



Darwin Community
LEGAL SERVICE

ANNUAL REPORT

2020-21

Celebrating **30 YEARS**



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DCLS operates on Larrakia Country

We acknowledge the Larrakia people as the Traditional Owners of the Darwin region and pay our respects to Larrakia elders past, present and emerging. We acknowledge that Aboriginal sovereignty was never ceded.

Case Studies

Please note that the case studies used in this report have been de-identified to protect the privacy of our clients. The names used are not their real names.

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CHAIRPERSON'S REPORT

This year the work of the Board included recruitment of an Executive Director and we welcomed Rachael Bowker to the role in September 2020.



Rachael has brought a sound understanding of the social services and not for profit sector as well as significant management and stakeholder engagement experience. It has been a pleasure working with Rachael in the first 9 months of her tenure and Rachael has already made significant progress in priority areas.

The prior years' experience with COVID-19 prepared us for challenges ahead and when a brief lock down occurred, operations appeared seamless. However, we continue to adapt and innovate at every level of DCLS in order to deliver services and meet the needs of vulnerable clients in difficult circumstances. Funding made available to facilitate remote contact has greatly increased our ability to continue our work in the short periods of lock down experienced by the Northern Territory. To date, we have been very fortunate in this regard.

We welcomed 2 new appointments to the Board, Mr Tom Korecki in April 2021 and Mr Hugh Bond in May 2021. I extend my thanks all Board members for their dedication and support throughout the year.

Sadly, we said goodbye to Colleen Atkinson who passed away on 10 January 2021. Colleen served as Chairperson of DCLS for over 10 years from 2004 to 2014. During this period DCLS faced major threats to its funding and there was significant uncertainty about the future of the organization. Colleen had a deep resolve and confidence in what DCLS was doing and steered the ship through that period with her calm and capable demeanor. Through her work with DCLS, Colleen made a significant contribution to the Northern Territory community. Those who worked with Colleen miss her greatly and we offer our condolences to her family and friends.

Our patron, Her Honour the Honourable Vicki O'Halloran AO, Administrator of the Northern Territory and Mr Craig O'Halloran continue to graciously support the work of DCLS with their words and deeds. Her Honour again hosted a volunteer reception at Government house in June to acknowledge the enormous contribution that DCLS volunteers make to the community. We thank Her Honour and Mr O'Halloran for their continued support.

Julie Davis
Chairperson

EXECUTIVE DIRECTOR'S REPORT

It is a privilege to be writing my first report as the Executive Director for Darwin Community Legal Service.



I have felt warmly welcomed and supported by the Board of Directors and our team to continue the good work and leadership of those who have gone before me.

I commenced the role of Executive Director in September 2020 and over the following 12 months DCLS experienced a period of change, consolidation, as well as advancement and growth in terms of our work, structure and direction, all leading us into a future that is exciting but not without its challenges.

In what has been an unprecedented year on all fronts, DCLS has stood steadfast in its commitment to justice and equity for everyone in the community. From moving seamlessly to a working from home model during our lockdowns, to navigating the constantly changing landscape of social security, cashless debit cards, employment law, rental issues, NDIS appeals and advocacy for our vulnerable members of the community in the face of the pandemic, our staff have risen

admirably to the challenges presented by 2020.

During the first few months of my commencement, Caroline Deane, TAS team leader and I were joined in the leadership team by Kellie Streeter, SDRS team leader, Trudy Allpike Admin/HR manager and in January 2021 we welcomed our new Principal Solicitor Judy Harrison who has been a wealth of knowledge to assist with updating our practices and service delivery.

The leadership team has implemented governance to reflect the new leadership structure, recruited for new roles and developed plans for growth that will see us extend our service delivery footprint and leverage opportunities for growth in the sector.

In our sector, strong relationships are the lifeblood of advocating for our vulnerable community members. Our relationships with government continue to develop positively and this is evident in their ongoing support of our work. We have developed or re-established partnerships with our stakeholders in the community such as Central Australia Woman's Legal Service, Relationships Australia, Disability Advocacy Support in Central Australia, East Arnhem Regional Council, Council Of The Aging Northern Territory and many more.

I am heartened to see what the DCLS team has achieved over the last 12 months – from assisting people with their Royal Disability Commission submissions, to writing submissions for law

reform, to sitting on steering committees and working groups that are working towards updating the Residential Tenancies Act, to rolling out our new Recognising Elder Abuse workshops, to starting up a new program to provide free legal advice to veterans; the list just goes on and on!

Thank you to our funders, community partners, board members, students and volunteers. Your contribution is vital to us fulfilling our purpose, in particular I would like to extend my thanks to Bill Piper for stepping into the role of acting principal solicitor at the end of 2020 and Eric Hutton for assisting our lawyers while we didn't have a leadership team in place.

Finally, a heartfelt thank-you to our staff. We recognise and appreciate your persistence and effort in achieving fairer legal and advocacy outcomes for our community members experiencing disadvantage; and working towards a society in which all people have equal access to the legal and advocacy services they need.

To the year ahead we look forward to forming a better understanding of the unmet legal and advocacy needs of the most disadvantaged and vulnerable members of our community; and through strengthened partnerships we will strive to improve their access to justice.

Rachael Bowker
Executive Director

PRINCIPAL SOLICITOR'S REPORT

In DCLS' 30th year we celebrate that DCLS was established by volunteers and how DCLS has continued to be a major focus for community volunteering especially across the NT legal profession including law students and practicing and non-practicing lawyers.

Clients use DCLS to make a difference in their own lives, and to benefit others they care about. The DCLS legal and advocacy effort is like no other in the NT due to the areas of law we concentrate on and the high number of volunteers.

The Principal Solicitor role provides the legal and related accountabilities under the NT Legal Profession Act and other regulatory mechanisms, for a flourishing collaboration which includes about 60 volunteers, the wonderful work of advocates in the DCLS Seniors and Disability Rights Service (SDRS), and of the lawyers, administrative staff, and paralegals in the DCLS Tenants' Advice Service (TAS) and General Legal Service (GLS) teams. The team leaders at the end of the financial year were Kellie Streeter (SDRS), Caroline Deane (TAS), me (GLS), and Sarah Moses was the outstanding Volunteers Coordinator.

DCLS has been active in many progressive legal networks during the year, both locally and nationally. There has been

a strong focus via TAS on residential tenancy reform in the NT and via GLS on various areas of law, including social security, adult guardianship, and credit and debt. SDRS has focused on working to improve the operation of the National Disability Insurance Scheme and services and supports for people with a disability and older people at risk of abuse, including financial abuse.

However, across our priority areas there are serious gaps where people do not have their basic rights or sufficient access to legal help, advocacy, and support. It is also very concerning that the model for non-profit legal help in the NT, lacks resources for paid positions for local people in remote communities. A major increase in resources is needed to add these roles to enable communities to have more connection with all non-profit legal services and to improve responsiveness to these communities. Legal help in relation to civil law issues, including income, housing, employment and consumer issues can improve people's health and wellbeing.

DCLS partnered in the Charles Darwin University clinical law course and welcomed law students from other universities. During the year it has been very encouraging to have so many law students contributing via the Volunteer Advice Sessions, available after hours and undertaking paralegal work in the legal teams and collaborating

in reform projects. We hope that all will continue to be part of the effort as opportunities arise in the future.

DCLS was originally manifested and brought into existence through good people, good will, strategic collaboration and leveraging. Having been a part of DCLS's network in different ways over many years, I think DCLS has often been wonderful at letting people's energy and imaginations propel things forward.

Time and again DCLS has been a vehicle to imagine things into existence. This year we saw momentum build in establishing a Veterans and Families Legal Rights Service. We recognised DCLS' capacities relating to veterans and families and how this can be flourished through networks, communities, volunteers, and staff; and so the Veterans Legal Service was launched.

I would like to express warm acknowledgment and appreciation to all who have given service via DCLS over the last financial year. Your good intentions and your impacts are part of what DCLS strives to achieve, and has achieved, during the year.

The next 30 years will build on the shoulders of many giants. There will be new epics, new ordeals and hopefully many new successes.

Judy Harrison
Principal Solicitor (Acting)



Colleen Atkinson

Former DCLS board member, Colleen Atkinson, passed away in January 2021. Colleen joined the Board in September 2004 and served as Chairperson until 2014. She was a dedicated and respected ally who gave a lot to our organisation, human rights and the justice system in the Territory.

Vale Colleen.

Celebrating 30 YEARS

Darwin Community Legal Service (DCLS) was established in 1991 by volunteer lawyers who were passionate about providing free legal advice to financially disadvantaged people in Darwin. Over time, the service expanded its geographical coverage and the range of matters for which it provides assistance.

Our aim 30 years ago was to be fearless, independent advocates that were visible and vocal on issues of injustice and disadvantage – this is still our aim today!



VISION

Justice for a stronger community.

MISSION

Strengthen access to justice and empower the community through holistic advice, education and advocacy.

ABOUT DCLS

DCLS is a community-based organisation committed to legal and social justice and the protection of human rights in the Northern Territory.

We assist those who are disadvantaged to access justice by:

- * Providing high-quality legal advice and advocacy services
- * Identifying issues and advocating for law reform
- * Promoting an understanding of rights and how to assert them

DCLS provide a multi-disciplinary service consisting of:

- * **A General Legal Service** that provides free civil legal advice and representation to vulnerable members of the community, as well as delivering legal education and promoting law reform.
- * **A Tenant's Advice Service** that provides information, online resources, specialist advice, assistance, and representation to tenants in the Northern Territory. As well as delivering legal education and promoting law reform.
- * **A Seniors and Disability Rights Service** that supports the rights of people with disability and promotes the rights of older persons in the Northern Territory.
- * **A Free Legal Advice Clinic** staffed by NT Lawyers who volunteer their time to provide high quality legal advice after hours and on weekends.
- * **Specialist projects** including Older Persons Abuse, NDIS appeals and working with the Disability Royal Commission.

STATISTICS

SENIOR DISABILITY RIGHTS SERVICE



321 CLIENTS



92 EDUCATION SESSIONS



923 GENERAL INFORMATION ENQUIRY

SUMMARY OF LEGAL ASSISTANCE



621 INFORMATION AND REFERRAL



1,338 LEGAL ADVICE



772 NEW CLIENTS DURING THIS PERIOD



225 CASES NEW AND ONGOING



91 CASE CLOSE DURING THIS PERIOD

GLS TOP 5 MOST COMMON PROBLEM TYPES

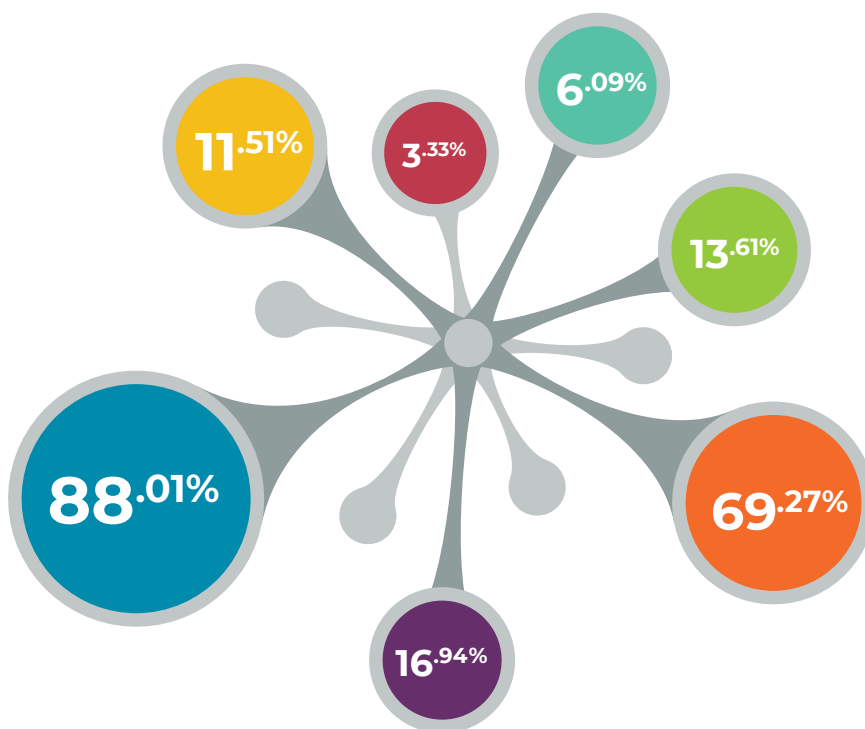


TAS TOP 5 MOST COMMON PROBLEM TYPES





DCLS LEGAL TEAM CLIENT BREAKDOWN*



69.27% experienced financial disadvantage

3.33% experienced homelessness

16.94% had Disability and/or Mental Illness

6.09% experienced domestic violence

13.61% identified as Indigenous Australians

11.51% spoke a language other than English at home

88.01% lived in outer regional and remote areas of the NT

**as recorded*

GENERAL LEGAL SERVICE

The General Legal Service ('GLS') provides free information, referral, legal advice and representation in areas of civil law affecting basic rights.

During the year, this particularly focused on:

- * **Employment** – conditions, entitlements, unfair dismissal
- * **Social Security/Centrelink** – eligibility, entitlements, debts including Robodebt
- * **Credit and debt** – consumer credit, loan defaults, contesting and negotiating debts

- * **Consumer issues** – faulty goods, faulty work, scams / rip-offs, unfair practices
- * **Complaint processes** – where and how to complain
- * **Discrimination** – race, age, disability, gender etc.
- * **National Disability Insurance Scheme ('NDIS')** – plans, appeals, complaints
- * **Adult guardianship** – helping the person subject to the application and/or guardians
- * **Accessing other services** – including other legal services
- * **Working the system** – engaging and pressing for reform

GLS works with people who cannot afford alternative legal help. However, the Volunteer Advice Sessions (VAS), which comes under the GLS umbrella, is a community resource for everyone.

DCLS receives Commonwealth funding for the GLS, which stipulates the geographic area as Darwin, Palmerston, and surrounds. This creates issues for people in the rest of the NT who want access GLS services.

CASE STUDY 1

Adult guardianship in Alice Springs

A person wanting to substitute for the Public Trustee as adult guardian for a family member, could not access legal help in Alice Springs. The client tried all legal services, but these had a conflict or interest or guidelines excluding adult guardianship. DCLS was approached repeatedly and ultimately assisted.

Background: unlike most jurisdictions, there are no specific funding arrangements for legal help in adult guardianship matters in the NT and NT Legal Aid does not grant legal aid for these matters.

CASE STUDY 2

Clients in communities more than 300km from Darwin

Four unrelated matters, where DCLS provided legal help as last resort to clients outside the geographic service area.

- * **Client 1** – a woman on the age pension with a complex civil law problem and serious medical conditions. Unable to obtain alternative assistance within the time frame, DCLS helped as the last resort.

Background: The NT lacks territory-wide generalist community legal service assistance resulting in highly problematic gaps in many areas of law including employment, social security, credit and debt and consumer.

EXTERNAL FACTORS IMPACTING GLS LEGAL HELP

A range of external factors impacted on people seeking GLS assistance during the year. COVID-19 was associated with issues across all areas of law. Employment problems including underpayment and unfair dismissal featured strongly as did social security, consumer, and debt issues.

The rental squeeze in Darwin and other major centres impacted on many people's ability to pay their bills. Conditions on social security payments, increasing digitalization and problems communicating with Services Australia featured in social security legal problems during the year. We saw an increase in clients needing assistance with consumer issues especially problems with cars and car repairs.

CASE STUDY 3

External factors and GLS legal help

- * **Client 1** accepted a 'COVID' salary reduction from his employer to help the business stay afloat. However, the business flourished. We assisted the client with his rights and entitlements.
- * **Client 2** was sacked on 24 hours' notice by a private business due to a dispute with a co-worker. This client was highly vulnerable, with high support needs and he desperately needed his job. The client did not understand the terms of his engagement under a labour hire contract. Labour hire, which reduces workers' rights, is increasing in the NT in private and public sectors, including quasi-government agencies and government departments.

- * **Client 3** was a participant in the NDIS, but the NDIS plan was insufficient. The client proceeded from internal review to the AAT, with appeals assistance from the DCLS Seniors and Disability Rights Service. GLS also assisted. Due to changed policies within NDIS, fewer matters are now being resolved and there is an increased need for applicants to have a barrister and obtain further independent medical assessments. DCLS does not have a budget for this.

Background: External factors impacting on the need for GLS legal help can be local and national. DCLS needs additional resources when external factors increase the need for legal help.



SYSTEMIC ISSUES

GLS clients typically have legal problems with systemic dimensions, where the problems have causes and contributors which are beyond the client's control.

GLS aims to respond to individuals and communities seeking to reform law and overcome systemic problems. We use a matrix of approaches such as drawing on networks, education, being part of efforts organizing for change, making submissions, and collaborating in many ways.

THANK YOU TO ALL WHO HAVE CONTRIBUTED

I would like to acknowledge all who have contributed to what the GLS has achieved during the year.

- * As Principal Solicitor - Shelley Landmark, followed by DCLS's wonderful friend Bill Piper covering for a period and then Bridget McDermott

acting, until I began on 4th Jan 2021.

- * GLS Community Lawyers, Bridget McDermott, Sarah Shin (until Jan 2021), Priscilla Lavery and Leah Radatti (from Apr 2021). Matt Gardiner, a Community Lawyer in the Tenants' Advice Team contributed about a day a week to GLS from about February.
- * Paralegals undertaking their Graduate Diploma of Legal Practice to prepare for admission to legal practice: Gabby Hill (Nov 2020 - Mar 2021) and Solomon Berhane (Oct-Dec 2020). We farewelled Gabby when she moved to Queensland and welcomed Solomon as a full-time paid paralegal from February 2021 until his admission in July 2021 and then continuing as a Community Solicitor.
- * Sarah Moses, who was Receptionist / Volunteer Advice Sessions Coordinator until May 2021 then moved into the DCLS legal practice as Legal Practice Admin / VAS

Coordinator. Sarah has done a remarkable job, managing the VAS and an increase in GLS law student volunteers assisting in the legal practice and with reform projects.

- * All who worked in reception and admin roles, who enabled and supported GLS work with special thanks to current staff Lauren Parker (Intake), Alana Coulson (IT/ Finance) and Trudy Allpike, Admin/HR Manager.

Thank you to Team Leaders Caroline Deane (TAS), Kellie Streeter (SDRS) and to TAS and SDRS staff for being terrific fellow travelers and collaborators. Special thanks to SDRS Appeals Advocate Jess Brugmans and all SDRS Advocates. Finally, thank you to Executive Director, Rachael Bowker who has taken many of the systemic and operational issues arising from GLS work forward into efforts to increase awareness and resources so more people can access GLS assistance.

Judy Harrison
Principal Solicitor (Acting)



TENANTS' ADVICE SERVICE

The Tenants' Advice Service (TAS) provides free legal advice, assistance, representation, information, community education and resources for renters across the Northern Territory.

As the only service of its kind in a jurisdiction where more than 50% of the population rent, TAS plays a valuable role in tackling the power imbalance between landlords and tenants.

It has been a busy year for the TAS team; assisting clients feeling the pressure of an unfriendly rental market as housing affordability and vacancy rates in the NT continue to drop. The year has also been an exciting one, which included welcoming two fantastic new lawyers to our team, expanding our community engagement activities, forging new partnerships and participating in the (long awaited) legislative review of the Residential Tenancies Act (RTA).

“TAS PLAYS A VALUABLE ROLE IN TACKLING THE POWER IMBALANCE BETWEEN LANDLORDS AND TENANTS.”



THE IMPACT OF COVID-19 ON THE RENTAL MARKET

During Darwin's brief lockdowns, the TAS team were able to smoothly transition to working from home and continued to assist our clients over the phone.

Fortunately, the financial impact of COVID-19 on Territorian renters to date has been limited, however TAS clients have felt the flow-on effects of the pandemic. The past year saw a flood of Southerners moving to the NT to escape various lockdowns, putting pressure on the rental market. Recently released data shows that Darwin's average rental price has increased by 21.8% over the past year and is now the third most expensive city to rent in Australia.¹ TAS saw an increase in tenants in rental stress, commonly seeking assistance with rent increases, rent bidding, extending their tenancy or having their tenancy terminated because the landlord wants to advertise at a higher rent, move in themselves or sell the property. Many tenants were reluctant to report repairs or enforce other rights for fear of

having their tenancy terminated and not being able to secure alternative accommodation within their price range.

The NT Government's COVID-19 modifications to the RTA came into force in April 2020 and remain in place. Whilst the protections for tenants affected by COVID-19 were a far cry from those implemented interstate, some of the temporary amendments have assisted our clients to avoid homelessness or severe hardship. For example, under the COVID-19 modifications landlords are required to give tenants 60 days notice to move out (previously 14 or 42 days). This extra time to find alternative accommodation has been crucial for some TAS clients, and not enough for others.

CASE STUDY 1

60 days isn't enough

Ben moved from India to Darwin and rented a two bedroom unit with his three year old son, who he had shared custody of. He worked in the tourism industry and lost a substantial part of his income due to COVID-19. He notified his landlord as required by the

COVID-19 tenancy measures. Ben fell slightly behind on his rent but was quickly back up to date. Despite this, Ben's landlord gave him 60 days notice to vacate the property. Ben needed a two bedroom property to maintain shared custody of his three year old son. After countless inspections and unsuccessful tenancy applications, Ben was facing the prospect of homelessness and the loss of care of his son.

Ben contacted TAS for assistance. TAS wrote to Ben's landlord and attempted to negotiate an extension of his tenancy. When Ben's landlord did not agree, TAS applied to the Northern Territory Civil and Administrative Tribunal (NTCAT) for orders extending Ben's tenancy under the COVID-19 legislation. Prior to the matter being finalised at NTCAT, Ben's landlord agreed to allow him to stay in the property, initially for three months, and later extended to six. TAS withdrew the NTCAT application. Ben was grateful for TAS' assistance in enabling him to keep the roof over his head and maintain his care arrangement with his son.

¹ <https://www.corelogic.com.au/news/which-regions-have-seen-highest-rent-value-increases-over-year>

LAW REFORM

The long awaited and desperately needed Review of the Residential Tenancies Act commenced in September 2020. Our Act is 20 years out of date and comprehensive reform is needed to bring NT tenancy laws into line with the rest of Australia.

The Review was based on issues raised in the NT Government's July 2019 Discussion Paper, as well as issues raised in stakeholder responses to the Discussion Paper. TAS were grateful for the opportunity to participate in the Review as a key stakeholder. The RTA Review Working Group initially met on a monthly basis to discuss various areas of reform, however meetings were increased to fortnightly due to the extent of the material to get through. The meetings were held over a period of 12 months, however some issues were still not reached. TAS is hopeful that the Review process will lead to meaningful change to the RTA, including greater protections for tenants and measures to support secure and stable housing for NT residents.

Some of TAS' priority areas of reform include:

- * The introduction of a centralised bond holding authority;
- * Protections for victims of domestic and family violence;

- * An end to evictions without good reason;
- * Longer time frames for tenants to find alternative accommodation; and
- * Regulation to ensure fair rents and rent increases.

COMMUNITY ENGAGEMENT

TAS has discussed various tenancy issues in the media throughout the year, including rent increases, COVID-19 related issues, the housing shortage, the rise of tenancy management applications and third-party platforms. Media outlets have included the NT News and ABC News television, print and radio.

This year TAS has delivered community legal education sessions to various community groups including at STEPS Education, Melaleuca Refugee Centre, Mental Illness Fellowship of the NT (MIFANT), Darwin High School, Darwin Correctional Centre and Alana Kaye College. TAS held legal clinics with International Students at Charles Darwin University and the International Student Space, as well as co-presenting sessions on renting rights with NT Legal Aid, both online and in person.

TAS attends network meetings with various stakeholder groups including the Community Legal Education Network,

Refugee and Migrant Support Network (RMSN), Darwin Region Accommodation Action Group (DRAAG), NT Council of Social Services Domestic Family and Sexual Violence Group, and National Association of Tenants' Organisations (NATO).

TAS has travelled to Alice Springs and Tennant Creek and connected with legal services, housing support services and other community organisations based in those locations. This is important as TAS is a Territory-wide service and often relies on local services for referrals or as a point of client contact in order to service clients outside of Darwin. This year TAS has also been on multiple trips to East Arnhem Land with the SDRS Team, visiting the communities of Ramingining, Galiwin'ku and Millingimbi.

On the first Monday of October TAS celebrated International Tenants Day by hosting a stall at Casuarina Square to promote our service and raise community awareness of law reform issues and tenants' rights. It was great to engage with new members of the community, listen to peoples' stories and talk about what we do.

TAS also participated in the International Students Reconnect Festival and a Homelessness Week event at Casuarina Library.



CASE STUDY 2:

Empowering communities

Linette and her young family moved to Darwin from China. When they moved into their rental property the curtains in the bedroom were missing and many of the flyscreens were full of holes, allowing mosquitos and bugs to enter. These issues were making it difficult for Linette's children to sleep, so she asked her agent to fix them several times. Eventually, she was told the landlord was not going to fix them. At the end of her 12 month lease, Linette and her family moved out and paid for a professional cleaner to attend. Linette was shocked when her landlord kept her bond to replace the missing curtains and damaged flyscreens, as well as additional cleaning. The landlord was also seeking to recover the cost of repainting the whole house. Further, Linette was told she could not attend the ingoing or outgoing property inspections. Linette was upset; she felt she had been treated unfairly and

taken advantage of because she was new to Australia and unfamiliar with NT tenancy laws.

TAS applied to NTCAT for the return of Linette's bond. The landlord initially disputed the claim, but at the compulsory conference the matter settled – Linette got her bond back plus \$200 compensation! She was very grateful for TAS' assistance. The outcome meant a lot to her – Linette said she pursued the claim not only to get her bond back, she wanted to fight for her rights because she didn't want her daughters to grow up experiencing racism. Linette shared her story with members of her local Chinese community and encouraged them to stand up for their rights too.

CASE STUDY 3:

Supporting those in need

Bianca was a young woman from New Zealand with very limited family support. She'd recently had to stop working due to severe

health issues. Her residency status meant she couldn't access Centrelink benefits so she fell behind on her rent. Bianca let a friend in need stay with her for a couple of weeks while she got back on her feet. Unfortunately, the friend had a dog which had not been approved by the landlord. The landlord applied to NTCAT to evict her for the dog and the rent arrears. Bianca, fearing she would soon be homeless, contacted TAS for assistance.

TAS worked with other organisations providing support to Bianca to prepare materials for the hearing. TAS made submissions opposing the eviction, and advised NTCAT that the dog had left and Bianca had now accessed for support from community services for both her health and financial issues. NTCAT dismissed the application and allowed Bianca to continue her tenancy and arrange a payment plan with her landlord. Bianca was extremely relieved and grateful for TAS' support.



CLIENT FEEDBACK

“ Dear Admin, I want to provide positive feedback on Tenancy lawyer, Matthew Gardiner. I have sought legal advice on two occasions on different matters. I was quite confused and stressed as I was oblivious to tenancy laws and rights as a tenant in NT. On both occasions, Mr Gardiner has provided his expert opinion which completely took my stress away as I became aware of our rights as tenants, and I knew about the steps I could take in each case. So, we thank Mr Gardiner and your organization for doing great job and so please keep up. Wish you all a lovely Wednesday afternoon.

“ Thanks Phil for your help throughout the process, feeling more relaxed than I was when I first met you. Hope it will be smooth sailing from here on. Have a nice day ahead.

“ “Thanx Phil. Truly appreciate what you are doing to assist me. I would have been a mumbling mess had I had to face the hearing alone. You truly are a remarkable young man. Thanx.”

“ Dear Caroline & staff of Darwin Community Legal Service,
Thank you for helping minority groups like international students & temporary working visa holders to understand and fight for legal rights! The invaluable support of your professional legal team is so important to us, who have faced different types of injustice, but new to Australia & far away from our families in overseas. I would like to express my hearty appreciation to you & all staff of the Darwin Community Legal Service!
Thank you so much!



SENIORS AND DISABILITY RIGHTS SERVICE

ADVOCACY THROUGH SDRS LENS

Our Seniors and Disability Rights Service (SDRS) believes in empowering consumers and participants by providing advocacy support, education and information for older persons and their families, and people living with disability in the Northern Territory.

From Darwin, SDRS provides general services to the Palmerston, Batchelor and

Adelaide River, Jabiru, Pine Creek and Katherine regions; the Tiwi Islands, Coomalie, Victoria-Daly, West and East Arnhem, Groote Eylandt and the Roper Gulf regions.

Through our NDIS Appeals project, we can assist any Territorian anywhere in the NT.

We are dedicated to empowering clients, families, and the community with information, education, and spirited advocacy for their human rights.

“WE CAN ASSIST ANY TERRITORIAN ANYWHERE IN THE NT”



SENIORS RIGHTS

Our Seniors Rights Service provides information, support, and advocacy for older people receiving a pension in aged care facilities and people receiving home care packages. We assist our clients to: access appropriate and high-quality care, provide information and education to the community to recognise and prevent their abuse, neglect, and exploitation and make independent life decisions.

Seniors Rights Service also makes regular contributions to the national discourse through Older Peoples Advocacy Network, advising trends and developing strategies for areas of interest in the Northern Territory.

DISABILITY RIGHTS

Our Disability Rights Service provides information, support and advocacy to people living with disability in the Northern Territory. We assist clients and their families in: accessing the Disability Support Pension, gaining access to the National Disability Insurance Scheme (NDIS), navigating the public health system and advocating directly with providers.

We also assist people in accessing public and affordable housing and making complaints about service provision, quality and safety. We do this by attending appointments, helping clients complete forms and applications, liaising with medical and other professionals to support applications.

Disability Rights Service routinely deliver education about disability rights to consumer groups, service providers. It is also frank and fearless in its representations to local, Territory, and Federal governments in recommending service policy and legislation changes to be more inclusive.

OUTREACH

SDRS has been amping up our community engagement to deliver regular outreach programs across the NT. For example, we have been regular visitors to the East Arnhem region, where we spearheaded raising awareness and assisted applications for the NT's Seniors and Concession Cards. We also had standing education and dialogue sessions with consumer groups with Council Of The Aged NT (COTA NT) and Mental Illness Fellowship Association NT.

We have regularly engaged with NDIS Service providers and the public health system, providing them with information and referral advice for participants and patients that they feel need extra support. We've also delivered sessions to the Batchelor Institute Aboriginal Health Practitioners students around advocacy to empower and inform them of their

essential role in health and community service delivery.

SDRS has been actively engaged with many public events that the NT has been lucky enough to have in these uncertain times; The Seniors Expo, the All-Abilities Expo, the Disability Services Expos and the Nightcliff Seabreeze Festival, to name a few. As a result, we have been able to drive awareness of our services and forge lasting relationships with the community through these.

NDIS APPEALS

Our experienced Appeals advocates have been doing a superb job assisting their clients and support networks navigating these lengthy, invasive, and arduous proceedings. SDRS appeals advocates travelled to Alice Springs on 26 August. They provided Information to NDIS appeals stakeholders and education sessions to Central Australian Women's Legal Service (CAWLS) civil lawyers regarding the NDIS and NDIS Appeals.

Over the past 12 months, NDIS appeals have seen an increase in referrals and advocacy matters have become more complex and more urgent.

The length of time these appeals take from adverse decisions to an outcome with the Administrative Appeals Tribunal has also increased.

This shows that NDIS appeals are becoming more complex, and the harmful decisions from the NDIS in a participant's plan are lasting longer, magnifying stress to participants, carers and support providers.

DISABILITY ROYAL COMMISSION

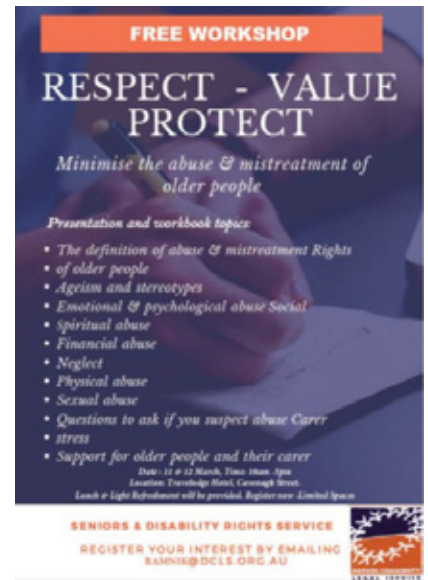
April was filled with information sessions on the Disability Royal Commission (DRC), as part of the 'DRC Roadshow' that SDRS organised with NTLAC, Your Story, NAAJA, Relationships Australia NT, Danila Dilba Health Services, Disability Advocacy Services and NPY Women's Council. In early April, team member Will travelled to Nhulunbuy, Yirrkala, and Gungahara for a week of community engagement. SDRS advocates visited Katherine 28-29 April for community and service provider information sessions.

OLDER PERSON STRATEGIC ADVOCACY PROGRAM

SDRS advocates completed our first two-day workshop on Older Person's Abuse, held at Nightcliff Community Centre on 25-26 March 2021. In May, we completed the Older Person's Abuse workshop in Katherine. Throughout 2020/2021 SDRS advocates provided a steady stream of Older Person Abuse education sessions to support aged care providers in the Top End and remote communities.



Minister for Seniors, Hon. Lauren Moss with SDRS Team Leader Kellie



**“NIK IS AN AMAZING PRESENTER,
GOOD ENERGY AND RESPECTFUL;
HE PROVIDED A SPACE TO COMMENT
AND PROVIDE FEEDBACK”**

– participant feedback from the Older Person's Abuse workshop

LAW REFORM

During 2021, SDRS reinserted ourselves in important discussions, repairing and rebuilding networks and refocusing on systemic and real change.

We have been meeting with stakeholders and community members to create a stronger and united voice. This includes NDS, NAAJA, NTLAC, Relationships Australia, IDA, DAS, NPYWC, Department of Social Services, OPAN, Catholic Care and Minister Worden's office.

There are big and dramatic changes coming to the NDIS Act, and SDRS has been engaging with consultation efforts. We signed an Australia-wide call for the roll out of Independent Assessments to halt and we made a submission to the Senate Joint Standing Committee expressing our concerns.

Darwin Community Legal Services' submission to the Inquiry into the purpose, intent, and adequacy of the Disability Support Pension.

This inquiry affects the lives of thousands of people in the Northern Territory, their families, carers and communities. We look to the inquiry to strongly contribute to ways forward in light of the failure of the Disability Support Pension ('DSP') in the NT.

CASE STUDY 1

Disability Support Pension

Maria previously worked as an Occupational Therapist. She was diagnosed with Parkinson's disease; a degenerative condition. Maria could not continue working in her profession as result of her condition.

Maria applied for access DSP, she was denied access; she attempted several times to no avail.

Maria sought advocacy support, to assist her with the process. Advocate met with Maria to discuss her needs and come up with an action plan.

Advocate went through support documents Maria provided from her specialist. A new DSP claim was filled out and lodged to Centrelink. Advocate continued following up with Centrelink reminding them how progressive client condition is and how difficult it is to access her needs due to limited funding.

Maria was granted DSP in June and back paid from February. This outcome was achieved because of the knowledge and skills accrued through the years working in the sector.

Cashless Debit Card in the Northern Territory



On 17 March 2021, the cashless debit card will be introduced in the Northern Territory.

The Cashless Debit Card in the Northern Territory is optional. **You do have a choice.** If you do decide to volunteer for the Cashless debit card we recommend you seek advice before doing so.



Current income managed customers will have the option to request to transition to the CDC. Customers with an eligible income support payment, who are not income managed will have the option to volunteer for the CDC.

Centrelink will support customers who choose to transition from income management to the cashless debit card.

In the Northern Territory the cashless debit card will be 50% income managed not 80% managed which applies in existing locations.

Provided by Darwin CLC
Contact: info@clc.org.au or 08 8932 7001 if you want to know more

SDRS provided education on discrimination and the new CLC income management card.



CASE STUDY 2

NDIS access

Claudia lives with Multiple Sclerosis. Her MS is remitting and her main consistent symptoms are fatigue, heat sensitivity and pain in her legs. Claudia has three children, two of which are on NDIS plans. Claudia had attempted to access previously but was rejected, she is also struggling with having her fatigue recognised as a symptom of her disability and not as a tired mother of high needs children.

SDRS worked with Claudia to get evidence from her neurologist and a physiotherapy referral to confirm that fatigue severely impacts her functional capacity. SDRS also worked with Claudia to get a statement of lived experience to support her application. Claudia made access on early intervention requirements and now has an NDIS plan.

The family had been advised previously of how to make an NDIS access request but were

struggling to understand what documentation to provide, to who and through which channel. The client's mum had been postponing cancer treatment of her own to prioritise the client's NDIS Access as she wanted to ensure that if she passed away that there would be supports in place.

Advocate assisted with a verbal access request and by sending supporting evidence to local and national NDIS email inboxes. Advocate explained next steps and timeframes for providing evidence. Advocate kept in touch with NDIS to track progress of application and supported family through first pre-planning meeting and initial steps for implementing new plan. Client's mum has resumed her treatment.

CASE STUDY 3

Disability Royal Commission

DCLS assisted client Paul with a DRC submission. DCLS had assisted Paul previously on

other matters so there was an existing relationship and trust between the organisation and the client. An advocate worked with Paul to structure the story he wanted to tell. The advocate then attended Paul's home with another staff member to film and record Paul's submission, while the advocate helped Paul remain focussed on the matters he identified as important. DCLS then edited this video to be a video submission. The advocate identified a potential legal risk and made a supported referral to Your Story. The Your Story lawyer and advocate worked together and the DRC issued a Notice to Produce to Paul to ensure his protection. The advocate responded to the Notice and submitted the video. The advocate and lawyer then worked together to request a written response and recognition from the Solicitor Assisting team, which was provided to Paul.

Paul felt like his submission was taken seriously and that he was being heard.

VOLUNTEERS

This past year DCLS has had over 70 extraordinary volunteers dedicate their time and knowledge to the service.

DCLS wishes to acknowledge these volunteers who have provided over 14,000 hours of their time towards the Free Legal Advice Sessions.

DCLS has the honour of hosting 3 new volunteer inductions over the past 12 months. From these we have welcomed a range of new volunteers to our team including local University Students, Advocates, Barristers, and Solicitors. With more inductions planned, we look forward to seeing even more new volunteers in the DCLS Team.

“I SERIOUSLY LOVE VOLUNTEERING AT DCLS; THE CLIENTS, THE KNOWLEDGE & EXPERIENCE OF MY CO-VOLUNTEER PEERS, AND THE STAFF ARE JUST WONDERFUL. BEING ONE OF THE SUPERVISING SOLICITORS FOR DARWIN COMMUNITY LEGAL SERVICE IS GREAT – BOTH THE STAFF AND VOLUNTEERS AT DCLS CARE DEEPLY ABOUT WHAT THEY DO, AND FOR ME, HELPING VULNERABLE PEOPLE TRYING TO NAVIGATE COMPLEX SYSTEMS AND FRAMEWORKS IS VALUABLE AND MEANINGFUL WORK.”

– Michelle Ganzer



VOLUNTEER FUNCTION AT GOVERNMENT HOUSE

On June 4, 2021 our volunteers were invited to the Government House by DCLS's patron, Her Honour the Honourable Vicki O'Halloran AO, Administrator of the Northern Territory. It was a fantastic night and an honour to celebrate our volunteers for their contributions and achievements.



Volunteer function at Government House



OUR VOLUNTEERS

DCLS would like to recognise all our 2020-2021 Volunteers. Thank you for volunteering your time and knowledge to help those in our community, your contributions do make a difference to those in need.

| | | |
|-------------------------|--------------------|------------------------|
| Adam Stencel | Gabby Hill | Michelle Ganzer |
| Agueda Mendoca | Gajanesh Chandran | Monica Thompson |
| Aine Buckley | Harita Sridhar | Myles Brown |
| Alistair Wyvill | Ian Grant | Nabila Majid |
| Alyssa Carob | Jackie Fryar | Natasha Clayton |
| Anne-Marie Chin | James Bowyer | Nikolas Dakis |
| Ashleigh Brown | Jean-Remi Champion | Odri Aubapty |
| Beau Clark | Jeff Thompson | Ramnik Walia |
| Bradie Mercer | Jemma Hayes-Henley | Rebecca Dezylva |
| Caitlyn Mitchell | Jerry Codog | Riya Kundu |
| Caroline Deane | John Garrick | Robert Cooper |
| Casimir Zichy-Woinarski | Jorja Costello | Ron Lawford |
| Chris Cooper | Judy Harrison | Ruby Kelly |
| Chris Sapinoso | Kailey Coble | Samantha Hendry |
| Clancy Dane | Kelly Stephenson | Sarah Borrows |
| Clarinta Gardiner | Kylie Wilson | Sarah Crosby |
| Colin Davidson | Laing Clark | Sarah Strelecki |
| Daisy Kolt | Lang Williamson | Sizol Fuyana |
| Dana Kenna | Lauren Tattersall | Solomon Berhane |
| David Ninan | Leah Radatti | Stella Noor |
| Dylan Walters | Leanne Kerr | Svetlana Abella |
| Eesha Raut | Mark Hibbins | Tanisha Cubillo-Latzer |
| Elsa Adshead | Matthew Barsden | Taylah Cramp |
| Emily Scott | Matthew Gardiner | Tom Malone |
| Emma Farnell | Micah Kickett | Vidoula Uckiah |
| Errol Chua | Michelle Duggan | Winnie Chen |

VOLUNTEER BOARD OF DIRECTORS

| | | | |
|------------------|-------------|--------------------------|----------|
| Julie Davis | Chairperson | Clarissa Phillips | Director |
| Peggy Chong | Secretary | Lucy Markoff | Director |
| Kimmy Jongue | Director | Tom Korecki | Director |
| Julie Hansen | Director | Hugh Bond | Director |
| Alastair Shields | Director | Dr John Garrick | Director |
| Myles Brown | Director | <i>Resigned Aug 2020</i> | |

DCLS STAFF

Administration

| | | |
|----------------|-------------------------------------|--------------------------|
| Rachael Bowker | Executive Director | Commenced September 2020 |
| Trudy Allpike | HR and Office Manager | Commenced September 2020 |
| Erin O'Connell | PR & Event Coordinator | Commenced May 2021 |
| Alana Coulson | Finance Officer | Commenced March 2021 |
| Lauren Parker | Intake Officer | Commenced February 2021 |
| Sarah Moses | Receptionist/ Volunteer Coordinator | Commenced October 2020 |
| Sharon Binns | Quality and Compliance Officer | Until September 2021 |

General Legal Service

| | | |
|-------------------|---------------------|-------------------------|
| Shelley Landmark | Principal Solicitor | Until January 2021 |
| Judy Harrison | Principal Solicitor | Commenced January 2021 |
| Bridget McDermott | Community Solicitor | |
| Priscilla Lavery | Community Solicitor | |
| Solomon Berhane | Community Solicitor | Commenced February 2021 |
| Leah Radatti | Community Solicitor | Commenced April 2021 |
| Sarah Shin | Community Solicitor | Until January 2021 |
| Gabby Hill | Paralegal | Until January 2021 |

Tenants' Advice Service

| | | |
|------------------|---|------------------------|
| Caroline Deane | Tenants' Advice Service Team Leader & Solicitor | |
| Matthew Gardiner | Tenancy Solicitor | |
| Phil Andrews | Tenancy Solicitor | Commenced January 2021 |
| Destiny Gultom | Tenancy Solicitor | Commenced April 2021 |
| Shelley Alvarez | Tenancy Solicitor | Until December 2020 |

Seniors and Disability Rights Service

| | | |
|--------------------|---|-------------------------|
| Kellie Streeter | Seniors and Disability Rights Service Team Leader | Commenced October 2020 |
| Jessica Brugmans | Senior Advocate | Commenced August 2020 |
| Theresa Kagayo | Advocate | |
| Lachlan Rowe | Advocate | Commenced November 2020 |
| William De Bomford | Advocate | Commenced November 2020 |
| Jamie Phelan | Advocate | Commenced January 2021 |
| Ramnik Walia | Advocate | Commenced January 2021 |
| Chrissie Sherley | Advocate | Commenced April 2021 |
| Ester Nambiar | Advocate | Until November 2020 |
| Elaine Walton | Advocate | Until August 2021 |

COMMUNICATIONS

What a year it has been for DCLS!

We're lucky in the Territory that business and events have been able to return somewhat to normal; with our office being able to continue to serve our community and our team members being able to resume delivering education sessions and attend community events.

DCLS celebrated their 30-year anniversary this year which prompted us to pause and reflect on the evolution of the organisation over that time. As we move into 2021/22 and beyond, we strive to continue to evolve; to stay relevant and engaging for our stakeholders.

For our team to stay fresh, relevant and cohesive we conduct and participate in staff development and team building. Here's a picture of the team after completing a morning with Balanced Choice.

We also take time to come together to recognise national and international awareness days. This has a 2-fold effect; it brings us together as a team but also gives us time to reflect on the different issues that may affect our stakeholders and the things we can do to be more mindful.



SOCIAL MEDIA

With the on-boarding of a new PR and Event Coordinator this year, there has been a refreshed-focus on our social media presence. DCLS' Facebook page has grown in "Likes" and followers and an Instagram account has been established which has gained an impressive following since it was established in May.



Instagram

Since going live with our Instagram account, in the first month, we reached 395 accounts with the most popular posts being the Staff Profiles. To 30 June 2021 our Instagram page has 51 Followers and has posted 43 times.



Facebook

The most engaging post in 20/21, was this one promoting our annual Rights on Show Art Exhibition attracting reach of nearly 5000.

Our Facebook page has grown to 1170 "Likes" which is up from last year of 860 and total page followers grew from 881 -> 1216.



Most popular Instagram post of 20/21



Our annual Rights on Show Art Exhibition post attracted a reach of nearly 5,000

RIGHTS ON SHOW

Darwin Community Legal Service's 24th Human Rights Art Awards and Exhibition opened on 6 November 2020 at the Supreme Court of the Northern Territory with about 100 people in attendance. This year marked a return to facilitating the event since 2017. There were numerous successes, as well as much to learn from.

The theme for 2020 was 'United We Stand'. This was inspired by the local 'black lives matter' Aboriginal and Torres Strait Islander rights movement in Darwin. The theme is about

standing up for justice, as one community united.

The venue offered a prestigious, relevant ('justice/human rights') location for our exhibition and also meant that the exhibition was attended by those attending the court, extending the usual audience reach.

As always, the exhibition was open to people of all ages and all skill levels, 'preschool to professional'. In keeping with our theme of inclusion we also made efforts to provide art materials and canvasses to those who needed them. We were pleased to receive around

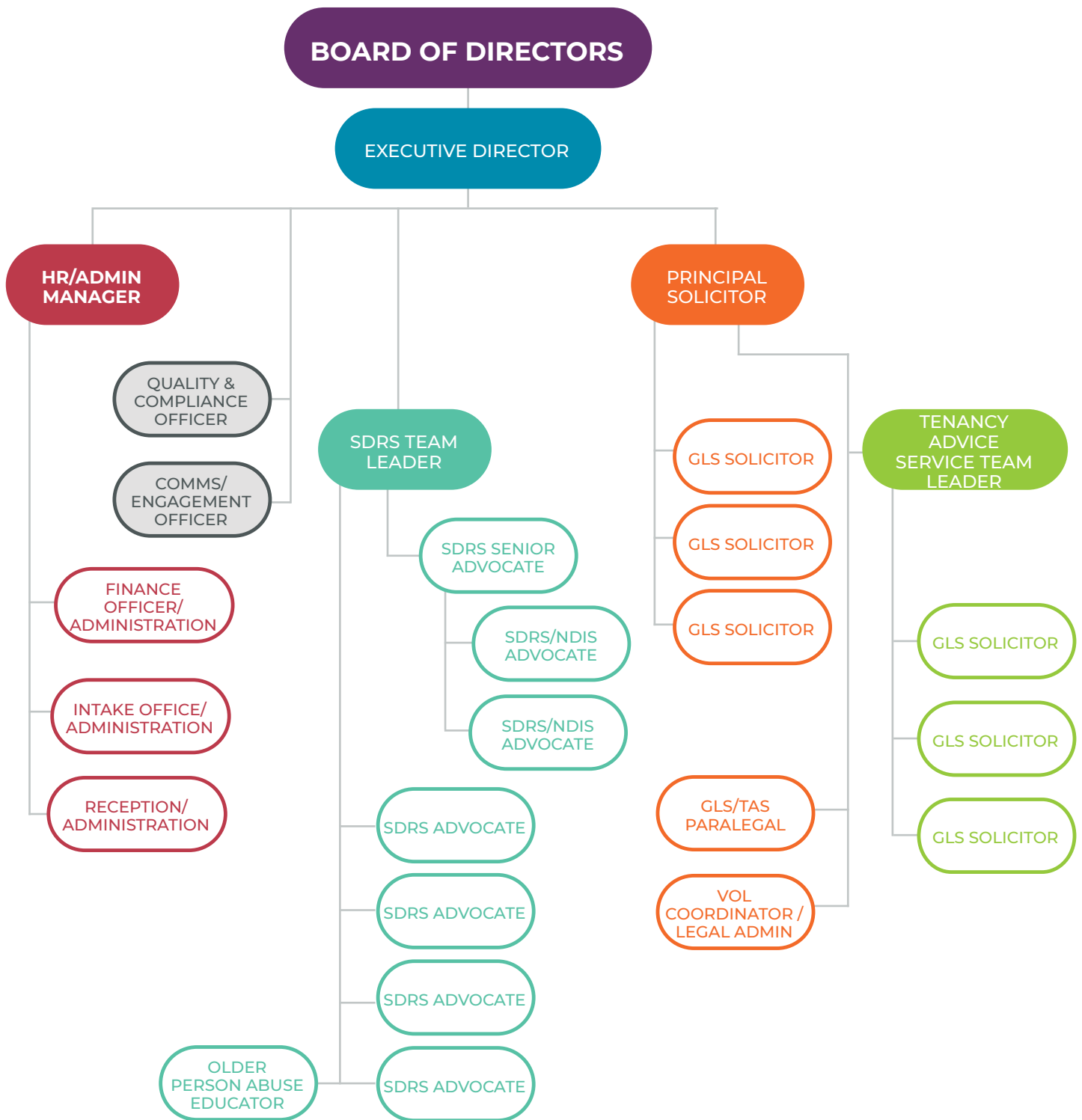
80 entries into the exhibition from local artists and included a number of organisations such as Team Health, Top End Mental Health Consumers Organisation (TEMHCO) & St Vincent de Paul Society, who assisted their clients to enter art work. DCLS is grateful for the support of the NFP sector. We received a mix of mediums including paintings, photos, pottery, textiles and yoga sticks.

Overall, the event was reported to be a success, and a good starting point for bigger and better shows to come. Many attendees were very pleased that the event was up and running again.

*Polly Johnson – 1st place winner
Rights on Show*



2020-21 DCLS ORGANISATIONAL STRUCTURE





FUNDING SUMMARY

THE GENERAL LEGAL SERVICE IS FUNDED BY:

- * Commonwealth Government under the National Partnership Agreement for Legal Assistance Services through the Northern Territory Government's Department of Attorney-General and Justice
- * As per Section 388 of the Legal Profession Act 2006, DCLS received an allocation of funds from the Legal Practitioner Fidelity Fund. These funds contribute towards general operational and staffing costs.

THE SENIORS AND DISABILITY RIGHTS SERVICE IS FUNDED BY:

- * Commonwealth Department of Social Services 'Disability and Carer Support Program'

- * Commonwealth Department of Social Services 'Disability Advocacy Program'
- * Commonwealth Department of Social Services 'NDIS Appeals Disability Carer & Support Program'
- * Commonwealth Department of Social Services 'NDIS Decision Support Pilot'
- * Commonwealth Department of Social Services 'Disability Royal Commission'
- * Commonwealth Department of Health 'National Aged Care Advocacy Program' through the Older Persons Advocacy Network'
- * NT Government's Territory Families for the Elder Abuse Prevention Project.

THE TENANTS' ADVICE SERVICE IS FUNDED BY:

- * The Agent's Licensing Fidelity Guarantee Fund.



Communi
Housing
Office







DARWIN COMMUNITY LEGAL SERVICE



Level 2, 75 Woods Street, Darwin
GPO Box 3180, Darwin NT 0801



(08) 8982 1111 or 1800 812 953 (free call)



info@dcls.org.au



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