

## NSW Legal Information and Referral Forum Report to NLA

LIRF met online on 12 October 2021

The panel session, hosted by Kate Halliday, Legal Aid NSW, was on the provision of disaster response services. The panel members were:

- Melanie Kallmier, Mid North Coast Community Legal Centre
- Sally Bryant and Ma'ata Solofoni, Legal Aid NSW, and
- Justine O'Reilly, Shoalcoast Community Legal Centre.

Each panel member provided an overview of the disaster recovery services provided. The presentations are available on the NLA website.

This report will focus on the Q&A session which followed the presentations.

Many communities across NSW have been significantly impacted over the past two years by a series of natural disasters. The devastating bushfires of 2019/20 were followed by severe flooding in early 2021. Legal Aid NSW is the NSW Government lead agency providing statewide legal services to people impacted by disasters such as bushfires and floods.

Impact of the NSW bushfires (as at February 2020):

- 2439 homes destroyed
- 1024 homes damaged
- 5.4 million hectares burnt
- 33 fatalities

Impact of the NSW floods (as at 12 April 2021):

- 1200 homes rendered uninhabitable
- 87 homes destroyed
- 18,000 people evacuated
- 5 fatalities

Points to note from the presentations:

- Collaboration, cooperation and coordination are critical as no single agency has the staff required to respond appropriately to the number of locations and issues. One service can be the face of legal services at any event and good referral pathways are essential.
- Many service providers at the Disaster Recovery Centres did not know where to refer people or how legal services can provide assistance. "On the spot" CLE is very important.

- For Shoalcoast CLC, the council run Disaster Recovery Centres decided which services could set-up a table. Partnering with Legal Aid NSW gave the CLC access to the Disaster Recovery Centres and enabled the services to share the workload and cover more ground.
- To prepare, services should do training ahead of time and set up mentoring networks. Shoalcoast CLC received training on trauma informed practice and insurance law from Legal Aid NSW before attending the Disaster Recovery Centres.
- It was very important to travel to remote locations as people were unable to travel into towns. Mid North Coast CLC did mobile outreach to small towns during the week and attended community meetings on weekends and in the evenings.
- Staff well-being is critical, many are working long hours and may have been impacted by the disaster.

### Questions to the panel

1. *What are the skills that legal services and staff need in order to respond to a disaster?*
  - Trauma informed training (how to look after clients and yourself) and training in insurance law. Training is a crucial part of being ready as is having experts you can refer to because insurance law is a very broad area. Setting up mentoring networks in areas of law that your service is less familiar with in advance is also key.
  - Staff need to be agile, willing to pick up enquiries as they go along and learn on the job. Staff also need to be comfortable working in a mobile environment. For example, staff need to know how to have a confidential conversation with someone in an environment that is not tailored to that purpose. Staff also need to be prepared to work in an analogue environment because access to the internet and electricity is not guaranteed. Having paper resources and a list of people to call is essential.
  - The organisation needs to have logistics in place so travel can be organised immediately.
  - Join disaster response networks in your local area, these are often run by local councils. This will ensure you have established important connections in the event of a disaster.
2. *What was the role of Pro Bono Services in supporting disaster recovery?*
  - Establishing relationships with private firms who can take extra work is very important - the Bar Association, the pro bono division of the Law Society and Justice Connect are all very helpful.
  - Mid North Coast CLC had some firms who offered support following the fires and floods.
  - The difficulty with accessing pro bono support is that often there is a lot of interest immediately following a disaster but in reality the issues arise over the longer-term. It is very helpful having a firm that will say 'we will be here when you need us for a,b,c'. You need pro bono partners who are willing to partner for the long term.
3. *How did you make sure that you were servicing those most in need at the right time?*
  - Disaster response legal services need to take a multi-channel approach because everyone in need will not attend a Disaster Recovery Centre.

- The 1800 number from LawAccess was very helpful in triaging people and filling gaps.
  - Using social media works well because people spend a lot of time on social media and people use social media to find information following a fire or flood disaster. Mid North Coast CLC made sure the LawAccess number was included in posts as people often share things broadly via social media and some people may see the post who are not in the CLC area. The LawAccess number provides statewide assistance.
  - Getting out into the community and talking to people is key.
  - Staff turnover is common in community service NGOs therefore ongoing CLE about legal issues and services is important to ensure referrals are not missed.
  - Don't be selfish with your relationships, no single service can be everywhere, so one of the best things to do is to share the relationships that you have built with other agencies so others can benefit from them too.
4. *Is any work underway with other stakeholders in these areas, for example Resilience NSW?*
- Legal Aid NSW has created a video with Service NSW for their staff called *Disasters, what has law got to do with it?* It is available to staff on the training portal.
  - Shoalcoast and some other Community Legal Centres are looking into the possibility of doing an MOU with Legal Aid NSW to formalise what was put in place during the 2021/2020 bushfires in preparation for future events.
  - LawAccess now does e-referrals for the Disaster Response Legal Service.
5. *Is there anything that has come up while doing CLE or outreach in this area that has surprised you?*
- Temporary accommodation (TA) is a big issue following disasters. The TA benefit is normally provided for 12 months, which in reality is a very short period of time and does not provide adequate time to re-build. Legal Aid NSW has achieved some positive outcomes simply by asking insurance companies to consider extending the TA period for certain clients. A good message is, don't be afraid to ask an insurer, the worst that will happen is that they say no. Legal Aid NSW is looking at this as a systemic law reform issue as there is no point including a benefit in a policy if it does not actually provide a benefit to a client.
  - Shoalcoast CLC is considering writing submissions to government about some grants that were given in the aftermath of the fires. The CLC worked with some very needy clients who were denied grants and there was no merits review.
  - Mid North Coast CLC noted the significant vulnerability of people living in residential parks. There are competing interests in residential parks (park owner, caravan owner, tenant). Difficulties can arise when neighbouring houses are insured very differently so the outcome for one property owner is very different from their neighbour.
  - Mid North Coast CLC noted the community capital of libraries, which was highlighted in the aftermath of the fires and floods. Libraries are safe community spaces. Mid North Coast CLC partnered with local Mid Coast libraries to deliver legal advice sessions.

Presentations are available from the [NLAF website](#).

LIRF is co-convened by LIAC and Legal Aid NSW.

- Philippa Scarf, [philippa.scarf@sl.nsw.gov.au](mailto:philippa.scarf@sl.nsw.gov.au)
- Kate Halliday, [Kate.Halliday@legalaid.nsw.gov.au](mailto:Kate.Halliday@legalaid.nsw.gov.au)
- Winnecke Baker, [Winnecke.Baker@legalaid.nsw.gov.au](mailto:Winnecke.Baker@legalaid.nsw.gov.au)

Please contact Philippa to be added to the LIRF contact list.

The next LIRF meeting will be held online at a date to be confirmed.