

26/10/2023

Dr Warren Mundy
Independent Reviewer
National Legal Assistance Partnership Review

Via email only submissions@nlapreview.com.au

Dear Dr Mundy,

National Legal Assistance Partnership (NLAP) Submission

Southside Justice welcomes the review of NLAP and appreciates the opportunity to share our experiences through this short submission.

We have actively participated in both the Federation of Community Legal Centres and Community Legal Centres Australia NLAP consultations and have read both submissions which we fully support and endorse.

The purpose of our submission is to provide some thoughts and suggestions about what sustainability looks like for our centre as well as additional information about two client groups we support.

About Southside Justice

Southside Justice, formerly St Kilda Legal Service, is a placed-based community legal centre (CLC) offering free legal support to people on low incomes living in Melbourne's inner-south and statewide for specialised programs.

For 50 years we have worked closely with the local community and trusted community partners to improve access to legal support and services to people disproportionately affected by systemic and structural inequity.

Our local area is home to over 300,000 people and includes some of the most affluent suburbs, yet:

- An estimated 25,000 people are on low incomes
- Housing is increasingly unavailable and unaffordable
- Income disparities are growing, and
- The gulf between generations, and their relative opportunities, health and security, is widening.

Compounding these local issues, are the universal high rates of family violence, a public and community housing crisis and a broken income support system.

We improve access to justice by:

- **Supporting** people facing the greatest need in our community understand their legal rights and access the support and services they need.

- **Advocating** for people to achieve fair and just outcomes, for better laws and systems that promote fairness and progress social justice.
- **Collaborating** with community and sector partners at the right time and place to help people overcome complex problems and to improve their lives.

Sustainability

In 2023-24, the Commonwealth Government proportion of our Community Legal Services Program (CLSP) funding is \$154,113. This represents 16.6% of our CLSP funding. As explained in the Federation of Community Legal Centre's submission, this does not cover the costs of a full-time staff member.

Of the Commonwealth Government funding, \$43,429 is assigned to family law and/or family violence assistance. We are acutely aware that family law is an area of significant unmet legal need, particularly for women experiencing family violence.

Due to resourcing constraints our family law program is limited to providing advice appointments to clients referred from community agencies in our catchment. Where we have capacity (and a client is assessed as not being eligible for a legal aid grant) we will assist with discrete tasks (e.g. drafting letters of negotiation). We do not currently have resourcing, capacity or expertise to run litigation files.

Our total budget for 2023-24 is \$1,200,000. In our respectful submission this falls short of operating a sustainable CLC by approximately \$9,000,000.

Operating a CLC in 2023 requires more investment than it did five years ago. CLCs have evolved how they work, who they work with and what they respond to.

We believe the following roles are the **minimum** required for Southside Justice which equates to \$2,100,000 revenue per annum.

1. CEO / Executive Director
2. Principal Lawyer
3. Office manager
4. Legal administrator
5. Senior lawyer
6. Senior lawyer
7. Lawyer
8. Lawyer
9. Lawyer
10. Policy lead
11. Partnership lead
12. Impact lead.

We have not included integrated roles, such as financial counsellors and social workers, in the equation however note there increasing important in offering a holistic service to clients.

In reaching this annual amount, we applied the true indirect costs of 33 per cent as recommended in [Paying What It Takes: Funding Indirect Costs to Create Long-Term Impact](#).

To improve the sustainability of our organisation now and into the future, our Chief Executive Officer spends a large proportion of their time, scoping, applying, overseeing and acquitting grants.

4.4 Priority groups

We used strength-based language and avoid the term disadvantaged and vulnerable. We recommend that the new NLAP agreement uses language that is respectful and humanising towards the people we support. Community Legal Centres NSW has produced a fantastic and practical resource [Talking Justice – A Guide for Community Legal Centres](#).

Sex workers

The Federation of Community Legal Centre's submission references our work with the sex worker community. Along with the Inner City Legal Centre in NSW, we recommend that sex workers be added to the current list of priority groups.

Since the 1970s, we have worked with sex workers in our local community, a long-established site of street-based sex work in Victoria. From 2022, coinciding with sex work decriminalisation in Victoria, and following a limited state government grant of funding, we expanded its service provision to a state-wide Sex Worker Legal Program.

While there is some diversity of approaches to sex industry regulation across state and territory jurisdictions, all jurisdictions historically criminalised sex work, usually to a significant degree involving the imprisonment of individual sex workers. Sex work remains criminalised in four out of six Australian states. Criminalisation both reflects and fuels ongoing social stigma against sex workers. Because of this history and present reality, sex workers continue to contend with direct criminalisation, as well as stigma, overt discrimination, harassment and violence, exclusion from social and economic opportunities, and from equal participation in community life.

While there is limited demographic data available, we have observed in practice that these experiences all give rise to heightened legal need in diverse and complex ways. The diverse legal needs of sex workers also dovetail significantly with those of trans and gender diverse individuals, among whom sex work is much more prevalent than among the general population.

Jewish community

State and territory figures from the 2021 Census reveal that Victoria remains the most populous Jewish state or territory in Australia, with 46,645 Jews, a 10.4 per cent increase on the 2016 figures. Melbourne's Jewish population is highly concentrated around the suburbs of North Caulfield and East St Kilda, within the catchment of Southside Justice.

Family violence has no boundaries; it affects all types of relationships, and cuts across all racial, ethnic and socio-economic lines.

Over the last two decades, Jewish organisations and dedicated individuals (both in Australia and abroad) have worked tirelessly to dispel any myth that family violence does not occur in Jewish homes and relationships.

While the subject of family violence in Jewish families is no longer stigmatised as it was a decade or two ago, it is often still a source of shame, and family-centred values and faith may pressure victims to remain in abusive relationships.

Members of the Jewish community do not typically seek help and assistance from mainstream services. According to Jewish Care in Victoria, some specific religious and cultural traditions of the Jewish community have created hurdles to the effective identification and protection of women and children who experience family violence.

For two years we have been actively seeking funding from both Government and Philanthropy for a dedicated lawyer to establish a community-justice partnership with Jewish Care. To date, our attempts have been unsuccessful.

If you require any further information, please contact Mel Dye at meldye@southsidejustice.org.au or 0402486048.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial 'M' followed by a series of connected loops and a wavy line extending to the right.

Mel Dye
Chief Executive Officer