



PILBARA COMMUNITY LEGAL SERVICE INC.

23 October 2023

Independent Review of the NLAP 2020-2025
Dear Sir/Madam

RE: SUBMISSION BY - PILBARA COMMUNITY LEGAL SERVICE

I would like to take this opportunity on behalf of the Board of Management of the Pilbara Community Legal Service, to express our gratitude in having an opportunity to provide this submission to the Independent Review into NLAP.

Our organisation has been providing legal and other services across the Pilbara region for over 30 years and I believe that we are well placed to bring some important perspectives to the table for consideration as part of the review.

There seems to be accepted wisdom that the delivery of services in remote and regional areas of Australia presents a special set of challenges for organisations involved in the delivery of those services. Additionally, I believe that each separate remote region presents it's own unique challenges and I hope that this submission will draw attention to the complex challenges that my committed and talented team face every working day in delivery much needed services across the Pilbara.

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PILBARA COMMUNITY LEGAL SERVICE INC.

SUBMISSION TO

THE INDEPENDENT REVIEW OF THE NLAP

Required Information

Name of Organisation:	Pilbara Community Legal Service (PCLS)
Type of Organisation:	CLC
Funding:	PCLS has received funding under NLAP (National Legal Assistance Partnership) as well as other Commonwealth and State Government sources.

Consents:

PCLS consents to:

- This submission being published on the Review website.
- PCLS being identified in the report of the Review as having made a submission.
- This submission being quoted with attribution in the report of the Review.
- This submission being quoted anonymously in the report of the Review.



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This submission is made on behalf of the Pilbara Community Legal Service Inc. (PCLS).

PCLS is a not-for-profit, government-funded Community Legal Centre (CLC) providing a range of free services which include legal, financial counselling, tenancy advocacy and support, housing support, Redress, domestic violence advocacy and victim support and community migrant services. PCLS commenced operating in 1993 and has been providing services in the Pilbara for over 30 years.

PCLS aims to reduce legal disadvantage, increase the capacity of individuals to manage their lives effectively and ensure people understand their rights and obligations.

PCLS is based in Karratha and operates offices in South Hedland, Newman and Roebourne. All PCLS services undertake regular outreach across the Pilbara Region. In-person outreach is complemented with audio-visual aids allowing online capability.

The issues paper published in this review identifies 3 areas of focus. This submission will address each of those three areas in so far as each area impacts the delivery of services in the Pilbara region. The three areas of focus are:

- Assessment of legal need and Commonwealth legal assistance funding.
- Evaluation of the effectiveness and challenges of service delivery and
- Evaluation of data collection, performance monitoring and reporting

Assessment of legal need and Commonwealth legal assistance funding

Issues to expand on:

- As a regional and remote location, the Pilbara presents unique challenges with regards to the delivery of services such as those undertaken by PCLS. The delivery of these services over a longer term helps the organisation to demonstrate consistency and stability, building rapport and trust with both individuals and communities. Building rapport and trust within remote communities is an undertaking that requires time and is reflected in the level of effectiveness and impact that the organisation has.

The length of a funding period has a direct relationship with the overall outcomes that PCLS can achieve. Short periods of funding make it more difficult to build the necessary levels of trust and rapport and would generally be seen to add to a narrative of inconsistency. Short funding periods also make it difficult for programs and undertakings to become established and gain momentum. Accordingly, the ability of PCLS to bring about long-term beneficial outcomes is significantly increased where periods of funding are of greater length.



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- The number of bodies and agencies that provide funding to PCLS places a significant administrative burden on the operation of the organisation. The variations in reporting requirements, which is a direct result of the diversity of funding sources, are reflected in the diverse range of information and data required to be reported.

Additionally, some programs operated by the organisation receive funding from more than one source. This situation places an additional burden on staff where there is a requirement to replicate data into several reports during the same period. Overall, this situation leads to a significant increase in administrative costs.

- The effectiveness of the work undertaken by PCLS is a function of the ability of the organisation to build solid relationships within rural and remote communities. The PCLS position is that services of the kind delivered by the organisations have greater impact and significance when delivered face to face in either place based or outreach format. Presently, the costs of conducting outreach are not generally included as part of funding agreements.

Accordingly, assessment of legal needs and funding proposals for the Pilbara region should include funding for outreach costs. This provision should reflect a realistic assessment including:

- The distances to be travelled and frequency of travel including consideration of the salary costs e.g.: PCLS outreach to Newman requires a round trip of 14 hours driving.
- The costs of addressing safety issues and ensuring that at least 2 staff travel on each outreach event and the associated costs of accommodation and salaries (noting that due to the presence of resource and mining companies in the region, accommodation costs in the Pilbara are significant).
- The costs of purchasing and maintaining suitable equipment including motor vehicles, satellite phones and portable office equipment.

To assist in providing consistency across the sector, consideration should be given to developing criteria to inform a “standard” to be applied where remote and regional services are involved. This standard would provide for additional loading that can be applied to funding provided to regional and remote service providers.

- Dramatically insufficient salaries and conditions for regional and remote legal assistance workforce (lawyers and non-lawyers).
- No national legal workforce plan for regional and remote service delivery



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- Insufficient emphasis on paralegal, non-legal advocacy, and support across regional and remote communities.
- Absence of programs and financial incentives to help address the legal workforce needs.

Evaluation of the effectiveness and challenges of service delivery

Issues to expand on:

- PCLS is of the view that face to face delivery of services must remain as a crucial component of any service delivery model. Whilst delivery of services can be supplemented with the use of technologies offering remote communications the following issues highlight the basis as to why PCLS remains of the view that face to face, outreach will always remain as a component of service delivery in regional and remote areas such as the Pilbara.
 - The complex and integrated nature of some of the issues that clients in remote areas deal with.
 - The literacy levels of clients in remote areas.
 - The fact that for many clients in remote locations, English is a second language, and the services of an interpreter are required.
 - Lack of access to and reliability of technology.
 - The fact that many clients have suffered significant levels of trauma and dealing with them needs to be undertaken in a trauma informed and empathetic way which is not possible using remote communication methods.

PCLS advocates that the costs of outreach must be a component of future funding. Furthermore, these costs should be realistic, considering issues such as regularity of service, safety and remoteness. Indicated earlier in this response, consistency can be achieved by the development and use of a “standard” to be applied where remote and regional services are involved. This standard would provide for additional loading that can be applied to funding provided to regional and remote service providers.

- The Pilbara region is serviced by a range of organisations and agencies. Generally, the range of services offered by each varies however in many cases are complimentary. PCLS data indicates that the majority of clients that seek assistance have a range of intersecting issues at any one point in time. e.g.: homelessness – drug use – financial problems. Collaboration of services and sharing of expertise



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across services within a region is critical in being able to provide outcomes that address the range of client needs.

PCLS believes future funding initiatives should properly consider the range of services available in the region and coordinate funding to assist clients in accessing a range of services as required. Funding programs should include provision for adequate assessment of client needs that will support a multidisciplinary approach to meeting those needs.

Evaluation of data collection, performance monitoring and reporting

- PCLS provides a range of services across the Pilbara. The PCLS model of service delivery provides a high degree of benefits to clients stemming mainly from the ability to integrate delivery of services. A drawback of this model is that services within the agency are funded differently leading to the organisation having to comply with a range of data collection and reporting requirements. This situation creates an administrative burden that is particular to the organisation.

To address this burden, it would be beneficial for funding agencies, as far as possible, to coordinate the process for extracting data and formulating reports.

- PCLS develops operational plans that align with the strategic objectives of the organisation. Additionally, it is imperative that operational plans are also structured to meet the outcomes required by the various funders. A lack of clarity in describing outcomes causes difficulties for the organisation in developing operational plans that will adequately address expectations and intended outcomes of the funding body.

PCLS submits that funding bodies should work to develop strategies to clearly articulate the intended outcomes in measurable form.

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