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c/- Planning and Review Unit  
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Dear Naomi,

Thank you for the opportunity to provide comments on NLAJ's Discussion Paper on Proposed Catchments for Service Planning – February 2019. We would like to acknowledge the hard work that has gone into its development.

We have consulted with our members and provide the following advice, divided into two sections: overarching observations, and comments relating to specific catchments.

We understand some of our members may also have provided advice to you directly.

If you would like to discuss any of the matters raised below please contact Executive Director Tim Leach at [timleach@clcnsw.org.au](mailto:timleach@clcnsw.org.au) or on 0417 252363.

## 1. Overarching observations

- Carving up the state into sensible catchments is an incredibly difficult task. Government departments have, to date, been unable to agree on a carve up. The catchments used by the Department of Premier and Cabinet do not align with those used by the Department of Justice, for example. Local health districts differ from local police area commands, and from LGAs and court circuits. If it were easy to carve up the state, the Government would already have done it.
- We confirm our understanding that the purpose of this exercise is not to dictate future funding arrangements. It is to find a way of sensibly considering legal needs analyses and responding to the legal needs in particular areas in a locally appropriate way.
- Catchments that suit bureaucracies do not always make sense locally. CLCs have expertise in notions of community; we understand what constitutes a local community.
- For this reason centres will continue to be entitled to define their own communities, even if the boundaries of this community do not exactly align with a catchment.
- Should tenders for CLC services be conducted in the future, centres should not be required to bid to provide services for entire catchments or sub-catchments. They should be entitled to bid to deliver services to part of a catchment. They may bid to service multiple catchments. Centres will make bids on the basis of their understanding of their own communities, and their ability to service these same communities.

- We note that the metropolitan catchments are particularly large. We confirm our expectation that the proposed metropolitan catchments will not to be used as a means of forcing CLCs to merge or of reducing the number of CLCs that operate in the metropolitan area.
- More detailed maps would be useful. It is hard to comment on borders when the proposed boundaries cannot be gleaned from current maps.
- Legal Aid NSW has made a great start here, but further consultation on the proposed boundaries is required.

## **2. Feedback from individual community legal centres**

### **2.1 Macarthur CLC/Sydney South West catchment**

South West Sydney is vast and exploding. It is not one homogenous zone. The proposed new region might make sense for some purposes but not for others. Consider 'the Shire' and Airs, for example. These areas have little in common. Even Campbelltown and Liverpool are quite different. The 'one size fits all' approach does not work for the proposed region.

Sub-regions make sense in the proposed Sydney South West region. As matters stand, basing sub-catchments on 'Liverpool' and 'Campbelltown' probably makes sense.

### **2.2 South West Sydney Legal Centre (SWSLC)/Sydney South West catchment**

SWSLC agrees with Macarthur CLC that sub-catchments based around Liverpool and Campbelltown would improve the proposed approach.

### **2.3 Marrickville Legal Centre/Sydney South West catchment**

Marrickville Legal Centre's current catchment area services 1.5 million people in the Inner-West, South-Western and Southern suburbs of Sydney. The centre's current catchment area covers suburbs within nine amalgamated Sydney local government areas, including Canterbury Bankstown, Bayside, Georges River, Municipality of Strathfield, Burwood, Sutherland, City of Canada Bay, Inner West and Cumberland councils. Over its 40 years of operation Marrickville Legal Centre has established strong partnerships across these communities.

Marrickville Legal Centre notes that the proposed boundaries for Sydney Central and Sydney South West dissect the centre's current catchment areas. For example, the new South West Sydney boundaries extend from Cronulla to Wombeyan Caves in the west and from Marrickville to Moss Vale in the Southern Highlands, covering many disparate areas. Marrickville Legal Centre believes this zoning separates suburbs with common legal need and is concerned that there may be an expectation that a single service should be able to meet the needs of such a vast area. Marrickville Legal Centre considers this area is too vast to be serviced by a single community legal centre and that the creation by a single CLC of satellite offices to meet such extensive need would involve a range of inefficiencies. Sub-catchments would allow for better legal servicing of marginalised communities.

### **2.4 Other metropolitan community legal centres (Redfern, Inner-City, Kingsford)/Sydney Central catchment and metropolitan catchments generally**

Metropolitan community legal centres note that, even more than for other CLCs, the proposed catchments are disconnected from the notion of community. Zones of such size are at odds with the

way that CLCs have conceptualised and responded to local legal need. Data at catchment level may be insufficiently specific to enable the location-based planning that is required to effectively service Sydney communities.

Centres also suggested the listing in Table F of all CLCs with an office in this zone (including multiple statewide services) may give an inaccurate picture of CLC servicing in the Sydney Central zone.

While supportive of collaborative service planning objectives, centres suggest that further consultation on metropolitan zones is required before catchments can be locked in.

## **2.5 Hume Riverina CLC (HRCLC)/Riverina Murray catchment**

HRCLC notes that the proposed catchments do not match current HRCLC boundaries, however the centre accepts that the proposed catchments make reasonable sense locally and would not oppose them.

HRCLC makes the point that the proposed catchments don't really help cross-border services. HRCLC, for example, covers seven LGAs in Victoria and ten in NSW. The driver of legal need in a border town is often the population on the other side of the border. Most obviously, you can't estimate legal need in Albury without considering the people of Wodonga.

It is understood that Legal Aid NSW and Victorian Legal Aid are discussing border issues and considering approaches that provide for flexibility across borders, but the proposed catchments are at odds with this approach – they are very state-border specific.

## **2.6 North and North West Community Legal Service (NNWCLS)/New England and North West catchment**

NNWCLS supports the boundary of the **entire** catchment, however NNWCLS does not see the need for sub-catchments.

While the entire catchment broadly aligns with regional Court Circuits (except Coonabarabran), NNWCLS advises that the sub-catchments conflict with existing Court Circuits – for example, the Inverell, Narrabri and Wee Waa Court Circuits do not align with proposed sub-catchments.

NNWCLS is concerned that the creation of sub-catchments suggests that one of the sub-catchments (specifically North West) is currently not being serviced by the centre, however this region *is* currently being serviced by NNWCLS's Narrabri, Wee Waa and Moree Outreach Clinics. The few towns that are included in the proposed catchment but not currently being serviced by NNWCLS could easily be accommodated via an extension of NNWCLS's Outreach Program. The centre advises that the inclusion of Murrurundi and surrounding districts (including Scone) would be a great addition to their zone of activity and would be in line with the catchment of Legal Aid NSW Tamworth office and the Tamworth Court Circuit.

## **2.7 Elizabeth Evatt Community Legal Centre (EECLC)/Western Sydney catchment**

EECLC has several concerns about the current draft regional catchments.

EECLC advises that Mudgee's logical community is linked with Dubbo. This reflects the practical reality of service delivery as both Western NSW CLC and Dubbo Legal Aid cover Mudgee.

It is well established that "Orana" is separate, to and distinct from, the Central Tablelands. Orana refers to the region in central northern NSW with the major localities being Dubbo, Cobar and Mudgee. To avoid confusion, the central tablelands should not be referred to as Orana.

The Blue Mountains is not part of Western Sydney. The NLAf proposal defines Katoomba and the Blue Mountains as Western Sydney, when in fact the 'Blue Mountains' comprises 27 towns and villages of the Metropolitan Rural Area with a distinctive character which is, according to the Greater Sydney Regional Plan, to be maintained and enhanced. The Blue Mountains are distinct from Western Sydney.

EECLC currently operates in the Central Tablelands with an office/presence in Bathurst and Lithgow. Tab F on page 14 of the NLAf document should be amended to reflect this, and there may be other consequential changes required of the document.

The NLAf proposal does not acknowledge Katoomba as a 'Strategic Centre' which serves both the Blue Mountains and Central Tablelands. EECLC suggests that the line would be more appropriately drawn at the bottom of the Mountains before Emu Plains. Perhaps a sensible amendment would be to include a sub-catchment of the Blue Mountains. This would more appropriately recognise the connection between Lithgow and Katoomba.

## **2.8 Western NSW CLC/Central West and Orana catchment**

Western NSW CLC submits that, however the boundary is drawn, Dubbo is the service centre for Mudgee. It does not make sense for Mudgee and Dubbo to be in different catchments/sub-catchments.

## **2.9 Hunter CLC/Hunter catchment**

The lack of detail on the maps makes it hard to know for sure what is proposed in relation to the Hunter. Hunter CLC considers Belmont, Toronto, Gloucester and Forster to be in the Hunter catchment. Hunter considers Morrisett to be part of the Hunter catchment but thinks Gwandalan is probably sensibly located within Central Coast catchment.

Hunter agrees with MNCCLC that 'Lower North Coast' does not really make sense as a catchment. Taree is in the MNCCLC catchment but Hunter CLC does family law referrals from Taree on the basis that MNCCLC does not provide family law advice.

## **2.10 Northern Rivers Community Legal Centre (NRCLC)/North Coast catchment**

NRCLC suggests that the proposed catchments may be more appropriate for the local Legal Aid and ALS offices than for CLCs in the region.

NRCLC notes that the Legal Aid NSW Lismore Office services the area to just north of Grafton with the Coffs Harbour Office servicing north to Grafton. Some programs (such as WDO and CLASAC) that are run out of Lismore go further and include Grafton. The 'North Coast' catchment makes sense for Legal Aid as it enables the agency to link the work of its Lismore and Coffs Harbour offices.

NRCLC notes that the ALS is moving out of Grafton and focussing on Coffs Harbour, whereas Lismore ALS will continue to operate. NRCLC understand that senior solicitors from ALS Lismore supervise the work of ALS solicitors in Grafton/Coffs so the proposed catchment may also have benefits for the ALS.

CLC boundaries do not align with either Legal Aid NSW or ALS boundaries. With the proposed catchment, all projects for particular offices (for Legal Aid and ALS) will be in the one catchment, but the proposed catchments are in fact at odds with CLC catchments.

For CLCs, the appropriate border between Northern Rivers and Mid-North Coast CLC is the line starting on the coast at Woolgoolga and running west.

### **2.11 Mid-North Coast CLC (MNCCLC)/North Coast catchment**

Providing it is for jurisdictional planning purposes, MNCCLC does not see a problem with the overall “North Coast” catchment and what it encompasses.

However, MNCCLC submits that the three sub-catchments divisions are artificial and do not reflect community belonging. For example, it is illogical to have a catchment called ‘Mid-North Coast’ that does not include Port Macquarie and equally to include Grafton in the Mid North Coast sub-catchment.

There is no such catchment/zone as ‘Lower North Coast’. What is understood by local communities as the “Mid-North Coast” includes Kempsey, Port Macquarie, Taree, Forster and arguably Coffs Harbour. Communities south of Coffs Harbour such as Macksville and Nambucca consider themselves to be part of the Mid North Coast. The Mid North Coast CLSD regions are Taree/Forster and Kempsey/Nambucca, though this does not currently reflect CLC service provision as MNCLC covers Taree and HCLC provides phone advice to the Forster/Tuncurry and Gloucester regions. MNCCLC agrees with Northern Rivers that the appropriate northern CLC border between Mid North Coast and Northern Rivers would be the line starting on the coast at Woolgoolga and running west.

### **2.12 Shoalcoast CLC/Illawarra and Shoalhaven catchment; South West and Tablelands catchment**

#### South West and Tablelands

The NLAf paper suggests that each catchment should, amongst other things, include at least two service providers. This would be the minimum required to facilitate collaboration. The two service providers named for this catchment are a CLC in ACT and an ALS office in Moruya. The catchment of South West and Tablelands has no generalist NSW Community Legal Centre or Legal Aid office within it.

Shoalcoast CLC currently provides regular advice and assistance to the far South Coast (i.e. Eurobodalla and Bega Valley LGAs, Cooma, Braidwood and Bombala (when requested)). The legal areas of concern for clients are family law and NSW civil law. Canberra Community Law in ACT does not give advice on family law or on NSW civil law. The ALS in Moruya predominantly gives advice and assistance in criminal law and care and protection law. Canberra Community Law and ALS would not be able to service the legal needs of the South West and Tablelands.

The area of South West and Tablelands is vast, and its southern parts include extremely disadvantaged communities. Shoalcoast CLC believes that if this catchment area is left as it is, it will be poorly serviced. Many Nowra community services have a connection to the Far South Coast, providing much

needed outreaches down south. It would be a poor outcome if these services were taken away and the area left with next to nothing in terms of legal services.

#### Illawarra and Shoalhaven

By contrast, the Illawarra and Shoalhaven proposed catchment area has two Legal Aid offices, two Community Legal Centres and two ALS offices. While the Illawarra and the Shoalhaven has a larger population than the South West and Tablelands, the distance between Wollongong and Nowra is only one hour and between Wollongong and Ulladulla is two hours. If the edge of the catchment is Ulladulla, services may decide that they can do without a Nowra office and just outreach from their Wollongong head office. One of the reasons Nowra has a Legal Aid office, a CLC and an ALS office, is because they all outreach to the far South Coast. If the catchment changes that outreach will be unnecessary and so the Nowra offices may become redundant.

#### CLSD

The NLAf discussion paper also states that the new catchment areas should incorporate existing CLSD partnerships within the catchment areas and boundaries. The Tablelands is not included in the South Coast CLSD (as Tab A shows). If Tablelands is to be included in the South Coast CLSD, there must be more resources put in to the CLSD Coordinator position (i.e. an extra day per week) so that the Coordinator can gather the information necessary for the evidence-based collaborative planning.

Shoalcoast CLC thinks there is a workable catchment area including the LGAs of Shoalhaven, Eurobodalla, Bega Valley, Palerang, Queanbeyan, Cooma-Monaro, and Bombala (i.e. Shoalhaven, South West and Tablelands minus Goulburn). Shoalcoast CLC predominantly provides advice and assistance to the Shoalhaven, Eurobodalla and Bega Valley. Its Rural Women's Outreach Program also outreaches to Palerang, Queanbeyan, Cooma-Monaro and Bombala. In the recent tender for state funding, Shoalcoast CLC requested more generalist funding for Palerang, Queanbeyan Cooma-Monaro and Bombala.

Thank you again for the opportunity to provide feedback on the paper.

Our sector is heavily invested in this process delivering catchments that reflect and make sense to local communities. Several member centres have offered to join Working Group discussions that focus on catchments, and these perspectives will no doubt enhance the group's work.

We look forward to further opportunities to contribute to this important process.

Yours sincerely,



Tim Leach

**Executive Director**  
**Community Legal Centres NSW**