

Community Legal Centres
Australia

Impacts of COVID-19 on the Community Legal Sector

MARCH 2022



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1. Executive Summary

People in communities across Australia continue to grapple with the significant health, social and economic impacts of the COVID-19 pandemic. These impacts have been particularly felt by people in communities who already face disadvantage and systemic injustice, as the pandemic has compounded entrenched inequality and discrimination.

This paper outlines the key impacts of the pandemic on these communities. It draws upon the observations of the extensive network of community legal centres (Centres) across Australia and their direct experience in providing communities with access to justice during the COVID-19 pandemic and other recent crises.

Centres identified that the two most significant challenges they are facing are funding (67.3%) and increased demand from community members (58.2%). Since the beginning of the COVID-19 pandemic in March 2020, two thirds of Centres have reported that the issues people seeking help are facing are more complex and 70% of centres reported that the issues people are facing have become more urgent.

There has been a considerable increase in the number of people seeking legal advice from Centres since the onset of the pandemic. With a particular focus on family violence, between July 2020 and June 2021 there was a 26% increase in the number of people helped by Centres who reported they were experiencing family violence.

Insufficient levels of funding means that Centres have been unable to meet the increasing levels of legal need experienced by the community and are forced to turn away thousands of vulnerable people each year. We estimate that an average of 80 people a week are turned away from Centres in each electorate.

Despite these challenges, Centres worked very hard to ensure that they were flexible enough to still be able to deliver the majority of their business-as-usual services during lockdown periods but we know more needs to be done to build a thriving community legal sector that ensures everyone has access to justice, regardless of how much money they have. As result, we make recommendations to the Federal Government that, if implemented, will improve the lives of people in our communities across Australia.

Recommendation 1:	Deliver funding agreements with a 10-year duration and sustainable funding levels through an additional investment of \$80 million per year for 10 years to boost core funding for Centres across Australia
Recommendation 2:	\$1.5m every four years for a national legal needs assessment to facilitate evidence-based planning and the efficient allocation of resources
Recommendation 3:	An additional \$20m per year to enhance the COVID-19 response and disaster recovery and resilience, with sustained funding until 2025
Recommendation 4:	An additional \$25m per year funding for wraparound support through an integrated services model until 2025



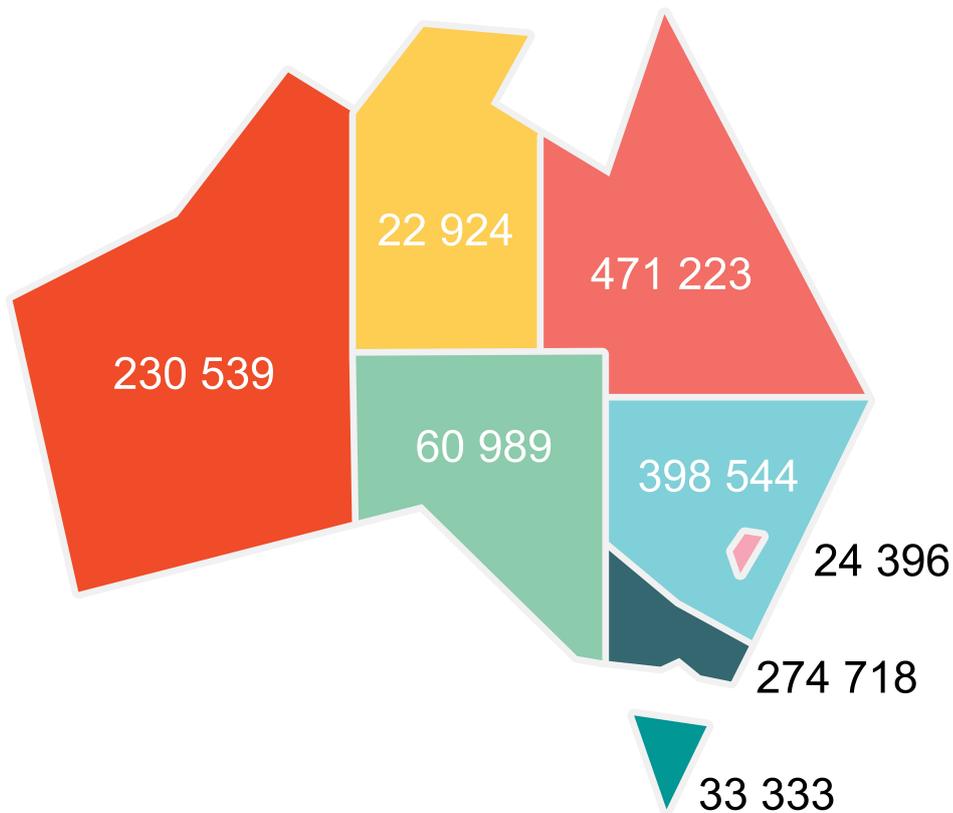
1.1 About Centres and CLCs Australia

CLCs Australia is the national peak body for Centres across Australia. CLCs Australia advocates for the fundamental right of all people, but in particular those experiencing discrimination and disadvantage to have access to justice and the protection of their human rights.

Centres play a vital and unique role in providing legal assistance to individuals and groups experiencing disadvantage and socially excluded communities. Between March 2020 and December 2021, community legal centres helped 313,186 people in communities across Australia. Further, many Centres offer complementary wraparound professional support services to support people in need.

Centres provide free legal help to hundreds of thousands of people each year, with a special emphasis on people who experience disadvantage. Centres are a critical part of the legal assistance sector. Our services reach every community in Australia and often bridge the divide between urban and rural/remote services.

Between March 2020 and February 2022, the community legal sector provided the following number of services across all states and territories.



Embedded in local communities, Centres work in a cost effective, wraparound, person centred and multidisciplinary way by:

- Providing early intervention services to prevent escalation of cost and complexity of problems and identify issues and service gaps that would otherwise increase the costs placed on other government services.
- Ensuring equitable access to justice.
- Enhancing community legal education and understanding of legal rights and entitlements.
- Identifying systemic issues and the impacts of laws and policies on clients and communities and bringing them to the attention of government.

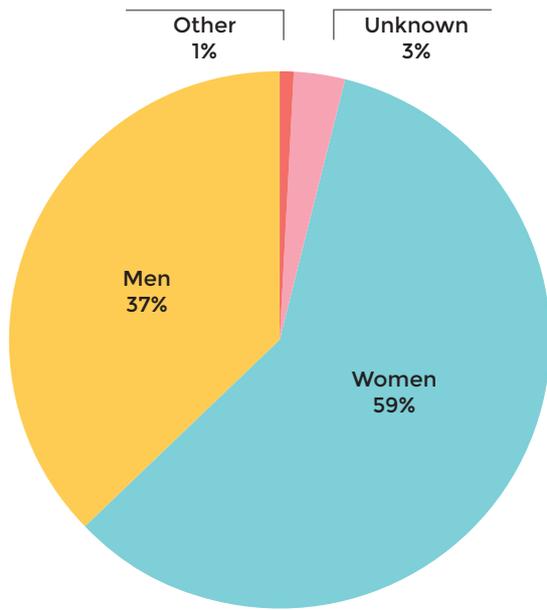
Number of services provided by Centres during the COVID-19 pandemic between March 2020 and February 2022.



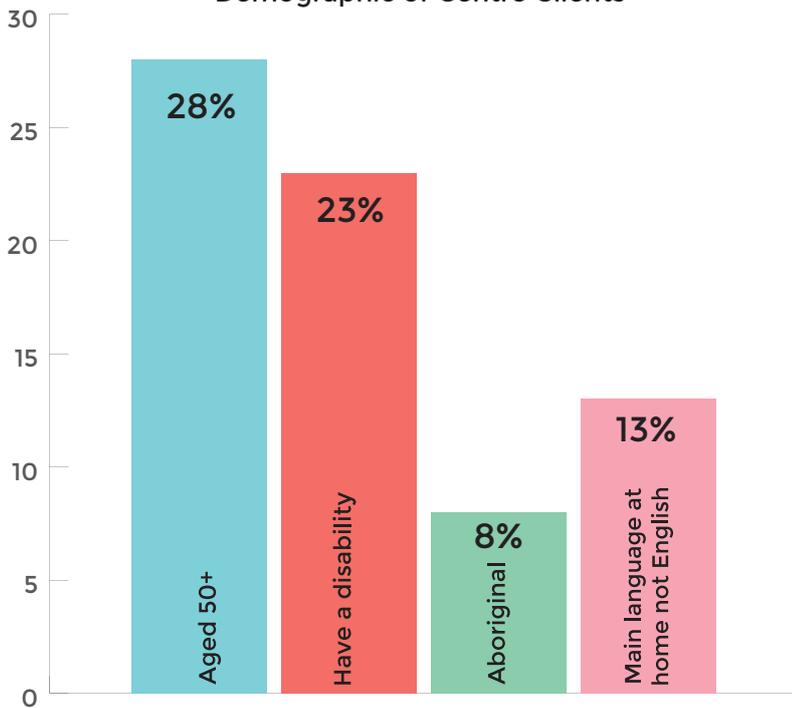
Note: Legal advice is a one-off advice given about a legal problem. A legal task is anything done on a one-off basis that isn't advice relating to a legal matter that doesn't go as far as actually committing to represent the person (i.e. assisting someone with filing documents at court or writing a letter for them).

Centres help a broad range of clients and communities. A cross section of some of the community members our Centres supported since the beginning of the COVID-19 pandemic (March 2020-December 2021) are outlined in the graphs below:

Gender of Client Centres



Demographic of Centre Clients



Case study

Centres have a long and successful history of bringing about systemic change through policy, advocacy and law reform. This case study demonstrates the impacts of shortfalls in the Community Development Program, and Centre advocacy for a more reasonable and fairer system. Over the past few years Mary has been mostly unemployed, due to a lack of employment opportunities near her home.

As an Aboriginal woman living in a remote community in the Northern Territory, she has been part of the Community Development Program (CDP), the Australian Government's employment and community development service for people who receive Jobseeker social security payments. Under the arrangements, last year Mary was required to travel over 90 minutes from her home each way to work as a council cleaner. She worked alongside other council employees, but her payment was significantly less, and she did not get any entitlements or protections, despite the COVID-19 pandemic creating additional health risks in her cleaning work.

She was ill for just over a week and because she did not have access to a computer or even internet in her community, she was unable to make the required calls to Centrelink, a condition for remaining on the CDP scheme. She then had her social security cut off and struggled for weeks to support her family. In desperation and confusion, she sought advice from the Northern Australia Aboriginal Justice Agency (NAAJA) who helped her reapply for and secure income support.

Centres that are part of Economic Justice Australia have advocated for hundreds of people in similar situations to Mary. Community lawyers have found the new CDP system, re-introduced in July 2015, to be discriminatory, largely because of the penalty system which subjects people to strict and unfair non-compliance measures.

In the 2021-2022 budget, we were pleased to see that the CDP will be replaced with an alternative program for job seekers in remote communities from 2023, with penalties suspended in the meantime. This policy reform and advocacy work prevents vulnerable people from falling through the cracks and lays the ground for systemic change.

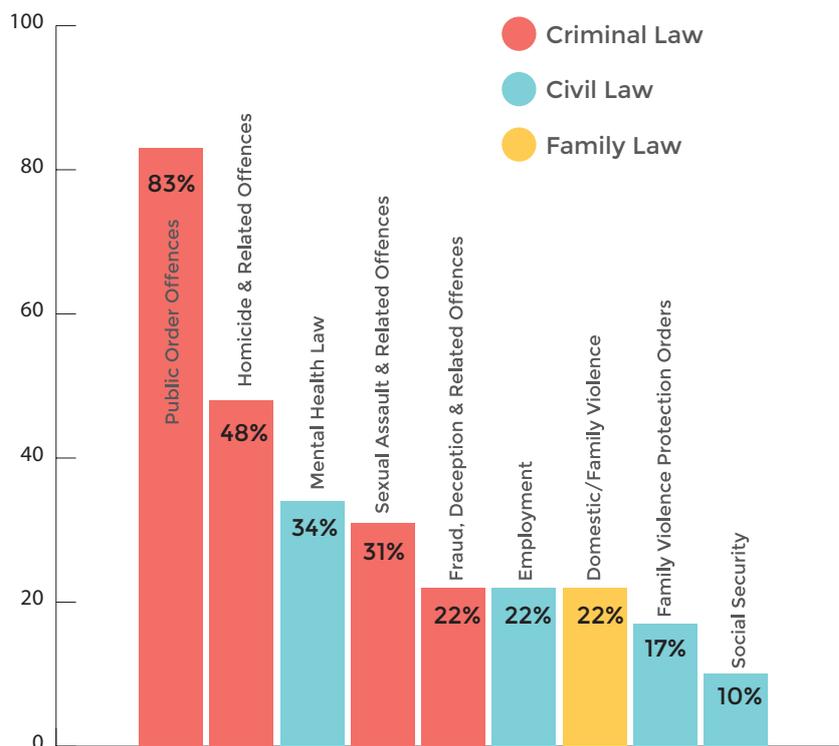


2. COVID-19 impact on communities and access to justice

The COVID-19 pandemic continues to have wide ranging financial and social impact on individuals and communities across Australia, amplifying existing systemic inequalities. The impact of the pandemic has disproportionately affected people and communities who were already experiencing or at risk of financial hardship and/or social isolation.

Keys Areas of Law

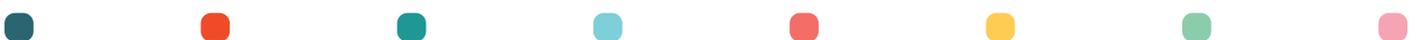
Centres provide services across a range of areas of law, primarily civil and family law. Between the calendar years 2020 and 2021 we saw significant increases in the following areas of law:



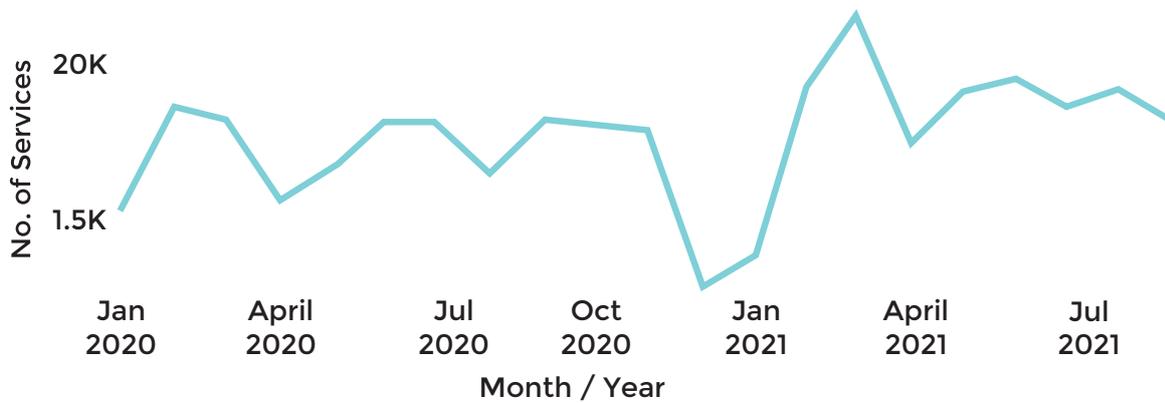
An analysis of centre service delivery data between 1 July 2020 and 30 June 2021 shows steady increases in the number of legal advice and legal task services provided as well as court and tribunal services. In total, over the 2020-21 financial year, Centres assisted 183,710 people across all service areas, with marked increases in service delivery to women, Aboriginal and Torres Strait Islander peoples and the elderly compared to previous years.

In the CLCs Australia “State of the Sector Survey” which covers the 2020-21 financial period, the two most significant challenges Centres identified that they were facing were funding (67.3%) and increased demand from community members (58.2%). Only 15% of Centres said that COVID-19 had no impact on their ability to deliver services.

There has been a considerable increase in the number of people seeking legal advice from Centres since the onset of the pandemic. During the period starting from January 2020, the demand for legal advice peaked at 21,500 in March 2021 and the demand for legal advice has remained higher than before the COVID-19 pandemic, with 17,976 legal advice services provided in September 2021, compared to 15,142 in January 2020.



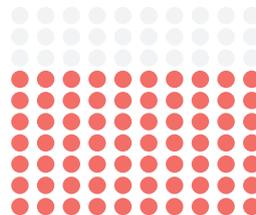
Legal advice services provided between January 2020 and September 2021.



Despite the challenges and uncertainties, Centres have managed to provide consistent and comprehensive services to people presenting with higher levels of distress and more complex and urgent issues. More complex cases require more staff time and increases the number of people Centres have to turn away due to limited capacity.

The survey of the sector conducted by CLCs Australia covering the 2019-20 financial year period indicated that:

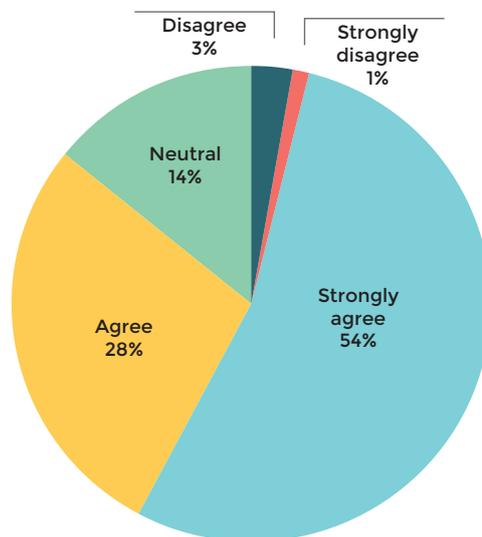
Two thirds of centres were assisting clients experiencing more complex issues



70% of centres indicated that clients are experiencing more urgent issues as a result of the COVID-19 pandemic.

Data from CLCs Australia State of the Sector Survey Jan 2022

In 2021, clients were presenting with more complex issues than in previous years



Without significantly scaling up Centre service delivery systems, these escalating legal and social problems will place additional pressure on other government services.

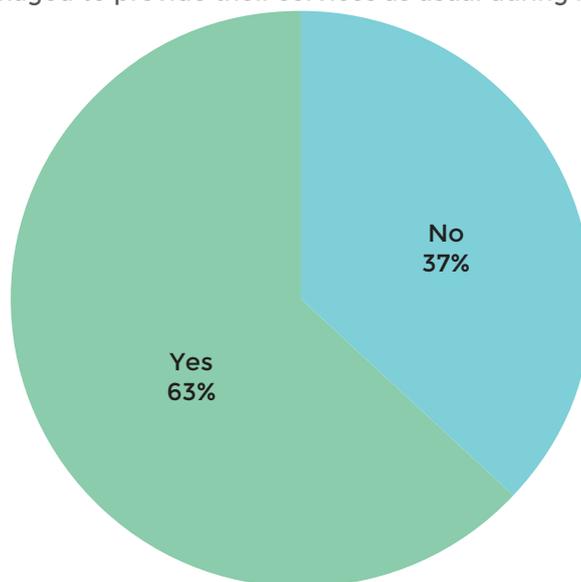
Drawing on the frontline experiences of our members during the COVID-19 restrictions, CLCs Australia has identified specific challenges and unmet need particularly in the area related to family and gender violence. There are also fears that movement restrictions and the stretched outreach capacity of Centres in heavily impacted areas has led to a rising number of at-risk people falling through the gaps.

“Disturbingly, the pandemic has made legal issues that had been largely invisible, visible. Family violence and elder abuse have always existed, but the public health restrictions have not only revealed the extent of the abuse, but it has compounded the complexity of issues across the board.” *Bill Mitchell, Principal Solicitor, Townsville Community Law Inc*

Despite these challenges, Centres worked very hard to ensure that they were flexible enough to still be able to deliver the majority of their business-as-usual services during lockdown periods.

Data from CLCs Australia State of the Sector Survey 2020-21

Centres who managed to provide their services as usual during lockdown periods





Yet, we know that with the ongoing shortfall in sector funding and delays in the release of budget funds – challenges which existed even before the COVID-19 pandemic – there is a significant gap in legal assistance funding. Insufficient levels of funding means that Centres have been unable to meet the increasing levels of legal need experienced by the community and are forced to turn away thousands of vulnerable people each year. We estimate that an average of 80 people a week are turned away from Centres in each electorate. This situation has been exacerbated by the challenges emerging from the COVID-19 pandemic.

What is needed

CLCs Australia’s proposal for increased levels of sustainable sector funding will allow Centres to address these access and inclusion issues, as they continue to provide targeted legal and wraparound support to the people who need it most.

It is also clear that further funding is necessary to ensure Centres can continue to keep up with the increased demand for legal services amongst vulnerable groups in light of the difficulties created by the COVID-19 pandemic. This would include access to improved ICT capabilities to improve evidence-based decision making, and resources to expand and maintain remote working arrangements to ensure the ongoing quality of legal services.

The lack of contemporary data on legal need and the demand for legal assistance services makes it difficult for peak bodies and Centres to undertake effective strategic planning. Funding for a legal needs assessment is required to clarify the current and future legal needs of people in Australia, to enable effective evidence-based planning, which would allow legal services to be provided efficiently and effectively in the future.

Case study

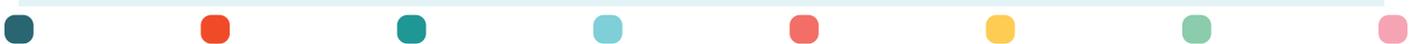
Over the course of 2020-2021, particularly during COVID-19 outbreaks and government lockdowns, the Australian Centre for Disability Law (ACDL) have recorded several trends related to COVID-19 Public Health Orders.

Hong was diagnosed with cancer in 2019, which prevented him working from late 2019 and 2020. He experienced a rare and severe life-threatening complication of chemotherapy, which resulted in requiring a temporary stoma bag to be worn on his waist. He also developed anxiety and adjustment disorder as a result of the traumatic events following his diagnosis, chemotherapy, and the use of a stoma bag. He is also immune compromised.

In late 2020, Hong attempted to negotiate his return to work with reasonable adjustments to accommodate his disabilities. His medical team recommended that he work from home to minimise the risk of contracting COVID-19 or other infectious diseases. Hong’s employer refused these adjustments stating that it was an inherent requirement of his role to work from the office and work from home arrangements would be too costly for the business.

The Centre wrote a letter to the employer, outlining their legal obligations under the Commonwealth industrial and discrimination laws and State discrimination laws and requested several reasonable adjustments, primarily work from home arrangements.

The Centre then made a claim to the Fair Work Commission on Hong’s behalf. As a result of the Centre’s representation and advocacy and negotiation with the employer, the matter was settled in favour of Hong being able to work from home, which enabled him to continue working in a role where he makes a positive difference to his local community, and to continue living at his place of residence.



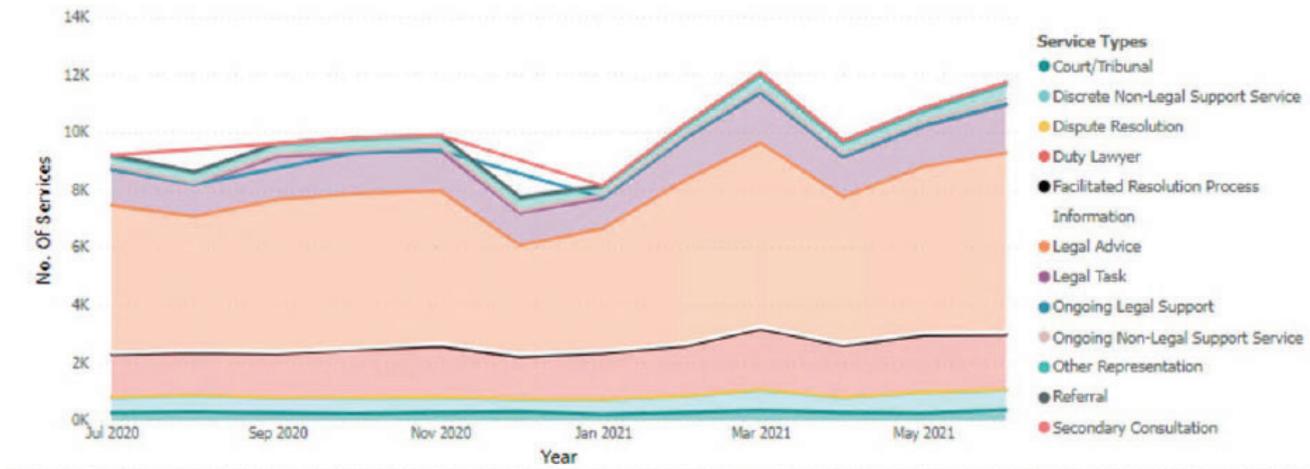
2.1 Spotlight on Family Violence

The COVID-19 pandemic has negatively impacted families and communities through job losses, tenancy and rental insecurity and social isolation which has contributed to an increase in family violence. The community legal sector continues to be at the frontline of providing crucial expert legal advice and early intervention to help those experiencing family violence. The majority of people at risk of or experiencing family violence who are getting help from community legal centres are women (87.5%). The Australian Institute of Health and Welfare reports that in the wider population, one in six women and one in sixteen men have been subjected, since the age of 15, to physical and/or sexual violence by a current or previous cohabiting partner¹.

Key challenges

Between July 2020 and June 2021 there was a 26% increase in the number of people helped by Centres who reported they were experiencing family violence.

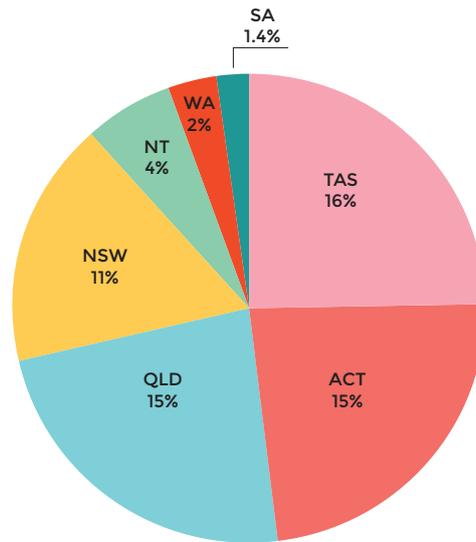
Number of services provided to clients experiencing family violence between July 2020 and June 2021.



¹ 1,2,3,4 AIHW, (2018) Family, domestic and sexual violence in Australia, 2018.

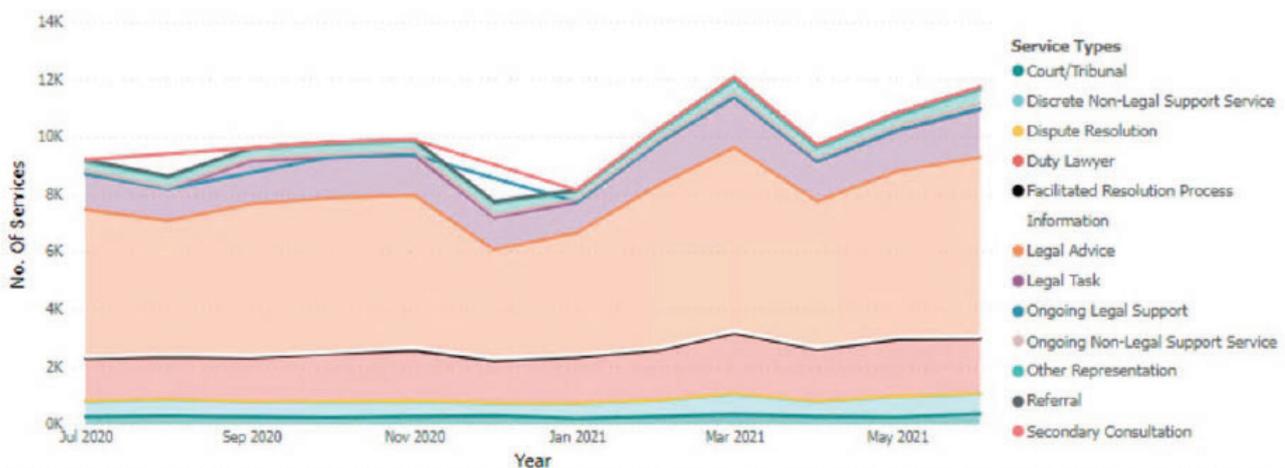
There was an 8% increase across Australia of services being delivered to people who are at risk of or are experiencing family violence between the financial year 2019 to 2020 and financial year 2020 to 2021. Every state and territory except Victoria (which saw a 6% decrease) saw an increase in the proportion of services being provided to people experiencing family violence:

FY 19/20 TO 20/21 increase in services being provided to people experiencing family violence.

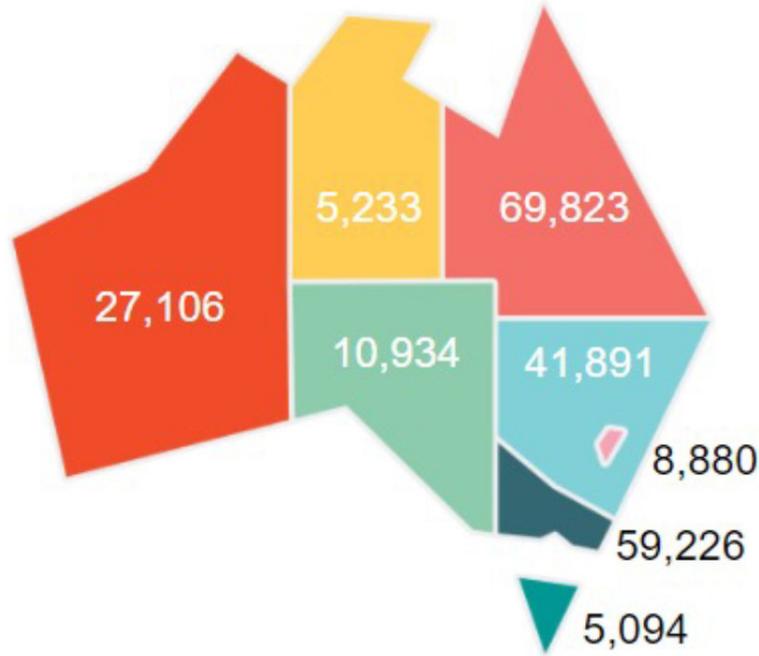


This period also saw a rise in the number of female clients at risk of or experiencing family violence as can be seen in the following table:

Number of clients between July 2020 and June 2021 who are female and have experienced or are at risk of family violence.



Number of services provided to people experiencing or at risk of family violence in each state by the community legal sector between 1 March 2020 and 31 Dec 2021



Breakdown of types of services provided to people experiencing or at risk of family violence by the community legal sector between 1 March 2020 and 31 Dec 2021



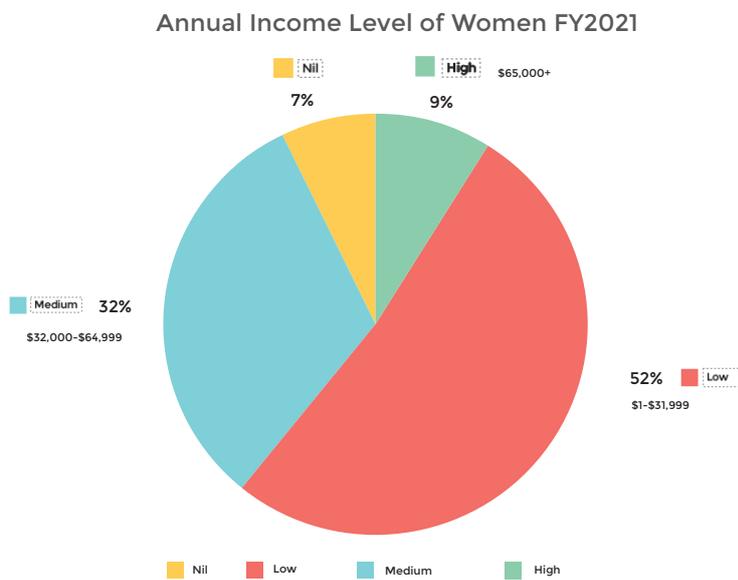
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With movement restrictions and increased social isolation due to the pandemic, Centres observed an increase in the complexity of risks facing victims, including accessing support and reporting, as well as the nature of the abuse. This led to a rising demand for “wrap around” support and referral services essential to any effective response.

Financial insecurity also compounds the challenges faced by women.

In the financial year 2020-2021, 68% of women receiving help from a community legal centre were experiencing financial disadvantage and 6.3% were experiencing homelessness. We also found that 61% of women Centre clients reported having nil or a low income, while 39% reported having a medium or high level income.



Findings from a 2021 survey of women in Australia² about intimate partner violence during the COVID-19 pandemic showed that among respondents who reported they had experienced physical violence in the 12 months prior to the survey:

- Nearly one in two (44.9%) said that this was the first time their partner had been violent towards them.
- More than one in two respondents who had experienced sexual violence said they experienced it for the first time (56.3%).

This was also true among respondents who experienced emotionally abusive, harassing, and controlling behaviours (56.8% experienced these for the first time).

For First Nations women, rates of violence against them are 34 times higher than against other women in Australia, and up to 80 times higher in rural and remote areas of the country³. Three in five First Nations women have experienced physical or sexual violence and First Nations women are also 34 times more likely to be hospitalised due to family violence than non-First Nations women and 11 times more likely to die due to assault⁴. Between March 2020 and December 2021, 48% of First Nations women accessing Centres were at risk of experiencing family violence, compared to 42% of non-First Nations women, 21% of non-First Nations men and 15% of non-First Nations men accessing Centres.

Adding to the challenges of assisting those experiencing family violence, our Centres have found that for many women experiencing domestic abuse, the lockdown restrictions have led to a reluctance in seeking shelter. Women fear that they will be denied access to their children and their homes. The situation has been even more complicated for refugee women as their visa status restricts access to shelters. Cases such as these have increased the workload of Centres through the need for inter-service referrals and support.

What is needed

With the rise in complexity of cases and financial insecurity, consistent funding and broader policy reform is needed to create a system to keep women and children safe. This can only be achieved through additional funding of Centres, including specialist women's legal centres and expanding 'wraparound' support and services, which provides holistic support to people with limited access to resources. Women are the majority of our clients and face systemic discrimination and intersecting inequalities in securing access to justice.

Structural and systemic barriers within legal and support systems continue to prevent women and children from escaping gendered violence. Investigation and research into current and future legal need, as well as the drivers of this need, would assist Centres and peak bodies to pivot their resource allocation efficiently and effectively to provide tailored and effective services.

We support

- Implementing Women's Legal Services Australia's Safety First in Family Law Plan.
- Implementing the recommendations from Respect@Work Report.
- Improved and accessible housing, legal advice and representation, financial support and visa support for women and children experiencing family violence.

² [Boxall H & Morgan A 2021. Intimate partner violence during the COVID-19 pandemic: a survey of women in Australia. Research report 03/2021. Sydney: Australia's National Research Organisation for Women's Safety p15](#)

³ <https://theconversation.com/factcheck-qanda-are-indigenous-women-34-80-times-more-likely-than-average-to-experience-violence-61809>

⁴ <https://www.aihw.gov.au/getmedia/b0037b2d-a651-4abf-9f7b-00a85e3de528/aihw-fdv3-FDSV-in-Australia-2019.pdf.aspx?inline=true P113>

Case study

Sara* came to the Central Australian Women's Legal Service (CAWLS) for advice and assistance. At the time, she held a Partner (subclass 820) visa. Sara is a Culturally and Linguistically Diverse (CALD) woman who arrived in Australia to study. She met Matthew*, and they married the following year.

Four years later, during the COVID-19 pandemic, Matthew and Sara separated, and Sara moved out of their home, following a death threat from Matthew. Matthew had made death threats against Sara on previous occasions.

In the relationship, Sara was also a victim of financial abuse, emotional abuse, and threats about her visa and immigration status, including that Matthew would seek to have her deported. When Sara started working, Matthew made her transfer her wages into a joint account. Matthew stopped working during the pandemic, and when Sara refused to provide Matthew with large lump sums of cash, Matthew would threaten that he would tell Centrelink that they were separated, and that he would cancel her visa.

A few months after separation, police issued a domestic violence order against Matthew, listing Sara as the protected person. Following this, Matthew applied for a Domestic Violence Order against Sara.

CAWLS successfully assisted Sara to have Matthew's application for a Domestic Violence Order against her dismissed and assisted her to submit documents to demonstrate her eligibility for the grant of a permanent Partner (subclass 801) visa as part of the family violence provisions.

She was eventually granted a permanent partner visa and is receiving further assistance from CAWLS in relation to her ongoing family law matters. Sara was also supported by CAWLS' Social and Emotional Support Worker throughout the legal process and to connect with and receive support from Multicultural Community Services of Central Australia.



3. Developing Responses to Crises

Disasters have always been and unfortunately will continue to be a part of life in Australia, from bushfires, floods and droughts to the unprecedented fallout of the COVID-19 pandemic.

In the last five years, the work of Centres has been heavily impacted by:

- droughts which affected much of inland Queensland, most of New South Wales, eastern and central Victoria, and all of Tasmania between 2017 and 2019;
- bushfires which affected every state and territory between September 2019 and March 2020;
- the COVID-19 pandemic which started affecting Australia in February/March 2020; and
- floods in Queensland and NSW in February and March 2022

The community legal sector has been at the forefront of the national response to the social and economic impact of these crises which have significantly impacted the lives of communities across Australia. Centres have had to radically change the way they operate in short periods of time to comply with public health orders and continue to support clients who are unable to attend Centres in person. Through the extensive local and specialist legal network, Centres have been able to track the impacts of bushfires, floods and more recently the COVID-19 pandemic.

Each crisis has brought with it its own set of challenges ranging from broader systemic issues involving law and policy reform to navigating complex and changing public orders and regulations and incidental civil law issues.

Case study

Centres across the country have had to adjust service delivery systems due to movement restrictions imposed due to the COVID-19 pandemic. In the Northern Territory, where face-to-face outreach is standard practice the Central Australian Women's Legal Service (CAWLS) rapidly adjusted to new modes of working, but significant challenges remain.

Our clients experience the most disadvantage in the country and while the service has worked hard to adapt to different forms of delivery in many cases our clients don't have internet access or mobile phone service. Changes to service delivery have been imposed very suddenly and in this new environment we need to be agile, working collaboratively with other organisations to come up with new systems, new solutions and new ways to quickly identify the impact of systemic issues.

With a heavy reliance on face-to-face service delivery and outreach, few of our services were equipped for working from home or remote or virtual delivery. We lacked funding to purchase additional IT equipment including laptops, software, licenses, remote phone systems, security and firewalls and furniture and equipment for staff setting up workstations at home. As the pandemic intensified, so did demands for emergency relief items for clients - personal hygiene products, clothing, shoes & food vouchers being the main items most often required.

With rising rates of domestic violence due to clients being trapped with perpetrators in remote locations, CAWLS has identified new outreach opportunities including online domestic violence workshops. Demand for tenancy services has also skyrocketed, particularly given state government delays in implementing moratoriums on evictions which caused significant hardship and impacted on people's health and increased homelessness.

There is likely to be a huge rebound in work at the other end of this and a period of intense activity, particularly in rebuilding trust and establishing relationships again in remote communities and those who have experienced isolation and exclusion during this time.

Crisis support being provided by Centres

Centres are still today supporting people who lost their homes to bushfires and who have not secured permanent housing or resolved complex legal issues. These often arose as a result of not being aware they could access help through their local Centre earlier on in the crisis.

During the recent lockdown, Redfern Legal Centre assisted many clients issued with COVID-19 fines (Between \$1,000 and \$3,000) by NSW Police for undertaking lawful recreation, outside 'permitted' areas.

The Australian Centre for Disability Law has also noted several disturbing trends from its case work and advice services recently including obstacles faced by people with a mental and physical illnesses or conditions, people who are unable to wear a mask and the risks faced by people who are immunocompromised.

Systemic Advocacy

Housing and defending the rights of tenants during the COVID-19 pandemic has also been a key area of work for Centres. In the early phases of the pandemic, Centres quickly started working with organisations and researchers across Australia in the housing, homelessness, and health sectors to provide immediate support and highlight that without adequate protections, housing evictions would compound the spread and impact of the pandemic.

While these efforts led to eviction moratoriums, many renters have still fallen through the gaps having failed to meet certain eligibility criteria because of the complexity of their living or working arrangements, or because they were already experiencing financial hardship prior to the pandemic. The Tenants' Union NSW, for example, continues to advocate for changes to 'no grounds' evictions and for investment in social housing as part of the NSW government's efforts to sustain an economic recovery in the post-COVID-19 economic recovery.

A "New Normal"

The uncertainties and challenges of the 2020 to 2021 period have highlighted deep, structural inequities that drive diverse and complex community legal needs. Australia is at the beginning of a new and unsettling 'normal.' In this challenging environment, Centres continue to offer immediate, comprehensive and trauma-informed support to communities despite a significant winding back of vital legal support resources with the end of the legal assistance funding on 30 June 2021.

Funding certainty will ensure the community legal sector is in the position to offer the best possible legal advice and support services during periods of crisis, without compromising business as usual and ensuring vulnerable people and communities receive the legal help they need.





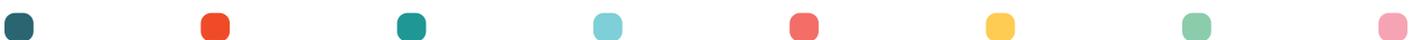
What is needed

Improving funding generally will prevent vulnerable individuals from falling through the gaps by developing the capacity of Centres to provide needed services to a greater number of eligible people.

Centres were integral in the response to the recent bushfires, floods and now to the COVID-19 pandemic. Further funding would allow Centres and peak bodies to coordinate and support the community legal sector in disaster response efforts and to build ongoing resilience to disasters amongst Australian communities.

Centres also frequently provide “wrap around” support and referral services. Additional funding is essential to ensure Centres can continue to provide a comprehensive service to those impacted by disasters.

In order to understand the “New Normal” of the Community Legal Sector, it is essential that a national survey be funded and completed to capture contemporary information about the current and future trends surrounding the legal needs of Australians. Understanding this “New Normal” of legal need is critical to allocating the limited resources of the Community Legal Sector efficiently, while also ensuring vulnerable groups are provided adequate assistance in the future.





Recommendations to the Federal Government

The sector is operating in an environment shaped by one crisis after another, and the challenges and constraints that impact the ability of Centres to support those most at need in the community. This has led to an estimated average of 80 people being turned away in each electorate from Centres every week.

The importance of the cost effectiveness of Centres was recognised by the Australian Productivity Commission (APC) in 2014. In its report the APC highlighted the significant cost-savings community legal services contribute to the economy, noting that the 'positive spill-over or flow on effects to the wider community from providing legal assistance services' justify this significant item in government budgets. Indeed, such flow-on costs would be greater to the taxpayer than the cost of funding Centres and their programs.

The following recommendations highlight the need for further investment to meet demand for legal services to manage the increasingly complex and interconnected case-workload arising from the COVID-19 pandemic and other recent crises. The request for long-term, predictable and sustainable funding is necessary for the sector to address legal need and plan quality and innovative service delivery into the future.



RECOMMENDATION 1: Increased baseline funding of \$80M per year for 10 years to enable more people to get the legal help they need.

Centres need long-term, sustainable and predictable funding to provide services that best meet the needs of communities. This will enable the sector to create innovative solutions to address unmet legal need.

An increase in baseline investment in funding will enable Centres to dedicate resources to providing the best possible support services to community members in these uncertain and challenging times and reduce the number of people being turned away without the support they need.

This funding would enhance the capacity of the community legal sector to:

- Provide more extensive and ongoing support to clients, including ongoing case work and assistance on a broader range of legal complex issues.
- Identify systemic issues and bring them to the attention of government, such as the complexity surrounding access to social security payments leading to disproportionate effects on vulnerable community members.
- Expand services in regional, rural and remote areas across Australia to improve access to justice, but also improve access generally to alleviate accessibility issues experienced by the elderly, women experiencing family violence, and First Nations people.
- Increase community legal education to improve people's capacity to solve their own legal problems, enhance community resilience and reduce disadvantage, thus alleviating the strain on other government services.

RECOMMENDATION 2: \$1.5M every four years for a national survey to enable service delivery to be consistently evidence based and responsive to changing legal and community needs.

The legal assistance sector in Australia is suffering from a lack of data and evidence on legal need and demand for legal assistance services. The last comprehensive nation-wide study of legal need was completed in 2014. In order for the community legal sector to operate effectively, we require regular data and reporting on unmet legal need and hidden legal need across Australia.

Every week Centres have to turn away people who are disadvantaged or vulnerable who come to them for help and support. The Productivity Commission drew on the results of the 2014 survey to conclude that approximately 15% of the Australian population experience uncaptured legal need from year to year. A more recent study would enable the legal assistance sector to have a better understanding of current legal need.

This funding would enable the legal assistance sector to:

- Allocate its limited resources to the cover the greatest areas of legal need and respond to these developing issues, while also assisting peak bodies to coordinate evidence-based longer-term planning proactively to ensure legal needs are met in the future.
- Fund and support frontline services to capture and report on data in an effective and useful way

“One of the most disruptive factors was government’s delayed confirmation of ongoing funding for our various programs. This occurred twice – leading up to 30 June 2020 and 30 June 2021 – across all departments. The negative impact of this on the organisation’s ability to provide seamless service delivery has been equal to (if not worse than) the pandemic itself with many staff departures and endless HR processes to manage.”

Cybele Koning, CEO, Caxton Legal Centre





RECOMMENDATION 3: An additional \$20M per year to enhance the COVID-19 response and disaster recovery and resilience, with sustained funding until 2025.

As Centres are embedded in the communities they serve, they have been at the forefront of the response to the recent bushfires, floods and now the COVID-19 pandemic. Legal and support services teams have learned to adapt quickly and respond effectively to each emerging crisis. And as the impacts of the COVID-19 pandemic are likely to be long-lasting, and disasters continue to affect the wellbeing, safety and security of individuals and communities, demand for community legal assistance will remain at elevated levels for the foreseeable future. At the same time, the economic implications of the COVID-19 pandemic resulted in significant job losses and insecurity across the country. Consequently, demand for community legal assistance will remain at elevated levels.

Currently, Centres receive no dedicated recurrent funding to contribute to disaster recovery efforts. Additional funds will enable Centres to quickly mobilise resources without compromising business as usual service delivery and allow them to better prepare for future disasters. The funding would also be used for the peak bodies across the states and territories to coordinate and support the sector in disaster response and to ensure ongoing resilience to crises.

This funding would enhance the capacity of the community legal sector to have:

- Resources to support Centres to maintain service levels in light of remote working requirements, including expanded technological capabilities.
- Additional funding for the Peak bodies across the States and Territories to coordinate and support the community legal sector in disaster response and to ensure ongoing resilience to disasters.



RECOMMENDATION 4: An additional \$25m per year funding for wraparound support through an integrated services model with sustained funding until 2025.

Many Centres across Australia have adopted an ‘integrated service model’ that involves legal and non-legal professionals working in partnership to meet people’s complex needs in a holistic and client-centered way. For example, specialist women’s legal services embed integrated supports within their own operating model in addition to strong links with external service providers.

The integrated service model relies on partnerships between Centres and a range of organisations and services, including health services, community organisations and schools. For example, Health Justice Partnerships have community lawyers co-located in major hospitals, so that medical and legal staff can work together to ensure that a patient’s discharge is safe and sustainable.

This funding would enhance the capacity of the community legal sector to:

- Provide long-term, stable funding for existing integrated services across Australia that have been successfully piloted and evaluated.
- Scale-up existing integrated services to provide additional support to better meet client and community needs.
- Prevent further escalation of legal problems, thus improving overall community outcomes.
- Address reinforcing factors that increase risk of exposure to ongoing family violence and homicide
- Decrease the likelihood of people needing repeat help and ensure effective use of funds in supporting people.