

# SA Community Legal Centres Service Review Project

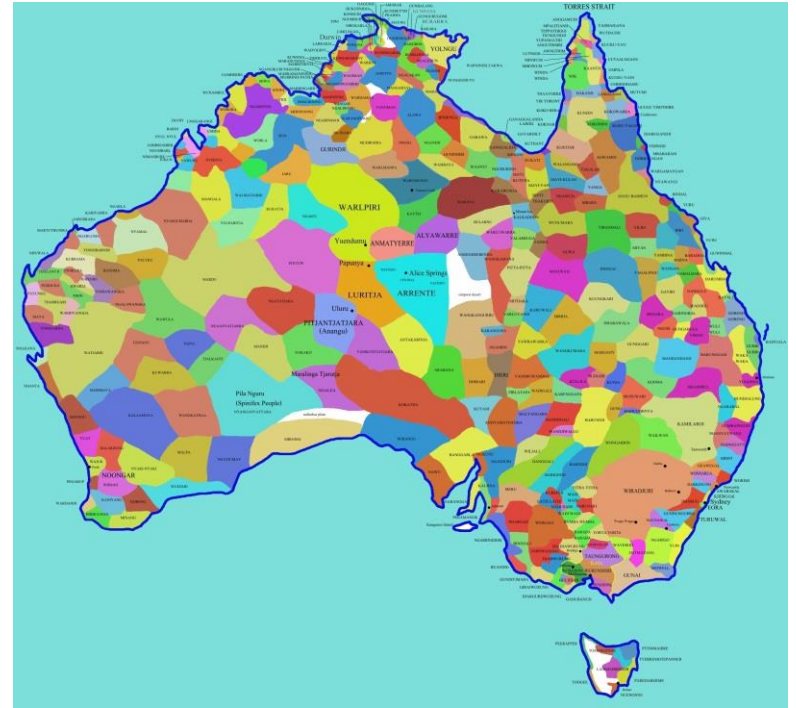
Workshop Summary Report

December 2015



Building a better  
working world

EY acknowledges Aboriginal and Torres Strait Islander people as the first people of Australia and the Traditional Owners of this land and its waters. We pay our respect to Elders, knowledge holders and leaders both past and present.



This slide pack includes:

- ▶ summary notes of discussion with CLC and other legal sector representatives on 8 December 2015
- ▶ Appendix A: summary notes of discussion with client advocate representatives on 9 December 2015
- ▶ Appendix B: information about the current state demand model

Summary notes are identified by boxed text with yellow borders.

All input and comments received as part of these workshops will be considered for inclusion in the Interim Report

# Individual reflection

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Write down your response; share with someone else; report back what you heard

Thinking about the services your organisation provides to individuals and the community, who else you work with, type of work and demand:

- ▶ What's changing for your organisation and your industry?
- ▶ How are client needs changing?
- ▶ What would you need to do more of?
- ▶ What would you need to do less of?

# Individual reflection: changes & challenges

- ▶ More mental health and drugs (i.e. ice) issues
- ▶ More clients with complex legal needs as well as complex health/social issues (e.g. DV, self-harm, child protection combined)
- ▶ Some clients require additional support services e.g. psychologists
- ▶ More clients unrepresented but more young, unemployed lawyers
- ▶ Increased referrals from government agencies (e.g. Fair Work Ombudsman and Consumer Affairs) and LSC to CLC
- ▶ Reduced community support services (i.e. lack of capacity or no longer exist) increases demand for legal services to 'stretch'
- ▶ Changes in welfare payment and disability rules
- ▶ Gap between available trained professionals and responsiveness
- ▶ Higher jurisdictional limit in civil law
- ▶ Changes in funding: increased for prosecution; decreased for defence (e.g. DV offenders)
- ▶ SA economic environment: small business failure, unemployment, increased dismissal / redundancy, 457 visas
- ▶ Increased stress for CLC workers; low wages

# Individual reflection: have or do more of

- ▶ Sector coordination
- ▶ Benchmarking – tracking need
- ▶ More funding
- ▶ Law reform / legal education / community development
- ▶ Preventative work (e.g. in schools)
- ▶ Outreach
- ▶ Collaborative case management
- ▶ Environment mapping
- ▶ Increased responsiveness
- ▶ Better regional engagement
- ▶ Training for staff
- ▶ Better wages for staff
- ▶ Planning – to manage peaks and balance needs

# Individual reflection: do less of

- ▶ Justify existence
- ▶ Data collection and reporting
- ▶ Duplicate effort where LSC is / should cover
- ▶ Referrals from government agencies, including Centrelink

# Session 7: Small Group Discussions

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## Discussion Topics

- ▶ Group 1:
  - ▶ Demand Management
  - ▶ Provision of Information and Advice
- ▶ Group 2:
  - ▶ Technology Enablement
  - ▶ Organisation and Business Services
- ▶ Group 3:
  - ▶ Sector and Workforce Capability
  - ▶ Pro bono and Volunteers



# Demand management and provision of information and advice: summary of discussion

Where do clients come from? (i.e. locations) How do you meet the needs of priority clients?

- ▶ Referrals are very problematic – even police referrals are problematic/inappropriate (“they often don’t know what domestic violence is or what services CLCs provide, which is impacting on referrals”). We need to educate other agencies/organisations on service scope, so that referrals are appropriate
- ▶ Northern CLS commented on assessing complex needs and referred to the Productivity Commission’s report and recommendations concerning unbundling legal needs
- ▶ DV services shared views and local practices employed to avoid unnecessary referrals and to better address legal and non-legal needs: DV services’ part of the service delivery is that during the first appointment legal and non-legal specialists work together to unbundle legal and non-legal client issues as well as DV and non-DV issues, which results in unbundled issues being referred to /pursued by either a lawyer or client support worker

# Demand management and provision of information and advice: summary of discussion

Where do clients come from? (i.e. locations) How do you meet the needs of priority clients? (continued)

- ▶ WRC commented on the need to build a network of good referrals with local mental health workers /clinical psychologists in particular vulnerable areas in order to create better practice referrals. If inappropriate referrals are made – WRC talk to the agency that made the referral and explain/educate on the scope of work and client eligibility

What are the priority legal assistance needs in different areas identified and how is this defined?

- ▶ Working with the local community where you can anticipate future growth and spending some resources on building community links, conducting advocacy, education activities (eg Northern employed a Sudanese lawyer).
- ▶ WRC: used to employ a fundraising consultant – we need to turn problem into an opportunity (eg attracted funding for translations, for the award-winning homeless clinic) – fundraising is seen as an opportunity for the future (eg part-time person, or secretariat, volunteers etc)

# Demand management and provision of information and advice: summary of discussion

## What is your approach to eligibility, prioritisation, triage?

- ▶ Northern/WRC: most of our clients are on Centrelink – therefore financially disadvantaged – eligible for service. No detailed income/asset testing. Only if it's obvious that client is quite wealthy – we refer them on.
- ▶ Northern: we don't turn away any clients. Exclusion criteria not applied.
- ▶ WRC: prioritise matters that may have a flow on effect. Also there is a prioritisation policy (as part of accreditation requirement)

## How do you predict demand?

- ▶ Northern CLS: We hold weekly meetings and discuss what's trending.
- ▶ WRC has a national secretariat – does trend analysis, casework reporting etc, predicts demand by area – WRC suggested that local SA secretariat could take this responsibility

## How could delivery of information and advice be improved and made more effective for citizens?

- ▶ Produce and maintain standard package of information for various areas of law - should be used by all CLCs (eg through secretariat)

# Demand management and provision of information and advice: summary comments

- ▶ CLCs need to get out and educate the community, community organisations and referring agencies about their scope and eligibility requirements – this increased connectedness to community should help predict/manage/divert/prevent demand (e.g. if the predictable disadvantage could be proactively addressed then demand for CLC support would be reduced. References were made to industry closures and increasing refugee numbers both requiring better support by others to prevent later problems and legal assistance demand).
- ▶ Consistently apply a suite of eligibility and prioritisation criteria to manage demand effectively
- ▶ Leverage LSC and other's resources where possible (e.g. hotline)
- ▶ Use fundraising (e.g. as part of secretariat or individually) for extra funds
- ▶ Challenge ourselves to achieve better service outcome measures and data
- ▶ Resources are wasted as each CLC develops their own manuals, resources and guides for lawyers and volunteers - these could be centrally prepared and managed

# Technology enablement: summary of discussion

- ▶ CLSIS replacement (Dec 16) will provide improved legal practice management, including case management
- ▶ Consolidate websites – increase common information and single content management solution
- ▶ Develop new Apps (Cth funding may be available) or share LSC App to provide information, register and communicate with clients, link to case management system and website
- ▶ Increase use of communication technologies where matches client circumstances (e.g. repeat clients or is enabling e.g. clients with disability): video conferencing (e.g. courts), Skype, online chat
- ▶ Use tools to manage appointments for efficiency and reminders
- ▶ Use technology that promotes safety (e.g. courts and GPs experience)
- ▶ Refer to NACLC research on other national initiatives

# Organisation & Business Services: summary of discussion

- ▶ Partnerships or coalitions (e.g. Uniting Communities model) provide access to connected network of professional advice and support for client under single umbrella
- ▶ Shared back office arrangements – research on approaches underway in WA, VIC and NSW (e.g if amalgamate back office get ‘bonus’ funding)
- ▶ Explore other sources of funding (e.g new Health Justice Partnership has seed funding from Clayton Utz Foundation or Law Foundation of SA) or sponsorships

# Pro bono and volunteers: summary of discussion

## Use of students

- ▶ Barriers exist: cost and effort in managing student placements
- ▶ Need: strategic partnerships, university obligation, co ordination by CLCs & system level

## Volunteer orientation / induction

- ▶ Barriers: cost and effort in managing volunteers
- ▶ Need: rigourous programs and frameworks to support volunteer practice

## After hours pro bono sessions

- ▶ Barriers: cost and effort in managing pro bono lawyers
- ▶ Need: internal co ordination, strong practitioner relationships, risk management (i.e. self-referrals)
- ▶ Other models: Duty Solicitor model (Hunter Central Coast)

# Pro bono and volunteers: summary of discussion

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## Future features

- ▶ Leverage qualified professionals (new graduates, unemployed lawyers, retirees, alumni) to assist with self representation for cases < \$25k
- ▶ Volunteer programs for other functions apart from legal advice eg. administration, social work
- ▶ Provide low cost practicing certificates (eg. Qld/ACT)



# Sector workforce capability: summary of discussion

Recruitment and retention, particularly in regional areas

- ▶ Barriers: lack of incentives (inc. professional training), lack of security of tenure, lack of support

Sector driven professional development

- ▶ Need: tailored CPD sessions to supplement LSC training, access to sector specific external leadership training, co-ordinated and sector driven initiatives

Currency and breadth of skills for changing client need

- ▶ Need: training in management of complex issues/ challenging clients, security, training (defensive)
- ▶ LSC provides current Law Handbook

# Sector workforce capability: summary of discussion

## Referral

- ▶ Need: no wrong door – many channels for different people and circumstances

## Future features

- ▶ Planning and delivery across a number of years (e.g. 3 year funding contracts)
- ▶ Dedicated resources for training and development
- ▶ Use of webinars
- ▶ Co ordinated education for other agencies
- ▶ Co ordinated Secretariat function
- ▶ Consistent practice framework – evidence and demonstration of work

# Appendix A: Client Advocates Discussion Summary



# Client advocates: discussion questions

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- ▶ Are there any general comments you'd like to make about the review or legal assistance services in SA?
- ▶ Are there particular issues about access to legal services that are different from other services?
- ▶ What works particularly well to address vulnerable and complex client needs?
- ▶ Do you expect different needs in regional and metropolitan areas in future?
- ▶ How would you expect collaborative service planning with the legal assistance services sector to be approached?
- ▶ Access to appropriate information is important – do you have any insights on what has worked well?

# Client advocates: feedback summary

The key themes for consideration in the Current State Assessment Draft Report should include Client Access:

- ▶ It is critical to understand who accesses / should access CLC services, how to access, eligibility, availability of interpreter services
- ▶ Client access needs to be ensured, in particular for indigenous, disabled, and CALD clients that is culturally appropriate

Referrals are critical for successful client outcomes:

- ▶ To ensure referrals to CLCs are appropriate and timely, other community organisations need to understand CLC's scope of services
- ▶ Nurturing and maintaining relationships between community organisations is key for addressing both legal and other underlying client problems. Requires a level of maturity and specialisation.

# Client advocates: feedback summary

More integrated community service delivery models should be considered:

- ▶ Years ago, community legal assistance was embedded as part of local community services (i.e. integrated service delivery model). Over time, for a number of reasons, CLCs were formed and separated from broader community services, operating as standalone organisations
- ▶ The current model of non-integrated legal assistance with broader community services contributes to the challenge of managing and responding to complex client need
- ▶ Re-integration of legal assistance with community services is strongly preferred for consideration e.g. one-stop shop models or leveraging SA government commitment to “schools as community hubs”

# Client advocates: feedback summary

Coordination between CLCs and other community organisations needs to be strengthened to:

- ▶ make client experiences smoother
- ▶ encourage clients to follow, and provide support, where a recommended referral pathway or ‘warm referral’ is made
- ▶ achieve better client outcomes overall
- ▶ remove fragmentation, duplication of services and focus on core CLC / non-CLC services

Uniting Communities is an example of successful service integration: bundled health, counselling and legal assistance services co-located for young clients (12-24 yo):

- ▶ After some experimentation, a co-located model where providers “wrap their hands” around clients has proven most appropriate

# Client advocates: feedback summary

Regionalised approach may no longer be appropriate to service clients' legal needs:

- ▶ Many clients do not access services the way they used to – face-to-face access is no longer primary delivery channel; clients want more flexible services and channels; regional approach is inappropriate constraint; priority client access needs review
- ▶ Review concept of 'catchment' – many vulnerable/disadvantaged clients are transient, move across postcodes and may not have permanent address. Other clients may find it more convenient/appropriate to access services outside of residential postcode (e.g. working in Adelaide CBD area, but live elsewhere)



# Client advocates: feedback summary

Leverage innovative technology to deliver services and reach clients regardless of client location:

- ▶ Examples of “tele-law” exist: Domestic Violence Court Assistance Program use technology daily to provide services (especially clients in remote / rural communities) including: Skype interviews, email advice, information and document transmittal (clients access scanners at local police station or other community organisations)
- ▶ For clients who are not as technologically literate or have difficulties using technology (e.g. CALD, mentally ill), other strategies are still required and client access and need must be considered, including role of technology to enrich service response , not replace it

Consider opportunities for economies of scale:

- ▶ Bulk activities (i.e. information and simple advice) can be delivered more efficiently and consistently through leveraging centralised model and /or self-serve channels (“We’ve all learned how to use self-serve machines at Woollies and Coles – it’s just a matter of time”)

# Client advocates: feedback summary

## Other suggestions/feedback:

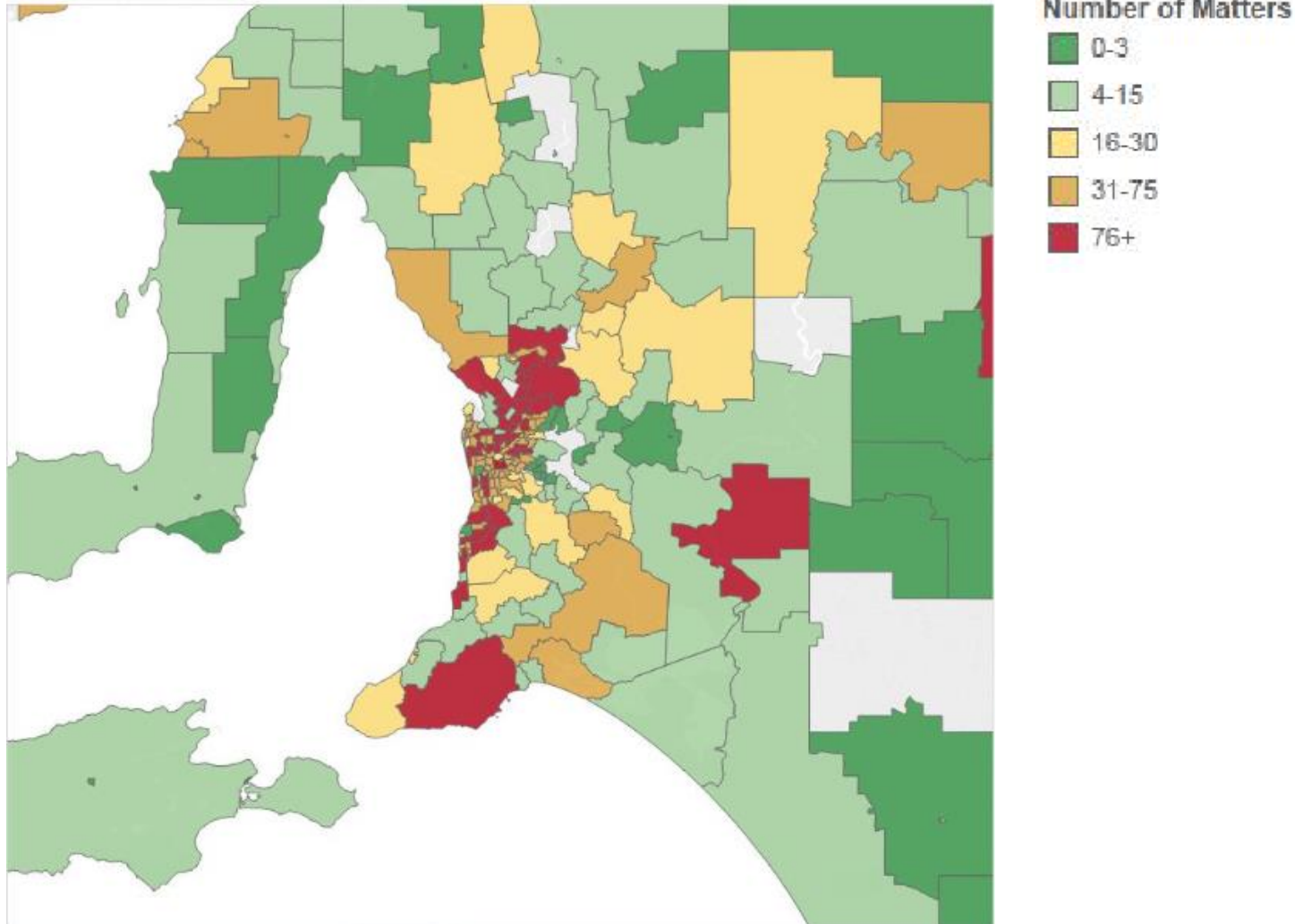
- ▶ Consider short-term demand fluctuation in some areas (existing and imminent unemployment issues in SA)
- ▶ In times of funding cuts, client outcomes-driven service design is paramount
- ▶ Need to prioritise clients to focus on most vulnerable and disadvantaged and provide core services
- ▶ Service models where clients may be asked to pay a contribution fee raise risks and not fully endorsed:
  - ▶ “this completely changes organisational imperative and behaviours”
  - ▶ “positioning towards generating income may distract community organisations from serving priority clients in need”

# Appendix B: Current State Demand Model



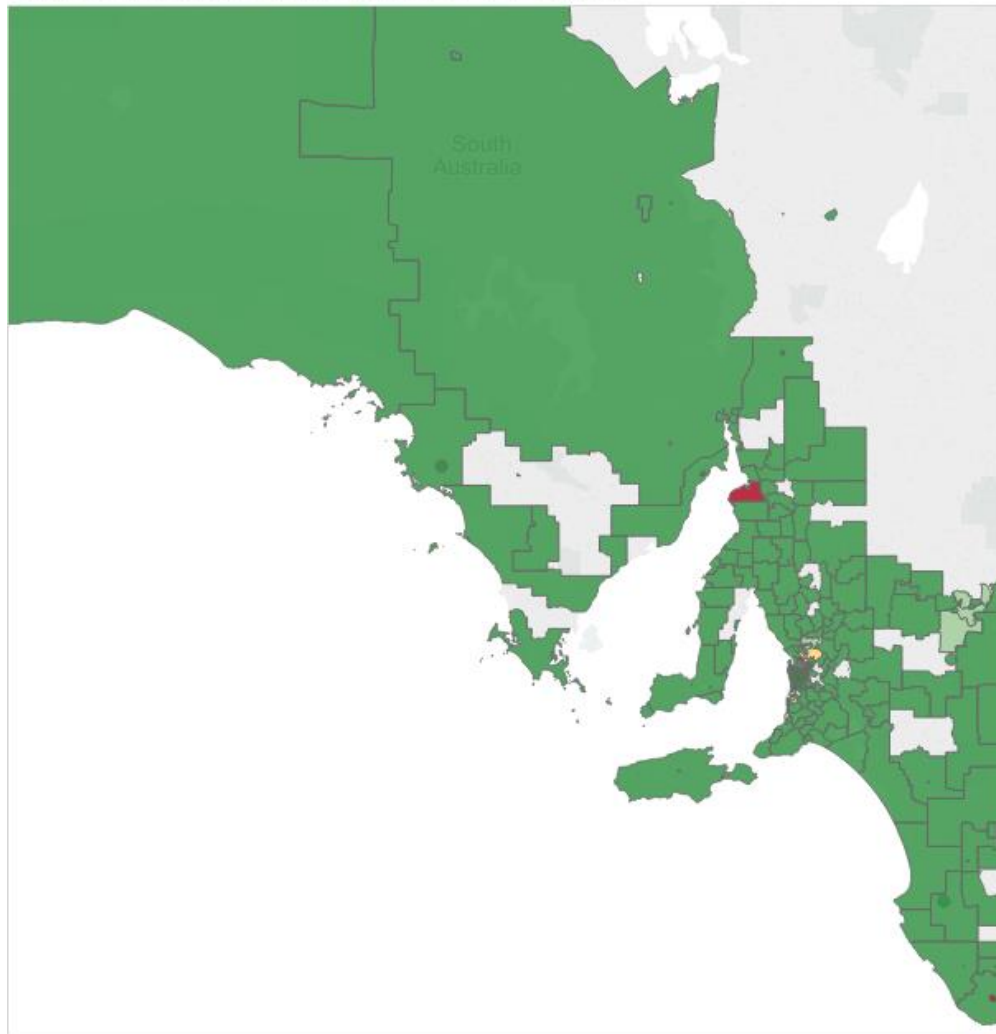
# Number of Matters by Postcode (Adelaide), 2014-2015

Geographical Mapping of New Matters by CLC (Adelaide View)

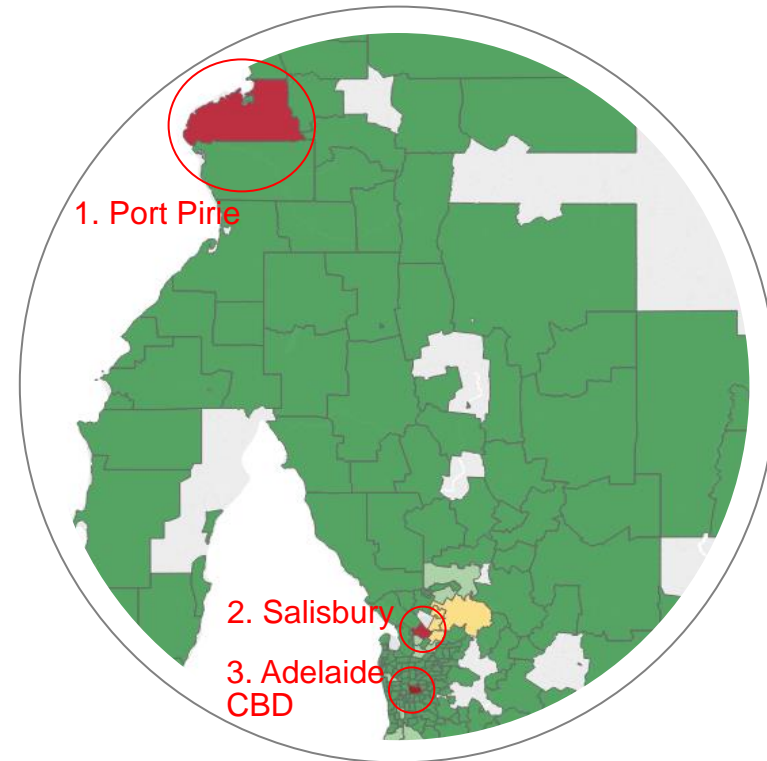
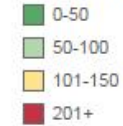


# Geographical Mapping of New Matters in FY15 (State View)

Geographical Mapping of New Matters (State View)



Number of Matters



# Adelaide Hot Spots – Demographic Statistics

Summary Statistics	1. Port Pirie Client Matters (Hot Spot - 5540)	2. Salisbury Client Matters (Hot Spot - 5108)	3. Adelaide CBD Client Matters (Hot Spot - 5540)
Number of Matters	209	305	279
Top 5 CLCs	<ol style="list-style-type: none"> <li>1. Westside Community Lawyers – USG (169)</li> <li>2. Westside Community Lawyers – metro (24)</li> <li>3. Women's LS SA (9)</li> <li>4. Welfare Rights SA (6)</li> <li>5. Central CLS (1)</li> </ol>	<ol style="list-style-type: none"> <li>1. Northern CLS (217)</li> <li>2. Women's LS SA (28)</li> <li>3. Welfare Rights SA (24)</li> <li>4. Central CLS (19)</li> <li>5. Community Mediation Services (9)</li> </ol>	<ol style="list-style-type: none"> <li>1. Welfare Rights SA (210)</li> <li>2. Women's LS SA (36)</li> <li>3. Central CLS (25)</li> <li>4. Community Mediation Services (7)</li> <li>5. Westside Community Lawyers – metro (1)</li> </ol>
Top 5 Problem Types	<ol style="list-style-type: none"> <li>1. Offences (48)</li> <li>2. Child residency/contact (39)</li> <li>3. Motor vehicle accident/damage/offences (36)</li> <li>4. Civil Law (16)</li> <li>5. Property (family) (11)</li> <li>6. Wills/probate (11)</li> </ol>	<ol style="list-style-type: none"> <li>1. Child residency/contact (55)</li> <li>2. Motor vehicle accident/damage/offences (26)</li> <li>3. Child support/maintenance agreement (25)</li> <li>4. Government pensions/benefits allowances (25)</li> <li>5. Credit/Debt (20)</li> </ol>	<ol style="list-style-type: none"> <li>1. Government pensions/benefits allowances (203)</li> <li>2. Credit/Debt (16)</li> <li>3. Property (family) (11)</li> <li>4. Family or domestic violence (9)</li> <li>5. Neighbourhood disputes (6)</li> </ol>

# Client Demographics, 2014-2015

Activity Nature



Activity Nature

- Legal
- Non Legal

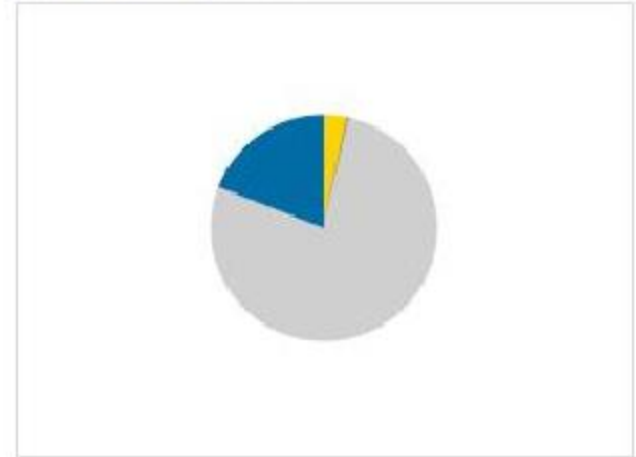
Gender



Gender

- Female
- Male
- Unknown

Indigenous Status

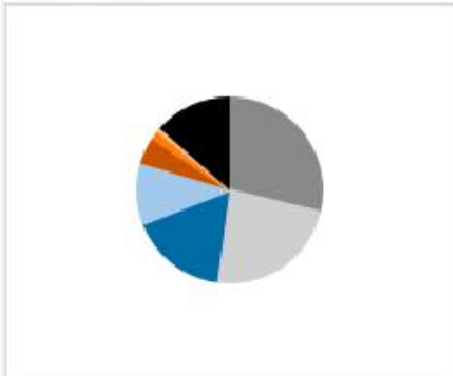


Indigenous Status

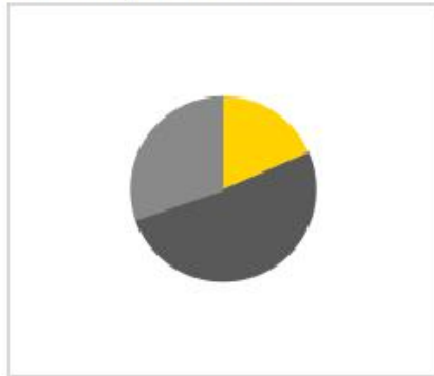
- Aboriginal but not Torres Strait Islander origin
- Torres Strait Islander but not Aboriginal origin
- Both Aboriginal and Torres Strait Islander origin
- Neither Aboriginal nor Torres Strait Islander origin
- Unknown

# Client Demographics, 2014-2015

**Age Range**



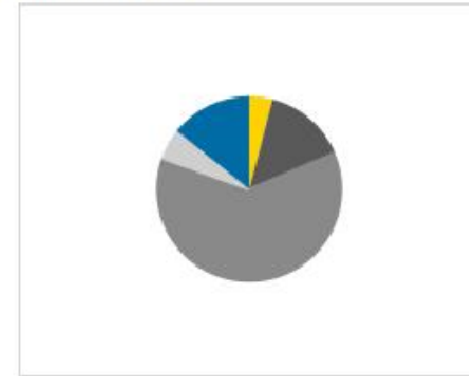
**Disability Indicator**



**Family Type**



**Income Scale**



**Age Range**

- 0 to 4 years
- 75 to 84 years
- 5 to 14 years
- 85 years and over
- 25 to 34 years
- Unknown
- 35 to 44 years
- 45 to 54 years
- 55 to 64 years
- 65 to 74 years

**Disability Indicator**

- Yes
- No
- Unknown

**Family Type**

- Not living in a family (eg living as boarder, in ..
- Sole parent family with dependent children
- Two parent family with dependent children
- Family type Other
- Unknown

**Income Scale**

- High income
- Medium income
- Low income
- No income
- Unknown



# Number of Matters by Problem Type and CLC, 2014-2015

New Matters by Problem Type

