

# Disaster legal assistance 2023: insights from CLCs around the country



**Community Legal Centres Queensland**

# About the forum

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**On 29 November 2023, Community Legal Centres Queensland (CLCQ) and the Federation of Community Legal Centres Victoria (the Federation) hosted a national online forum on disaster legal assistance.**

The forum was an opportunity to meet, reflect and share knowledge from various jurisdictions about disaster legal assistance.

This report provides a summary of key themes and points addressed by our various presenters.

[Click here to view the full recording of the forum.](#)

## **Forum aims and purpose**

Event facilitators Monica Taylor (CLCQ) and Bronwyn Lay (the Federation) opened the forum by setting out its three clear aims.

First, to share lessons and learnings among CLC colleagues about disaster legal help in 2023. Second, to contribute to a growing community of practice amongst CLC practitioners. And third, to understand and reflect on the distinctive contribution of CLCs in disaster legal assistance.

Monica and Bronwyn noted:

- There is no such thing as a 'natural' disaster: what we are responding to is the result of anthropogenic climate change. It is not weather but rather our systems, laws, economics, politics and ways of living that are causing increasing stress to the planet, and disasters.
- The best way to reduce the severity and frequency of climate disasters is rapid reduction of carbon emissions and restoration of our degraded environmental landscapes. We acknowledge the work of CLC members Environmental Justice Australia, the Environmental Defenders Office and the Aboriginal Legal Services that are leading on climate mitigation and championing First Nations' self-determination and survival.
- Working in disaster legal assistance can be emotionally heavy, but coming together in solidarity can help attenuate feelings of distress about the devastation caused by climate change. There is still cause for hope; the window for action is still open.

*"We acknowledge the Traditional Owners of the lands upon which we meet and acknowledge that sovereignty was never ceded. As sovereignty was never ceded, we all remain accountable to the original laws of the lands that hold us, give us life and enable us to work here. First Nations peoples have been surviving and responding to harms upon Country and disasters that have been inflicted by colonisation for more than 240 years. Disaster work is inextricably linked to care for Country. We acknowledge that the lands and waters across this continent were taken without consent. We also recognise the ongoing struggle of First Nations peoples to remain connected to their Country and with kin, and this struggle continues as climate change alters Country."*

# Speakers, topics and themes

**Julia Davis**, Senior Policy and Communications Officer, from the **Financial Rights Legal Centre in New South Wales**.

Julia talked about using disaster data for advocacy. Her presentation highlighted the need for quantitative data in addition to anecdotal and qualitative experiences.

Julia describe Financial Rights' use of keywords within CLASS (the CLC reporting system) and using pivot tables. Using keywords enables us to build a taxonomy of issues which can strengthen advocacy arguments about system and structural reform. It also allows us to report on the intersectionality of disasters, and to be agile in our proactive and reactive work.

[Click here](#) for a PDF of Julia's presentation. Her presentation begins at 11:00 on the recording.

Our second speaker was **Simon Suttie**, Principal Solicitor, **Gippsland Community Legal Service in Victoria**.

Simon described the long-term work of progressing from disaster recovery to preparedness. Gippsland is experiencing cascading events with increased frequency, and with long recovery timeframes that stretch out beyond emergency response and recovery rhetoric. The distinction between recovery and preparedness is arbitrary and is an overlapping continuum.

Simon discussed the trend of their centre having had to engage with new issues and areas of law (planning, land use management) and this creates a workforce need to recruit staff with specialist expertise.

Simon's presentation is [available here](#). His presentation begins at 27:00 on the recording.

We then moved across the continent to remote Western Australia. **David Couri**, Organisational Development Lead for **Marninwarntikura Women's Resource Centre**, gave a very compelling presentation about the impact of the Fitzroy Crossing floods from an Aboriginal Community Controlled Organisation (ACCO) perspective.

Dave's presentation was accompanied by stunning aerial video showing the rising waters of the Fitzroy River as it broke its banks and cut off supply to the town by destroying the one bridge in and out. (Marnin is very remote, Dave explained that the nearest Woolworths is 450km away).

Dave focused on how offers of help from outside can be welcome, but also be a huge burden. A model of disaster recovery legal assistance was imposed on them, with areas of law that did not reflect the reality of their community.

Rather than focus narrowly on legal need, Dave suggested it was more helpful and pragmatic to identify and address historic underinvestment, service gaps and baselines in funding – and then we can make a case for what good service delivery looks like on an ongoing basis.

Dave's presentation begins at 47:00 on the recording.



*"People have always been good about imagining the end of the world, which is much easier to picture than the strange sidelong paths of change in a world without end."*

- Rebecca Solnit, Hope in the Dark

After the break we moved to Queensland to hear from **Jacqui Cavanagh** from **Caxton Legal Centre** and **Magda Dzenis** from **HUB Community Legal** who jointly presented about the Queensland Resilient Homes Fund, and legal issues faced by clients.

The scheme was very complex with lots of accessibility issues for clients; Jacqui and Magda spoke highly of the local neighbourhood centre service navigators to help people understand the scheme. The scheme operated in the context of trade shortages, limited temporary accommodation options, project management by consumers – and all of this needs to be accounted for in light of expectation management with clients.

The scheme also generated a lot of complex financial decisions for clients including the need to make an invidious choice – to remain in place and risk another disaster or move away from one’s existing community and social service infrastructure.

Jackie and Magda’s slides are [available here](#). Their presentation begins at 1:03:00 on the recording.

After Queensland, we travelled down to South Australia to hear from **Georgie Portus**, Solicitor, **Riverland Community Justice Centre** about floods and bushfire legal need – a South Australian perspective on supporting communities.

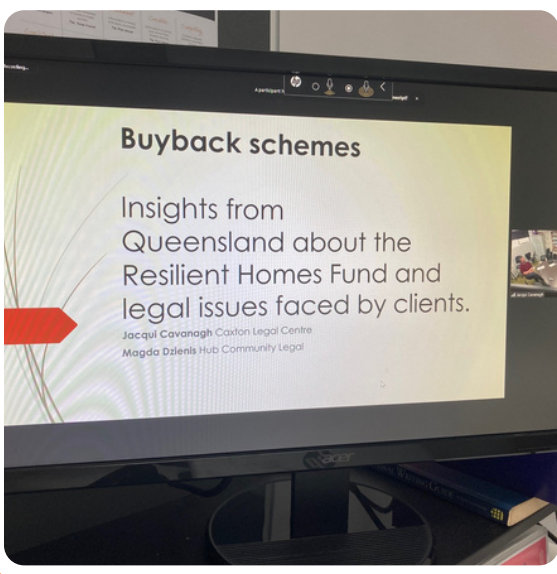
Georgie emphasised that knowledge gaps are a preparedness piece, you need to be able to preempt community needs. Empowerment can be seen within communities as you work with them over time. Collaboration is key, and there are many agencies involved so it is important to have clear referral pathways, whilst at the same time critically reflecting on your interagency collaboration and engagement to ensure you maintain diverse referral pathways. Data analysis is important to reveal how legal need shifts over time.

Georgie’s slides are [available here](#) and her presentation begins at 1:25:00 on the recording.

**Ippei Okazaki** – Sector Development Officer from **CLCs SA** also recorded a video for everyone to view regarding the role of community legal services at recovery hubs

<https://youtu.be/OGMH7HboAU4>

CLCs South Australia has an MOU with Housing Trust that gets activated in the event of an emergency or a disaster.



Finally, we travelled to Tasmania, where we heard from **Ryan Gilmour**, coordinator and senior solicitor, **North West CLC** and **Jane Hutchison, CLCs Tasmania**.

Their presentation addressed the 2016 floods, 2013 Dunnalee bushfire, and sector capacity challenges (being a state without a funded peak).

Jane explained that being community-led meant understanding that legal assistance was not an immediate priority. Legal problems manifest in the weeks, months or years after the disaster after the initial shock and trauma of the event itself. There is a need to maintain connections with stakeholders in the community including local councils.

Ryan also spoke about the importance of creating referral pathways with pro bono providers, allowing non-priority clients including commercial/agricultural could be dealt with promptly and effectively – the equity piece again.

Tasmania has an emergency legal response plan, developed by their Department of Justice. CLCs weren't originally included in this plan but were subsequently added after Jane's advocacy. North-West CLC and other Tasmanian CLCs have subsequently been working on a disaster recovery legal plan in collaboration with the Tasmanian Law Society and Legal Aid Tasmania. The plan is reviewed twice a year.

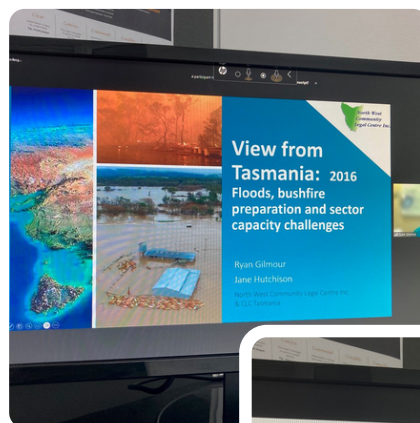
Jane and Ryan's slides are [available here](#). Their presentation begins at 1:42:00 on the recording.

## Highlights and takeaways

**Bill Mitchell** from **Townsville Community Law** offered a summary and synthesis of themes raised in the session. Bill's synthesis has been integrated into this summary report and can be viewed at 2:00:00 of the recording.

Some high level themes that were repeated across the presentations included:

- CLCs are part of their communities, and our staff are affected by the disaster as well as leading any legal response to it.
- Any response must be community-led, at the pace the community needs. Legal services are not necessarily first responders.
- Each community and disaster is unique. Different events create different legal needs, there is no 'one-size-fits-all' and you can't impose a legal needs template onto a community post-disaster.
- Stakeholder engagement and collaboration is crucial, be that with funders, local councils, social and community service providers, emergency and disaster management sector. Many presenters emphasised the importance of doing this work outside the disaster response phase as a core preparation activity.



# Links shared in the chat

- Australian Disaster Resilience Index: Building safer, adaptable communities  
<https://adri.bnhcrc.com.au/#!/>
- Australian Emergency Management Arrangements - Australian Disaster Resilience Handbook Collection (2023) [https://knowledge.aidr.org.au/media/10162/handbook\\_aema\\_web\\_2023.pdf](https://knowledge.aidr.org.au/media/10162/handbook_aema_web_2023.pdf)
- Gippsland Community Legal Service – Guidebook to Public Land Management in Victoria (March 2023)  
[https://www.monash.edu/\\_data/assets/pdf\\_file/0012/3209997/Guidebook-to-Public-Land-Management-In-Victoria.pdf](https://www.monash.edu/_data/assets/pdf_file/0012/3209997/Guidebook-to-Public-Land-Management-In-Victoria.pdf)
- Gippsland Community Legal Service – Bushfire Recovery Planning law guidebook (March 2023)  
<https://www.gcls.org.au/app/uploads/2023/05/GCLS-Bushfire-recovery-guidebook.pdf>

## Participants feedback

We received over 130 registrations from across Australia for this session, with a steady online audience of more than 60 people throughout the session. Audience engagement was very high and the survey demonstrated high satisfaction with the event.

“All great information which increased my knowledge and understanding. It was great to hear the common themes about lessons learnt of when and how to best support disaster affected communities.”

“I enjoyed the innovation of Community Legal Centres in this space”

“Having speakers from different states was fantastic. And it was useful to explore different approaches to both preparedness activities and disaster response approaches”

“I loved the open and honest conversations that were had, particularly from Dave, around government positioning and assistance”



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