



Governments must do more to protect communities from worsening climate disasters.

5 October 2023

Governments must protect people and communities from the legal impacts of frequent and worsening climate disasters.

Our thoughts go out to the people across NSW, Victoria, and Tasmania, whose communities are being ravaged by fires and floods. We hope the immediate threats to life and homes subside quickly so that the process of recovery can begin.

Unfortunately, as climate change progresses, climate disasters are likely to increase in both frequency and severity. That such devastation is already so widespread in early spring is a dangerous sign for this coming summer and summers to come.

Climate change and the worsening disasters it drives are justice issues.

Alongside physical and psychological impacts, climate disasters create or worsen legal problems like insurance claims, housing problems, income and social security, debt, family violence, destroyed documents and wills, and more.

Community legal centres have worked for decades to support communities address disaster-related legal problems, so we know what lies ahead for people being impacted by this week's unfolding crises.

Some people's legal problems will begin right now. Some people's legal problems will emerge a year down the track, or five. Many of these problems will carry on impacting people's lives for years to come.

Disasters compound structural barriers.

Climate disasters most severely impact the people and communities that community legal centres support: people who experience social and economic barriers to equality, and who are most often failed by our laws, policies, and justice systems.

How governments choose to respond to current and future climate disasters – and the raft of legal and other problems they cause – will have profound impacts on people and communities already facing structural barriers to justice.

Government must act now to limit climate impacts and support community-based resilience building and recovery efforts.

To effectively respond to worsening extreme weather events, governments must act urgently to mitigate the disastrous impacts of climate change, including by setting an ambitious pathway to net zero and other crucial interventions advocated by our member organisation, the [Environmental Defenders Office](#).

People need place-based, free legal help to prepare for and recover from disasters. Community legal centres do this crucial work despite being significantly underfunded to meet existing legal need in their communities.

Governments must fund community legal centres to carry out crucial disaster risk reduction, disaster preparedness and community resilience-building work.

Disaster-impacted communities need their community legal centres to be able to respond to legal need at every stage of the disaster cycle, but community legal centres receive no funding for disaster risk reduction, disaster preparedness or community resilience-building.

A hallmark of the community legal centre model is that we help people avoid the legal system altogether or support their exit from it as soon as possible before legal problems spiral out of control. We do this through early intervention, and empowering people to avoid legal problems through community legal education. Community legal centres are also embedded in, and accountable to, the communities we serve.

For these reasons, community legal centres are well-placed to deliver community education on disaster-related legal issues like preparing important documents, housing and tenancy laws, social security, and financial literacy including insurance.

Government funding for disaster resilience would support community legal centres to provide this type of crucial legal education and help insulate communities from the ripple effects of disasters.

Governments must include funding for disaster response and recovery in baseline community legal centre funding.

Following disasters, some community legal centres receive small, one-off government grants to support recovery efforts. Sometimes, it takes months – or even years – for governments to get this money to the communities that need legal support. This can leave people without properly resourced help while their legal problems snowball.

Including adequate government funding for disaster resilience and recovery work in baseline legal assistance funding would enable community legal centres and other support services to deliver much needed support to communities in need.

Responding after a disaster has struck is not good enough, but it's a start. Governments must act now.