

GIPPSLAND LEGAL NEEDS ANALYSIS

Report to the Gippsland Community Legal Service
From Anglicare Victoria's
Policy, Research and Innovation unit

Annie Bruxner and Sarah Wise

For further information

Policy, Research and Innovation unit
Anglicare Victoria
P (03) 9412 6113

ISBN: 978-0-9808054-4-4

© Anglicare Victoria 2011

This publication is copyright. Apart from fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced without written permission from the publisher.

Anglicare Victoria
103 Hoddle Street Collingwood
Anglicare Victoria
P (03) 9412 6113
F (03) 9415 9181
E info@anglicarevic.org.au

ABN 97 397 067 466

www.anglicarevic.org.au

Table of contents

About the authors	4
Acknowledgements	4
Executive summary	5
Chapter 1 – Introduction	
The Gippsland Community Legal Service	8
The Gippsland Legal Needs Analysis	10
Summary	13
Chapter 2 – Statistical profile of the Gippsland region	
Aim of the statistical profile	14
Data sources	14
Findings from the statistical profile of the Gippsland region	14
Summary	23
Chapter 3 – Staff and client surveys	
Findings from the staff survey	27
Findings from the client survey	33
Legal needs and barriers to justice	35
Summary	45
Chapter 4 – Conclusions and recommendations	
Discussion and implications for the Gippsland Community Legal Service	47
Conclusion	53
Glossary and terms of reference	54
References	56

Table of tables

Table 1	Population size and predictions by LGA for 2016 and 2026	14
Table 2	Aboriginal and Torres Straight Islander residents by LGA (2006)	15
Table 3	Population from culturally and linguistically diverse backgrounds by Gippsland LGA (2006)	16
Table 4	Age distribution of Gippsland in 2006 and estimated age distribution for 2016 (% of total population)	16
Table 5	Persons receiving a disability support pension by LGA (2008)	17
Table 6	The 2001 disability-adjusted life years for people with a mental illness by Gippsland LGA	18
Table 7	Weekly household and individual incomes and unemployment rates by LGA	19
Table 8	Percent of persons with post school qualifications by LGA	20
Table 9	Housing tenure by LGA (2010)	20
Table 10	Individual weekly rental payments and monthly mortgage payments by LGA	21
Table 11	Rates of family incidence, charges and IVO applications by LGA	22
Table 12	Rates (per 100,000) of criminal offences against the person, against property, drug offences and other crime by LGA (2009 - 2010)	23
Table 13	Number (%) of CSOs participating in the staff survey by LGA	27
Table 14	Client demographics	28
Table 15	Legal issues experienced by clients of CSOs	29
Table 16	Legal services CSOs refer their clients to for legal assistance	30
Table 17	The CSOs reporting that their clients face particular barriers in seeking and accessing legal assistance (%)	31
Table 18	Geographic location of client participants	34
Table 19	Frequency of legal issues (N = 95)	36
Table 20	Proportion of clients who sought legal assistance by type of legal issue	36
Table 21	Proportion of legal services clients accessed by type of legal issue	37
Table 22	Legal services clients accessed for assistance with legal issues	37
Table 23	Client ratings of helpfulness of legal services	41
Table 24	Legal services clients would access for future legal issues	42
Table 25	Client ratings of helpfulness of core service activities provided by community legal centers (lower scores represent greater helpfulness)	45

Table of figures

Figure 1	The Gippsland region by LGA	9
Figure 2	Staff ratings of most helpful service activities	33
Figure 3	Age structure of client sample	34

About the authors

Annie Bruxner

Annie is a research assistant working within the Policy, Research and Innovation unit at Anglicare Victoria. Annie has been working in mental health and social research since 2005. She is currently undertaking her Master of International Health at Monash University.

Sarah Wise

Dr Sarah Wise has a background in developmental psychology and has had many years of research and policy experience covering a wide range of issues relating to children, parents and families. Her research interests include parenting children in out-of-home care, child care and other forms of non-parental care, vulnerable and disadvantaged parents, diverse family arrangements, evaluation of early childhood interventions and complex family and community interventions. Dr Sarah Wise is the General Manager, Policy, Research and Innovation at Anglicare Victoria.

Acknowledgements

The authors would like to acknowledge and thank Marinda Smith and Bruce Thorne at the Gippsland Community Legal Service, for assisting with the identification and recruitment of Gippsland Community Services for the fieldwork component of the research and to all staff at the Gippsland Community Legal Service for their early feedback which broadened the scope of the research.

Thanks are also due to the many staff from community services right across Gippsland who supported the research through their participation in the staff survey and/or assistance with client recruitment. We are also deeply grateful for the support provided by Sarah Wilks, research assistant with the Anglicare Victoria Policy, Research and Innovation unit for her able help with the administration of client surveys during two separate fieldwork exercises and for her support throughout the project development and data collection stages of the research.

Finally, the authors would also like to express their gratitude to members of the Gippsland community who gave their time to participate in the research.

The Gippsland Legal Needs Analysis was funded by Victoria Legal Aid.

SUGGESTED CITATION

Bruxner, A., & Wise, S. (2011). *Gippsland Legal Needs Analysis*. Melbourne: Anglicare Victoria.

Executive summary

Background

The Gippsland region comprises six local government areas (LGAs) including Bass Coast Shire, Baw Baw Shire, East Gippsland, Latrobe City, South Gippsland Shire, and Wellington Shire. This large region, which represents approximately 18% of the State of Victoria, extends along the east coast of Victoria and covers 41,538 square kilometres. These six LGAs were in scope for the Gippsland Legal Needs Analysis (LNA) described in this report. At January 2009 240,144 people resided in Gippsland representing 5% of the Victorian population.

Currently, there is only one Community Legal Centre (CLC) for the whole of Gippsland, the main office is situated in Morwell (Latrobe) and a smaller one in Bairnsdale (East Gippsland). The Gippsland CLC is supported and funded by the Attorney General's Commonwealth Community Legal Services Program (CCLSP) and is co-located with other community services delivered by Anglicare Victoria. In accordance with the CCLSP the CLC aims to address the legal needs of disadvantaged community members by providing legal advice and advocacy, empowering individuals and groups through community education and to remove systemic injustice by advocating for law reform.

The Gippsland Legal Needs Analysis

The Attorney General's CCLSP aims to improve the availability and provision of legal services to communities. To improve access to appropriate legal services information is needed at a community level on legal issues community members face as well as barriers to accessing legal support and justice. As an assessment of unmet legal needs had not previously been conducted for the region, the Gippsland CLC commissioned the Anglicare Victoria Policy, Research and Innovation unit to undertake a LNA of the Gippsland region. The analysis was to inform how the Gippsland Community Legal Service Plan can best target community members who have the most difficulty accessing legal services and support. The research included a detailed statistical profile of the entire Gippsland region, a survey of 132 people using legal and non-legal services across the Gippsland region (the client survey) and a survey of staff representing 39 local community service organisations (the staff survey).

Research findings

Statistical Profile of the Gippsland region

Disadvantage has been associated with both increased vulnerability to legal issues and increased barriers in seeking and accessing legal services and justice. People from ATSI and CALD backgrounds, women, people experiencing mental health issues and disabilities, older persons and youth, as well as people from low socio-economic status (SES) backgrounds are known to experience more legal issues and have greater difficulty accessing appropriate legal assistance compared to people in the community generally.

The demographic profile of the Gippsland region suggests a population with a high level of legal needs and barriers to justice. The statistical profile showed a relatively high concentration of ATSI people in East Gippsland (3.0%) and Latrobe (1.3%). Latrobe had the highest concentration of people who spoke languages other than English at home (6.2%). Australian Bureau of Statistics (ABS) data showed 5% of people in the Gippsland region received a disability support pension with people in Latrobe reporting the highest proportion (6.0%). Rates of mental illness were roughly comparable

to State averages, although alcohol dependence appeared to be a greater problem for men in all LGAs except Bass Coast and South Gippsland and depression was a greater problem for women in all LGAs except South Gippsland.

The Gippsland population is aging at a faster rate than the rest of Victoria as young people and families migrate out of the region for education and work opportunities. Bass Coast is expected to have the highest concentration of older persons by 2016.

On all socio-economic indicators of disadvantage Gippsland performed poorly compared to State averages. Weekly individual income (\$378) was well below the national average (\$466). Households in Bass Coast recorded the lowest weekly household income of all the Gippsland LGAs at only 62% of the national average. The proportion of unemployed people was also higher in Gippsland compared to Victoria generally (3.3%). In line with income data, the highest concentration of unemployed people was in South Gippsland (8.3%) and Bass Coast (7.0%).

Only 48.6% of people in Gippsland had completed Year 12 (or equivalent), which was well below the State average of 68.5%. Across all of Gippsland the proportion of single parent families was in line with State figures. However, there was a higher concentration of single parent families in Latrobe (18.9%).

The most common form of housing tenure in Gippsland was home ownership, followed by purchasing and renting. While monthly home repayments were below the State average (up to \$1,040 in Baw Baw compared to \$1,252 in Victoria generally), renters were experiencing a level of 'housing stress' equivalent to other Victorians at 41.9% of their weekly income (Gippsland) compared to 40.6% (Victoria) of their weekly income.

On more direct measures of legal need, family violence was a major issue across Gippsland. Four of the six LGAs exceeded the Victorian rate of family incidences with almost three times as many charges in Latrobe. The number of child protection reports in 2008 (16.4 per 1,000 children) was also double the State rate of 8.1 per 1000 children. On other crimes, Gippsland experienced higher rates of crimes against the person (assault was the most common crime) and other crimes compared to Victoria generally. Latrobe consistently performed worse than other LGAs on these measures.

Client and staff surveys

Almost three-quarters of the 132 participants reported experiencing a legal issue with more than half of these issues having occurred within the past 12 months. The majority of participants sought legal assistance and typically accessed private solicitors or barristers and Victoria Legal Aid. More than three-quarters (78.8%) of participants sought legal assistance from at least one service with the remaining 21.2% accessing at least two services for their most recent legal issue.

Significantly more men had experienced a legal issue than women with men experiencing significantly more traffic offences and women experiencing significantly more family law issues. There was no difference between men and women in terms of access to legal assistance. Latrobe residents were more likely to experience a legal issue than non-Latrobe residents. However, once again, there was no difference between Latrobe and non-Latrobe residents in terms of access to legal assistance. Age did not appear to influence the likelihood of experiencing a legal issue or accessing legal assistance. However, older participants were more likely to experience personal injury issues and "other" legal issues than younger participants. ATSI and non-ATSI participants did not differ in terms of their likelihood of experiencing a legal issue or access to legal assistance. However, ATSI participants experienced more traffic offences than non-ATSI participants with ATSI males experiencing significantly more traffic offences than non-ATSI males. Participants with a higher level of education were significantly more likely to experience wills and powers of attorney issues but people with lower levels of education were

significantly more likely to access legal assistance. Experiencing a legal issue and accessing legal assistance was not linked to employment status. However, unemployed participants were significantly more likely to experience family law and violence issues than employed participants.

More than half (56.4%) of participants reported that they travelled more than 11kms to access lawyers and almost one-third travelled more than 40kms. One-third (33.3%) travelled more than 11kms to access Legal Aid and 15.2% reported they had to travel more than 40kms to access Legal Aid. Participants considered community organisations, Aboriginal Legal Services, private solicitor/barrister, Legal Aid and "other" services as being the most helpful in dealing with their legal issue. Participants indicated that they would be most likely to seek the help of Victoria Legal Aid if they had legal issues in the future.

Participants suggested that better advertising would increase community awareness and utilisation of the GCLS. Participants also suggested the GCLS could increase its accessibility to clients via improved hours, location and service delivery. Further, participants highlighted the need for legal advice to be provided in a "simple approach" with "easier language" especially for migrants, the elderly and less literate people. Participants also suggested that legal advice and assistance cover a "broader range of legal issues".

The staff survey indicated that approximately 95% of community service organisations had clients with legal issues. However, many staff reported barriers in referring clients to appropriate services, including lack of knowledge about the location and availability of legal services and uncertainty about referral processes including eligibility criteria. Staff also reported that clients faced other barriers to accessing legal services relating to cost, service location and limitations on the type of legal issues that services could deal with.

Recommendations to improve community access to legal services

The LNA suggests a number of actions to ensure availability, accessibility, and appropriateness of community legal services to disadvantaged members of the Gippsland community:

- Ensure GCLS services align with the type of legal issues most commonly experienced by clients. This includes capacity to support clients with issues relating to family law and violence, traffic offences, criminal law, housing and accommodation and intervention orders
- Ensure that the services which community members consider most helpful in improving their access to legal assistance and justice, such as formal legal representation, are available
- Ensure that community awareness and legal education activities are targeted towards specific disadvantaged groups (such as non-Latrobe residents, ATSI, women and low socio-economic people)
- Ensure the GCLS is responsive to the needs and characteristics of disadvantaged populations such as people with hearing difficulties (eg. the elderly), parents with young children and people from ATSI and CALD backgrounds
- Support good communication and collaboration among staff in legal and non-legal community organisations to promote referral pathways
- Ensure GCLS services are widely advertised and promoted.

Chapter One

Introduction

The Gippsland Community Legal Service

Anglicare Victoria was formed in 1997 when three of the State's largest child and family welfare agencies joined together - the Mission to the Streets and Lanes, the Mission of St James and St John, and St John's Homes for Boys and Girls. Combined these well-respected agencies had over 260 years experience in providing care and support to vulnerable and marginalised children, young people and families.

Anglicare Victoria¹ is funded by the Federal Government Attorney-General's Department to operate the Gippsland Community Legal Service (GCLS) under the Commonwealth Community Legal Service Program (CCLSP). The GCLS has been in operation since 2001 and is currently staffed by six people who conduct legal and advocacy work for the Gippsland community.

Legal services

The mission of the GCLS is to improve access to justice for all members of the Gippsland community and to remove systemic injustice. The GCLS provides the following free legal services to any community member residing, working, or studying in Gippsland:

- Legal advice, information and assistance
- Referrals
- Community legal education and
- Advocacy.

Legal assistance is provided for a wide range of legal matters including criminal offences, family law, discrimination and equal opportunity, wills and estates, social security, going to court, employment, motor vehicle accidents, victims of crime assistance, family violence and freedom of information. Casework is provided on a limited basis.

The Rights, Advocacy and Support Program (RASP) is an activity of the GCLS. RASP is a community based information, support and advocacy program with a focus on human rights, equal opportunity, anti-discrimination and diversity issues, upholding the rights of people with disabilities and the appropriate resolution of disputes in the Gippsland region.

Geographic reach of the Gippsland Community Legal Service

The Gippsland region extends along the east coast of Victoria and covers 41,538 square kilometres. It represents approximately 18% of the State of Victoria (see Figure 1). There are six Local Government Areas (LGAs) within Gippsland; Bass Coast Shire, Baw Baw Shire, East Gippsland, Latrobe City, South Gippsland Shire and Wellington Shire. At January 2009 the Gippsland population of 240,114 represented 5% of the Victorian population (Department of Human Services, 2009).

¹ Anglicare Victoria is an independent non-profit service with an office based in Morwell. The GCLS shares its operating space with other community services delivered by Anglicare Victoria.

There are five Magistrates Courts in Gippsland including Bairnsdale (East Gippsland), Korumburra (South Gippsland), Latrobe Valley (Latrobe), Moe (Baw Baw), and Wonthaggi (Bass Coast). There is a Supreme Court in Sale (Wellington), a Federal Magistrates Court in Traralgon (Latrobe) and three County Courts in Bairnsdale, Latrobe Valley, and Sale (Court Lawyers, 2010). Although legal assistance is available in the Gippsland region through lawyers, police, the Victorian Aboriginal Legal Service and the Family Violence Prevention Legal Service, the GCLS is the only community legal centre (CLC). The GCLS provides services from Mallacoota to Wonthaggi to Dargo (Federation of Community Legal Centres, 2009).

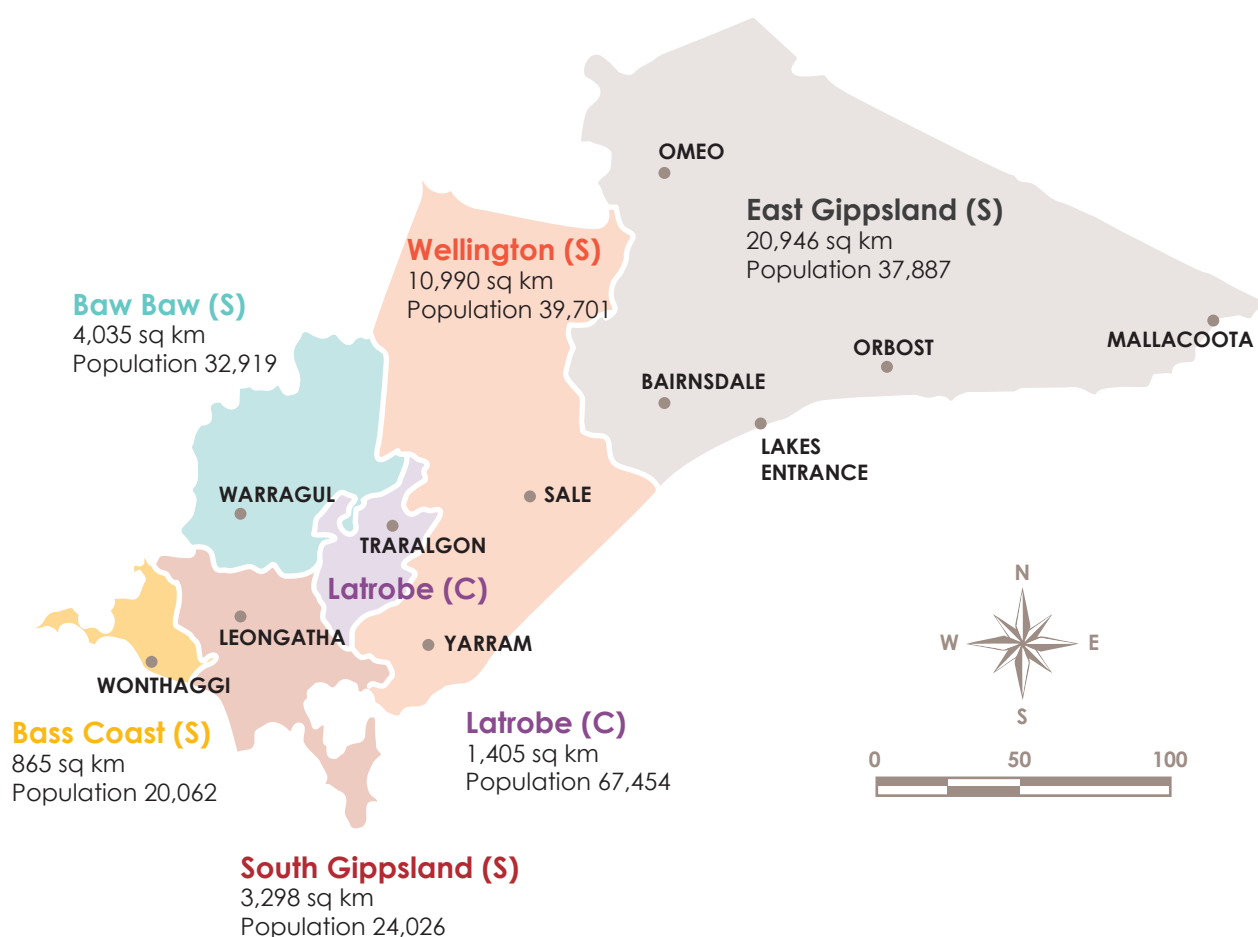


Figure 1. The Gippsland region by LGA.

Source: Department of Human Services, 2009

The Gippsland Legal Needs Analysis

Aims of the Gippsland Legal Needs Analysis

In 2010 the Anglicare Victoria Policy, Research and Innovation unit was commissioned by the GCLS to undertake a Legal Needs Analysis (LNA) of the Gippsland region. The main purpose of the Gippsland LNA was to assist the GCLS to map unmet legal needs across the Gippsland region to inform the Community Legal Service Program (CLSP) plan. The Gippsland LNA was funded by Victoria Legal Aid.

An important aspect of the Gippsland LNA was to understand legal needs as well as the location of people who may experience particular barriers to accessing legal services in the Gippsland region. This was to improve service accessibility and ensure limited resources are appropriately targeted.

Socio-economic indicators linked to legal needs and barriers to service use

Certain groups within a community are more likely to experience legal issues and barriers to justice.

Geographic isolation

As discussed above, Gippsland is a vast area that includes regional and rural locations. Geographical isolation acts as a barrier for community members wishing to access justice. For example, clients in remote areas are likely to have difficulties accessing services at some distance from where they live, whereas services in remote areas are hampered by transportation costs, lack of availability of staff, and difficulty accessing appropriate and/or affordable buildings from which to deliver services (Commonwealth of Australia, 2009).

Cultural and ethnic diversity

Aboriginal people face numerous challenges in relation to the legal system and access to justice.

In 2007 the Overcoming Indigenous Disadvantage Report (The Family and Civil Law Needs of Aboriginal People in New South Wales, 2008) indicated that Indigenous disadvantage had implications for legal needs and access to appropriate services. For example, Indigenous persons have lower literacy and numeracy skills compared to the general population, have higher rates of hearing problems, higher rates of disability², experience more mental health issues such as psychological distress, self harm, and drug and alcohol issues (The Family and Civil Law Needs of Aboriginal People in New South Wales, 2008). Further, cultural differences act as another potential barrier for Indigenous people accessing mainstream legal services.

According to the Senate Legal and Constitutional References Committee (2004) Indigenous peoples' inability to access family and civil law services and, in turn, full legal entitlements, renders them susceptible to escalation of legal issues and over-representation in the criminal justice system.

Culturally and linguistically diverse (CALD) communities are also more likely to experience legal issues and problems, especially within the first five years of arriving in a new culture (Dimopoulos, 2010). Quite often cultural barriers and misunderstandings contribute to legal issues and the need for legal services. People from CALD backgrounds are also often unfamiliar with the laws and legal proceedings within Australia. For example, poor understanding and knowledge of Australian laws have been related to domestic and family violence offences among some members of the CALD community (Dimopoulos, 2010).

Gender

Women's experiences of gender inequality in public, social and private settings impact on their ability to access justice. They have greater difficulty accessing financial resources and are more susceptible to discrimination. Women are also under-represented in legal and political professions. Women are also more likely to be victims of gender related violence and domestic violence (Australian Law Reform Commission, 1994). Gender inequalities are compounded for some women by the presence of other social inequalities such as youth or old age, cultural background, race, sexual orientation and disability.

Age

Youth

The legal issues experienced, and services required by younger Australians (those aged 25 years or below) primarily relate to contact with police and other authorities, family relationships and family law, debts and fines, violence, discrimination and equal rights (Youth Law, 2010). Some laws are more likely to be breached by younger persons such as anti-hooring laws (Parliament of Victoria, 2010). Some of the barriers to accessing legal assistance and services for this group include lack of knowledge about rights and government systems (such as Centrelink).

Older persons

Older Australians need legal services and assistance relating to preparation of wills, powers of attorney, property and accommodation issues, health services, financial and consumer issues (Ellison, Schetzer, Mullins, & Wong, 2004). Numerous problems prevent older Australians from accessing legal assistance including the cost and difficulty in gaining Legal Aid grants, service accessibility (location and age specific facilities), lack of knowledge about the law and their rights, and a reluctance to take legal action. Older persons are also known to experience elder abuse and discrimination (Ellison et al., 2004).

Disability and mental illness

Disability

People with a disability are vulnerable to numerous disadvantages including poverty and low income, discrimination, social exclusion, low educational attainment and difficulty accessing support services. These disadvantages affect their ability to access justice.

Disabled persons are also less likely than other members of the community to report crimes and pursue justice due to lack of knowledge of the justice system, fear and discrimination by service providers, police and the Courts (Johnson, Andrew & Topp, 1988). Research also suggests that intellectually disabled persons are twice as likely to be victims of crime against the person compared to non-disabled age-matched cohorts and are one-and-one-half times more likely to be victims of crime against property (Wilson & Brewer, 1992).

Mental illness

Mental illness is associated with victimisation, offending, incarceration, and barriers to accessing justice (Lamberti et al., 2001; Hayes, 2006). Australian epidemiological studies investigating offending populations found rates of mental illnesses, such as depression and schizophrenia to be three to five times more prevalent compared to the general population (Mullen, Holmquist, & Olgoff, 2003). Indeed, 13.5% of male and 20.0% of female prisoners reported previous psychiatric admission(s). An American study found that people with a mental illness were eight times more likely to be robbed, 15 times more likely to be victims of property crime including theft and 23 times more likely to be victims of rape (Levin, 2005).

People with mental illness and disability also have specific legal needs that are related to their social disadvantage and mental health status. For the mentally unwell these include issues related to the Mental Health Act and adult guardianship, discrimination, housing and accommodation, social security issues such as fraud and breaching, domestic violence, victims of crime, and family law issues. In terms of offending behaviour, research also indicates that people with a mental illness, such as women suffering depression (Thompson, 2008) or those with active psychotic symptoms (Monahan, 1983) are more likely to commit crime.

Both the mentally unwell and the disabled experience barriers to accessing legal services and participating in the legal system such as affordability, limited availability of legal aid, communication and behavioural issues symptomatic of mental illness, stress, poor legal knowledge and a perceived lack of credibility (Karras, 2006).

Socio-economic background

Research suggests an association between socio-economic disadvantage and vulnerability to legal issues (Genn & Paterson, 2001). As indicated previously, disadvantage predisposes people to varying types and levels of legal need such as exclusion and discrimination, ability to understand and enforce legal rights, awareness and confidence in dealing with legal processes and accessing appropriate legal services. Indicators of socio-economic disadvantage include low levels of educational attainment and dependence on income support.

Single parent families

Many single parent families fall within a low-SES demographic, experience high rates of mental illness and have specific legal needs relating to child custody and parental disputes. Single parents are also found to be over-represented in violence and property offences (Fergusson, Boden & Horwood, 2007).

Methodology of the Gippsland Legal Needs Analysis

The Gippsland LNA comprised three main aspects:

- A statistical profile of the Gippsland region
- A survey of key service providers within the Gippsland region and
- A survey of individuals accessing community services in the Gippsland region.

This approach was modeled on methods used in legal needs analyses conducted in Bega (Schetzer, 2003) and the Mid North Coast of New South Wales (Peek, 2010). The three aspects of the Gippsland LNA combine data from secondary sources and from service users and service providers to build a comprehensive picture of legal needs and service gaps across the entire Gippsland region. For the purpose of the Gippsland LNA, the Gippsland region was defined as incorporating the six LGAs of Bass Coast Shire, Baw Baw Shire, East Gippsland, Latrobe City, South Gippsland Shire, and Wellington Shire.

Details of the specific purpose, method and findings from each element of the Gippsland LNA are presented in Chapters two and three of this report. A discussion of these findings and their implications for the future operation of the GCLS are presented in Chapter four.

Summary

The GCLS provides free legal services including legal advice, referral, legal education and advocacy to any community member residing, working, or studying in Gippsland. The GCLS commissioned the Anglicare Victoria Policy, Research and Innovation unit to undertake a Legal Needs Analysis of the Gippsland region to inform its CLSP.

A core aim of the Gippsland LNA was to understand legal needs as well as the location of people who may experience particular barriers to accessing legal services in the Gippsland region. This was to improve service accessibility and responsiveness and ensure limited resources are appropriately targeted.

The available research suggests certain groups within a community are more likely to experience legal issues and barriers to justice. People from ATSI and CALD backgrounds, women, people experiencing mental health issues and disabilities, older persons and youth, as well as people from low SES backgrounds are known to experience more legal issues and have greater difficulty accessing appropriate legal assistance compared to people in the community generally. These groups also have specific legal needs that relate to their particular vulnerability.

These social and demographic indicators of legal need provide the framework for the statistical profile of the Gippsland region presented in Chapter two of this report as well as the construction of the sample for the staff and client surveys outlined in Chapter three.

Chapter Two

Statistical profile of the Gippsland region

Aim of the statistical profile

The purpose of this aspect of the LNA was to profile the Gippsland region on demographic and other socio-economic factors linked to high legal needs and/or barriers to accessing legal services. As well as these demographic indicators, the statistical profile includes crime statistics and child protection data as a more direct measure of legal needs in the Gippsland region. The social and demographic indicators of legal needs and barriers to justice have been outlined in Chapter one of the report.

Data sources

Publicly available secondary data were used for the statistical profile, derived primarily from the 2006 Australian Bureau of Statistics Census (ABS) (ABS, 2006; 2007a; 2007b; 2007b; 2008a; 2008b; 2009). These data were supplemented with data from Victorian Government departments including the Department of Human Services and Victorian Police. Where possible the data are compared to State averages for benchmarking purposes.

Findings from the statistical profile of the Gippsland region

Population size and geographic isolation

In 2006 there were 247,693 people living in Gippsland with Latrobe reporting the highest population level (see Table 1) (ABS, 2006). Approximately 79.3% of the Gippsland population resided in inner regional areas (encompassing almost all residents in Bass Coast, Baw Baw, and Latrobe), 19.7% resided in outer regions (including 94.7% of East Gippsland residents), and 0.9% resided in remote regions (ABS, 2006).

According to the ABS, Bass Coast grew 2.3% between 2007 and 2008 – the second fastest growing regional LGA in Victoria (ABS, 2009). Victoria's Department of Planning and Community Development (2008) also predicted that between 2006 and 2026 Gippsland's population will increase by 23.4%. This rate is similar to regional Victoria's predicted increase of 23.6% but lower than Victoria's predicted increase of 30.9%.

Table 1

Population size and predictions by LGA for 2016 and 2026

	Estimated population for 2006	Predicted population by 2016	Predicted population by 2026
Bass Coast	27, 502	34,528	41,919
Baw Baw	38, 600	45,806	53,769
East Gippsland	41, 388	47,769	54,224
Latrobe City	72, 003	74,801	77,505
South Gippsland	26, 672	28,710	31,024
Wellington	41, 528	44,317	47,283
Gippsland total	247, 693	275, 931	305,722

Source: ABS, 2006

Cultural diversity

Aboriginal and Torres Strait Islander background

In 2006, people of Aboriginal and Torres Strait Islander background comprised approximately 1.3% of the Gippsland population. East Gippsland had the highest concentration of Indigenous people (3.0%) followed by Latrobe (1.3%) (Table 2). The proportion of Indigenous people in East Gippsland, Baw Baw and Latrobe was higher than the proportion in Victoria as a whole (0.6%) (ABS, 2007).³

Table 2

Aboriginal and Torres Strait Islander residents by LGA (2006)

	Estimated population	Indigenous residents	Percent (%) of the total population
Bass Coast	27, 502	165	0.6 %
Baw Baw	38, 600	386	1.0 %
East Gippsland	41, 388	1, 242	3.0 %
Latrobe City	72, 003	936	1.3 %
South Gippsland	26, 672	133	0.5 %
Wellington	41, 528	456	1.1 %
Gippsland total	247, 693	Av: 553	Av: 1.25 %

Source: ABS, 2007

Born overseas

According to the 2006 ABS Census approximately 10.4% of the Gippsland population were born in countries outside Australia. The largest proportion resided in Bass Coast (15.6%) and the smallest proportion (10.3%) resided in Baw Baw (see Table 3). Across the six Gippsland LGAs the majority of people born outside Australia had migrated from North West Europe.

Linguistically diverse background

The 2006 ABS Census indicated that the number of Gippsland residents who spoke a language other than English (LOTE) at home was low relative to the proportion of people who were born overseas (Table 3). Latrobe had the highest proportion of LOTE speakers (6.2%), while Wellington had the lowest proportion (2.9%).

Data produced by the Victorian Multicultural Commission (2006a; 2006b) identified three main LOTE languages for all Gippsland LGAs. These were Italian, German and Dutch. However, between 2001 and 2006 the rate at which these languages were used decreased by up to 20.0%.

Latrobe identified 15 main LOTEs, suggesting that it was the most culturally and linguistically diverse LGA within Gippsland. The four main languages were Italian, German, Dutch and Maltese. All of these languages showed a decline in the frequency of use between 2001 and 2006. Across the 15 languages the most significant decrease was for Maltese at -26.6%. Despite this decrease, Maltese remained the fourth most popular language within Latrobe. The most substantial increase was for the Bengali language at 175.8% followed by Mandarin at 37.3%.

³ 2.5 % of the Australian population is Indigenous (ABS, 2007).

Table 3*Population from culturally and linguistically diverse backgrounds by Gippsland LGA (2006)*

	Estimated total population	Percent (%) born overseas	Number born overseas	Percent (%) LOTE at home	Number LOTE at home
Bass Coast	27, 502	15.6 %	4, 290	4.3 %	1, 182
Baw Baw	38, 600	10.3 %	3, 976	3.1 %	1, 196
East Gippsland	41, 388	10.9 %	4, 511	3.2 %	1, 324
Latrobe City	72, 003	14.1 %	10, 152	6.2 %	4, 464
South Gippsland	26, 672	11.5 %	3, 067	3.4 %	906
Wellington	41, 528	10.9 %	4, 526	2.9 %	1, 204
Gippsland total	247, 693	Av: 10.4 %	Av: 5, 087	Av: 3.85 %	Av: 1, 712

Source: ABS, 2006

Gender

Women

The 2006 ABS Census statistics indicate that women accounted for 50.4% of the Gippsland population.

Age structure

Youth

ABS Census data for 2006 showed that Latrobe had the youngest population of the six Gippsland LGAs with 60.9% aged between 18 and 64 (this age range is normally considered 'working age'). This LGA most closely reflected the State's rate of 63.7% of those of working age for this same year. The next youngest LGA within Gippsland was Wellington at 60.4% of people who were of working age.

Older persons

In 2006, Gippsland's proportion of people aged 65 years and over (15.9%) was higher than for Victoria as a whole (13.3%). It is estimated that this difference will almost double by 2026 (within the next 15 years) with expectations that 22.0% of the Gippsland population will be aged over 65 years compared to just 15.9 % for the State. In 2006, Bass Coast had the largest proportion of people aged over 65 years (22.4%). The age distribution of Gippsland in 2006 and the predicted age distribution in 2016 is included in Table 4.

Table 4*Age distribution of Gippsland in 2006 and estimated age distribution for 2016 (% of total population)*

	2006	2016
18 - 34 years	18.2%	18.2%
35 - 64 years	41.0%	41.0%
65 - 84 years	14.8%	14.8%
85+ years	1.1%	1.1%

Source: VIF, 2008

Migration and aging

Victoria in Future (Department of Planning and Community Development, 2008) reports that most migration occurs within the local area. However, there is also a migratory shift between Gippsland and urban areas. School leavers are more likely to leave Gippsland for more urban areas, such as Melbourne, whilst families (with adults aged 30 years and above) are likely to move into the Gippsland region. These migration patterns reflect the age structure of the adult population in Gippsland (shown in Table 4). However, the ageing profile is not consistent across Gippsland. As mentioned previously, it is anticipated that Gippsland will age at a faster rate than the State. Latrobe and Baw Baw are predicted to be the youngest LGAs in 2016, whereas Bass Coast is expected to have the largest proportion of older people by this time.

Disability

ABS data indicates that in 2008 approximately 12,369 (5%) of Gippsland residents received a disability support pension. Almost 6% of the population of Latrobe reported receiving disability support (the highest in Gippsland) and 3.4% of the population of East Gippsland reported receiving a disability support pension (the lowest in Gippsland) (see Table 5). Comparatively, in 2006 approximately 3.3% of Victorians were receiving the disability support pension.

Table 5

Persons receiving a disability support pension by LGA (2008)

	Number receiving a disability support pension	% receiving a disability support pension
Bass Coast	1, 342	4.6%
Baw Baw	1, 443	3.6%
East Gippsland	2, 403	3.4%
Latrobe City	4, 156	5.6%
South Gippsland	1, 003	3.7%
Wellington	2022	4.7%
Gippsland average	2061.5	

Source: ABS Census Data, 2006

Mental illness

According to a mental health report released by the Department of Human Services (2010), Gippsland's 2001 rates of mental illness were comparable to Victoria. Rates of mental illness were reported using disability adjusted life years (DALYs), a measure of overall burden where one DALY can be considered as a one year gap between current health status and the ideal health of a population free from disease and disability (WHO, 2010). Males reported a longer period of disability due to alcohol dependence compared to females with men located in Latrobe experiencing the highest DALYs (2.2 DALYs) compared to other Gippsland LGAs and Victoria (1.6 DALYs). Women consistently reported higher depression related disability than males with Latrobe women having the highest DALYs (9.1 DALYs) compared to any other Gippsland LGA and Victoria (7.1 DALYs) (see Table 6).

Table 6

The 2001 disability-adjusted life years for people with a mental illness by Gippsland LGA

	Gender	Bass coast	Baw Baw	East Gipps.	Latrobe City	South Gipps.	Wellington	Gippsland	Victoria
Alcohol dependence	Male	1.1	1.9	1.9	2.2	1.2	1.8	1.9	1.6
	Female	0.3	0.3	0.3	0.4	0.2	0.3	0.3	0.4
Depression	Male	4.1	5.9	5.5	7.6	5.2	4.3	5.7	5.9
	Female	8.9	7.8	8.5	9.1	6.6	8.5	8.5	7.1
Generalised anxiety disorders	Male	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
	Female	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Schizophrenia	Male	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7
	Female	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3
Borderline personality disorder	Male	1.7	1.4	1.3	1.4	1.8	1.7	1.5	1.5
	Female	1.9	1.4	1.5	2.0	1.3	1.8	1.7	1.6

Source: Department of Human Services, 2010

Socio-economic Indexes For Areas (SEIFA)

The ABS Socio-economic Indexes For Areas (SEIFA; ABS, 2008a) consists of four main indexes:

- Relative socio-economic disadvantage ⁴
- Relative continuum of socio-economic advantage and disadvantage ⁵
- Economic resources ⁶
- Education and occupation.⁷

Each index summarises relevant socio-economic indicators such as income, educational attainment, housing expenditure and assets. For all of the four indices, Latrobe was one of the ten most disadvantaged LGAs in Victoria. Latrobe was the fourth worst scoring LGA in Victoria for the index of economic resources. Latrobe was ranked third most disadvantaged Victorian LGA for the education and occupation index. East Gippsland was placed 20th most disadvantaged for the State of Victoria for education and occupation. East Gippsland was the tenth most disadvantaged LGA in Victoria for relative socio-economic index of disadvantage. Baw Baw, Wellington Shire, Bass Coast and South Gippsland were marginally below the Victorian average for all SEIFA indices.

Specific variables that comprise SEIFA indices are presented below. Statistics for Gippsland LGAs are included to highlight particular areas of disadvantage. Statistics for Victoria and Australia are included where possible for comparison purposes.

⁴ The main focus of this index is disadvantage. It is constructed from Census variables including low income, low educational attainment, unemployment and dwellings where no motor vehicle is present.

⁵ This index is a continuum of advantage and disadvantage where higher scores indicate a higher level of disadvantage. It relies on data collected from the ABS Census. Specific indicators include educational attainment, income, and housing expenditure.

⁶ The index of advantage and disadvantage focuses on financial indicators as drawn from Census variables including resident's income, housing expenditure and assets. Housing expenditure, such as weekly rent and monthly mortgage payments.

⁷ The index of education and occupation, includes Census variables relating to educational attainment, employment, and vocational skills.

Indicators of disadvantage

Income levels

ABS Census data for 2006 indicates that the weekly individual income for persons aged 15 years and over living in the Gippsland region was \$378, which was below the Australian average of \$466 (ABS, 2007b). Each of the six Gippsland LGAs fell short of the national average with East Gippsland residents earning the least at \$357 per week and Baw Baw residents earning the most at \$413 per week (Table 7).

Household incomes were also below the national average of \$1,027. Bass Coast households earned just \$636 per week (62% of the national average) making them the lowest earning LGA in Gippsland. Baw Baw households had the highest weekly household incomes at \$897 per week.

Unemployment

Unemployment rates (Table 7) for all Gippsland's LGAs were above the Victorian average of 3.3% of the population. Bass Coast and Latrobe had the highest proportion of unemployed people at 7% and 8.3% respectively (ABS, 2007b).

Table 7

Weekly household and individual incomes and unemployment rates by LGA

	Household income (weekly)	Individual income (weekly)	Total unemployed (%)
Bass Coast	\$636	\$358	7.0 %
Baw Baw	\$897	\$413	3.9 %
East Gippsland	\$653	\$357	6.7 %
Latrobe City	\$784	\$376	8.3 %
South Gippsland	\$776	\$387	4.0 %
Wellington	\$773	\$385	5.5 %
Victoria	\$1022	\$456	3.3 %
Australia	\$1027	\$466	

(ABS data, 2007b)

Educational attainment

In 2006, 68.5% of Victorians aged 15-64 years had completed Year 12 or attained a Certificate II or above (ABS, 2007a). However, the proportion of people in Gippsland who had completed Year 12 (or equivalent) was considerably lower at 48.6%. Bass Coast had the highest proportion of persons with post school qualifications at 51.5% and East Gippsland had the lowest proportion at 47.5% (Table 8).

Table 8*Percent of persons with post school qualifications by LGA*

Persons with post school qualifications (15yrs+)	
Bass Coast	51.1%
Baw Baw	49.4%
East Gippsland	47.5%
Latrobe City	47.8%
South Gippsland	47.7%
Wellington	48.3%

Source: ABS, 2007a

Housing

The most common housing type in Gippsland was home ownership with South Gippsland (44.3%) and Bass Coast (44.2%) reporting the highest rates of home ownership. Baw Baw recorded the highest "purchasing" rate (such as dwellings being purchased under a rent/buy scheme) at 35.6%. Latrobe reported the highest proportion of renters within Gippsland (23.8%) (Table 9; Profile ID, 2010).

Table 9*Housing tenure by LGA (2010)⁸*

	Owned	Purchasing	Renting
Bass Coast	44.2%	26.1%	20.8%
Baw Baw	39.4%	35.6%	18.9%
East Gippsland	45.3%	25.9%	22.0%
Latrobe City	36.6%	33.1%	23.8%
South Gippsland	44.3%	32.3%	16.8%
Wellington	39.8%	32.3%	21.5%

Source: Profile ID (2010)

Population growth within the Gippsland area highlighted above is likely to affect the affordability and availability of housing in the Gippsland region, including the affordability of rental properties. In 2006 Bass Coast residents were paying the highest rent of any Gippsland LGA at \$150 per person per week, or 41.9% of their weekly income. This was comparatively more than the Victorian average of 40.6% of their weekly income (Table 10; ABS, 2007b). Residents in Bass Coast and Baw Baw were paying the highest monthly housing loan repayments of \$1,000 and \$1,040, respectively, which were below the State average of \$1,252.

Table 10*Individual weekly rental payments and monthly mortgage payments by LGA*

	Individual weekly rent	Monthly mortgage per household
Bass Coast	\$150	\$1000
Baw Baw	\$140	\$1040
East Gippsland	\$132	\$867
Latrobe City	\$120	\$867
South Gippsland	\$120	\$956
Wellington	\$125	\$867
Victorian average	\$185	\$1252

Source: ABS, 2007b

Occupation

There were three main employment industries across the Gippsland region. In Bass Coast, Baw Baw, and East Gippsland the main industry was "construction", in South Gippsland and Wellington it was "agriculture, forestry, and fishing" and in Latrobe the main industry was "manufacturing". Most people in Bass Coast (15.8%) and East Gippsland (15.6%) were employed in intermediate clerical, sales, or services. Most people in Baw Baw (17.0%) and South Gippsland (15.8%) were employed professionals, most people in Wellington (18.7%) were labourers and related workers and most people in Latrobe (15.9%) were tradespersons and related workers (ABS, 2007c).

Other indicators of social disadvantage**Family relationships and dynamics**

In 2006 there were fewer single parent families in the Gippsland region (14.7%) compared to the proportion of single parent families nationally (15.8%) and in Victoria (15.4%). Latrobe was the only exception to this, with 18.9% of all families being single parent families. For the entire Gippsland region, the most common family type was couples without children, followed by couples with children.

Legal needs**Family violence**

Family violence appears to be a major concern in the Gippsland region. According to Victoria Police (2010) four of the six Gippsland LGAs exceeded the Victorian rate (649.9 per 100,000) of family incidents in 2009–2010 with Baw Baw and Wellington rates bordering the State average. The rate for Latrobe (1,362 per 100,000) was double the Victorian rate.

The State rate for family incidences where charges were laid was 165.2 per 100,000. This was exceeded in each of the Gippsland LGAs, except for Baw Baw. Latrobe residents had almost three times as many charges (475.7 per 100,000) as the rest of Victoria. The Victorian rate of family incidences where an intervention order (IVO) was applied for was 106.4 per 100,000. Comparatively, Baw Baw and Wellington were the only Gippsland LGAs to have a lower incidence at 41.1 and 67.1 per 100,000, respectively. East Gippsland had the highest rate at 208.6 per 100,000, which was almost double the State rate for IVO applications (see Table 11).

Compared to the 2008-2009 period there was a 4.3% increase in family incidences for the entire Gippsland region and a 4.7 % increase in charges being laid. However, there was a 17.4% decrease in IVO applications, indicating that while the number of family incidences were increasing the number of protection orders were decreasing. These rates were higher than Victoria as a whole where family incidences increased by 3.2%, charges increased by 3.0% and IVO applications decreased by 11.6%.

Table 11

Rates of family incidence, charges and IVO applications by LGA

	Family incidents Rate per 100,000 population	Where charges were laid Rate per 100,000 population	Where IVO applied for Rate per 100,000 population
Bass Coast	821.4	219.7	172.4
Baw Baw	612.2	142.8	41.1
East Gippsland	887.3	288.9	208.6
Latrobe City	1362.0	475.7	176.6
South Gippsland	576.0	201.6	129.6
Wellington	618.1	196.8	67.1
Victoria	649.9	165.2	106.4

Source: Victoria Police 2009 – 2010 Crime Statistics, 2010

Child protection

A 2009 Ombudsman's report of Victoria's child protection system identified Gippsland as an area of particular pressure for the service with a high proportion of unallocated cases (Ombudsman Victoria, 2009). In June 2009 59.1% of child protection cases in Gippsland had not been allocated a child protection worker. Data from 2005-2006 indicates that approximately one-third (29.3-33.7%) of reports made to child protection services were re-notifications for children aged 0 to 8 years (Children, Youth and Families, 2010).

Child protection statistics also paint a picture of Gippsland as a region of particular vulnerability and need. In 2008 there were 16.4 child protection reports per 1000 children aged under 17 years, which was double the State rate of 8.1 per 1000 children.

There is an overlap between child protection and other service sectors with child protection notifications likely to occur in families with parental mental health, disability, drug and alcohol abuse or misuse and domestic violence (Ombudsman Victoria, 2009). Data for 2001-02 shows that for Victoria, 52% of substantiated cases of child abuse and neglect were from families with domestic violence, 33% were from families where parents were abusing substances and 19% were from families where parents had a psychiatric illness.

Criminal offences

Victoria Police Crime Statistics for 2009–2010 indicate that Gippsland experienced higher rates of "crime against the person" and "other crime" compared to the rest of Victoria. Latrobe consistently performed worse than any other Gippsland LGA and Victoria for all criminal offences. Latrobe was followed by Bass Coast and East Gippsland as the 2nd and 3rd worst performing LGAs on crime statistics. Latrobe's rate of crimes against the person (1,508.1 per 100,000) was almost double the State rate (825.7 per 100,000) and other crimes (1,827 per 100,000) were more than double the State rate as well (834.8 per 100,000).

These trends were also reflected in the rate of family violence incidences (see Table 12 below). Neither Baw Baw nor South Gippsland exceeded State rates of criminal offences. Indeed, South Gippsland reported the least criminal offences of the six Gippsland LGAs.

Across the six Gippsland LGAs assault was the most common crime against the person accounting for 71.5% (Bass Coast) to 89.1% (East Gippsland) of common crimes. Property damage was the most common crime against property and accounted for 23.9% (South Gippsland) to 29.8% (East Gippsland) of property crimes. Drug use and possession were the most common drug offences accounting for 62.2% (Bass Coast and South Gippsland) to 71.9% (Wellington) of these crimes. Justice procedures⁹ were the most common other crimes, ranging from 28.5% (Bass Coast) to 58.5% (Latrobe).

Table 12

Rates (per 100,000) of criminal offences against the person, against property, drug offences and other crime by LGA (2009 – 2010)

	Crime against the person	Crime against property	Drug offences	Other crime
Bass Coast	1, 125.6	3, 823.0	375.2	1, 389.3
Baw Baw	675.1	3, 491.8	140.4	629.2
East Gippsland	1, 201.4	4, 124.7	217.8	1, 235.8
Latrobe City	1, 508.1	6, 068.4	328.2	1, 827.0
South Gippsland	579.6	3, 336.2	133.2	810.1
Wellington	907.5	4, 474.8	263.9	1,152.9
Victoria	825.7	4, 739.7	265.3	834.8

Source: Victoria Police 2009 – 2010 Crime Statistics, 2010

Summary

The demographic profile of the Gippsland region suggests a population with a high level of legal needs and barriers to justice. As outlined in Chapter one of the report, people from ATSI and CALD backgrounds, women, the mentally unwell and physically disabled, older persons and youth, and people from low SES backgrounds are known to experience more legal issues and have greater difficulty accessing appropriate legal assistance compared to the general population.

The statistical profile showed a relatively high concentration of ATSI people in East Gippsland (3.0%) and Latrobe (1.3%). Latrobe had the highest concentration of people who spoke languages other than English at home (6.2%). ABS data showed 5% of people in the Gippsland region received a disability support pension with people in Latrobe reporting the highest proportion (6%). Rates of mental illness were roughly comparable to State averages, although alcohol dependence appeared to be a greater problem for men in all LGAs except Bass Coast and South Gippsland and depression was a greater problem for women in all LGAs except South Gippsland.

The Gippsland population is aging at a faster rate than the rest of Victoria as young people and families migrate out of the region for education and work opportunities. Bass Coast is expected to have the highest concentration of older persons by 2016.

⁹ Such as breaches of community based orders, suspended sentences, parole, intensive correction orders

On all socio-economic indicators of disadvantage Gippsland performed poorly compared to State averages. Weekly individual income (\$378) was well below the national average (\$466). Households in Bass Coast recorded the lowest weekly household income of all the Gippsland LGAs at only 62.0% of the national average. The proportion of unemployed people was also higher in Gippsland compared to Victoria generally (3.3%). In line with income data, the highest concentration of unemployed people was in South Gippsland (8.3%) and Bass Coast (7.0%).

Only 48.6% of people in Gippsland had completed Year 12 (or equivalent), which was well below the State average of 68.5%. Across all of Gippsland the proportion of single parent families was in line with State figures. However, there was a higher concentration of single parent families in Latrobe (18.9%).

The most common form of housing tenure in Gippsland was home ownership, followed by purchasing and renting. While monthly home repayments were below the State average (up to \$1,040 in Baw Baw compared to \$1,252 in Victoria generally), Gippsland renters experienced a level of 'housing stress' equivalent to other Victorians with 41.9% of their weekly income compared to 40.6% of their weekly income going to rent.

On more direct measures of legal need, family violence was a major issue across Gippsland. Four of the six LGAs exceeded the Victorian rate of family incidences with almost three times as many charges in Latrobe. The number of child protection reports in 2008 (16.4 per 1,000 children) was also double the State rate of 8.1 per 1000 children. On other crimes, Gippsland experienced higher rates of crimes against the person (assault was the most common crime) and other crimes compared to Victoria generally. Latrobe consistently performed worse than other LGAs on these measures.

Chapter Three

Staff and client surveys

The second and third aspects of the LNA involved the completion of an on-line survey by staff of community service organisations (CSOs) located across the Gippsland region and a survey of clients of local community services administered by researchers face-to-face. Ethical clearance for the involvement of staff and clients in the LNA was obtained from Anglicare Victoria's Research Ethics Committee (AVREC).

Sampling

An initial service 'mapping' was undertaken to identify community programs and services across the entire Gippsland region for involvement in the staff survey and to support the recruitment of clients for the client survey.

An initial list of 43 CSOs was drawn up by Anglicare Victoria staff located at the Morwell office. An additional 28 services were identified through a process of snowballing, whereby staff from the original list of services identified other local services, particularly in the more remote areas of Gippsland. This ensured a broad sample of CSOs across the Gippsland region. The following services types were represented in the final sample:

- Aboriginal health and justice
- Aged care and health (including veterans affairs)
- Consumer affairs and justice/legal
- Hearing
- Disability
- Mental health
- Community health services
- Youth services
- Family and relationship services
- Neighbourhood houses
- Multicultural services
- Adult learning centre
- DHS
- Medical centres
- Correctional facilities.

All 71 CSOs were invited to participate in the staff survey. All but nine CSOs were invited to assist with client recruitment. These services were in remote locations outside the geographic scope of the fieldwork. Some services including mental health services, youth services, family and relationship services, and some Aboriginal services did not assist with client recruitment due to concerns about the particular vulnerability of their client group. For example, some Aboriginal health workers cited cultural shame surrounding legal issues as a risk to clients participating in the research.

Recruitment protocol

An initial contact letter was sent to the regional manager of each service with a consent form to complete and return to the researchers. Consenting services provided researchers with the name and contact details of key workers who would complete the survey and approval for researchers to recruit clients from within services. Services could agree to participate in the staff survey only, support the client survey only, or they could agree to participate in both aspects of the study.

Staff recruitment

Staff identified on the consent forms were contacted directly via email about the survey with details on how to complete the survey on-line. Survey responses were monitored and non-respondents were followed-up with a reminder email. The staff survey was conducted between April and May of 2011.

Client recruitment

Arrangements were made with consenting CSOs for the research assistants (RAs) to attend organisations on specific fieldwork days. Two RAs trained in administering the client survey waited in CSO waiting rooms and approached clients to participate in the study. The surveys were completed using an ipad with internet connection thereby allowing immediate data entry and eliminating the need for hard copy data to be stored in the field.

Interviews were approximately 10 minutes in duration and participants were reimbursed with a \$10 Coles/Myer gift voucher. Most participants completed the survey in the waiting room. However, a separate room was made available at each CSO should the participant have concerns about privacy. The fieldwork was conducted over two separate weeks in March and May of 2011.

Services who agreed to support the recruitment of clients assisted by notifying clients prior to the visit by RAs, booking times with clients to complete the survey, and signposting clients to the RAs during the time RAs were present at the service.

Sample characteristics

Almost half (39, 48.8%) of the 71 services took part in the staff survey only or took part in the staff survey and assisted with client recruitment.

Of the 39 participating services 64.1% ($n = 25$) agreed to participate in both the staff and client survey and the remaining 35.9% ($n = 14$) agreed to take part in the staff survey only.

Service sample

The 39 CSOs that participated in the staff survey were based in five of the six LGAs in the Gippsland Region (not Baw Baw Shire). However, while none of the participating services were located in Baw Baw, approximately 23.7% of participating CSOs serviced this area (see Table 13).

Table 13

Number (%) of CSOs participating in the staff survey by LGA

LGA	n (%) of participating CSOs	n (%) of LGAs which CSOs cover
Bass Coast Shire	4 (10.26%)	11 (28.95%)
Baw Baw Shire	0 (0.0%)	9 (23.68%)
East Gippsland	6 (15.38%)	16 (42.11%)
Latrobe City	9 (23.07%)	11 (28.95%)
South Gippsland Shire	6 (15.38%)	15 (39.47%)
Wellington Shire	14 (35.90%)	21 (55.26%)

The sample represented 11 service types across all of the six Gippsland LGAs. The range of services offered by the participating CSOs was broad. The services included accommodation, adult education, drug and alcohol counselling and services, child protection and family support services (including ChildFIRST), disability, emergency relief, financial counselling, housing, information and support, juvenile justice, legal services, mental health support, outreach services, relationship services, sexual assault support, volunteer programs and youth support.

Client sample

The client sample was drawn from the 25 services who agreed to support the recruitment process. At the end of the fieldwork 132 surveys were completed. This represented 11 service types across the six Gippsland LGAs. The 11 service types from which participants were recruited include:

- Aboriginal health and justice services
- Community health services
- Consumer affairs and justice
- DHS
- Multicultural services
- Medical centres
- Correctional facilities
- Adult learning centres
- Family and relationship services
- Hearing services
- Neighbourhood houses.

Findings from the staff survey

The purpose of the staff survey was to:

- Assess and map referrals paths both within and between legal and non-legal services in the Gippsland area
- Ascertain the existence, use and suitability of services in the context of legal needs
- Elicit general information on the legal issues of clients and barriers to justice that clients experience.

The survey contained quantitative and qualitative items with quantitative items generally relating to legal issues and referrals and the qualitative items eliciting responses on potential barriers to justice. The on-line survey was an appropriately modified version of the Legal Needs Survey of Community Agencies (service provider version) as used in the *Legal Needs Analysis of the Mid North Coast (MNC) Region, New South Wales*.

The 21 item survey elicited data about service demographics (eg. “Which local government area/s does your service cover?”) and client characteristics (eg. “What are the main demographics of people accessing your service?”). The majority of items focused on clients’ legal issues, referral paths, barriers to accessing legal assistance and staff need for education on legal issues.

Client characteristics

Client demographics

More than half of the CSOs reported that they assisted young parents, approximately one-third (32.4%) had clients from culturally and linguistically diverse backgrounds and 40.5% reported assisting clients from ATSI backgrounds. Approximately one-third (35.1%) reported that they served clients with other specific demographic characteristics such as older people, low income earners and people with housing issues (see Table 14).

Table 14

Client demographics

Demographic	n (%)
Aboriginal or Torres Strait Islander	15 (40.54%)
Culturally and linguistically diverse	12 (32.43%)
Known to be referred by child protection authorities	21 (56.76%)
Known to be referred by law courts	12 (32.43%)
Known to be referred by other organisations (i.e. community organisations)	27 (72.97%)
People with a disability	24 (64.86%)
Young parents (<25 yrs old)	19 (51.35%)
Other	13 (35.14%)
Did not answer	2 (5.71%)

Legal issues experienced by clients

Clients of CSOs in the Gippsland region experienced a broad range of legal issues. Only 2(5.3%) CSOs reported that current or past clients did not have legal issues. The six most frequently reported legal issues experienced by clients were (see Table 15):

- Housing and accommodation (71.4%)
- Family violence (68.6%)
- Family law (65.7%)
- Child protection (65.7%)
- Intervention orders (60.0%)
- Debt and credit issues (60.0%).

High rates for each legal issue indicates that most CSOs were dealing with clients with numerous and complex legal issues. Indeed, one-fifth (20.0%) of CSOs reported that clients experienced up to five legal issues and approximately 40% had clients experiencing up to seven legal issues.

Table 15*Legal issues experienced by clients of CSOs*

Legal issue	n (%)
Housing and accommodation	25 (71.42%)
Family violence	24 (68.57%)
Family law	23 (65.71%)
Child protection	23 (65.71%)
Intervention orders	21 (60.00%)
Debt and credit issues	21 (60.00%)
Centrelink issues	18 (51.43%)
Disability/mental health issues	17 (48.57%)
Criminal law	16 (45.71%)
Youth issues	16 (45.71%)
Traffic offences	13 (37.14%)
Neighbour disputes	13 (37.14%)
Wills/powers of attorney/Guardianship	11 (31.43%)
Consumer issues	10 (28.57%)
Police issues	8 (22.86%)
Personal Injury	8 (22.86%)
Employment	6 (17.14%)
Discrimination	4 (11.43%)
Immigration issues	4 (11.43%)
Freedom of information	4 (11.43%)
Commercial dispute	3 (8.57%)
Other	3 (8.57%)
Did not answer	4 (11.43%)

Legal referrals

Staff were presented with a list of nine legal and other services (Table 16) and asked to nominate all of the services they refer clients to with legal issues. Staff generally referred clients with legal issues to Legal Aid (Morwell) (77.1%), a private solicitor/barrister (62.9%), the police (45.7%), or community organisations (42.9%) as well as services dealing with specific issues such as consumer affairs or victim support. These referrals reflect the services clients reported accessing in the service user survey (see section overleaf).

Table 16*Legal services CSOs refer their clients to for legal assistance*

Legal Service	n (%)
Legal Aid Commission	27 (77.14%)
Private solicitor/barrister	22 (62.86%)
Police	16 (45.71%)
Ombudsman	15 (42.86%)
Community organisation (specified)	15 (42.86%)
Aboriginal Legal Service	11 (31.43%)
Local Court (court staff, registrar, chamber magistrate)	11 (31.43%)
Other	7 (20.00%)
Law Access	1 (2.86%)
Did not answer	4 (11.43%)

To determine the potential scope of available services and appropriate referral paths for clients with legal issues staff were asked (to the nearest 10%) how many of their clients could be referred to legal services. Approximately three-quarters (76.5%) of CSOs were able to refer at least 90% of their clients to legal services. Conversely, only 11.7% of CSOs were unable to refer approximately 50% of their clients indicating there was a small number of CSOs who could only refer half of their clients to legal services when needed.

CSOs in Bass Coast reported the greatest difficulty referring clients. However, CSOs from all LGAs commented on the difficulty faced in ensuring their clients were appropriately referred. Lack of accessible services was a main reason for not referring clients to legal services:

"We are often unable to successfully refer; as our clients are unable to access services due to the inability to travel out of Bass Coast or the legal services don't or can't offer the required service."

"Lack of service provision."

"Always make a referral but doesn't mean that the service is in the area."

"Some clients need to travel to appointments and have no transport."

The lack of knowledge of legal services and the process of referral was another barrier:

"Knowing who to refer to is outside of my knowledge."

"I'm not qualified to refer people."

"Not sure of their exact needs and not always sure where to refer clients to."

Conflict of interest and service eligibility were other barriers to referral:

"Due to conflict of interest the available legal aid solicitor may not be able to assist clients."

"Clients are ineligible due to insufficient evidence of mental health issues making it difficult to successfully proceed with a case."

"Costs of private solicitors, service waitlists/specific requirements, eligibility for programs."

Referrals to the Gippsland Community Legal Service

Two-thirds (66.7%) of staff stated that they refer clients to the GCLS. Those who did not refer to the GCLS reported that the location of the GCLS was a factor. Staff stated the GCLS was "one and a half hours drive and no public transport" and "a lot [clients] want to speak personally and not over the phone" and "young people see lawyers rather than traveling to Morwell". Staff who have clients from ATSI backgrounds reported "we would prefer to use Indigenous specific services".

Barriers to accessing legal services

Staff were asked to report whether their clients experienced any barriers to accessing legal assistance. The problems people sometimes faced in seeking and accessing legal assistance ranged from services not having wheelchair access, difficulty reading complex information, difficulty accessing female advisors, symptoms of mental illness and mobility difficulties (such as disability, access to public transport, cost of transport, living in a rural/remote area).

There were high rates for most barriers with almost half of the services (51.3%) indicating that clients experienced literacy barriers (eg. difficulty reading and understanding complex information), 46.2% reported physical/mental health disability barriers (such as wheelchair access, physical symptoms), 7.7% reported language barriers, and 46.2% reported that location of services and mobility were barriers to accessing legal assistance. Over one-third faced "other" barriers including not having a place for children to play, accessing a female advisor, or unknown barriers (Table 17).

Table 17

The CSOs reporting that their clients face particular barriers in seeking and accessing legal assistance (%)

Barriers	% of CSOs
Literacy barriers	51.28%
Disability barriers (mental and physical)	46.15%
Language barriers	7.69%
Location and mobility barriers	46.15%
Other	38.46%

When asked whether “social justice and legal issues impact clients in an unfair way and whether these issues could be addressed by policy or law reform” one-third (33.3%) of staff responded in the positive. Aside from difficulties making referrals (appropriate services and eligibility), and barriers to accessing services if they were available, staff pointed out the following areas for reform:

“Payday lenders with high interest rates; electricity meter reading by approximation; mobile phone companies and misrepresentation of the wording ‘capped’ calls.”

“Rape/sexual assault cases not proceeding due to lack of evidence (public prosecutor decides if the case is going to be lost, not worth the cost). People with Mental illness struggling to deal with Police when they have a problem as the Police are sick of them and no longer interested. (In times like these an independent third person is useful - they are not called often enough).”

“The inadequacy of housing and the unfair use of the tenancy data base (seven years is too long).”

“Wanting to report a crime and being told it is a civil matter. For client’s who have mental health issues it is extremely difficult for them to write letters.”

Core service activities

Staff were asked to rate how helpful specific core service activities would be in improving client’s access to legal assistance. These 12 activities were outlined by the Attorney-General’s Community Legal Services Program (CCLSP, 2010) and clustered within the areas of the Provision of Information, the Provision of Advice, Casework, Community Legal Education (CLE) and Law Reform and Legal Policy (LRLP) (see Figure 2).

The activities that staff thought would be the most helpful were:

- A lawyer representing clients in court (or formal settings) (69.4%)
- Non-lawyer representation (such as filling in forms, talking to the others side) (69.4%),
- Legal advice on the phone (68.6%),
- Legal representation from a lawyer (filling in forms, talking with the other side) (65.7%)
- Information about legal services (64.7%).

Outreach services and specific advice about how to resolve legal issues were each considered very helpful by 63.9% of respondents (Figure 2). Core service activities were considered equally helpful across all LGAs.

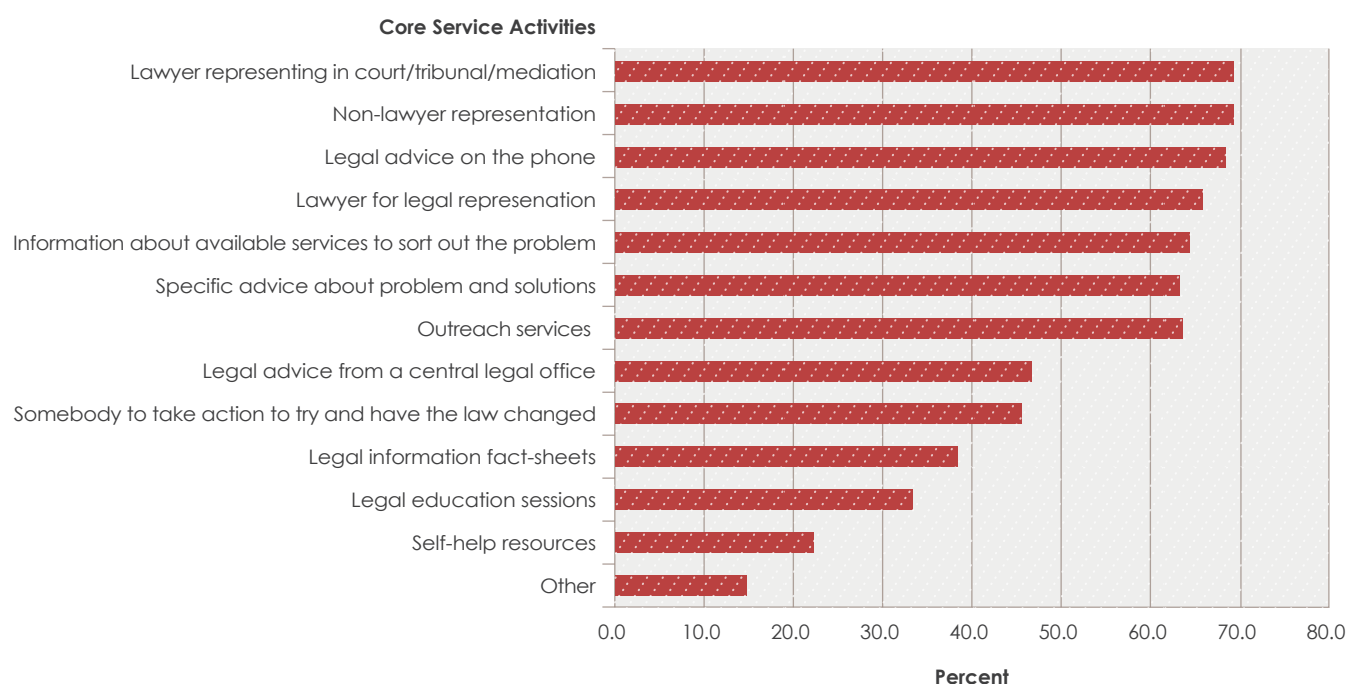


Figure 2. Staff ratings of most helpful service activities.

Legal education sessions for CSOs

Staff were asked whether they would like to receive education sessions on legal issues affecting their client groups. More than half (57.1%) reported that they would be interested in sessions.¹⁰ Staff reported that sessions that covered the following content would be of most interest/value:

- Basic legal and court processes
- Housing (including rental advice, utilities)
- Issues affecting older persons (such as wills, retirement and nursing)
- Financial issues
- Sexual assault and justice
- Education about the eligibility and rights to accessing legal aid and other free legal services.

Findings from the client survey

The client survey was administered to people accessing legal and non-legal services in the Gippsland region. The survey was a modified version of the Legal Needs Survey (service user version) used in the *Legal Needs Analysis of the Mid North Coast (MNC) Region, New South Wales* with additional qualitative items drawn from the *Access to Justice and Legal Needs pilot project* in Bega Valley. The 35 item survey elicited information about previous legal issues with a specific focus on participant experiences in accessing legal services and knowledge or perception of community legal centres and core service activities.

Client sample demographics

As stated in Chapter one, certain groups in the community are likely to have higher legal needs and barriers to justice. It was therefore important that the client survey was representative of groups including older persons and youth, people from CALD and ATSI backgrounds, people from low SES backgrounds and people from outer regional and remote areas.

¹⁰ 11.4% reported that they weren't interested and 31.4% were unsure.

Geographic location

Although there was representation of clients from all of the six Gippsland LGAs, approximately half (53%) of clients were from Latrobe (see Table 18). Although services in outer regional and remote areas were targeted specifically for the fieldwork, a disproportionate number of services are located in Latrobe. It was also beyond the time and financial resources available for this project to visit all services in remote locations. Further, some organisations in regional Victoria only provided out-reach services, which meant that they were unsuited to the recruitment protocol developed for the project.

Table 18

Geographic location of client participants

LGA	Clients (%)	% this LGA contributes to the Gippsland Population
Bass Coast Shire	5.30%	11.1%
Baw Baw Shire	5.30%	15.6%
East Gippsland	4.54%	16.7%
Latrobe City	53.03%	29.1%
South Gippsland Shire	12.12%	10.8%
Wellington Shire	19.70%	16.8%

Age structure

Despite some under-representation in the 65+ age range, there was good representation of clients across the adult age range (see Figure 3). ABS data for 2006 (VIF, 2008) indicates that persons aged 18 to 64 years (considered the working age) accounted for 78% of Gippsland residents aged 18 years and above. Participants (aged 18 to 65 years) in the client survey accounted for 85.4% of all respondents.

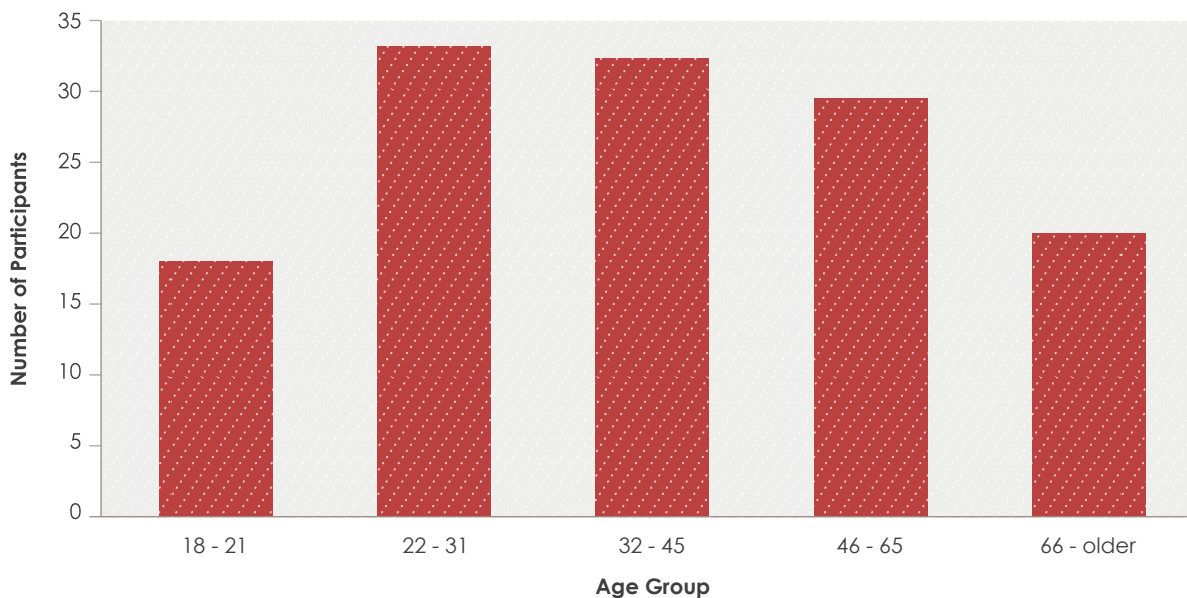


Figure 3. Age structure of client sample.

Gender

There was a slight over-representation of female respondents. There were 83 (62.9%) female respondents. This compares to 50.4% of women in the Gippsland region (ABS, 2006).

Cultural and linguistic diversity (CALD)

Almost one in five (22, 16.7%) respondents were born overseas and 9.8% ($n = 13$) were born in a non-English speaking country. This is an over-representation people from CALD backgrounds in the Gippsland region. The 2006 Census data indicates that approximately 10.4% of the Gippsland population were from culturally diverse backgrounds and approximately 3.9% were from linguistically diverse backgrounds. Comparatively, approximately 16.7% of participants were born outside Australia and 6.8% mainly spoke a language other than English at home. The majority of CALD participants resided in Latrobe (84.6%) with the remaining 15.4% residing in Baw Baw Shire.

Aboriginal and Torres Strait Islander (ATSI)

There was an over-representation of clients from ATSI backgrounds. Specifically, 13.6% of clients were from ATSI backgrounds. In 2006, persons of Aboriginal and Torres Strait Islander background comprised approximately 1.3% of the Gippsland population.

Education attainment

The education level of participants in the client survey was slightly below the Gippsland population generally. As discussed in Chapter two, a smaller proportion of people in Gippsland had completed Year 12 (or equivalent) compared to the State average. In Gippsland as a whole 48.6% of people had completed Year 12 (or equivalent). In the current sample only 40.5% of people had completed Year 12 (or equivalent) and only 6.9% had completed a tertiary degree.

Employment status

Although unemployment data are not strictly comparable¹¹, the unemployment rate for this sample was 12.9%, which is much higher than the Victorian rate of unemployment of 3.9% in 2006 (ABS, 2008). The largest proportion of participants (36.8%) were employed in casual, part- or full-time work, or were students. Almost one-third (29.5%) of participants were considered not working (age pensioners, carers, parents).

Legal needs and barriers to justice

All participants who reported having ever had a legal issue in the past were asked when the legal issue(s) occurred and the type(s) of legal issue they had experienced. Further questions were then asked about the most recent legal issue relating to legal assistance sought and barriers to justice. Results are presented below.

Prevalence of legal issues

Almost three-quarters (95, 71.9%) of participants had ever experienced a legal issue with more than half (53.7%) reporting they had experienced a legal issue within the past 12 months. Of the 95 clients who had ever had a legal issue more than one-third (35.8%) had experienced two or more legal issues in the past. The five most common legal issues related to (Table 19):

- Family law (24.2%)
- Traffic offences (17.9%)
- Criminal matters (16.8%)
- Intervention orders (13.7%)
- Housing and accommodation (13.7%).

¹¹ ABS rates of employment status are based on all people aged 15 years and above, whereas the current survey interviewed people aged 18 years and above.

Table 19*Frequency of legal issues (N = 95)*

Freq Rank	Legal Issue	n	%
1	Family Law	23	24.21%
2	Traffic Offences	17	17.89%
3	Criminal Law	16	16.84%
4	Housing and Accommodation	13	13.68%
5	Intervention Orders	13	13.68%
6	Family Violence	12	12.63%
7	Police Issues	11	11.58%
8	Child Protection	10	10.53%
9	Personal Injury	10	10.53%
10	Wills/powers of attorney	8	8.42%
	Other Legal ¹²	24	25.27%

Assistance sought for legal issues

The majority (85.3%) of clients with legal issues sought legal assistance. However, there was considerable variation on the type of legal matters which clients sought assistance for. The issues that clients sought legal assistance for most frequently related to child protection and personal injury matters (90.0% each). Despite family law being the most common legal issue only 82.6% sought legal assistance. Similarly, for traffic offences and criminal law, which were the second and third most common legal issues, only 64.7% and 75.0% sought legal assistance. Although relatively few people had wills and powers of attorney issues, a high proportion of people with these issues sought legal assistance (87.5%). Strikingly, only 66.7% of clients with family violence issues sought legal assistance (Table 20).

Table 20*Proportion of clients who sought legal assistance by type of legal issue*

Freq Rank	Legal Issue	% sought legal assistance
8	Child Protection	90.00%
9	Personal Injury	90.00%
10	Wills/powers of attorney	87.50%
4	Housing and Accommodation	84.62%
5	Intervention Orders	84.62%
1	Family Law	82.61%
7	Police Issues	81.82%
3	Criminal Law	75.00%
6	Family Violence	66.67%
2	Traffic Offences	64.71%
	Other Legal	83.33%

Number of sources of legal assistance

Approximately three-quarters (78.8%) of participants sought legal assistance from at least one service with the remaining 21.2% accessing at least two services for their most recent legal issue. Almost half (45.5%) of participants with traffic offences, intervention order issues (45.5%) and issues with the policy (44.4%) sought assistance from two or more services (see Table 21).

Table 21

Proportion of legal services accessed by type of legal issue

Freq Rank	Legal Issue	Proportion of cases where 2+ services were accessed for this legal issue
2	Traffic Offences	45.50%
5	Intervention Orders	45.50%
7	Police Issues	44.38%
6	Family Violence	37.45%
3	Criminal Law	36.36%
9	Personal Injury	32.17%
10	Wills/powers of attorney	28.62%
1	Family Law	27.81%
4	Housing and Accommodation	27.81%
8	Child Protection	11.12%
	Other Legal	35.00%

Type of legal assistance sought

The two main services that participants accessed were private solicitors or barristers (lawyers) (48.2%) and Victoria Legal Aid (42%) (see Table 22).

Table 22

Legal services clients accessed for assistance with legal issues

Legal Service	%
Lawyer	48.15%
Legal Aid	41.98%
Police	9.88%
Community Organisation	9.88%
Other	7.41%
Aboriginal Legal Service	6.17%
Community Legal Centre	3.70%
Local Court	2.47%
Law Access	1.23%
Ombudsman	1.23%

Legal issues and legal assistance by client characteristics

There was evidence from the client survey to indicate that the likelihood of experiencing different types of legal issues differed according to gender, location, age, cultural background, education attainment and employment status.

Gender

Chi-square analysis indicated that men (87.8%) were significantly more likely to experience a legal issue than women (62.7%), $\chi^2(1, N = 132) = 9.27, p = .02$.

Men and women also appeared to experience different type of legal issues.

For example women accounted for:

- 76.9% of all people with housing and accommodation issues
- 78.3% of all people with family law issues
- 75.0% of all people with family violence issues and
- 80.0% of all people with child protection issues.

Conversely, males accounted for:

- 72.3% of all people with police issues and
- 70.6% of all people with traffic offences.

Chi-square analysis revealed significantly more women (34.6%) than men (11.6%) experienced family law issues, $\chi^2(1, N = 95) = 6.78, p = .01$. Males (27.9%) were significantly more likely than females (9.6%) to experience traffic offences, $\chi^2(1, N = 95) = 5.36, p = 0.02$. There was also a trend towards men (18.6%) experiencing more police issues than women (5.8%), $\chi^2(1, N = 95) = 3.79, p = .05$.

There was no difference between men and women in terms of seeking legal assistance, $\chi^2(1, N = 95) = 0.60, p = .44$.

Local Government Area

Chi-square analysis indicated a significant difference between Latrobe (64.3%) and non-Latrobe (80.6%) residents ever having experienced a legal issue with significantly more non-Latrobe residents ever having experienced a legal issue, $\chi^2(1, N = 132) = 4.36, p = .04$.

Proportionately, for the top five legal issues non-Latrobe residents accounted for:

- 53.8% of all people with housing and accommodation issues
- 52.2% all people with family law issues
- 53.8% all people with intervention order issues
- 62.5% all people with criminal law issues and
- 52.9% all people with traffic offences.

Chi-square analysis indicated that of those who had experienced a legal issue there was a non-significant difference between Latrobe and non-Latrobe residents in terms of seeking legal assistance, $\chi^2(1, N = 95) = 0.90, p = .34$. There were non-significant differences between Latrobe and non-Latrobe residents for any specific type of legal issue experienced.

Age

Chi-square analysis indicated no difference between older participants, aged 46 years or more, (66.7%) and younger (75.9%) participants, between 18 and 45 years of age, in terms of experiencing a legal issue, $\chi^2(1, N = 132) = 1.30, p = .25$.

However, there were differences between older and younger participants in terms of the type of legal issue experienced. For the top five legal issues the younger participants accounted for:

- 61.5% all people with housing and accommodation issues
- 73.9% all people with family law issues
- 76.9% all people with intervention order issues
- 81.3% all people with criminal law issues and
- 64.7% all people with traffic offences.

Significantly less younger participants (4.8%) compared to older participants (21.9%) experienced personal injury issues, $\chi^2(1, N = 95) = 6.60, p = .01$. There was also a trend towards older participants (15.6%) experiencing more wills and powers of attorney issues than younger (4.8%) participants, $\chi^2(1, N = 95) = 3.25, p = .07$. Chi-square analysis indicated older (40.6%) participants were also significantly more likely to experience other legal issues than younger participants (17.5%), $\chi^2(1, N = 95) = 6.03, p = .01$. However, there was no difference on access to legal assistance between older and younger participants, $\chi^2(1, N = 95) = 0.62, p = .43$.

ATSI

Chi-square analysis indicated no difference between ATSI (88.9%) and non-ATSI (69.3%) participants in terms of experiencing a legal issue, $\chi^2(1, N = 132) = 2.96, p = .09$.

However, ATSI participants were over-represented in terms of their experience of certain issues, accounting for:

- 15.4% of all clients with housing and accommodation issues
- 17.4% of all clients with family law issues
- 30.8% of all clients with intervention order issues
- 31.3% of all clients with criminal law issues and
- 41.2% of all clients with traffic offences.

Chi-square analysis indicated that significantly more ATSI participants (43.8%) experienced traffic offences compared to non-ATSI participants (2.7%), $\chi^2(1, N = 95) = 8.75, p = .00$. Further analyses indicated that for all traffic offences ATSI males accounted for significantly more traffic offences than non-ATSI males, $\chi^2(1, N = 17) = 4.96, p = .03$. There was no difference between ATSI and non-ATSI participants in terms of access to legal assistance, $\chi^2(1, N = 95) = 0.25, p = .62$.

CALD

There were 5 (5.3%) CALD participants to have ever had a legal issue. Chi-square analysis revealed that significantly less CALD participants (38.5%) experienced a legal issue compared to non-CALD participants (75.6%), $\chi^2(1, N = 132) = 8.03, p = .01$. Proportionately, for the top five legal issues CALD participants accounted for:

- 0% of all people with housing and accommodation issues
- 4.3% of all people with family law issues
- 0% of all people with intervention order issues
- 0% of all people with criminal law issues and
- 5.9% of all people with traffic offences.

There was no differences between CALD and non-CALD groups in terms of type of legal issue experienced nor was there any difference between these two groups in terms of access to legal support, $\chi^2(1, N = 95) = 0.91, p = .34$.

Education

Chi-square analysis indicated no difference between more educated participants (76.9%) and less educated participants (66%) in terms of ever having experienced a legal issue, $\chi^2(1, N = 132) = 1.88$, $p = .17$. For the top five legal issues the less educated participants accounted for:

- 69.2% of all people with housing and accommodation issues
- 60.9% of all people with family law issues
- 69.2% of all people with intervention order issues
- 50.0% of all people with criminal law issues and
- 70.6% of all people with traffic offences.

Those with a lower education level (3.3%) reported significantly less wills and powers of attorney issues than more educated people (17.1%), $\chi^2(1, N = 95) = 5.47$, $p = .02$. Those with a higher education level (74.3%) reported significantly less access to legal assistance than less educated people (91.7%), $\chi^2(1, N = 95) = 5.31$, $p = .02$.

Employment

There were 28 employed participants and 52 unemployed participants. For the top five legal issues unemployed participants accounted for:

- 72.7% of all people with housing and accommodation issues
- 81.0% of all people with family law issues
- 84.6% of all people with intervention order issues
- 62.5% of all people with criminal law issues and
- 68.8% of all people with traffic offences.

Chi-square analysis on the 80 participants of working age revealed no difference between unemployed (71.8%) and employed (77.6%) clients in terms of ever experiencing a legal issue, $\chi^2(1, N = 132) = 0.45$, $p = .50$. However, there were differences in terms of the type of legal issue experienced. None of the employed clients experienced family violence issues compared to 21.2% of unemployed clients. Approaching significance was the difference between unemployed (32.7%) and employed (14.3%) clients on family law issues, $\chi^2(1, N = 80) = 3.19$, $p = .07$ and between unemployed (17.3%) and employed (3.6%) clients on child protection issues, $\chi^2(1, N = 80) = 3.14$, $p = .08$. There was no difference between employed (75.0%) and unemployed (88.5%) clients in terms of accessing legal assistance, $\chi^2(1, N = 80) = 2.43$, $p = .12$.

Barriers to accessing legal services

Approximately three-quarters of clients (76.8%) reported no major barriers to accessing legal advice. Of those clients who did report barriers to service access:

- 3.2% reported literacy barriers
- 5.3% reported physical (or mental) health barriers
- 6.3% reported barriers related to service location
- 5.3% reported other barriers (eg. place for children to play during consultations, financial costs).

Location of services

Clients residing in Latrobe accounted for 47.4% of all legal issues and 49.3% of all participants who sought legal assistance. Participants were asked to report how far (in kms) they travelled to access specific legal assistance (such as distance they travelled to access the lawyer, Legal Aid, or other services) for their most recent legal issue.

Most participants reported that they were required to travel further distances to access paid legal services such as lawyers. Of all participants who travelled to access assistance from lawyers:

- 56.4% travelled more than 11kms
- 28.2% travelled more than 40kms.

Of all participants who travelled to access assistance from Legal Aid:

- 66.7% travelled up to 10kms.
- 33.3% travelled more than 11kms
- 15.2% travelled more than 40kms.

Helpfulness of legal services

Once it had been established that a participant had sought or accessed legal assistance for their most recent legal issue participants were asked to indicate how helpful they considered each of these services using a three-point Likert scale where a score of 3 = "very helpful", 2 = "somewhat helpful" and 1 = "very unhelpful".

Whilst the numbers were very small for some services, the data suggests a reasonable level of satisfaction with the legal assistance they received (Table 23).

Table 23

Client ratings of helpfulness of legal services

Legal Service	Very helpful	Somewhat helpful	Very unhelpful
Community Organisation	7 (100%)	.	.
Aboriginal Legal Service	4 (80.00%)	1 (20.00%)	.
Private Solicitor/Barrister	29 (74.36%)	6 (15.39%)	4 (10.26%)
Legal Aid	21 (65.63%)	6 (18.75%)	5 (15.63%)
Local Court	1 (50.00%)	none	1 (50.00%)
Community Legal Centre	1 (33.33%)	2 (66.67%)	.
Police	2 (25.00%)	3 (37.50%)	3 (37.50%)
Other	5 (100%)	.	.
Law Access	.	.	1 (100%)
Ombudsman	.	.	1 (100%)

Outcomes of legal issues

Participants were asked about the status of their most recent legal issue to determine whether the resolution process had begun, if resolution had been achieved and the type of processes that led to resolution (eg. legal proceedings). Of the 95 people who had had a legal issue:

- 10.6% resolved the issue without legal proceedings
- 24.2% were still in the resolution process
- 48.4% resolved the issue through legal proceedings.

Of the 95 people who experienced a legal issue there were 14 participants who did not seek legal assistance. Four participants were able to deal with the issue themselves, two considered the problem not serious enough to warrant legal advice, three stated they couldn't afford it, were unable to access assistance or were embarrassed and five faced other barriers.

Future services

All participants were asked which services they would access should a legal issue arise in the future. The results are presented in Table 24. The most likely service participants would access was Victoria Legal Aid (45.5%) followed by a private solicitor/barrister (37.9%), the police (12.9%), and a Community Legal Centre (12.1%).

Table 24

Legal services clients would access for future legal issues

Legal Service	n (%)
Legal Aid	60 (45.45%)
Private solicitor or barrister	50 (37.88%)
Police	17 (12.88%)
Community Legal Centre	16 (12.12%)
Other friend or relative	15 (11.36%)
Other	6 (4.55%)
Unsure/Don't Know	6 (4.55%)
Friend or Relative who is a lawyer	3 (2.27%)
Trade union or professional body	2 (1.52%)
Industry complaint handling body	2 (1.52%)
Government organisation	1 (0.76%)
Member of parliament	1 (0.76%)
Local court	1 (0.76%)

Accessing Community Legal Centres

A significant proportion of the survey was dedicated to investigating community members knowledge and perception of CLCs. Approximately 40.9% ($n = 54$) had heard about CLCs and 58.5% ($n = 31$) of these knew what services they offered. Less than one-third (30.5%) of all clients were aware that a CLC existed in their community and only 6.1% ($n = 8$) had used the GCLS.

Participants were asked to make suggestions about what CLCs could do to increase the likelihood that they, or other community members, would use the service. Four main themes were identified including advertising, affordability, accessibility and core activities.

Advertising

Many participants highlighted the need for the CLC to advertise itself to the Gippsland community as a way of increasing community awareness and utilisation of its services:

"Advertise that they exist and what services are available, communication and advertising with other organisations (like DHS, Koori reference group, church), strategic areas, centres, and services in other locations."

Older male, Latrobe, retired

"More information, more advertising. I've been in Morwell for 18 years and I haven't heard anything about them."

Young female, Latrobe, unemployed

"More advertising, found out about it via this survey."

Young migrant male, Latrobe, employed casually

"Improve the branding especially in light of other religions and perception of Anglicare for new migrants."

Older migrant female, Latrobe, retired

One young migrant male in Latrobe highlighted specific issues related to advertising to newly arrived communities:

"Advertise more, discuss the issues, be more prominent in the community about the services they provide (especially for newly arrived people in the area). Advertise through tv advertisements or have meetings for certain groups in the community. Also, because it's not cultural for adults to discuss these topics with children there needs to be more information and help directed to young migrant people and adults settling into the community. Information about the service can be given to the family through parents when doing assessments."

Accessibility

Participants raised the need for the GCLS to increase its accessibility to clients via improved hours, location and service delivery:

"Flexible hours, provisions for bringing young children eg toys and books and play areas with a safety gate that can be viewed by parents."

Young mother, Baw Baw

"Good access to public transport."

Young migrant female, Baw Baw, not working

"Support and linking in with other services."

Young male, Latrobe

"More local towns, eg outreach to Sale."

Young female, Wellington, not working

"Need to be located in Traralgon because most help services are located in Morwell."

Middle-aged female, Latrobe, employed casually

"I don't have a car and have to rely on my dad, who works night shifts and isn't available. Home visits, instead of making people travel all the time."

Young female, East Gippsland, not working

"Older people would benefit because they tend to be less aware of the services that are around and let things go so advice would be helpful. Decentralised accessibility eg having services closer to smaller communities, health or service hubs in smaller communities, subsidised cost."

Older migrant female, South Gippsland, retired

"Something with a community focus, people being seen on their own terms in a community centre where they're not shamed. Bring them into the private room in a community centre which is a more neutral place."

Middle aged male, Latrobe, employed full time

Service scope and approach

Many participants commented on the need to provide legal advice in a “simple approach” by making the “language easier” especially for migrants, the elderly, and less literate people. Also, participants frequently commented on the need for a CLC to provide legal advice and assistance which covers a “broader range of legal issues”:

“Increased scope of what services they offer.”

Older male, Wellington, retired

“Need more family law specialists because there are very few solicitors who will represent people in a family law court. Focus of specialty is more on child protection.”

Middle aged male, Latrobe, employed full time

“Have somewhere close instead of having to ring them.”

Middle aged female, East Gippsland, not working

“Have someone that could help in a legal capacity or give a referral instead of having to wait for advice for a few days – make sure there isn’t a delayed response to clients.”

Older female, Latrobe

“Provide a bit more information. The police didn’t give me any ideas about where to obtain legal representation. Good to come into [Agency] where they referred me with some phone numbers.”

Middle aged male, Wellington, unemployed

“More supportive. More communication with their clients.”

Middle aged male, Latrobe, not working

Core service activities to increase access to legal services

All participants, regardless of whether they had experienced a legal issue or accessed legal services in the past, were shown a list of 12 core service activities which could be provided to their community via a community legal centre. They were then asked to rate how helpful (1 = “very helpful”, 2 = “somewhat helpful”, or 3 = “very unhelpful”) each activity would be in improving the community’s access to legal services in the future. The 12 possible services, as outlined in the Attorney-General’s Community Legal Services Program (CCLSP, 2010) relate to:

- Provision of information
- Provision of advice
- Casework
- Community legal education (CLE)
- Law Reform and Legal Policy (LRLP).

Services which clients considered to be the most helpful included legal representation by a lawyer both in Court ($M = 1.19$; $SD = .53$) and non-Court settings ($M = 1.2$; $SD = .53$) followed by specific advice about legal issues ($M = 1.20$; $SD = .51$), information about what services are available in assisting them with their legal issue ($M = 1.31$; $SD = .56$), and outreach services ($M = 1.45$; $SD = .80$) (Table 25).

There were no differences on ratings of core service activity according to location, ATSI status, CALD status, education level and age. However, one way ANOVAs indicated that women rated outreach services, ($F(1, 122) = 5.28$, $p = .02$), and specific advice about legal issues ($F(1, 122) = 4.87$, $p = .03$), significantly more helpful than men. Further, there was a significant difference between ATSI and non-ATSI participants’ ratings of law reform helpfulness with ATSI ratings being significantly higher, ($F(1, 122) = 4.95$, $p = .03$).

Table 25

Client ratings of helpfulness of core service activities provided by community legal centers (lower scores represent greater helpfulness).

Core Service Activities	M (SD)
Lawyer representing in court/mediation/tribunal	1.19 (.53)
Specific advice about the legal issue	1.20 (.51)
Lawyer representation (forms, talking to the other side)	1.20 (.53)
Information about what services are available	1.31 (.56)
Outreach services	1.45 (.80)
Legal advice from a central legal office	1.51 (.74)
Non-lawyer representation (forms, talking to the other side)	1.52 (.79)
Legal advice on the phone	1.54(.76)
Legal information fact sheets	1.60 (.81)
Legal education sessions	1.76 (.84)
Someone to have the law changed	1.90 (1.03)
Self help resources	2.02 (.92)

Note: 1 = very helpful, 3 = very unhelpful.

There was an interesting change in clients' intention to access CLCs if future legal issues arose. When participants were originally asked to rate which services they would access in the future only 12.1% said they would access the CLC. However, after being shown the list of 12 core service activities provided by CLCs 79.4% of participants said they would access CLCs in the future. Participants were later asked specific questions about their knowledge and perception of CLCs. Apart from the large increase in likelihood to use CLCs in the future 9.9% of participants specifically said that they would not access a CLC, and 10.7% said that using the CLC in the future would depend on certain circumstances (such as the severity of the legal issue, the price of accessing the service and the location of the service).

Summary

The staff survey indicated that approximately 95% of community service organisations had clients with legal issues. However, many staff reported barriers referring clients to appropriate services, including lack of knowledge about the location and availability of legal services and uncertainty about referral processes including eligibility criteria. Staff also reported that clients faced other barriers to accessing legal services relating to cost, service location and limitations on the type of legal issues that services could deal with.

Almost three-quarters of clients had experienced a legal issue with more than half having occurred within the past 12 months. The majority of clients sought legal assistance and typically accessed private solicitors or barristers and Victoria Legal Aid. More than three-quarters (78.8%) of clients sought legal assistance from at least one service with the remaining 21.2% accessing at least two services for their most recent legal issue.

Proportionately, women accounted for 76.9% of all people with housing and accommodation issues, 78.3% of all people with family law issues, and 75.0% of all people with family violence cases. Males accounted for 72.3% of all people with police issues and 70.6% of all people with traffic offences. Chi-square analysis indicated that significantly more men than women had ever experienced a legal issue.

Proportionately, for the top five legal issues there was an almost even distribution across Latrobe and non-Latrobe residents. However, non-Latrobe residents contributed to 62.5% all people with criminal law issues. Chi-square analysis found a geographical bias with non-Latrobe residents, compared to Latrobe residents, being significantly more likely to have experienced a legal issue. However, the groups were not significantly different across specific types of legal issues or accessing legal assistance.

Proportionately, younger clients accounted for 73.9% of all people with family law issues, 76.9% of all people with intervention order issues, and 81.3% of all people with criminal law issues. Chi-square analysis found that neither the younger or older participants were more likely to experience a legal issue or access assistance but older clients experienced significantly more personal injury issues and other legal issues than younger clients.

Visual inspection of proportions of legal issues accounted for by ATSI participants showed that whilst they contributed to only 16.8% of all legal issues they contributed to large proportions of family law, intervention orders, criminal law, and traffic offences. ATSI and non-ATSI participants were not significantly different in ever experiencing legal issues or access to assistance but ATSI males experienced significantly more traffic offences. There were non-significant differences between CALD and non-CALD participants in ever experiencing legal issues, type of legal issue, or access to legal assistance.

Proportionately, people with a lower level of education accounted for 69.2% of all people with housing and accommodation issues, 69.2% of all people with intervention order issues, and 70.6% of all people with traffic offences. Statistical analyses indicated that level of education was not significantly related to ever experiencing a legal issue. However, more educated people reported significantly more instances of wills and powers of attorney issues and significantly less access to legal assistance. Proportionately, 81.0% of all people with family laws issues, 84.6% of all people with intervention order issues, and 72.2% of all people with housing and accommodation issues were the unemployed. Chi-squared analysis indicated that whilst ever having experienced a legal issue or accessing legal assistance was not significantly related to employment status, unemployed clients were significantly more likely to experience family violence issues.

More than half (56.4%) of clients reported that they travelled more than 11kms to access lawyers and almost one-third travelled more than 40kms. One-third (33.3%) travelled more than 11kms to access Legal Aid and 15.2% reported they had to travel more than 40kms to access Legal Aid. Clients considered community organisations, Aboriginal Legal Services, private solicitor/barrister, Legal Aid, and "other" services as being the most helpful in dealing with their legal issue. The most likely legal service clients would access in the future was Victoria Legal Aid.

Participants suggested that better advertising would increase community awareness and utilisation of the GCLS. Participants also suggested the CLC could increase its accessibility to clients via improved hours, location, and service delivery. Further, participants highlighted the need for legal advice to be provided in a "simple approach" with "easier language" especially for migrants, the elderly, and less literate people, and for legal advice and assistance to cover a "broader range of legal issues".

Chapter Four

Conclusions and recommendations

Discussion and implications for the Gippsland Community Legal Service

This LNA was designed to map unmet legal needs and barriers to justice in the Gippsland region. It was commissioned by the GCLS to inform the CCLSP. Disadvantaged groups have an increased likelihood of experiencing legal issues and barriers to accessing appropriate legal services and support. Results from the statistical profile and survey data indicated high levels of disadvantage, legal need and barriers to justice across specific geographical and demographic groups. These findings should guide specific actions to improve access to justice for all people living in the Gippsland region.

Prevalence of legal needs and barriers to justice in the Gippsland region

Type of legal needs and access to legal assistance

Overall, the Gippsland region had high rates of disadvantage and consistently performed worse on measures of socio-economic disadvantage compared to State and National averages. Data from the staff and client surveys also suggest that there is a high level of legal need in the Gippsland region.

Almost three-quarters of clients reported experiencing a legal issue and approximately 95% of staff reported that their clients experienced legal issues. Staff also reported that many clients had multiple legal issues, with 40.0% of staff reporting that some clients experience up to seven legal issues. These ten most prevalent legal issues as reported by clients were:

1. Family law
2. Traffic offences
3. Criminal law
4. Housing and accommodation
5. Intervention orders
6. Family violence
7. Police issues
8. Child protection
9. Personal injury
10. Wills and powers of attorney

The client data also suggested variation in accessing legal assistance by type of legal issue. For example, most people sought assistance with child protection issues (ranked 8th most common), personal injury (ranked 9th most common), wills and powers of attorney (ranked 10th most common), housing and accommodation issues (ranked 4th most common), and intervention orders (ranked 5th most common).

The GCLS could explore ways to ensure access to legal assistance for common legal issues that people don't seek assistance for, such as family law issues, traffic offences and criminal law issues.

Variation in legal needs and access to justice by socio-demographic status

Results from the client survey also suggested prevalence of certain types of legal issues and barriers to justice varied by geographical location and demographic status.

Compared to Victoria as a whole, Gippsland had a higher proportion of ATSI people. East Gippsland's Indigenous population (3%) was higher than Victoria (0.6%) and Australia (2.5%) (ABS, 2006). As Indigenous people face cultural and systemic barriers in accessing mainstream legal services and justice and are at an increased risk of legal issues being escalated (Parliament of Australia, 2004), there is likely to be a high level of legal need for Aboriginal people in the East Gippsland LGA. Data from the client survey also indicated that ATSI clients experienced significantly more traffic offences than non-Indigenous people.

Given the high proportion of Indigenous people residing in Gippsland and their increased vulnerability to certain legal issues it would be appropriate for the GCLS to investigate the capacity of the service to respond to the legal needs of Indigenous people in East Gippsland and Latrobe in particular. The GCLS currently provides fortnightly outreach services from Wonthaggi and has a permanent office in Bairnsdale. This office is staffed with a lawyer who primarily conducts phone advice but provides face-to-face advice as necessary. There is scope to further explore provision of culturally sensitive services specifically addressing intervention orders and traffic offences in East Gippsland.

Compared the rest of Victoria, Gippsland also had a higher proportion of CALD people. While national research suggests that CALD members may be more likely to experience legal issues due to their unfamiliarity with Australian laws and regulations (Dimopoulos, 2010), CALD clients experienced significantly less legal issues compared to non-CALD clients.

The statistical profile also revealed a faster aging population in Gippsland compared to the rest of Victoria, particularly in Bass Coast. Whilst there was a non-significant difference between younger (aged 18-45 years) participants and older (aged 46 years and above) participants having ever experienced a legal issue, older people reported significantly more personal injury and "other" legal issues compared to younger clients. Approaching significance was the likelihood that older people would experience more issues around wills and powers of attorney. Proportionately, younger persons accounted for more family law issues, intervention order issues, and criminal law issues.

There was a non-significant difference between younger and older participants accessing legal assistance. This finding could be explained by the fact that both younger and older persons experience barriers in accessing appropriate legal services. These barriers include service location, delivery (for older persons this might include hearing devices, for younger people this might include youth friendly environments), service provider approachability and financial cost (Ellison et al, 2004).

These findings suggest the GCLS needs to remain flexible to the changing age demographic of the Gippsland region and corresponding changing legal needs. The GCLS also needs to be mindful of the barriers that both younger and older people experience in accessing legal assistance such as hearing difficulties and service provider approachability.

Significantly more men reported ever having experienced a legal issue compared to women with men experiencing more traffic offences and women experiencing more family law issues. Proportionately, women accounted for approximately one-third of all housing and accommodation issues, family law issues and family violence issues. Males accounted for 72.3% of all people with police issues and 70.6% of all people with traffic offences. Neither group was more likely to access legal assistance. However, research indicates that women face specific barriers to accessing appropriate services related to their increased risk of financial vulnerability and gender based violence. While data from the client survey indicated that women and men were not significantly different in accessing legal assistance, the type of legal issues women face are less likely to be resolved without formal legal assistance. For example, only two-thirds of clients with family violence issues (mainly women) sought legal assistance.

The statistical profile also suggested that alcohol dependence was also a greater problem for men in all LGAs except Bass Coast and South Gippsland. The high level of alcohol dependence for men is likely to be related to the fact that men experience a greater proportion of police issues and traffic offences than women. Depression was a greater problem for women in all LGAs except South Gippsland.

Whilst there are some community organisations that exclusively service women clients such sexual assault services, there is scope for the GCLS to address barriers to legal services faced by women. This could include community education to increase women's awareness of their legal rights and access to justice as well as male perpetrators of family violence about what is and is not a legal violation (particularly for new migrants who are unfamiliar with Australian laws). Access to child care and other innovations to ensure the GCLS is more sensitive and responsive to the needs of women may also be advantageous.

Relevant statistical indicators showed that the Gippsland region (particularly the Latrobe and East Gippsland LGAs) is an area of particular social and economic disadvantage (SEIFA Census Data, 2006). For example, in 2006 the Gippsland rate of unemployment was approximately 3.9% which was lower in comparison to the national rate of 4.8% but higher than the Victorian rate of 3.3% (ABS, 2006). While there were differences in the way data were collected, which limit the comparability of samples, clients in the current sample reported an unemployment rate of 12.9%, which was almost four times as high as the Victorian rate for 2006. Further, compared to the proportion of employed people in Gippsland as a whole (57.9%) only 36.8% of the current sample were employed. Increased socio-economic disadvantage is known to increase vulnerability to certain legal issues and barriers to justice such as enforcement of legal rights as well as awareness, confidence and access to legal assistance (Genn & Paterson, 2001). Consistent with the relevant research, there was evidence from the client survey to suggest that low-SES people were more likely to experience barriers to accessing legal assistance than people generally.

The low proportion of people in Gippsland who have completed Year 12 (or equivalent) combined with the finding that several clients reported literacy issues as a barrier to accessing legal services, suggests the need for provision of legal information and advice to be provided in simple language.

In relation to locational disadvantage, crime rates and child protection statistics also suggest a high level of legal need in all LGAs except Bass Coast and South Gippsland. Residents outside Latrobe were also disadvantaged by their geographical location in terms of reporting significantly more instances of ever experiencing a legal issue. A higher proportion of people residing outside Latrobe had intervention orders (53.8%) and criminal law issues (62.5%) than people living in Latrobe. As mentioned above, the high proportion of ATSI people in East Gippsland makes this a high needs area also. Importantly, clients outside Latrobe were less likely to access legal services than clients in Latrobe.

Generally speaking, clients reported a range of barriers to accessing legal assistance that related to their socio-demographic status, including poor literacy, physical or mental health problems, service location, financial cost and lack of child-friendliness of services.

Addressing barriers to accessing legal assistance is an important issue for the GCLS going forward. Recommendations from staff and clients for improving community access to legal services are particularly informative. This includes the possibility for the GCLS to provide advice for a broader range of legal issues, offer more flexible hours of operation (especially for those who are working or need to travel long distances), providing more outreach services to remote locations, providing legal advice and information in a less complex form, and providing more advice over the phone. Also, staff raised the issue that current eligibility criteria may leave many disadvantaged people without appropriate free legal assistance and suggested that special consideration of these complex cases.

Clients and staff suggested that decentralised service hubs, which provide information about the provision of legal assistance, would greatly improve awareness of available legal services and processes (including eligibility, referral). Indeed, service hubs which offer legal services at other health care facilities, for example, could improve the timeliness of resolution, and reduce the burden experienced by the legal system and CSOs alike.

Responsiveness of the Gippsland service system to legal needs and utilisation of different types of legal services

Staff highlighted specific barriers experienced by their clients in accessing legal assistance that related to the responsiveness of the service system. Staff reported that whilst most people were referred to another service for legal assistance there were often barriers preventing clients from accessing assistance, which related to a lack of services, conflict of interest, literacy, physical illness barriers, location of services and service eligibility.

Staff highlighted certain barriers to both making appropriate referrals and for clients accessing appropriate legal assistance. These barriers included:

- Lack of staff knowledge about legal services (including knowing the location and availability of legal services, difficulty understanding the legal issue)
- Lack of knowledge about the referral process (including client eligibility for services, who to refer to)
- Cost, location, availability, and scope of services provided by legal services.

Some staff also indicated a lack of confidence and knowledge of local legal services and referral protocols.

These findings suggest the need for increased service networking including information exchange and skills development of staff in non-legal services. Here, it would be beneficial for the GCLS to provide CSOs with regularly updated referral manuals thereby improving community members ability to access appropriate legal services. Better access to justice could also be facilitated by the GCLS working in closer collaboration with CSOs, especially those in more remote locations or with services targeting specific areas of disadvantage. Provision of professional development and training to non-legal service staff, support, and community legal education sessions would also assist in building sustainable community relationships which could be used to meet the legal needs of community members.

The type of legal service staff refer clients to and which clients access themselves include private solicitors/barristers, Victoria Legal Aid, the police, and community organisations such as community health centres and youth justice workers. However, there was a trend for clients to seek assistance from multiple sources for certain legal issues such as traffic offences, intervention orders, police issues, family violence and criminal law.

Almost three quarters of staff referred their clients with legal issues to Legal Aid, two-thirds referred their clients to private solicitors, almost half referred clients to the police for legal assistance and approximately 43% referred their clients to an Ombudsman or another community organisation for legal assistance.

Almost two-thirds (62.2%) of staff were aware of the GCLS. Of these, 66.7% reported that they referred clients to this service. However, only 3.7% of clients who reported having experienced a legal issue accessed the GCLS for support and advice. The number of people who stated they would be interested in using the GCLS for future legal issues was 12%. However, at the end of the survey process, by which time participants were made familiar with the services provided by a CLC almost 80% stated they would access this service. This highlights the need for enhanced promotion and advertisement of the GCLS.

Participants were asked what would make them more likely to access the GCLS if a future legal issue arose. An overwhelming majority of people expressed the need for the GCLS to increase its advertising as a means to increasing community awareness and utilisation of its services. Other suggestions included increasing accessibility by improving hours of operation, location, and service delivery and increasing the scope of legal issues the GCLS deals with.

Increasing awareness among non-legal service staff and the community more broadly that the GCLS provides free legal assistance is incredibly important to improving access to legal assistance and justice in the Gippsland region. One suggestion from staff was the development of brochures for non-legal service staff detailing the service location, hours of operation, and scope, as was advertising via the radio and local television. The range of needs clients experienced suggest direct advertising would need to consider a range of factors such as levels of disability, literacy and religious and cultural sensitivities.

Scope of legal services provided by the GCLS

Both staff and clients were asked to rate the degree of helpfulness of 12 core service activities as outlined in the CCLSP, which could increase community access to justice in the Gippsland region. The following activities were highly rated:

- A lawyer representing clients in court (or formal settings)
- Non-lawyer representation (such as filling in forms, talking to the other side)
- Lawyer representation (forms, talking to the other side)
- Specific advice about the legal issue
- Information about what services are available
- Outreach services.

Almost all clients and staff supported the idea of free legal representation (either formal or informal) to disadvantaged communities. Most were in favour of a lawyer representing clients in a formal process such as Court, as this was considered the most complex aspect of the legal process. Formal legal representation was followed on by other forms of legal representation such as completing forms and dealing with the other party involved in the dispute. Specific advice and outreach services also ranked highly.

Clients and staff both agreed that the provision of information and advice was best provided at a universal, community level (rather than in a more targeted way) so that people might manage their own legal issues without professional help. However, if the issue was to escalate to a point beyond their capabilities then clients and staff felt that assistance from lawyers would be the most helpful service.

In general, all of the nominated core service activities were considered to be very helpful by staff and clients. However, staff had some caveats. They noted that while information and self-help resources may assist people generally to understand the legal process and reduce the need for professional assistance they may disadvantage those with poor literacy. Staff also suggested that in some cases people would achieve better outcomes for their legal issue if they had formal legal representation. Staff also felt that while phone support was very beneficial, especially for those people in remote areas without access to transport, special considerations (or additional services) should be provided for CALD and ATSI community members given their specific cultural and linguistic needs.

Currently the main services offered by the GCLS are:

- Clinical appointments with a lawyer
- Legal advice
- Some case work
- Brochures
- Referrals
- Community legal education sessions and
- law reform and legal policy.

There is a degree of consistency between what is currently being provided by the GCLS and what community members identify as service needs. Whilst there are numerous restraints affecting the scope of core service activities which the GCLS can provide there may be opportunities through creative partnerships, for example, to explore provision of legal representation services (either formal or informal), provide specific advice about what services are available in the area and how to deal with client's legal issues and outreach services.

Conclusion

The Gippsland community is characterised by high rates of disadvantage compared to State and National rates with many individuals experiencing a high level of legal need and poor access to appropriate legal services. Although there are other legal services throughout Gippsland, there is only one CLC servicing the entire Gippsland region.

This LNA suggests a number of actions to ensure availability, accessibility, and appropriateness of community legal services to disadvantaged members of the Gippsland community:

- Ensure GCLS services align with the type of legal issues most commonly experienced by clients. This includes capacity to support clients with issues relating to family law and violence, traffic offences, criminal law, housing and accommodation, and intervention orders
- Ensure that the services which community members consider most helpful in improving their access to legal assistance and justice, such as formal legal representation, are available
- Ensure that community awareness and legal education activities are targeted towards specific disadvantaged groups (such as non-Latrobe residents, ATSI, women, and low socio-economic people)
- Ensure the GCLS is responsive to the needs and characteristics of disadvantaged populations such as people with hearing difficulties (eg. the elderly), parents with young children and people from ATSI and CALD backgrounds
- Support good communication and collaboration among staff in legal and non-legal community organisations to promote referral pathways
- Ensure GCLS services are widely advertised and promoted.

Glossary and terms of reference

ABS

Australian Bureau of Statistics

ATSI

Aboriginal and Torres Strait Islander

AVREC

Anglicare Victoria Research Ethics Committee

CALD

Culturally and Linguistically Diverse

CCLSP

Commonwealth Community Legal Services Program

Chi-square analysis

A test that uses the chi-square statistic to test the fit between a theoretical frequency distribution and a frequency distribution of gathered data.

CLC

Community Legal Centre

CLSP

Community Legal Service Program

CSO

Community Service Organisation

DALY

Disability Adjusted Life Year

GCLS

Gippsland Community Legal Service

IVO

Intervention Order

LGA

Local Government Area

LNA

Legal Needs Analysis

LOTE

Language Other Than English

RA

Research Assistant

RASP

Rights, Advocacy and Support Program

SEIFA

Socio-economic Indexes For Areas

SES

Socio-economic status

References

- Attorney-General's Department. (2010). *Commonwealth Community Legal Services Program Guidelines*. Retrieved from [http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/\(8AB0BDE05570AAD0EF9C283AA8F533E3\)~CCLSP+Guidelines2010.pdf/\\$file/CCLSP+Guidelines2010.pdf](http://www.ag.gov.au/www/agd/rwpattach.nsf/VAP/(8AB0BDE05570AAD0EF9C283AA8F533E3)~CCLSP+Guidelines2010.pdf/$file/CCLSP+Guidelines2010.pdf)
- Australian Bureau of Statistics. (2006). *2006 Census Community Profile Series*. Retrieved November 24, 2010, from <http://www.censuSData.abs.gov.au/>
- Australian Bureau of Statistics. (2007a). *4705.0 Population Distribution, Aboriginal and Torres Strait Islander Australians, 2006*. Retrieved from <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4705.0Main+Features12006?OpenDocument>
- Australian Bureau of Statistics. (2007b). *Education and Work, Australia*. Retrieved from <http://www.abs.gov.au/ausstats/abs@.nsf/mf/6227.0>
- Australian Bureau of Statistics. (2007c). *National Regional Profile 2005 – 2009*. Retrieved from <http://www.ausstats.abs.gov.au/ausstats/nrpmmaps.nsf/NEW+GmapPages/national+regional+profile>
- Australian Bureau of Statistics. (2008a). *2006 Census: SEIFA*. Retrieved from <http://www.abs.gov.au/ausstats/abs@.nsf/mf/2033.0.55.001/>
- Australian Bureau of Statistics. (2008b). *2006 Census Community Profile Series : All Gippsland (Statistical Region)*. Retrieved from <https://www.abs.gov.au>
- Australian Bureau of Statistics. (2009). *3218.0 Population growth estimates by Local Government Area, 2001 to 2008*. Retrieved from [http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/057C7AB6661166CDCA2575A0001802DC/\\$File/32180ds0002_2001-08.xls](http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/057C7AB6661166CDCA2575A0001802DC/$File/32180ds0002_2001-08.xls)
- Australian Law Reform Commission. (1994). *Report No 69, Part 1 - Equality before the Law: Justice for Women*. Sydney: Australian Law Reform Commission.
- Children, Youth and Families. (2010). *Best Start Atlas: children aged 0 – 8 years in Victoria (2nd ed.)*. East Melbourne: Department of Education and Early Childhood Development.
- Commonwealth of Australia. (2009). *Legal and Constitutional References Committee: Access to Justice*. Canberra: Department of the Senate.
- Court Lawyers. (2010). *Court Lawyers: A National Directory of Court Lawyers*. Retrieved from <http://www.courtappearances.com.au/VIC/Gippsland>
- Cunneen, C., & Schwartz, M. (2008). *The family and civil law needs of Aboriginal people in New South Wales*. University of NSW: Law Faculty.
- Department of Human Services. (2009). *Gippsland Region: Regional information*. Retrieved from <http://www.dhs.vic.gov.au/operations/regional/gippsland>
- Department of Human Services. (2010). *Size and distribution of the problem: mental health*. Retrieved from http://www.dhs.vic.gov.au/__data/assets/pdf_file/0006/276297/MentalHealth.pdf
- Department of Planning and Community Development. (2008). *Victoria in Future 2008: Gippsland*. (2008). Retrieved from http://www.dpcd.vic.gov.au/__data/assets/pdf_file/0013/32161/Final_VIF08_Gippsland_booklet.pdf

- Dimopoulos, M. (2010). *Implementing legal empowerment strategies to prevent domestic violence in new and emerging communities*. Retrieved from http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/IssuesPaper_20.pdf
- Ellison, S., Schetzer, L., Mullins, J., Perry, J., & Wong, K. (2004). *The legal needs of older people in NSW*. Sydney: Law and Justice Foundation of NSW.
- Federation of Community Legal Centres. (2009). *Victorian State Budget Submission 2010 – 2011*. Retrieved from <https://www.communitylaw.org.au>
- Fergusson, D.M., Boden, J.M., & Horwood, L.J. (2007). Exposure to single parenthood in childhood and later mental health, educational, economic, and criminal behavior outcomes. *Archives of General Psychiatry*, 64 (9), 1089 – 1095.
- Genn, H., & Paterson, A. (2001). *Paths to justice Scotland: what people in Scotland do and think about going to law*. Oxford–Portland: Hart Publishing.
- Hayes, S. (2006). *People with intellectual disabilities as victims of crime – the police and judicial response*. Paper presented at the 39th Annual Conference of the Australasian Society for the Study of Intellectual Disability Adelaide, South Australia. Retrieved from <http://www.qcjc.com.au/research/download/5/research/police-powers-responsibilities-1/victims-police-and-judicial-responses.pdf>
- Johnson, K., Andrew, R., & Topp, V. (1988). *Silent victims: a study of people with intellectual disabilities as victims of crime*. Victoria: Office of the Public Advocate.
- Karras, M., McCarron, E., Gray, A., & Ardasinski, S. (2006). On the edge of justice: the legal needs of people with a mental illness in NSW. *Access to Justice and Legal Needs, Volume 4*. Sydney: Law and Justice Foundation of New South Wales.
- Lamberti, J.S., Weisman, R.L., Schwarzkopf, S. B., Price, N., Ashton, R. M. & Trompeter, J. (2001). The mentally ill in jails and prisons: towards an integrated model of prevention. *Psychiatric Quarterly*, 72, 1, 63-77.
- Levin, A. (2005). People with mental illness more often crime victims. *Psychiatric News*, 40 (17), 16.
- Monahan, J. (1983). *The prediction of violent behavior: Developments in psychology and law*. In James C. Scheirer, Barbara L. Hammonds (Eds). *Psychology and the law*. Master lecture series, 2, 151-176.
- Mullen P.E., Holmquist, C.L., & Ogloff, J.R.P. (2003). *National forensic mental health scoping study*. Canberra: Department of Health and Ageing.
- Ombudsman Victoria. (2009). *Own motion investigation into the Department of Human Services Child Protection Program*. Retrieved from http://www.ombudsman.vic.gov.au/resources/documents/Investigation_into_the_Department_of_Human_Services_Child_Protection_Program.pdf
- Parliament of Australia. (2004). *Legal aid and access to justice*. Canberra: Senate Legal and Constitutional References Committee.
- Parliament of Victoria. (2010). *Road Safety Amendment (Hoon Driving) Bill 2010*. Retrieved from [http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/87a516b6387d2d08ca25779000837c38/\\$FILE/561524bi1.pdf](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/87a516b6387d2d08ca25779000837c38/$FILE/561524bi1.pdf)

- Peek., C. (2010). *Legal Needs Analysis of the Mid North Coast (MNC) Region, New South Wales*. New South Wales: Law and Justice Foundation of New South Wales.
- Profile ID. (2010). *LGA Snapshots: 2006 Census Usual Resident Population Profile*. Retrieved from <http://home.id.com.au/Default.aspx?pg=4200&gid=2>
- Schetzer, L. (2003). *Access to Justice and Legal Needs: Bega Valley (Pilot)*. Bega Valley: Law and Justice Foundation of New South Wales.
- Thompson, M. (2008). *Gender, mental illness, and crime*. Oregon: Department of Sociology. Retrieved from <http://www.ncjrs.gov/pdffiles1/nij/grants/224028.pdf>
- Victorian Multicultural Commission. (2006a). *Section 4 Regional Local Government Areas: Two-Page Profiles*. Retrieved <http://www.multicultural.vic.gov.au/images/stories/pdf/abs-report-section-4.pdf>
- Victorian Multicultural Commission. (2006b) *Section 3 Major Regional Local Government Areas: Four-Page Profiles*. (2006). Retrieved November 22, 2010 from <http://www.multicultural.vic.gov.au/images/stories/pdf/abs-report-section-3.pdf>
- Victorian Police. (2010). *Victorian Police 2009/2010 Crime Statistics*. Retrieved from http://www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media_ID=59800
- Wilson, C., & Brewer, N. (1992). The incidence of criminal victimisation of individuals with an intellectual disability. *Australian Psychologist*, 27, 114-117.
- World Health Organisation. (2010). *Metrics: Disability-adjusted life year (DALY)*. Retrieved http://www.who.int/healthinfo/global_burden_disease/metrics_daly/en/index.html
- Youth Law. (2010). *Legal Information and Fact Sheets*. Retrieved from <http://www.youthlaw.asn.au/legal.php>

A photograph of a concrete wall with dry plants on top and a building in the background. The wall is made of dark, textured concrete blocks. On top of the wall, there are several tall, thin, dry, brown plants. In the background, a building with large windows is visible. The text "www.anglicarevic.org.au" is overlaid on the wall in white.

www.anglicarevic.org.au