

HOMELESSNESS & THE LAW

Presented by: Fiona Pace (Legal Aid NSW) &
Olenka Motyka (Central Coast Community Legal Centre)

Disclaimer

- The information in this education session is intended as a guide to the law in [NSW & Australia](#) and should not be used as a substitute for legal advice. If you are in doubt about the law please seek legal advice from a legal practitioner.
- Legal Aid NSW and Central Coast Community Legal Centre accept no responsibility for any loss or injury arising out of the information, or use of the information, provided in this presentation.

Acknowledgement of Country

- We acknowledge the traditional owners of the land we work on, the Bundjalung people, and their elders past and present, and pay respect to any Aboriginal people who are in attendance today.



OVERVIEW

- 1. Importance of Identifying legal needs & barriers to accessing legal help**
2. How To Identify Legal Issues
3. Practical Tips for Working With Homeless Clients & Lawyers
4. What legal services are out there?
5. Questions

Identifying Legal Needs

People experiencing homelessness:

- Range of legal problems
- Linked with non-legal problems
- Unaddressed legal problems = longer time spent homeless
- 50% experience legal problems v. 16% in the general population
- More legal problems per year compared with the general population

Barriers to Accessing Legal Help

Immediate needs (food, accommodation, money, caring for family) take priority over legal problems.

BRAINSTORM: What do you think are some of the barriers people experiencing homelessness face in trying to access legal help?

Barriers to Accessing Legal Help

- Limited resources
- Lack of knowledge to legal services
- Mental Health issues
- Acquired Brain Injury
- Intellectual Disability
- Physical disabilities & illness
- Trauma
- Poverty
- Accommodation issues
- Transport issues
- Literacy issues
- Social isolation & trust issues
- Drug & Alcohol issues
- Despair & Hopelessness - overwhelmed by complex interrelated issues

Barriers to Accessing Legal Help

- **WATCH VIDEO:** Law for Everyday Life

COMMUNITY WORKERS ARE THE KEY TO:

- Helping clients identify legal problems
- Making effective referrals to legal services

Barriers to Accessing Legal Help

BRAINSTORM: If you had a problem, and your life was in crisis, who would you talk to?

▪ **WATCH VIDEO:** Legal Health Check Introduction Tutorial
<<http://legalhealthcheck.org.au/legalhealthcheck/lhc-tutorial.html>>

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4. What legal services are there?
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Practical Tips for Working with Homeless Clients & Lawyers

“A challenge for those providing legal assistance to this group is to bridge the considerable gap between the chaotic world in which homeless people inhabit, and the formality and structure of the legal system.”

Forell, S, McCarron, E & Schetzer, L 2005, No Home, No Justice? The legal needs of homeless people in NSW, Law and Justice Foundation of NSW, Sydney

Practical Tips for Working with Homeless Clients & Lawyers

- Develop knowledge of what kind of problems are legal problems
- Be aware of where and how to refer to clients who have legal issues
- Understand what a lawyer's role is and how confidentiality works
- Manage expectations about the legal process

Practical Tips for Working with Homeless Clients & Lawyers

- Use neural linguistic mirroring techniques
- Adapt communication styles
- Do as much as you can in that first appointment
- Use an Authority to Share to facilitate communication
- Allow more time
- Be aware of where and how to refer to clients who have issues beyond your expertise/role

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What Legal Services Are There?

COMMUNITY LEGAL CENTRES

WATCH VIDEO: National Association of Community Legal Centres

- Northern Rivers CLC **(02) 6621 1000**
- Community Legal Centres NSW **(02) 9212 7333** or **www.clcnsw.org.au**

What Legal Services Are There?

LEGAL AID NSW

Legal Aid NSW helps people with their legal problems

- Website: www.legalaid.nsw.gov.au

What Legal Services Are There?

ABORIGINAL LEGAL SERVICE (ALS)

- Aboriginal community organisation
- information and referral, and legal advice and court representation to Aboriginal and Torres Strait Islander men, women and children across NSW and ACT
- Criminal law, Children's Care and Protection law, and Family Law
- Website: www.alsnswact.org.au

What Legal Services Are There?

MAKING EFFECTIVE & WARM REFERRALS

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Questions

- Any questions?