



# **All the Latest in Legal News from Northern Community Legal Centre**

**From CEO, Jenni Smith**



Welcome to our first Northern Community Legal Centre (NCLC) e-newsletter.

In these extraordinary times, we recognise the critical importance of keeping our colleagues and community up-to-date with information on access to our services as well as access to courts, particularly as changes occur in response to COVID-19. We also hope to flag issues of interest to our colleagues and clients, to highlight successes, and to identify areas for collaborative advocacy.

It is our hope that this newsletter will assist to bridge any communication divide

during these times of COVID-19 related restrictions, and we will endeavor to distribute this newsletter during the first week of each month. Please feel free to share this information through your networks so that we can all stay connected.

Northern CLC Website

AT NCLC OUR LAWYERS CONTINUE TO PROVIDE LEGAL SERVICES BY  
TELEPHONE DURING COVID-19 RESTRICTIONS.

FOR LEGAL ASSISTANCE PLEASE CONTACT US BY TELEPHONE ON:

(03) 9310 4376

OR BY EMAIL AT:

admin@northernclc.org.au

## Indian Women and Experiences of Family Violence in Australia

At NCLC we are, sadly, aware of seven Indian women in the Northern region who have died over the past two years from apparent suicides after experiencing significant family violence (as also reported this week by [SBS](#)). We would like to acknowledge the work undertaken by Whittlesea Community Legal Service in advocating for Coronial inquests to further examine the circumstances within which these fatalities occurred. These recent deaths follow the murder of Sargun Ragi in 2015, an Indian woman from the Northern suburbs, who was murdered by her husband despite making significant attempts for legal protection. More recently we have seen reported the death of Kamaljeet Sidhu, an Indian woman who was fatally stabbed by her husband in Sydney.

Our Indian Women's Family Violence Project, funded by the Victorian Legal Services Board, aims to intervene early to ensure that legal and other protections are available before it's too late.

The project has allowed us to employ an immigration lawyer, to work with our family violence lawyers, to provide wrap-around-services to Indian women. Our goal in this project is to ensure that all Indian women are able to leave their

abusive relationships, whilst also safely remaining in Australia with their children.

We strongly encourage organisations that are supporting Indian women to contact our Project Coordinator, Tania Cass, for the purpose of referral and co-case management. We hope that through our collaborative efforts we may not only deliver better legal outcomes, but also identify the systemic barriers that may be contributing to these unnecessary deaths so that we can advocate for reform and create long-term solutions.

For further information please email Tania Cass at [tcass@northernclc.org.au](mailto:tcass@northernclc.org.au).

## **Broadmeadows Magistrates' Court Duty Lawyer Service**

NCLC is continuing to offer our duty lawyer service at Broadmeadows Magistrate's Court remotely, with a family violence lawyer available over the phone to assist Applicants and Affected Family Members in Family Violence Intervention Order matters. Our lawyer is able to provide clients with advice and support throughout the day, and is able to negotiate with any other parties and communicate with the Court to ensure that the Magistrate is fully aware of all of the relevant information when the matter is heard.

Victim-survivors of family violence who are at Court for a Family Violence Intervention Order matter can ask the Court registry to make a referral for our lawyer to call them, or they can call the duty lawyer themselves. The contact phone number can be provided by the Court registry and is published in the Secure Applicant's Waiting Area on level 1 of the court.

All victims/survivors that had matters before the Court prior to the COVID-19 restrictions being rolled out should have received a notice from the Court providing them with a new court date. It is important that victim/survivors who may be confused about the directions from the court that all matter are adjourned until after 15 June 2020 get legal advice as soon as possible.

Sarah's story (below) demonstrates what can happen when legal support isn't provided.

Legal advice can be obtained prior to a hearing by booking an appointment with a lawyer through our reception on [\(03\) 9310 4376](tel:0393104376) or by email to [admin@northernclc.org.au](mailto:admin@northernclc.org.au).

# NCLC Lawyers in Action: Sarah's Story

Sarah\* is a victim-survivor of serious family violence perpetrated by her husband over many years. Sarah was born overseas and has no close family in Australia. During COVID-19 isolation, the violence escalated and also began to be directed towards their young child. Sarah sought the assistance of a family violence support service for her and her child to leave the home and move into crisis accommodation.

When Sarah attended at a Magistrates' Court to seek an intervention order, Sarah was not given the opportunity to speak to a duty lawyer, and the Court was not made aware of the seriousness of the risk faced by Sarah and her child. The Magistrate made an interim order that still allowed the perpetrator to remain in the family home.

Because it wasn't safe for them to return home, this made Sarah and her child effectively homeless and facing the prospect of living in crisis accommodation for at least the next two months until her matter returned to Court. Living in crisis accommodation was particularly disruptive for her child, who was also not attending primary school at that time due to the COVID-19 pandemic. The family violence service then referred Sarah to NCLC for assistance with applying to vary this order.

We prepared an application to urgently vary the interim order and the Court agreed to list the application on an urgent basis. When Sarah attended Court, the Magistrate varied the order so that the perpetrator would be excluded from the family home. We then advocated with Victoria Police to have the order served on the perpetrator on an urgent basis. The police served the order and removed him from the home, and we referred Sarah back to the family violence support service for assistance with changing the locks and moving back home.

*\*Name changed*



## Emerging Legal Issues During COVID-19

Things are changing rapidly in our community due to the impacts of COVID-19. The City of Hume, in particular, has been singled out as one of the areas within Victoria hardest hit by redundancies and escalating unemployment. New legislation has been introduced to assist people having difficulties in paying their rent, and new laws have come into play that enable fines to be issued for failing to comply with COVID-19 restrictions.

At NCLC we have experienced an increase in the number of inquiries relating to parenting arrangements and rental arrears.

To assist our community in navigating these new laws and access to financial supports, NCLC has produced a series of simple Legal Factsheets detailing rights in relation to:

- Employment
- Renting
- Staying Safe at Home
- Parenting and Child Contact Arrangements
- Financial Assistance
- Police Powers.

These Factsheets have been translated by our amazing Community Engagement Workers into Arabic, Hindi, Nepali, and Punjabi from our [website](#).

COVID-19 Legal Factsheets

HERE

## **Staying Connected During COVID-19**



### **Did you know...**

NCLC is running three women's groups:

- El Amal Women's Group (for women from Iraq/Syria)
- DBSV Sisters' Group (for women from Nepal)
- OORJA Women's Group (for women from India).

While the groups are unable to meet face-to-face during COVID-19 restrictions, they are continuing to engage and participate in workshops online.

These groups are vitally important in ensuring that we all stay connected and resilient during this difficult time. Current activities include upskilling women in using social media, book clubs, craft clubs, cooking and recipe activities, and

presentations from service providers about key topics.

For further information about the women's groups, please contact our Community Engagement Workers via [admin@northernclc.org.au](mailto:admin@northernclc.org.au).

*Northern Community Legal Centre acknowledges and respects the traditional custodians whose lands we are fortunate to live and work on, and we pay our respects to all Elders past, present, and future.*

### **Northern Community Legal Centre**

Level 3, Building 2, 1100 Pascoe Vale Road,  
Broadmeadows, Victoria, 3047.

(03) 9310 4376  
[admin@northernclc.org.au](mailto:admin@northernclc.org.au)



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