



All the Latest in Legal News from Northern Community Legal Centre

October 2020

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From the Team at NCLC

Welcome to our October edition of the NCLC newsletter.

This week we celebrate Week Without Violence. Never has this issue been more important than during COVID times when many families are experiencing additional stress and difficulty in reaching out to services.

Violence is a serious, widespread problem in our society. At NCLC, in the past financial year, over 50% of all clients accessing our services have experienced family violence. Family violence impacts mental health, physical health, social wellbeing, and the harms are both broad and intergenerational.

However, there is hope! As a community, we can change the narrative through supporting gender equity initiatives and calling out violence against women and children when we see it, in all its forms.

NCLC is continuing to support our clients to achieve safer outcomes through legal remedies such as family violence intervention orders, safe child contact arrangements, and victims of crime compensation. We are also committed to identifying the structural barriers that prohibit safety, and advocating for legal and policy reforms that will enhance safety in our communities.

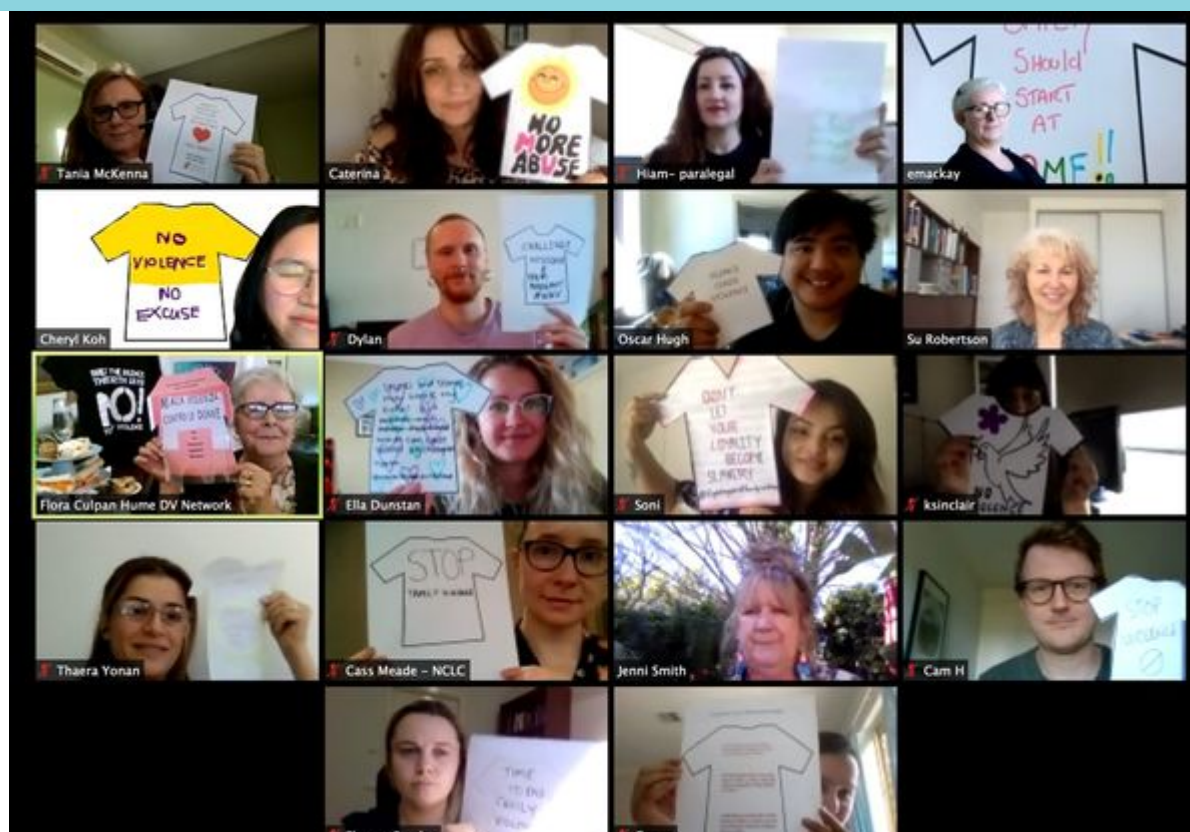
AT NCLC OUR LAWYERS CONTINUE TO PROVIDE LEGAL SERVICES BY
TELEPHONE DURING COVID-19 RESTRICTIONS.

FOR LEGAL ASSISTANCE PLEASE CONTACT US BY TELEPHONE ON:

(03) 9310 4376

OR BY EMAIL AT:

About the Week Without Violence 2020



COVID-19 has restricted many of our daily personal and work activities but it has not stopped us from finding ways to get the message out.

Week Without Violence started in Victoria in 1999 and the Hume Family and Domestic Violence Network along with the Community Legal Centre have been involved in this event for over 20 years.

The Clothesline Project which has become an integral part of WWV started in America with a group of women coming together to bring to public attention the alarmingly high number of domestic murders in their country. Their approach was that it was time to 'air out the dirty laundry' and they did this by painting messages on t-shirts and hanging them out in public for all to see! This was the beginning of a campaign that is now worldwide. Women's Voices, Women's Stories.

COVID-19 Infringements

[Recent data shows](#) that, as of 24 August, Victoria had issued more 19,000

COVID-19 fines, costing over \$27.8 million, with only 1,424 being withdrawn or cancelled.

Despite Victoria Police stating that every COVID-19 fine would be reviewed, community legal centres have [so far seen very low rates of success](#) in having fines withdrawn, even in exceptional circumstances or when the clients have a lawful excuse.

NCLC is supporting a number of clients with COVID-19 fines, and these reports are consistent with our experience. We are disappointed to see Victoria Police failing to exercise their discretion to issue a warning rather than a \$1,652 fine, particularly for our clients aged under 18 or with intellectual disabilities and/or complex mental health issues that make it very difficult for them to understand the current restrictions.

Anyone issued with a COVID-19 fine is entitled to have it reviewed, and should seek legal advice if the fine was issued incorrectly or unfairly.

Our 'Police Powers' fact sheet, available [here](#), has more information.

Fines Victoria 'Toll Cost' Debt Collection

NCLC has become aware of Fines Victoria sending Court Fine Collection Statement for 'Toll Costs', which are administrative fees imposed by courts when dealing with toll fines.

While Fines Victoria's letters suggest that there will be additional fees and enforcement action if these debts aren't paid, we do not believe that Fines Victoria has the power to do this, and we believe that these letters are very misleading.

NCLC assists many clients with toll fines and we are very concerned about the impact that these letters may have. Rather than having to pay these costs, many of our clients are likely to be able to apply to have these debts waived.

So that we can advocate with Fines Victoria to stop this happening, we encourage referrals for anyone that receives a Court Fine Collection Statements that includes Toll Costs.

Responsible Lending Changes

The Federal Government has announced that, as part of the recent budget, they intend to relax Australia's responsible lending laws, to make it easier for banks and financial institutions to approve loans.

NCLC strongly opposes any moves to water down Australia's responsible lending obligations and is highly concerned about the impact that this could have on vulnerable community members experiencing financial hardship. NCLC is participating in important [advocacy](#) aimed at preventing these changes.

Even with Australia's current responsible lending obligations, NCLC regularly sees clients that have been signed up for expensive loans and finance products that they cannot afford.

Amira's story (below) shows the importance of Australia's current Responsible Lending laws.

Amira's Story

Amira* has a diagnosis of schizophrenia and her only income is the disability support pension. Amira came to our service because she was receiving letters from a finance company threatening to take her car back because she had defaulted on a car loan.

Amira told us that she had been pressured into an expensive loan for approximately \$16,500 by a pushy salesperson, and she had felt forced into the loan without a chance to understand it or whether she could afford the repayments. At the time Amira was a single mother with a newborn baby, and she started falling behind on payments almost immediately.

We obtained the original loan documents from the car yard, which showed that they had failed to properly investigate Amira's financial circumstances to see whether she could afford the loan. We wrote to the finance company alleging that they had breached the numerous obligations under the National Credit Code, including Responsible Lending obligations, and they agreed to waive the remaining \$13,500 owing on the loan and to let Amira keep the car.

**Name changed*

Meet Our New Lawyer Supporting International Students



Interview with Shauna

1. Why are you passionate about working in this space?

I live in the area so it's great working within my own community. I've come to NCLC with a strong background in community organising and collective action having worked most recently as an Organiser both at the Young Workers Centre and Victorian Trades Hall Council. Before this, I worked on consumer class actions and volunteered in a wide-range of CLCs both in Australia and in Ireland. I became passionate about access to justice whilst running my university's Free Legal Advice Centre, and haven't looked back since. I strongly believe the law should be accessible to all.

2. Why is there a need for a clinic devoted to international students?

International students have become particularly vulnerable due to the impacts of COVID-19 on the standard of education, job opportunities, and housing affordability. Many students are under severe financial hardship due to job losses and inability to access JobKeeper or JobSeeker, leaving them to resort to food relief from charities and community groups. There have been increased levels of mental health issues and anguish which are directly linked to the educational, employment, and housing issues international students face.

3. What kind of support can the clinic provide?

We provide legal advice and assistance to students on temporary visas (e.g. international student visas, working holiday visas, bridging visas) who live, work or study in Hume, Moreland, and Mitchell Shire local government areas. We provide advice on a wide range of matters – tenancy, employment, consumer, fines, criminal, family violence, motor vehicle accidents. We can also do a 'legal health check' – if you come to an appointment with one legal issue, we will ask you questions to see if there are any other issues you're experiencing which might have a legal element to it. If we cannot assist, we provide referrals. We can provide referrals to financial supports, food relief, and mental health services if needed.

Join NCLC in Celebrating Our 2019/2020 Year at Our Annual General Meeting



This year's theme for our Annual General Meeting is '**Mind the Gap**'. As our office looks over Broadmeadows Train Station, this message is a daily reminder of the importance of continuous reflection and review to ensure that we are targeting our services at those who are often the most invisible and the most in need of advocacy.

Our AGM will take place on the 26th November 2020 from 12 – 1:30 pm where we will be launching our new strategic plan. Speakers will include our CEO, Jenni Smith, Maria Vamvakinou, MP, and other speakers to be confirmed.

This will be an online event. To RSVP please email admin@northernclc.org.au and further information will be provided.

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.

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Broadmeadows
Australia

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