

Just One Day Without

...Community Sector Legal & Justice Support

The community services sector provides vital services that help vulnerable and disadvantaged South Australians every day. SACOSS' **Just One Day Without** project aims to encourage people to imagine the impact of just one day without these vital services.

MICHAEL KOMPO Flinders University Student Intern

The legal and justice organisations researched for the *Just One Day Without* project provide many services to the South Australian community, and can be grouped into two categories.

The first are the Community Legal Centres (CLCs), which offer legal advice and, in many cases, representation in the legal system for individuals or groups in the community. The second are organisations that provide support services to people who are in some way affected by the legal system, for example victims of crime or offenders and prisoners. The organisations are funded by either the Commonwealth or state governments or a combination of both—with the exception of one organisation interviewed, which is totally staffed with volunteers and funded by donations. Nearly 115,000 people made contact with these organisations in the 2009-10 financial year, and of these there were over 50,000 new services provided to people who contacted. The sheer number of contacts suggests that these services are a necessary and fundamental part of Australia's legal system.

The CLCs who participated in the *Just One Day Without* project offer many services including general telephone advice, referrals to other agencies, and face to face appointments concerning most legal issues. Mediation sessions can be provided in neighbourhood disputes, legal advice and representation can be provided for police interviews or bail requirements, and in the court system through the trial process.

These organisations practice all types of law including family law, which can involve child support and domestic violence problems. Civil, criminal and, more recently, immigration law are heavily practiced in most agencies. Discrimination, employment and environmental law issues are increasingly becoming an important part of their service, as are debt, consumer credit and bankruptcy issues. Disputes involving tenancy and housing issues, traffic offences and motor vehicle accidents are also a high priority. A charter in all of the CLCs is to educate the general public in legal matters and this is achieved by the organisations visiting shopping centres, schools or any interest group, and holding information sessions.

The vast majority of their clientele are from lower socioeconomic backgrounds but many are described as part of the 'new poor': people who have employment or a mortgage, but who cannot afford legal advice or representation from a private legal firm. These organisations

often provide services to individuals or groups with cases or causes that evoke special community interest, or which the organisations themselves hold in a high regard.

The support agencies who contributed to the project provide services including telephone advice, support through the legal system, emergency accommodation, and financial assistance. They support people with counselling for trauma, gambling, financial, drug and alcohol issues. Some offer visiting services for people in prison, especially for people of Aboriginal descent. Employment and training services are provided for people who are released into the community from any of South Australia's eight prisons. A number of support agencies offer child protection services and early intervention programmes in an attempt to break the cycle of crime and reduce the numbers of younger people incarcerated in the prison system.

Most organisations expressed common themes when asked what would happen to their clients, the families, carers and society if the legal and justice services were not there: they said justice would not be served; people would try to represent themselves in proceedings and chaos would be brought upon the entire legal system; police resources and the court system would certainly be stretched to the limit; they talked of ill health, and a deterioration in people's mental health through the stresses and anxieties of not being able to get legal advice, support and a conclusion to their problems, and this of course would have far reaching consequences to the whole health system.

And lastly, most organisations spoke of death, whether through suicide or the taking of other people's lives, as a distinct possibility of *just one day without* these legal and justice services. One person I interviewed encapsulated these themes precisely with one statement "It's amazing how small a problem actually is, in a legal sense, but the impact, the stress on the client can be quite devastating...and it filters off to everything...themselves...their health...their families...their relationships...their work...and all of this has to cost the greater community in one way or another".

A sincere thank you to JusticeNet, Victim Support Service, Michael Dawson, Aboriginal Legal Rights Movement, Offenders Aid and Rehabilitation Services of SA, Aboriginal Prisoners and Offenders Support Service, Legal Services Commission of SA, Central Community Legal Service, and the Roma Mitchell Community Legal Centre and their representatives who gave their very valuable time to be involved in the "Just One Day Without" project.

Just One Day Without ...Financial Counselling

07

This is about telling our sector's story, what we do and the difference we make. And it is about recognising and valuing the contribution of the people who work in our sector.

HAYLEY SEARSON UniSA Student Intern

As part of the *Just One Day Without* project, research was undertaken into the financial counselling services offered by non-government organisations to members of the community who find themselves in financial crisis. Nine non-government organisations providing financial counselling were asked a series of qualitative and quantitative questions.

Any one of us at some time in our lives can find ourselves in financial trouble. The people who are seeking help from a financial counsellor often have complex needs and are in crisis. They are burdened by financial stress and often cannot see a way out of their situation. If financial counselling were no longer available in South Australia, just one day without these services would have dire results. In just one day, if the nine organisations that participated were to shut their doors, 80 people would miss out on financial counselling. SACOSS estimates this would result in \$800,000 worth of debt that would not be looked at by a financial counsellor. This debt would remain over the client's head, deepening anxiety levels and often leading to actions that would make the debt situation worse.

Without a place to seek help, clients would have limited options. They may seek pay day loans, borrow from family or friends, or accept unrealistic payment arrangements, all of which would worsen their situation in the long term. No one would be there to advocate on their behalf and they would not be able to access their rights, such as hardship policies, consumer laws and insurance. There would be an increase in unnecessary and even illegal repossessions, disconnected utilities, foreclosure on homes and evictions. Without help, people's situations would only get worse. Struggling to make repayments, they would be left with little or no money, which could lead to children going hungry. With foreclosures on homes and evictions, there would be an increase in homelessness. One organisation stated that many refugee families would face eviction or bankruptcy. For families in financial crisis there would be a huge strain on relationships, and an increase in family breakdowns. For some, children would be removed. The increase in stress could also lead to an increase in family violence.

It has long been established that economic status is a main factor in determining health and wellbeing, and that personal financial problems can negatively affect health. All of the organisations stated that without access to financial counselling, their clients would have worsened health and wellbeing. Mental health issues such as depression and anxiety would increase, with no relief for financial stress.

Some would take the ultimate step in ending their life.

Creditors have found that by financial counsellors working with clients, more debt is repaid and people make positive changes to their financial behaviour. If financial counselling were no longer available, one impact for the creditors would be a large amount of debt not being repaid. Creditors would have to invest more money in debt collecting for amounts that would never be recovered. A second impact would be more people filing for bankruptcy, thinking it their only option. Both of these effects would result in an increase in court actions, which would then strain community legal services and the courts. This unnecessary clogging of the court system would be a further call on tax revenue, a strain on government budgets, and quite simply an unproductive use of society's resources.

Other community services would experience an influx of people needing to access services. With the increase in evictions and foreclosures on homes, more people would be lining up for emergency relief and homelessness services. The increase in domestic violence would add to the demand for domestic violence services. The increase in financial stress, anxiety, and relationship breakdown would further increase the demand for mental health services. There would be a ripple effect of grief, stress and anxiety felt throughout the community. A larger divide would form between those who can afford the cost of living and those who cannot. This increase in inequality would form an inherent loss of social capital and community cohesion and wellbeing.

Financial counselling is a vital, preventative service that provides help for a foundational aspect of wellbeing. To imagine just one day without these services is to fully appreciate the contribution made by the sector in South Australia.

