

## Client stories

The stories of Aleasha, Lila, Sally, Nigel, Claire, Eli, Ahmed, Amy and Susan profile Community Legal Centre's representation work and provide a powerful insight into the impact of the work of Community Legal Centres. There are hundreds of stories just like these. *(All names have been changed to protect the identity of the clients.)*



### Protections from unscrupulous lenders

Lenders are required to do certain checks before lending money to ensure that a loan is affordable and appropriate for the consumer's needs. When lenders don't properly perform these checks, it's the vulnerable members of our community, who are often in financial stress, who suffer the most.

Aleasha, an Aboriginal woman, is a solo parent of four children. Aleasha relies on Centrelink payments for daily basics and essentials for herself and her children. Aleasha purchased a used car from a local car dealership with the assistance of a car loan. Over the course of two years the car had many problems that cost Aleasha over \$3,000 to repair.

The weekly loan repayments were automatically deducted from her bank account and made it difficult for Aleasha to meet the essential costs for her family, causing her financial and emotional distress. Aleasha was advised by her financial counsellor to seek free legal assistance from the Cairns Community Legal Centre.

A **Cairns Community Legal Centre** solicitor reviewed the checks the lender made into Aleasha's financial position before the loan was confirmed and discovered that there was no way Aleasha could have comfortably met the repayments without suffering financial hardship. On this basis, the Centre argued that she should not have been offered the car loan and successfully negotiated a loan reduction as well as a reduction in the weekly loan repayment amounts.

As a result of the Centre's intervention, Aleasha could afford to keep the car and repay the remaining amount of the loan in a way that is stress-free and affordable for her family.



### Understanding Coercion and Control in relationships

When women experience domestic and family violence and relationship breakdown, the legal issues multiply. Misidentification of a victim as the perpetrator is also a significant issue that has enormous consequences for the victim survivor.

Lila was in a violent relationship and was charged with breaching a Domestic Violence Protection Order. Her family support worker referred her to HUB for legal assistance.

**HUB Community Legal's** lawyers spent time with Lila to understand her situation and identified she was in fact the victim of domestic and family violence and in urgent need of protection. The lawyers found Lila's partner was perpetrating a pattern of serious coercive control placing Lila at serious risk of harm, in addition to the systemic abuse she was now facing due to the Domestic Violence Protection Order against her.

HUB's lawyer helped Lila obtain a final Domestic Violence Protection Order against her partner, protecting her safety and well-being. With the lawyer's assistance and advocacy, Lila also had the criminal charges against her dismissed based on the recognition that she was the victim of domestic and family violence rather than the perpetrator.

As a result of HUB's assistance, Lila's life changed significantly. She has been given some legal protections, accessed support to leave her abusive relationship, and had her criminal charges dismissed.



### A life free from financial stress

People who are experiencing or at risk of homelessness typically experience multi-faceted trauma, in addition to financial and social challenges, which compound barriers to services, supports, and change.

Sally, a single mother of three children, was experiencing homelessness when she attended one of LawRight's Community Health Justice Partnership locations and met with one of their pro bono lawyers.

Sally relied on Centrelink payments and was living with a number of physical and mental health conditions. She sought help regarding a significant debt with a car finance provider.

**LawRight** and its pro bono lawyers negotiated with the provider over multiple months. The provider conceded it did not follow responsible lending requirements and the loan should never have been made to Sally in the first place.

The negotiations resulted in a sizeable waiver of the amount still owing under the loan and the provider allowing her to keep the car.

Sally was overjoyed at the outcome and sent the following to LawRight: "The team at Lawright literally saved my life! Back in 2016 I was suicidal, homeless and in debt with no way out. It was a very dark time. They have had my back for six years now and words cannot explain how much the unwavering support has helped me become the person I am today with next to no debt, and life skills that I would not have gained anywhere if not for them."



### Standing up for people's rights

Community members who live with disability or disabilities can be vulnerable to manipulation by large corporations, such as insurance companies.

Nigel, a pensioner in his 80s, was involved in a motor vehicle accident and did not have insurance.

Nigel began receiving letters from the other driver's insurance company demanding that he pay them over \$2,000 for repairs to the other driver's vehicle.

Nigel had a hearing impairment so had difficulty hearing the insurance company when they phoned him to discuss the matter and did not have access to email or a computer. These factors also made accessing legal services and responding to the insurance company incredibly challenging and stressful for Nigel.

**Pine Rivers Community Legal Service** provided Nigel with advice regarding his options. While going through the documents provided by the insurance company, including an invoice for the repairs, the PRCLS solicitor noticed that the other driver's car was damaged at the front, while Nigel's had been damaged at the rear. This indicated the other driver had not been following Nigel at a reasonable distance, which supported what Nigel had explained.

PRCLS helped Nigel write to the insurance company to request further details regarding the accident and claim, and that they cease all debt collection activity. PRCLS also assisted Nigel to convey to the insurance company that the damage reported in their invoices was consistent with the other driver being at fault.

The insurance company ceased correspondence and ended recovery action against Nigel.



## Legal Assistance for Young people

A disproportionate number of young people in the youth justice system have suffered from adverse experiences and social disadvantage such as poverty, exposure to family violence and significant trauma.

When 14-year-old Claire sought assistance from YFS Legal she was under a long-term guardianship order and was diagnosed with autism and complex post-traumatic stress disorder. Claire had never been to Court before.

Police had attended Claire's home where she was found to be visibly upset and damaging property. Due to her past experiences, Claire was highly anxious about being physically touched, so she felt uncomfortable and nervous when the police approached her. Police ended up physically restraining Claire, which prompted a trauma-response for her where she kicked out. The police then charged her with assault. Police were not aware of Claire's past experiences or background, nor that she had a Safety Plan in place regarding her post-traumatic stress disorder.

**YFS Legal** assisted Claire in attending a Protected Admissions Interview which enabled her charges to be diverted away from the Court. She was cautioned by the police for the charges and received a warning not to commit further offences.

YFS Legal supported Claire to liaise with Child Safety officers and carers so that a more detailed Safety Plan could be developed to assist her when she was experiencing a difficult time. With Claire's consent, this Safety Plan was provided to police so that they would be more understanding of her needs in any future incidents.



## Supporting cultural practices

Sorry Business is an important period of mourning for Aboriginal and Torres Strait Islander people that involves responsibilities and obligations to attend funerals and participate in other cultural events, activities, or ceremonies.

Eli is an Aboriginal man who was imprisoned in North Queensland due to a parole suspension.

**Prisoners' Legal Service** was contacted by a Cultural Liaison Officer on behalf of Eli because his uncle had passed away and the funeral was scheduled for the following week. Eli's uncle was his primary father figure and he needed to attend the funeral and engage in Sorry Business to meet his cultural obligations as well as to support his grieving.

PLS made urgent submissions to the Parole Board Queensland (PBQ) seeking reconsideration of Eli's parole suspension which would enable him to attend the funeral and engage in Sorry Business. The PBQ urgently reconsidered the decision to suspend Eli's parole however instead decided to cancel his parole order, meaning he would not be released. PLS made further urgent submissions.

The PBQ reconsidered and decided to lift the cancellation and re-release Eli back onto parole. He was released the day before the funeral and was able to attend and engage in Sorry Business.

PLS' knowledge and understanding of cultural obligations and Sorry Business ensure it acted urgently in this matter for Eli to best support him and reduce the risks of further disconnection from his family and community at such an important time.



### Advocating for autonomy and independence

Ahmed, a 75-year-old widower, was living alone in his own home until a health event resulted in a hospital admission. When Ahmed was admitted it appeared he was struggling to retain information and seemed confused. Hospital staff were concerned about Ahmed's safety and wellbeing if he returned home, particularly as he did not appear to have a strong support network. The hospital made an application to QCAT seeking the appointment of the Public Guardian and Public Trustee, with the aim to move Ahmed into aged care accommodation. Ahmed had been opposed to this and wanted to return to his home.

The hospital social worker referred Ahmed to ADA Law for advice regarding the Public Guardian and Public Trustee. ADA Law helped Ahmed to understand his situation. He was a recent widower and hadn't needed help at home. Ahmed also didn't understand the support services he had been offered at the hospital, hence his refusals. At Ahmed's request, Ahmed's friends had not come to the hospital, as he didn't wish to trouble them, parking was expensive, and he was especially concerned with the COVID risks if they were to come to see him.

**ADA Law** helped Ahmed respond to the QCAT application and attend his hearing. Ahmed was able to explain to QCAT how his network supported him, how he had set up direct payments for bills, and that his home had been modified for his wife, so was mostly suitable for him to return to it. The tribunal was able to dismiss the applications, leaving Ahmed to focus on his recovery and prepare for his return home.



### Navigation of complex welfare systems

Amy contacted **Basic Rights Queensland** about her Centrelink debt of \$10,000. Centrelink had stated that Amy had been overpaid because she had not reported her partner's fortnightly income.

Amy did not know she was required to report her partner's income to Centrelink. She was receiving intensive medical treatment during the period when she was overpaid, which had significantly affected her capacity to engage with Centrelink and understand her reporting obligations.

BRQ assisted Amy with obtaining the medical evidence to support an appeal of the initial Centrelink demand and provided a submission to Centrelink's Authorised Review Officer advocating for the debt to be waived due to these special circumstances. The Authorised Review Officer exercised their discretion to waive Amy's debt in full.



### **Housing crisis and domestic and family violence**

Women fleeing domestic and family violence face many challenges including access to financial support and housing. The housing crisis has compounded these difficulties, resulting in too many women and children living in insecure and unsafe accommodation, or remaining in abusive relationships.

Susan was pregnant and living in a tent with four children all aged under six. Susan was unable to access refuge accommodation when she left her violent partner. Susan had limited access to Centrelink payments as she was not an Australian citizen and her former partner alleged she was dishonest with Centrelink. Susan assessed that her best prospects for housing and employment was to return to her home country where she had more support.

Susan sought assistance from **Women's Legal Service** for an urgent application to the court for an international relocation. As a result of the assistance Susan was able to get an urgent final hearing at the court so that she could get an urgent resolution for herself and her children.

What our clients are saying:

“

*I am very grateful for this service. Every time I have received legal advice it has been of an extremely high quality with wonderful, educated professionals, who assist me incredibly.*

*I have found the centre and the legal assistance to be very professional and helpful. My situation has not been resolved as of yet, but the staff have continued to support me. Thank you!*

*“My advocate described me and my hardships in a way that made me feel brave and respected.”*

”



“

*“I appreciate the service so much, especially for people on a low income. The lawyer was caring and explained things in a way that I could I understand.”*

”