers para-legal advice utilising local law students as volunteers.

7.5.4 Clinical Legal Education

The first report suggested that:

'Latrobe University has established a new law school in Bendigo. The school is keen to develop a clinical legal education program with the Loddon Campaspe Community Legal Centre. Clinical legal education has become an expected part of law courses in Australia and in many cases involves a partnership between the university and a community legal centre. Thus students are given the opportunity to develop ethical, analytical and practical legal skills in a community legal centre environment.'

Evaluation

Strong links have been made between the LCCLC and Latrobe University Law faculty. Students indicate high satisfaction in their feedback reports. Staff at the faculty are also keen to strengthen and extend the relationship. Staff in the LCCLC are keen to develop new research based partnerships with the University as well as continuing to expand the student program.

Challenges

- Continue to expand and develop links with Latrobe University Bendigo.

7.5.5 Community Service Integration and Co-operation

The Access to Justice Report recommended that:

'A Loddon Campaspe community legal centre would work with relevant justice and community agencies to ensure integrated and co-operative service delivery. Already the Access to Justice Project has formed strong relationships with key agencies through the project reference group.'

'A Loddon Campaspe community legal centre would also seek membership of the Federation of Community Legal Centres (Vic) and actively participate in sector development and law reform issues. The Access to Justice Project has already developed relationships with neighbouring community legal centres and the Victorian network of rural and regional community legal centres.'

Evaluation

The LCCLC has worked well with other relevant justice and community agencies. Feedback suggests there is still some lack of clarity around the difference between Legal Aid and CLC's. Suggestions were made about opportunities for the VLA (Victorian legal Aid) and the CAV (Consumer Affairs Victoria) to work with the LCCLC on addressing regional coverage issues and refining clarity about core business.

The LCCLC has developed strong links with the Federation of Community Legal centres and is highly regarded by them and other local legal agencies.

Since the review commenced the LCCLC and the local office of the VLA have been working on greater cooperation in the region. They have cross-promoted services in Kyneton. VLA attended the launch of the homeless persons report and gave feedback regarding the proposal to establish a clinic. Both parties have agreed to engage in better promotion of existing legal services (VLA and CLC) to service providers, including the ability for secondary consultation with VLA and CLC lawyers for agency staff. LCCLC has established a project for cooperative legal service delivery in the region seeking to formalise LCCLC's commitments to greater cooperation across justice agencies

Challenge

- Form strong links and work collaboratively with the VLA and CAV
- develop a matrix to make it clear to stakeholders what each agency does
- Engage local service providers in outreach areas to market service e.g. community health

Areas of unmet need identified in the survey

- Employment law
- Ongoing family law issues
- Victoria the only state that doesn't have prison legal services – there are a number of prisons in Loddon Campaspe – opportunity for CLC to pilot in this area.
- Migrant Information sessions in Bendigo
- Centrelink – rights for Migrants education

8 Compliance with the principles outlined in the initial report

Interviewees made the following assessment of the LCCLC's compliance with the principles outlined for the service in the original report.

Accessibility to clients

Generally seen as good in terms of location, hours open and outreach coverage. The great pace and scope in the roll out of services was acknowledged.

Adopting a holistic approach to service provision, and providing an integrated range of services

One respondent commented that the LCCLC was seen to comply with their objective of adopting a holistic approach given they seem to give equal priority to legal education, legal advice and prevention activities. CLC workers were seen to have a good understanding of client needs, to be good at giving referrals and good at providing a well integrated service approach

Emphasising a preventative approach, including through placing a high priority on community legal education

Interviewees reported this as being good with students but in general it was thought more community legal education could be provided for the broader community

Involving clients and community groups in defining and resolving their legal problems

LCCLC was seen to be doing this well in the family violence area. Staff were described as having a good approach – meeting of minds rather than ‘I’m a professional telling you’

Transferring skills on an individual and group level, and building the capacity of the communities in which they work to effectively address their legal needs

This was seen to have been demonstrated through the family violence projects; White Ribbon and Glove.

Tackling the structural causes of legal needs and problems, rather than simply treating the symptoms

Interviewees indicated this was demonstrated through work on family relations centres and homelessness.

Giving community members the opportunity to participate in the management of the centres, and implementing a variety of mechanisms to ensure they are accountable to their communities.

Interviewees suggested community members were involved in a variety of ways. The organisation was seen as accountable through its AGM and annual report. It was seen to be engaging stakeholders in strategic planning through this review process. It was noted that the Board is open for anyone to join.

9 General feedback about the service

9.1 Challenges identified by staff

- Enabling outreach services to spread out in community
- Establishing a worker with the indigenous community
- Reviewing merits of being part of joint service delivery or standing alone as a service - can be lost in large organizations
- ARC still needs to do a lot of work to develop the organisation
- Need to know more about community demand, how we are seen by general population and other agencies – how we differ from legal aid
- Need to know what legal aid are doing
- Need to address staff turnover and impact on loss of corporate knowledge
- Need to learn more about other regional organisations and compare how they work with region - how they communicate with community
- Beneficial to look at different models outside CLC's

9.2 Challenges raised by staff and other community agencies include:

- Law reform – need to develop some test cases
- Clear partnerships with other legal service providers
- Need to clarify difference between legal aid and CLC for stakeholders - services shouldn't duplicate – should complement.
- Educate and resource community to understand legal system
- Consolidate – make sure they are sustainable into the long term
- Need to consider succession planning
- Need to get the balance right between legal advice, community legal education and law reform
- Should stay closely aligned with the Latrobe course and encourage 3rd, 4th and 5th year cohorts
- Focus on collaboration with other legal service providers to cover the region.

9.3 Future goals identified by staff:

- To be considered a best practice model for other community legal centres
- To become a strong, sustainable community organisation positioned to advocate on social justice issues in the region and beyond
- To continue engagement with local indigenous people to provide accessible and relevant services and support
- To establish a network of older persons legal programs working to increase access to justice for older people in Victoria
- To play a role at State and National level in improving legal services for rural and regional communities
- To fully advocate for people in financial/legal crisis
- To establish a permanent migration agent in the region with enough hours to meet demand
- Maintain strong relationships with the local University and encourage longer placements for students
- To develop a major research project with the Latrobe University focused on a locally relevant area of law reform
- To become a recognised centre of advocacy
- To become a leader in research and responding to the social/legal determinants of health
- To establish family violence outreach and support in all outer rural areas
- To extend our service across the region – investigate potential development in Shepparton

9.4 Typical comments about the program included:

- Great service, nothing daunts them.
- Thought it would take five years to do what they have done in 12 months.
- Doing an extraordinary job.
- Clients love the CLC. They are great communicators with clients.
- They have done it well because of their style – Peter listens, Alex is easy to talk to.
- Client experience of legal advice has been very positive – comfortable in office, flexible, will
- LCCLC is seen as cutting edge within the field. Doing a fabulous job.
- Never before have Bendigo solicitors been as committed as they are to CLC.
- They don't sit back and wait for things to happen.
- Staff at the centre are excellent – professional, motivated, highly skilled, open, willing to collaborate

9.5 Summary of achievements against the plan as at December 2007

To provide free and accessible legal information, advice, casework and referral services

- Most indicators have been achieved or exceeded
- Recording type of service needs improvement
- Fortnightly outreach advice clinics not achieved
- Staff turnover in community legal education impacted on outcomes
- No negative feedback registered in feedback forms

Identify legal issues within the community which require policy or law reform action

- Most indicators met
- Local agency survey not complete
- Reference group has not been convened

Ensure compliance with administrative components of the service agreement

- Most indicators met but a significant number of non-compliances
- Policy and procedure manual not reviewed and implemented with all staff
- Performance management and review of staff and regular staff meetings indicators were not fully met
- Some training opportunity and supervision indicators not met for staff and volunteers

Maintain commitment to developing new and innovative programs in response to the unmet legal needs in the catchment

- All indicators met apart from linking to National Associations of CLC's and two week annual evaluation of all services

To provide information regarding the activities of LCCLC to residents and community agencies within catchment

- All indicators met apart from production of an information resource, translated into at least one other language, to distribute to regional community service agencies

10 Review of projects undertaken by the LCCLC

10.1 The Family Violence Service

The Loddon Campaspe Community Legal Centre (LCCLC) provides specialist Family Violence Legal Assistance Services at the Bendigo and Magistrates Courts. These services were initiated in response to unmet legal need for legal advocacy in this critical area.

Services are provided from core funding, not dedicated family violence funding. LCCLCs service capacity in this area has been enhanced through the Clayton Utz Foundation Fellowship program (providing two year funding for a graduate solicitor position). This funding will end in January 2009.

The service offers interim matter support for unrepresented litigants in Family Violence matters with a preference to accept victim first. The service involves both a solicitors and non legal person and at least 1 if not 2 solicitors are in court each week.

Two women's family violence support services - Annie North and EASE - provide non legal support to women and children victims as part of the service. The project has been able to address gender issue through the non legal support workers being female.

The court network has been helpful and the project has an excellent reputation at court. The process involves very informal mechanisms but is seen to be working well by clients, women's support services, magistrates and other legal parties. Some comment has been made about the extra time taken to process cases and the impact that has on duty solicitors.

Maryborough Outreach

The LCCLC is currently replicating the family violence service in Maryborough. Resources aren't as good but EASE also provides some support services.

There is future potential to expand the service for Echuca, Kyneton and other areas in the region.

The Maryborough Outreach project is seen as capacity building in providing support for unrepresented people. It is meeting unmet legal needs for isolated people and thus building community capacity to meet legal issues.

Feedback about the current Family Violence Legal Assistance Service operated by LCCLC at the Bendigo and Maryborough Magistrates Court showed that the service has been extremely valuable. The service was rated as highly effective, but it was identified that the service needed to be improved by broadening the service to expand to other courts, by offering more culturally specific and linguistically diverse services and become more accessible by offering more frequent services to Maryborough, which is currently attended fortnightly rather than weekly.

Challenges

- Formulate a comprehensive strategy for family violence legal assistance services for the region.
- Explore all available options for sourcing specialist funding to maintain and expand the level of service and outreach locations for the family violence program, with the long term view of establishing a designated Family Violence Solicitor role within the LCCLC.
- Continue to explore opportunities for engaging with Indigenous community to identify and where appropriate assist in redressing shortfalls in legal assistance available for family violence matters in their communities.
- Continue, where ever possible, continue to explore further training and professional development opportunities for all staff involved in the family violence program.
- Actively seek partnership opportunities for improving family violence legal assistance services in neighbouring catchment areas, to locales such as Swan Hill, Shepparton and Kerang, or any other areas where a shortfall of service exists.

- Facilitate the employment of a specialist Family Violence Solicitor with the capacity to work with the LCCLC Community Development worker to provide family violence related community legal education to organisations and to the wider community.
- Trial services to Echuca as soon as possible to meet current need and consider the need for similar specialist services to Castlemaine and Kyneton.

10.2 Other Projects

The centre has established three projects addressing the needs of older people, migrants and homeless people.

10.2.1 Older person's project

The Older Person's Legal Program provides specialist legal services to people aged 60 years and older who live in the Loddon Campaspe region. Almost a quarter (23%) of LCCLC's clients are 60 years and older.

Specifically, the program provides legal assistance to:

- Aboriginal and Torres Strait Islander people aged 45 years and older in acknowledgement of the younger population and lower life expectancy;
- People with age discrimination matters in relation to employment because these matters are related to aging but generally occur before the age of 65 years;
- Carers and families acting in the best interests of the older person.
-

The Program specialises in areas of law that particularly affect older people, including:

- Accommodation (hostels, nursing homes, retirement villages, tenancies)
- Aged discrimination
- Older abuse
- Family care agreements / property disputes
- Consumer & Banking issues
- Grand parenting
- Health (advance health directives, access to health services, patient rights)
- Welfare issues – social security and veterans affairs
- Wills, Powers of Attorney, Guardianship and Administration

It predominantly assists in civil matters with the most common matters being wills & powers of attorney, Older abuse and credit & debt. Many clients make an initial appointment about a will or power of attorney and then during an advice session reveal Older abuse issues.

Achievements

Since the commencement of the service:

- individual legal assistance has been provided to over 150 older people.
- the program has established fortnightly outreaches at the Bendigo Community Health Service in Eaglehawk and the Castlemaine & District Community Health Service in Castlemaine and an outreach at the Bendigo Base Hospital to provide legal assistance to disadvantaged and vulnerable older patients.
- over 40 community legal education workshops to over 700 older people throughout the Loddon Campaspe region. Topics ranged from an introduction to legal issues affecting older people to wills, powers of attorney, Older abuse, guardianship & administration, and grand parenting.
- 20 professional education workshops to over 500 frontline workers (social workers, nurses, aged care workers, health professionals) throughout the Loddon Campaspe region.

Two publications have been produced by the LCCLC in connection with the older person's project:

Responding to the financial abuse of older people: Understanding the challenges faced by the banking and financial services sector, August 2008

This report examines areas of potential legal liability banks may incur in reporting suspected financial abuse of Olderly customers by third parties. The report focuses on the relationship between a bank and its customers in relation to ordinary deposit accounts and everyday transactions.

Financial & Consumer Credit Issues for Older Consumers in Central Victoria, April 2008

This report provides an introduction to some of the major areas of concern that may affect older people who are financially disadvantaged. Areas considered include: ageism, income, access to banking and financial services, financial literacy, financial exclusion, economic crimes, continuing credit contracts, small loans, payday lenders, mortgages and reverse mortgages, acting as guarantors, telecommunications issues, utilities, financial and rural counseling.

Challenges

- Need to focus more on outreach – potential to link more with Bright St project in Eaglehawk
- Aim to further develop relationship within BCHS

10.2.2 Homelessness and Immigration Pilots

A 2 year full time graduate position for the LCCLC has been funded by law firm Clayton Utz to build capacity in the new community legal centre. The position has focused on two key areas in the Loddon Campaspe Region – immigration services and homelessness.

Immigration Pilot

An immigration pilot has been initiated in Castlemaine servicing the newly settled predominantly Sudanese community there.

The plan for the Immigration Pilot is to have 6 weeks of one-on-one advice sessions and then an Information Sessions every two months.

The Migration Agent services currently provides a fortnightly session to the Sudanese community in Castlemaine.

The advice sessions have been well attended with usually approximately 2-4 people in attendance each session. Common topics are assisting people with visa application and Freedom of Information applications. The appointments after 4pm are proving very popular.

There have been two Information Sessions since the pilot has started. The first had one person in attendance and the interpreter did not turn up. The person who came for the session turned up late and without an interpreter the decision was made to postpone the topic for the next Information Session. This night had a number of lessons from it including changing the location and the day and deciding to do a mail out through BRECC. These changes led to the next information session being very successful. Over 20 people were in attendance and they were very active in the night.

Homeless Persons Legal Clinic Project

The Homeless Persons project provides general casework in relationship to intervention orders. The project is focused on homelessness not houselessness as defined in ABS statistics and includes:

- Living in improvised situation – camping, sleeping out
- Living in temporary accommodation e.g. caravans, couch surfing

After approximately a year of research, visiting Homeless Persons' Legal Clinics and consulting with the community and agencies the report 'Legal Services for Homeless People in Central Victoria' was launched by Kristen Hilton from the Public Interest Law Clearing House. It was well attended by approximately 30 people and was well covered by the media.

There were a number of outcomes resulting from a meeting with the stakeholders after the launch including: promoting existing legal services better, promoting referral pathways, promoting secondary consultation and trial the clinics. These outcomes will be pursued by producing a Local Legal Services flyer and distributing it to agencies and providing talks to the agencies in the weeks leading up to the clinic beginning. Meetings are being conducted with PILCH, law firms and participating agencies in order to commence the trial clinics.

Challenges

- Moving forward – need to help homeless people in a specific service – could be located in Loddon Mallee's Housing service or St Luke's

General comments on the LCCLC service from the 2008 survey included:

- Wider promotion of the service is needed
- Information session for child protection staff requested including information to provide to child protection clients
- An excellent service for women and children experiencing family violence
- Have been able to get appointments for clients easily – I have faith in the organisation
- by needy clients in crisis
- Good to see the older persons legal service available in hospitals
- Have welcomed the service – found it very responsive to clients, open and available for contact
- We have a good relationship with the whole advocacy and rights service
- Since the establishment of the LCCLC I have been impressed with their commitment to social justice and willingness to work in partnership with our organisation.

11 2008 Profile of the Loddon Campaspe Region



11.1 Loddon Campaspe Region

The Loddon Campaspe region covers a large area in North Central Victoria and includes the following Local Government Areas and major towns: Campaspe (Echuca), Central Goldfields (Maryborough), Greater Bendigo (Bendigo), Loddon (Inglewood, Wedderburn), Macedon Ranges (Kyneton), and Mount Alexander (Castlemaine). The region covers 19,022 sq kms and is bounded by the Great Dividing Range in the south and the Murray River in the north. It includes the traditional country of the Jaara Jaara, Yorta Yorta and Wurundjeri Indigenous peoples.

There are eight community legal centres covering regional Victoria, including Loddon Campaspe Legal centre based in Bendigo. The closest community legal centres to Bendigo are in Ballarat (120 kms), Broadmeadows (140 kms), Albury/Wodonga (300 kms) and Mildura (410 kms). While these centres assist some people from the Loddon Campaspe region (for example Broadmeadows assists people from Sunbury / Gisborne and Ballarat assists people from Maryborough) their work is limited by resource constraints and a focus on their own catchment area.

11.2 Introduction

The socio-economic profile developed in this chapter demonstrates the disadvantage that exists in the Loddon Campaspe region. In turn this socio-economic disadvantage indicates a high level of legal need and lack of access to justice. The socio-economic profile also identifies those disadvantaged communities that the LCCLC has targeted in its service provision. Statistics are derived from the 2001 and 2006 ABS Census unless otherwise described.

11.3 Population

11.3.1 Population Statistics

Loddon Campaspe represents approximately one sixth of Victoria's total population. In 2006 the population was estimated at 205,046 a drop of 0.37% from the previous census in 2001. Loddon (-8.6%) and Central Goldfields (-6.1%) showed the biggest losses with Greater Bendigo (1.5%) being the only growth area. The average median age is increasing in all areas.

Table 1: Population statistics

1. LGA	Est pop 2002*	Est Pop 2006	% region total 2002	% region total 2006	Growth 2002-2006	Median Age* 2002	Median Age 2006
Campaspe	36,737	36,209	17.8%	17.7%	-1.4%	38.1	40
Central Goldfields	13,131	12,323	6.4%	6.0%	-6.1%	42.6	46
Greater Bendigo	91,831	93,252	44.6%	45.5%	1.5%	36.1	37
Loddon	8,574	7,836	4.2%	3.8%	-8.6%	43.1	46
Macedon Ranges	38,384	38,360	18.7%	18.7%	-0.06%	36.6	39
Mount Alexander	17,168	17,066	8.3%	8.3%	-0.59%	42.0	44
							Regional av. 42 (Australia 37)
Loddon Campaspe Total	205,825	205,046	100%	100%	-0.37%		

*Source: Regional Population Growth, Australia & New Zealand, 2001-02 (ABS cat. no.10.3218.0) and Population Age & Sex Victoria (ABS cat. no. 3235.2.55.001).

Source: Regional Population Growth 1991 to 2001 (ABS cat. no. 3218.0).

+ Source for 2006 statistics – ABS website

11.3.2 Rural and Regional Populations

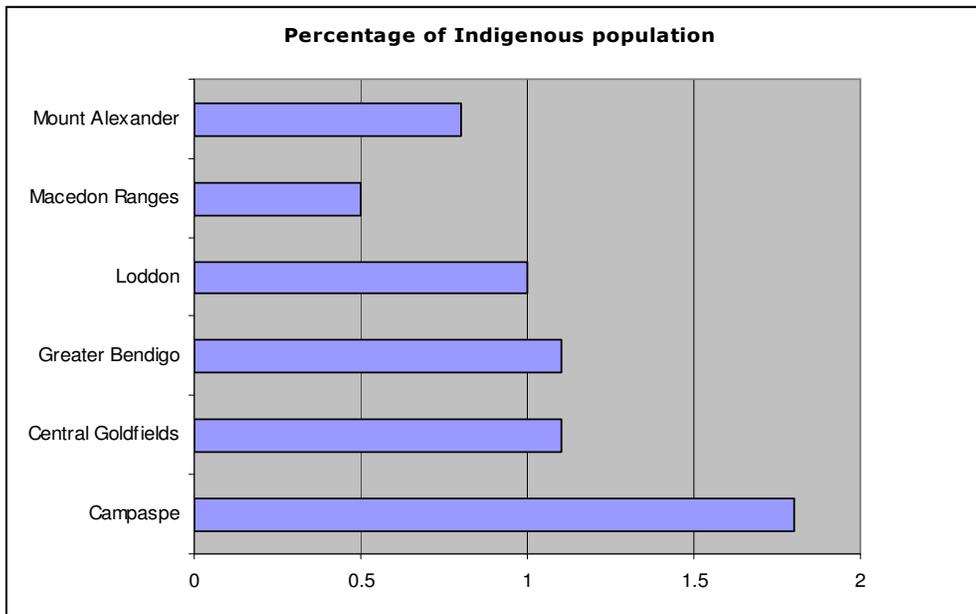
The Loddon Campaspe is a regional and rural area with some large farming communities. It is an area that has been severely affected by drought and agricultural restructure, which has been a cause of stress within the workplace and within families, often coupled with isolation.

The Loddon Campaspe region is a rural and regional area with a significant population of farming communities that are suffering financial hardship and family stress due to ongoing drought and agricultural restructuring. Services and infrastructure in rural areas remains inadequate and public transport is limited. People in these communities are experiencing a range of legal issues with which a community legal centre would be able to assist, from family law issues to debt, credit and social security problems.

11.4 Cultural Diversity

The census 2006 data indicated that there were 2157 indigenous people living in the Loddon Campaspe Region, making up only 1.1 per cent of the total population. This number should be taken as a minimum due to possible low rates of participation. The Campaspe region has the highest indigenous population:

Table 2: Indigenous population



Source: ABS 2006 Census Population and Housing

The culturally and linguistically diverse community is relatively small compared to Victoria in general. There are 10,211 people who were born overseas living in the Loddon Campaspe, adding up to 5 per cent of the total population. The biggest groups were people born in the United Kingdom and New Zealand. There is a distinct lack of services available, but considerable concern in relation to cultural barriers, misunderstandings, rights, options and an understanding of the legal process.

Percentage of overseas population in the Loddon Campaspe Region:

Table 3: Culturally and linguistically diverse

	Population Born Overseas 2006 (%)	Population Born Overseas 2001 (%)
Campaspe	5.7	5.7
Central Goldfields	7.8	7.1
Greater Bendigo	6.1	6.1
Loddon	6.5	7.1
Macedon Ranges	12.6	12.2
Mount Alexander	9.4	8.8

Source: ABS 2006 Census Population and Housing

11.5 Social disadvantage

Social disadvantage research provides an overview of disadvantage by geographical location using multiple key indicators. It is therefore useful in identifying disadvantaged communities and indicating a high level of legal need. As can be seen from the research below, in 2006 the Loddon Campaspe region had significant disadvantage that warranted the ongoing service of the Loddon Campaspe community legal centre.

11.5.1 Jesuit Social Disadvantage Research

In 1999, Jesuit Social Services produced *Unequal in Life*, a research report that provided a postcode map of disadvantage in Victoria and New South Wales. The report used the following indicators to rank postcodes from highest to lowest disadvantage: unemployment rate, low income, low birth weight, child abuse, leaving school before 15 years, emergency assistance, psychiatric hospital admissions, defendants before courts, unskilled workers, and child injuries. The Loddon Campaspe region had 16 postcode areas ranked in the top 100 for social disadvantage out of 622 postcodes in Victoria, indicating a significant level of social disadvantage in the region.

In 2007, an updated version of the report, titled *Dropping off the Edge*, used a different process for categorising the most disadvantaged but as seen below it revealed that seven out of the 16 LGA's identified in the 1999 report ranked in the top 40 most disadvantaged towns in Victoria. This is up from four LGA's in the 1999 report.

The *Dropping off the Edge* report identified that there are many areas in central Victoria in the 40 highest ranking postcode areas of disadvantage. These areas include Heathcote, Maryborough, Inglewood, Dunolly, Eaglehawk and Castlemaine.ⁱ

Table 4: Socio-economic disadvantage – Jesuit Social Services Report 1999

Post code	Town	LGA	Population	Rank (out of 100)	Pop. 2006	Rank 2006 (out of 40)
3556	Eaglehawk	Greater Bendigo	9,704	15	10,208	16
3475	Bealiba	Central Goldfields	286	16		
3520	Korong Vale	Loddon	243	18	252	3
3450	Castlemaine	Mount Alexander	6,683	47	6,495	25
3465	Maryborough	Central Goldfields	9,647	49	9,631	4
3451	Gower district	Mount Alexander	2,469	54		
3371	Talbot	Central Goldfields	917	55		
3555	Kangaroo Flat	Greater Bendigo	11,526	56		
3563	Lockington	Campaspe	362	58		
3523	Heathcote	Greater Bendigo	3,008	60	3,459	2
3447	Taradale	Mount Alexander	184	66		
3472	Dunolly	Loddon	1,476	70	1,452	15
3517	Inglewood	Loddon	1,388	76	1,498	10
3518	Wedderburn	Loddon	1,358	78		
3550	Bendigo	Greater Bendigo	40,587	82		
3558	Elmore	Greater Bendigo	1,126	93		

11.5.2 Relative Socio-economic Indicators for Areas (SEIFA)

The ABS Index of Relative Socio-economic Disadvantage describes the socio-economic character of an area. It is derived from census information on attributes such as low income, low educational attainment, high unemployment and jobs in relatively unskilled occupations.

An analysis of the socioeconomic data in the Loddon Campaspe region shows a high level of disadvantage across the region. Indicators include low household income; high unemployment, low education levels; significant family violence, sexual assault and child abuse issues, high youth suicide; high psychiatric rates, a high proportion of people living with a disability, a shortage of affordable housing and a constant flow of criminal offences and court work.ⁱⁱ

Based on 1996 census information, three of the six Local Government Areas in Loddon Campaspe were in the bottom 40% of all Local Government Areas in country Victoria in terms of relative socio-economic indicators. Central Goldfields was recorded as the most disadvantaged Local Government Area in rural and regional Victoria.ⁱⁱⁱ

The ABS 2006 SEIFA data regarding the areas of significant disadvantage in Victoria indicate that five out of the top ten most disadvantaged LGA's are situated in the Loddon Campaspe region. The Central Goldfields LGA is ranked as significantly disadvantaged in the Jesuit reports and in the 2006 SEIFA index. It also appears as the most disadvantaged in Victoria on individual indicators: high percentage of households on low incomes, high unemployment, low Year 12 completion rate, high percentage of families with children that are single parent families, high level of involvement of child protection; poor public transport, rural isolation and above average crime rates.

Table 5: Index of Relative Socio-economic Advantage and Disadvantage

VICTORIA		
Local Government Areas		
Most disadvantaged		
Rank in VIC	Local Government Area (LGA)	Usual Resident Population
1	Central Goldfields	12,326
2	Loddon	7,838
3	Pyrenees	6,557
4	Hindmarsh	6,041
5	Yarriambiack	7,519
6	Northern Grampians	11,911
7	Greater Dandenong	125,520
8	Buloke	6,852
9	Gannawarra	11,297
10	Ararat	11,255

Source ABS Census data 2006

11.6 Employment and education

11.6.1 Income Levels

49.4 % of people living in the Loddon Campaspe region earn less than \$400 per week, compared to Victoria as a whole, which is 41.8%. This a considerably low number since the Henderson poverty line indicates that any single person with an income below \$352.16 per week is sitting under the poverty line.^{iv} This would severely affect the access to private lawyers for issues concerning family violence matters.

Table 6: Income levels in the Loddon Campaspe Region:

	Below \$400 per week	Below \$600 per week
Campaspe	46.7%	63.2%
Central Goldfields	58.4%	74.6%
Greater Bendigo	46.2%	62.1%
Loddon	55.5%	71.8%
Macedon Ranges	40.4%	53.9%
Mount Alexander	49.2%	64.9%
Victoria	41.8%	55.4%

Source: ABS 2006 Census of Population and Housing

All local government areas, other than for Mount Macedon, had a greater proportion of households with low weekly incomes than the Victorian average. In particular, Central Goldfields, Loddon and Mount Alexander had a significantly high percentage of households on low incomes – well above both the Victorian and regional Victorian averages.

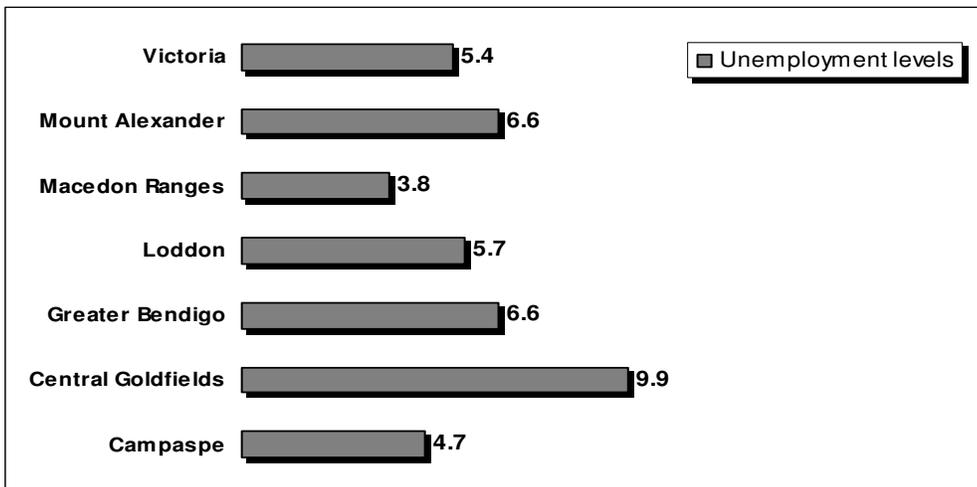
11.6.2 Unemployment

The employment levels in the greater Loddon Campaspe region are significantly higher than that of Victoria as a whole.

According to the 2006 census data, there were 5504 people are unemployed in the region. The unemployment rate sits at 6.7%, compared to a significantly lower number of 5.4% for Victoria overall.^v

The unemployment levels are highest in the Central Goldfields region:

Table 7: Unemployment levels



Source: ABS 2006 Census of Population and Housing

11.6.3 Workforce

Employment by industry sector varies across the region. In Campaspe and Loddon, the main employment sector is 'agriculture, forestry and fishing', in Central Goldfields, Mount Alexander and Macedon Ranges, it is 'manufacturing' and in Greater Bendigo it is 'retail'.

11.6.4 Education Levels

Whilst the level of education in Victoria at 44.0% is higher than that of Australia as a whole at 42.2%, the Loddon Campaspe region has significantly lower levels of the population aged over 15 years who have completed year 12.

44.0% of the population over 15 in Victoria have completed year 12 compared to only 32.4% in Loddon Campaspe. Low education levels can lead to significant levels of disadvantage due to income, employment opportunities, lack of information about the legal system and about rights to safety and justice.^{vi}

Table 8: Education levels

% of population over 15 years completed year 12	2006	2001
Campaspe	23.6%	21.4
Central Goldfields	23.6%	19.3
Greater Bendigo	33.7%	28.9
Loddon	23.6%	20.0
Macedon Ranges	33.8%	35.2
Mount Alexander	33.8%	30.8

Source: ABS 2006 & 2001 Census of Population and Housing

11.7 Family

11.7.1 Single Parent Families

In 2002 Central Goldfields, Mount Alexander and Greater Bendigo had a very high percentage of families with children that are single parent families, when compared with the Victorian average of 23.3%. Research shows that significant proportions of single parent families face serious disadvantage including long term welfare dependency. Many single parent families face financial and family legal issues and would be assisted by a local community legal centre.

In 2006 these figures seem to have dropped very dramatically perhaps suggesting a different way of collecting the data.

Table 9: Families with children that are single parent families

LGA	% of families with children that are single parent families 2001	% of families with children that are single parent families 2006
Campaspe	21.8%	13.9%
Central Goldfields	30.0%	17.1%
Greater Bendigo	28.7%	18%
Loddon	20.6%	13.1%
Macedon Ranges	18.1%	12.1%
Mount Alexander	29.6%	17%
Victoria	23.3%	Australia 15.8%

Source: ABS 2001 Census of Population and Housing, B17 Family Type

11.8 Family Violence

As the following table indicates family violence is an ongoing problem in the Loddon Campaspe region. With the exception of Swan Hill and Kerang all other courts have shown an increase in intervention matters.

Table 10: Intervention Order Matters by Court^{vii}

Court	2005/06	2006/07	2007/08	Total	% of total
Bendigo	1549	1841	1902	5292	72.4
Echuca	132	148	169	449	6.1
Swan Hill	119	172	142	433	5.9
Kyneton	112	130	151	393	5.4
Maryborough	103	91	112	306	4.2
Castlemaine	78	71	98	247	3.4
Kerang	65	67	58	190	2.6
Totals	2158	2520	2632	7310	100

LCCLC has been providing legal services in family violence matters since the service commenced in 2005. On 1 February 2007 LCCLC initiated a targeted family violence legal assistance service at the Bendigo Court. This service was later extended to the Maryborough Court.

Between 1 July 2005 and 18 August 2008 LCCLC assisted with 440 IVO matters

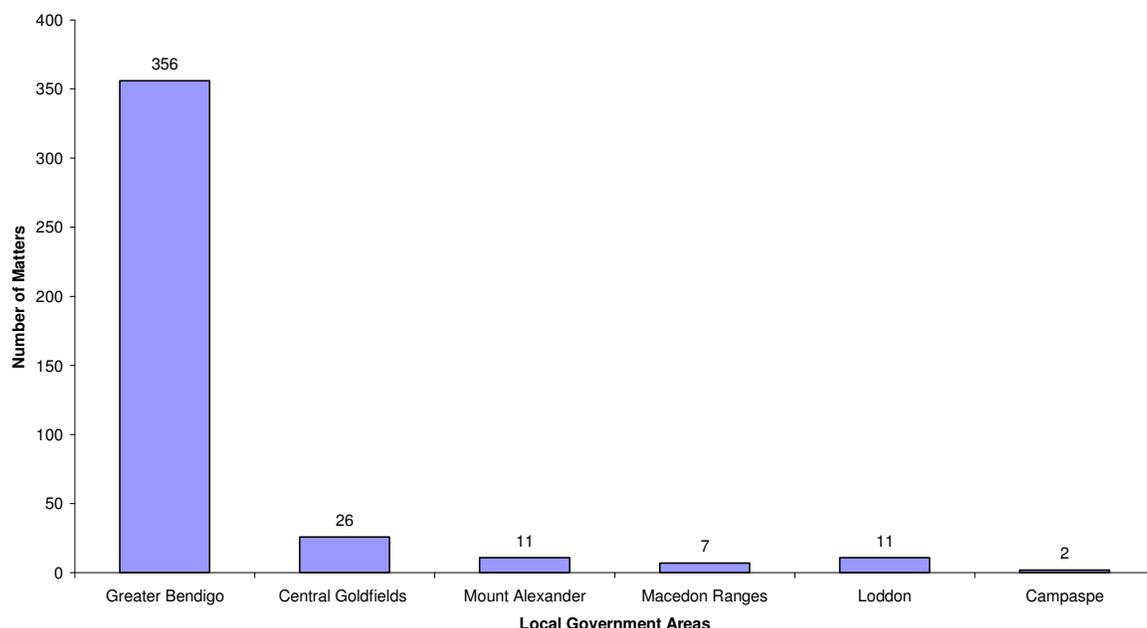
Since the commencement of the Family Violence Legal Assistance Service (1 February 2007), LCCLC has assisted with 364 IVO matters.

From 1 October 2007 LCCLC has collected detailed data regarding intervention order matters.

- Between 1 October 2007 and 18 August 2008 LCCLC represented on average 5 clients per week at the Bendigo Court and 2 clients per fortnight at the Maryborough Court.
- 82% of our clients are applicants, 18% are respondents
- 78% of our clients are female, 22% are male
- 88% of the matters have been IVO applications, 7% Extensions/Variations, 5% Revocation applications
- 38% of IVO applications involve Children
- 7% of IVO applications have Family Court Orders in place
- 60% of respondents are represented by Duty Solicitors, 24% are represented by private solicitors, 6% are represented by police prosecutors and 10% are self-represented.
- 26% of our clients have an earned income, 71% rely on a Government pension, benefit or allowance, and 3% have income from other sources.^{viii}

Table 11: Assistance by LCCLC in Invention Order Matters

Assistance by LCCLC in Intervention Order Matters by Local Government Area



The Australian Bureau of Statistics conducted a Personal Safety Survey in 2005, which demonstrates how widely spread the issue of family violence is^{ix}:

- One in three women had experienced physical violence since the age of 15
- Nearly one in five women had experienced sexual violence since the age of 15;
- 16% of women had experienced violence by a current or previous partner since the age of 15
- Intimate partner violence especially affects pregnant women. The ABS found that 36% of women who experienced intimate partner violence were pregnant at the time of the violence and 17% of those women were pregnant when the violence started.

Family violence is the main contributor to death, disability and illness in Victorian women under the age of 45 years.^x Well over half of all family violence incidences that were reported to the Victorian Police during the years 1999/2000 to 2003/2004 were witnessed by at least one child.^{xi} The levels in indigenous communities are considerably higher.^{xii} In the past, there have been many reports about women not reporting domestic violence incidences to the appropriate authorities, such as the police. Many reasons have been highlighted, such as fear of repercussion from family members, financial dependence on the perpetrator and because victims often feels that they are not supported during the legal process. This becomes even more difficult for indigenous victims because of the lack of culturally appropriate support services and responses to their experience of family violence.^{xiii}

11.9 Sexual Assault

In the Loddon Campaspe region, the service statistics from LC CASA show during 2004/05 there were 967 registered clients, 507 of which were new registrations for that period. During the same period of time the family violence service covering the same region as LC CASA, EASE, provided case management to 521 women with 757 accompanying children. Of these women, 65% were escaping domestic violence and of these 8% were single young women with children or pregnant. A further 3% of women had drug and alcohol issues and 5% were homeless young women who were pregnant or parenting. The after hours service provided crisis intervention and support to 72 women and 83 accompanying children. Fifty women were provided with 70 nights of crisis accommodation in motels. Both

Service figures are not a true indication of the prevalence as we know that only about 14-17% of women report (ABS 2004). We also have anecdotal evidence that people do not access services in rural areas because of transport barriers, outreach services not being as regularly available as services in regional centres and fears around confidentiality (Neame and Heenan, 2004).

Source: *How safe is the city? Why should we focus on gendered violence prevention in Bendigo and how could we do it?* Paper prepared by Carolyn Wallace for the "Gender, Local Governance and Violence Prevention: Making the Links" project, 2006

11.10 Child Protection

The level of involvement of Child Protection is comparatively high in Loddon Campaspe and is strongly related to family income and family type. Of families investigated for suspected child abuse and neglect in 2001-02 in Victoria, more than 75% were on low incomes and/or were single parent families. This is borne out by the notification rates in Loddon Campaspe. Two of the lower socio-economic LGAs, Central Goldfields and Greater Bendigo, had extremely high rates of notifications (74.95 and 68.27 per 1000 children), while Macedon Ranges, a far more wealthy LGA, had a comparatively low rate of notifications (28.64 per 1000 children). Substantiation levels have been between 18% and 22% of notifications in Loddon Mallee between 1997-1998 and 2001-2002.

Whilst the Figures from the Australian Institute of Health and Welfare show substantiations of child abuse and neglect between 2000/01 and 2005/06 fell by 0.6 per cent in Victoria and rose by 145 per cent in the rest of Australia, child protection is still a significant issue for the region.

11.11 Health

National data on youth suicide in rural Australia has revealed that rural areas have a higher incidence of suicide when compared to urban areas.^{xiv} The youth suicide rate in the Loddon Mallee Region is more than double that of the whole of Victoria (50.1 compared to 23.0 per 100,000).

Psychiatric treatments are also higher in the Loddon Mallee than for the whole of Victoria (1202.8 compared to 730.3 per 100,000).^{xv}

Rural regions have a higher proportion of people living with a disability than the state average, with the Loddon Mallee region having the highest proportion at 19.8%. A breakdown for the sub region of Loddon Campaspe is not available, but is likely to reflect the same high proportions.^{xvi}

11.12 Housing

Parallel to trends across Victoria, according to Office of Housing data, affordable rental properties have declined across the Loddon Campaspe region, with Loddon, Macedon Ranges and Greater Bendigo recording the lowest proportions. These figures are based on the number of properties that are within 30% of income (including rent assistance) for low-income households that will not be overcrowded.^{xvii} Residential vacancy rates are extremely low, particularly in Greater Bendigo and Loddon, supporting anecdotal evidence from housing workers and clients about the shortage of rental accommodation.^{xviii} The number of people on public housing waiting lists^{xix} far exceeds the supply of public housing accommodation.

Median house prices have increased across the region between 1992 and 2001: Castlemaine 62%, Bendigo 56%, Echuca 56%, Gisborne 54%, Kyneton 48%, and Maryborough 26%.^{xx} Annual safety net wage increases have been between \$8 and \$15 per week for this period.^{xxi}

An inability to access affordable and appropriate housing is a significant cause of homelessness. Homelessness impacts on people's health and well being, on their ability to participate in employment, education and training as well as in the social life of the community. Homelessness also creates and compounds legal issues for disadvantaged people. A community legal centre would work with these people to increase access to justice.

According to the Australian Bureau of Statistics 2006 census statistics, 1188 people (.57% of the population) were suffering from homelessness in the Loddon Campaspe region. This indicates that homelessness is a significant problem in the region in comparison to Victoria (.26%) and Australia as a whole (.48%). Victims of domestic and family violence form a large number of homeless people Australia wide. In the Loddon Campaspe Region, 1259 people access the Supported Accommodation Assistance Program (SAAP) in 2005-2006. 35 % of these people stated that they were homeless or at risk of homelessness because of domestic or family violence.^{xxii}

11.13 Justice

11.13.1 Criminal Offences

Victoria Police 2002/2003 Provisional Crime Statistics show the number of criminal offences committed, by LGA. Greater Bendigo recorded the highest rate of criminal offences, followed by Campaspe, Central Goldfields and Mount Alexander. While the Loddon Campaspe region rate of offences was overall lower than the state average, a breakdown of these figures shows that offences against the person were higher than the state average in Mount Alexander, Central Goldfields, and Bendigo. This correlates with anecdotal evidence that assault and sexual assault are issues in these communities.

Table 12: Criminal offences 2002/03

LGA	Offences	% regional offences	Rate per 100,000 pop.
Campaspe	2,518	18.2	6,854
Central Goldfields	879	6.4	6,694
Greater Bendigo	6,511	47.1	7,090
Loddon	503	3.6	5,867
Macedon Ranges	1,869	13.5	4,869
Mount Alexander	1,055	7.6	6,145
Regional Total	13,335		
Victoria			8,521

Source: Statistical Services Division, Victoria Police, *Summary Offences Recorded in Region 3*.

Similar trends were evident in the 2007/8 data with Central Goldfields moving ahead of Campaspe showing a 39.4% increase from the 2006/7 figure with increases mainly relating to areas of deception and rape. Both Bendigo and Central Goldfields have offence rates that are higher than the state average.

Table 13: Criminal offences 2007/8

LGA	Offences	% regional offences	Rate per 100,000 pop.
Campaspe	2178	15.5	5,768
Central Goldfields	1008	7.2	7,915
Greater Bendigo	7577	54.1	7,385
Loddon	316	2.02	3,912
Macedon Ranges	1,975	14.1	4,894
Mount Alexander	958	6.9	5367
Regional Total	14,012		
Victoria			7,186

Source: Statistical Services Division, Victoria Police, Law Enforcement Assistance Program (LEAP) and extracted on 18 July, 2008

12 Legal needs research

12.1 Research method

The original Access to Justice Report conducted a legal needs survey of 124 program areas/community agencies throughout the Loddon Campaspe region; 50% of the surveys were completed and returned. Consultations were also held with more than 30 workers from community agencies to gain further information about legal needs and case studies. It was decided to conduct the research with community agencies because of their established relationships with people from disadvantaged communities across the region and their ability to provide insights into needs and issues gained from their experience working with many individuals.

In 2008 the data was updated using a modified version of the survey. It was sent to all those who responded to the 2004 survey. Interviews were conducted with a number of agencies actively engaged in referrals to and collaborative partnerships with LCCLC. A list of these respondents can be found in Appendix A.

12.2 Legal needs

12.2.1 Legal Issues

In both surveys, Agencies/program areas were asked to identify legal issues that clients commonly present with. The original *'Survey results show that clients presented with a large range of legal issues across all agencies. Family violence was the most prevalent legal issue, followed by debt and credit issues, consumer and tenancy, family law, intervention orders and disability/mental health. As can be seen from the table below, community agencies commonly see clients with a wide range of legal issues'*.

The sample responding to the 2008 survey was small (10) – the differences recorded are most likely to reflect the types of agencies responding rather than changes to legal issues presented.

Table 14: Legal issues presented by clients at community agencies

Legal issue % of agencies reporting issue	2002	2008
Family violence	81%	70%
Debt & credit issues	76%	20%
Consumer & tenancy issues	76%	60%
Family law	74%	50%
Intervention Orders	73%	70%
Disability / mental health	69%	60%
Child Protection	66%	40%
Centrelink	66%	50%
Police issues	60%	30%
Criminal law	50%	40%
Youth issues	45%	10%
Employment	40%	20%
Discrimination	37%	20%
Neighbour disputes	35%	10%
Fines	34%	20%
Personal injury	24%	10%
Wills/powers of attorney/guardianship	21%	20%
Other (Migration and Older abuse)	6%	20%

12.2.2 Legal referrals

In the 2002 report 'Agencies referred clients to Victoria Legal Aid (79%), private lawyers (47%), and other community organisations (37%) for legal assistance; 14.5% of agencies referred clients to specialist community legal centres. More than half (53%) of agencies said they saw clients for whom there was currently no appropriate legal referral. Of those agencies that were able to find referrals for clients, many noted that they were less than confident that all referrals would lead to appropriate legal assistance.

Of the agencies surveyed, 100% said they would refer clients to a Loddon Campaspe community legal centre. In total they estimated that they would refer over 4,000 people per year.^{xxiii} While this figure is an estimate and would include some duplication of clients between agencies, it still indicates a very high level of legal need in the Loddon Campaspe region.'

Respondents in 2008 listed the LCCLC and the VLA equally for referrals, each being 60%.

20% reported referring to all other categories- private lawyer, specialist community centre, other community organisation and legal or government body.

Only two respondents indicated seeing clients for whom there was no local referral – those who have migration agents in Melbourne and where conflict of interest occurs with two parties needing representation.

Respondents indicated fewer issues with organisations trying to find legal representation for clients.

Issues faced by clients trying to seek legal assistance included – transport, not eligible for legal aid because they work but income very low, not enough female lawyers, no indigenous representation, solicitors not well versed in type of law, low priority of mental health review board cases.

All respondents indicated that they had referred clients to LCCLC with numbers varying from 2 – 30 per annum. Some didn't know actual numbers referred. Survey of Family Violence Services: Stakeholder Responses

13 Survey of Family Violence Services: Stakeholder Responses

In 2008 LCCLC conducted a survey of services providing services in family violence matters. An online survey that was sent to service providers, magistrate court staff and legal organisations in the Loddon Campaspe Region, as well as the Gannawarra and Swan Hill Rural City regions. Twenty Responses were received. This represents a 50% response rate.

The key stakeholders were identified because of their connections with people across the selected regions experiencing family violence and other social disadvantages.

13.1 Profile of the survey respondents

Of all the survey participants, 95% work with people experiencing family violence. There at least one response from services in each local government area with many services in regional centres like Bendigo and Swan Hill offering outreach services to the rural regions.

Local government areas covered by survey participants:

Region	% of services in each region
Campaspe	40.0%
Central Goldfields	35.0%
Greater Bendigo	55.0%
Loddon	45.0%
Macedon	15.0%
Mt Alexander	35.0%
Gannawarra	25.0%
Swan Hill Rural City	25.0%

- 84.2% of the participants stated that they referred to specialist Family Violence services.
- In the Loddon Campaspe region, EASE was the organisation that most other service users referred to, followed by Annie North, Loddon Campaspe Men's Behaviour Change Program, The Loddon Campaspe Community Legal Centre, Loddon Mallee Women's Health, Centre against Sexual Assault and Centacare.
- In the Swan Hill region, participants stated that they referred to Mallee Domestic Violence Service.
- 70% of the respondents identified that their organisation was part of the local Family Violence Prevention Network.
- In relation to non legal family violence court support, the survey responses showed that the respondents worked with and referred to the Loddon Campaspe Integrated Family Violence Services, EASE and the Court Support Network.
- Only 40% of the respondents stated that there were indigenous specific organisations that deal with family violence in their area. Organisations included:
 - Bendigo and District Aboriginal Corporation (Bendigo)
 - Kerang Aboriginal Community Centre (Kerang)
 - Vic Aboriginal Legal Service (Swan Hill)
 - Aboriginal Legal Aid person (Echuca)
 - Njernda Koori Court Support Worker (Echuca)
 - Indigenous Income Support Officer Centrelink (Bendigo)

13.2 Legal Needs

Survey participants were asked to identify if they often see clients when there is no appropriate legal referral for family violence issues.

- 55% of the respondents stated that there were often no appropriate referral and listed a variety of reasons why there were no appropriate legal referral.
- 100% of the respondents who answered this question stated that an obstacle for clients accessing family violence legal services was that the client could not afford private legal representation.
- Survey results show that there were many barriers including the fact that the other party had already accessed the available assistance and that the Legal Aid means and merits test was too restrictive.

Reasons for no appropriate legal services	%
Client cannot afford private legal representation.	100%
Legal Aid means test is too restrictive.	54.50%
Legal Aid merits test is too restrictive.	27.30%
Legal Aid, Victorian Aboriginal Legal Service or the Aboriginal Family Violence Prevention Legal Service will not take on cases of this nature.	18.20%
There is a conflict of interest issue.	54.50%
Other party has already accessed the available services.	90.90%
There are no local community legal services.	0%
Local firms do not have the capacity to take on pro bono matters.	18.20%

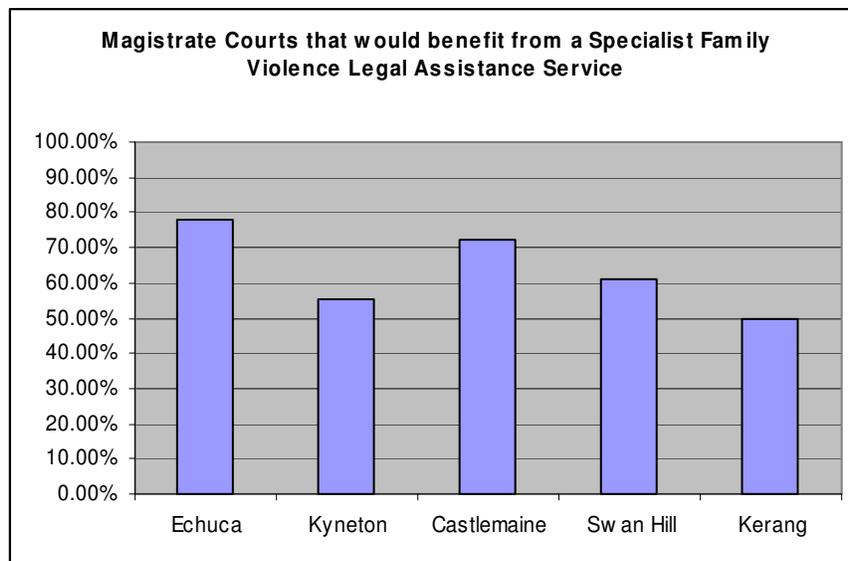
When services are able to make an appropriate referral, the main referral services were Victoria Legal Aid (74%) and Community Legal Centres (74%).

- Regional centres such as Echuca and Swan Hill have significant indigenous populations and culturally specific legal services are not readily available, with Indigenous legal services having difficulty taking on local family violence cases.
Some agencies reported referring clients to the Aboriginal Family Violence Prevention Legal Service, with representation taking up to 4 weeks to organise, leaving people who are experiencing family violence with delayed legal support.

13.3 LCCLC Family Violence Legal Service feedback

In this section of the survey, participants were asked about their experiences with the Family Violence Legal Assistance Service that is currently run weekly at the Bendigo Magistrates Court and fortnightly at the Maryborough Magistrates Court.

- 66% of services had clients that have accessed this service.
- In rating the effectiveness of this service on a scale of 1-10 (with 1 being poor and 10 being excellent, 58.3% of the respondents rated this service as 10 out of 10 for effectiveness. The average rating was 9 out of 10, 10 being most effective.
- Feedback around how this service could be enhanced proved to be invaluable. The responses included:
 - *More advertising*
 - *Frequency of service (Maryborough respondent)*
 - *Greater resourcing to broaden scope to 'outreach' courts, better identification of cases where services are required, enhanced communication with police to ensure legal service follow up. Associated Court mediation processes. Increased resourcing in non legal support sector.*
 - *by being in Maryborough every week instead of once a f/t. by expanding to other regions i.e. Castlemaine*
 - *More culturally specific services, linguistically diverse services.*
 - *More of them! Languages other than English.*
 - *Be more accessible*
- All respondents stated that they would refer to the Loddon Campaspe Community Legal Centre Family Violence Legal Assistance Service if it was available in their service region. The Magistrates court that the respondents feel that there is the greatest need for the Family Violence Legal Assistance Program is in Echuca. The percentages for all the regions were relatively high, implying that the need for this service is across the whole region.



13.4 Family Violence Legal Education

100% of respondent answered that they think their community would benefit from Family Violence Legal Education and 94.1% stated that their organisation would be interested in Family Violence legal education.

13.5 Police Responses

80% of the respondents stated that they liaise with Police in Family Violence matters.

64% of these respondents listed their regions Family Violence Liaison Officer as their main point of contact, but the only regions that mention this were in Bendigo and Castlemaine. Other contacts were Police Prosecutors, Koori Liaison Officer (Echuca) and other officers on duty.

In relation to the participants experience when working alongside the police in family violence matters, the overall reactions suggested that Police responses to Family Violence had generally improved recently. There were, however still some concerns. Most respondents stated that whilst responses are improving, generally they still see mixed attitudes by the police.

This was noticeably apparent in the Central Goldfields region, where some participants stated that the responses can be judgmental and safety issues are not identified by the police. A lack of response to Family Violence was identified, through no response at all to incidents or to breaches of Intervention Orders.

It also outlines that there are issues around inappropriate responses:

"A lack of identifying the main aggressor when attending Family Violence incidences can lead to a lack of response or inappropriate response such as cross applications for Intervention Orders".

Another respondent stated *The Police are very busy so sometimes their response to 'domestic disputes' is quite slow.*

There were also concerns around misinterpreting Family Violence as drug and alcohol or mental health issue.

Survey participants in the Mount Alexander region also voiced some concern around Police attitudes:

"Matters are not taken seriously enough. Police are not using their capacity to take out Intervention Order's on behalf of women".

APPENDIX A: Participants in the 2008 LCCLC review

Interviews conducted with:

- Sally Smith – LCCLC
- Fran Gibson – Latrobe University Law Faculty
- Margaret Augerinos - EASE
- Eileen Oates - CASA
- Marcus Williams - VLA
- Megan Aumair – Law Assoc
- Hugh De Kretser – Federation of CLC's
- Angela Williams - Consumer Affairs Victoria
- Jackie Dacey - SHASP
- Cheryl Munzel – Family Violence Network (written response)
- Paul Mee – Bendigo Regional Ethnic Council and Friends of the Sudanese and Burrindi
- Liz Carr – Bendigo Community Health Service
- Anne Maree McCarthy – Bendigo Community Health Service
- Peter Noble – Principal Solicitor LCCLC.

Surveys returned from:

- 6 volunteer lawyers
- 5 Latrobe student
- SHASP (ARC)
- St Luke's Anglicare
- Loddon Mallee Women's Health
- Annie North Refuge
- Department of Human Services – Child Protection
- EASE
- Loddon Mallee Housing

APPENDIX B: References for LCCLC Family Violence Survey 2008

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- ⁱⁱ Smith, Sally *Access to Justice in the Loddon Campaspe Region* (2004). Advocacy and Rights Centre Limited.
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- ^{iv} Brotherhood of St Laurence. *Facts, figures and suggestions for the future: Poverty* (2002).
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- ^{xii} Office for Women Policy. Victorian State Government. *Valuing Victoria's Women: Report 2003 – 2004*.
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- ^{xiii} Department of Justice. Victoria. *Victorian Family Violence Database: Five year report* (2006).
<http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Crime/Research+and+Statistics/JUSTICE+--+Victorian+Family+Violence+Database+--+Five+Year+Report+--+PDF> at 19 June 2008.
- ^{xiv} Glenn Bond (2000), *'I'd sooner talk to someone ...'* Improving young men's access to health and welfare services. Coburg, Victoria, p. 24.
- ^{xv} Louise Simm (1999), *Promoting the Health of Young Rural Males: Peer Group Workshop Program*. Bendigo Health Care Group.
- ^{xvi} *Victorian Rural Human Service Strategy – The context for change*, 2002, p. 10. Note that estimates are calculated from the population of people living in private dwellings only. This excludes people (about 1% of the population) who

live in residential establishments, including nursing homes and hostels, and therefore underestimates the proportion of the community with a disability.

^{xvii} Rental Reports (Office of Housing).

^{xviii} Real Estate Institute of Victoria (REIV) survey, December quarter 2002.

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^{xx} Department of Natural Resources and Environment (2002) *A Guide to property values*.

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^{xxiii} Self-estimation based on each agency's clients in 2003.