

# Legal needs overview of the Far South East region of New South Wales

Law and Justice Foundation of NSW  
August 2013



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Cover photo: Adapted from an original photo by Don Shearman (<http://www.flickr.com/photos/donshearman>)

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Stephanie Ramsey and Deborah Macourt

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# Executive Summary

## Aim

The Law and Justice Foundation of New South Wales prepared this report as an in-kind grant to the Women's Resource Centre (WRC) in Bega, which is operated by the Southern Women's Group (SWG) Inc. The project arose from the participation of WRC and SWG as members of the Far South Coast Cooperative Legal Service Delivery (CLSD) program, which brings together community and legal service providers from the region. The Far South Coast CLSD Strategic Plan 2011–2013, identified 'access to free legal services on the Far South Coast' as one of the program goals and in this context, service providers agreed sustainable services for disadvantaged people in the region should be evidence-based.

The absence of a community legal centre or Legal Aid NSW office in South Eastern New South Wales (NSW) has been previously documented in the Foundation's report, *Recruitment and retention of lawyers in regional, rural and remote New South Wales*. The WRC/SWG grant application noted that there was agreement between Far South Coast CLSD members that the comparative lack of full time services had become increasingly apparent as more organisations were either required, or stretched beyond reasonable capacity, to deliver outreach services to neighbouring regions including Bega, Cooma-Monaro, Snowy River and Bombala Shires.

Consequently, the aim of this report is to explore the legal needs of socio-economically disadvantaged people in the Far South East region of NSW and the analysis includes:

- a socio-economic profile of the Far South East
- an analysis of service delivery data
- an analysis of data on unmet need
- a list of available services in the region.

## Method

### Data sources

#### *Australian Bureau of Statistics (ABS), 2011 Census of Population and Housing*

The Census of Population and Housing is a descriptive count of everyone who is in Australia on one night, and of their dwellings. The Census of Population and Housing is the largest statistical collection undertaken by the ABS and one of the most important. Its objective is to accurately measure the number and key characteristics of people who are in Australia on Census Night, and of the dwellings in which they live. This information provides a reliable basis for estimating the population of each of the states, territories and local government areas (LGAs), primarily for electoral purposes and for planning the distribution of government funds. Census data are also used by individuals and organisations in the public and private sectors to make informed decisions on policy and planning issues that impact on the lives of all Australians.

The most recent Census of Population and Housing (2011 Census) was conducted on 9 August 2011 (see <http://www.abs.gov.au/websitedbs/censushome.nsf/home/what?opendocument&navpos=110> for more information).

### *Law and Justice Foundation of NSW Legal Assistance Services Data Digest*

Service provision data presented in this report is extracted from the Foundation's Legal Assistance Services Data Digest (LASDD). The LASDD brings together standardised data from NSW public legal assistance agencies, including LawAccess NSW, Legal Aid NSW and NSW community legal centres. The aim of the LASDD is to provide a snapshot of the expressed legal need experienced by the general community, particularly focusing on the expressed needs of socially and economically disadvantaged groups in NSW. The data can be used to assist in building a picture of who is accessing the legal system, what their needs are and the pathways they follow to resolve their legal issues.

Data presented in the LASDD looks particularly at patterns of use rather than volume. It presents a picture of service provision, rather than underlying demand. In other words, the data is gathered from people who actually contact a service to seek assistance with their problems. It does not measure unexpressed need, the people who have a legal problem but do not contact a service for assistance.

### *Legal Australia-Wide (LAW) Survey*

The LAW Survey was conducted by the Law and Justice Foundation of NSW. The survey provides a comprehensive assessment of a broad range of legal needs on a representative sample of the population. It covered 129 different types of civil, criminal and family law problems. It examined the nature of legal problems, the pathways to their resolution and the demographic groups that struggle with the weight of their legal problems.

With 20,716 respondents across Australia, including over 2,000 in each state/territory, the LAW Survey allows for in-depth analysis at both the state/territory and national level. The major findings were published in a series of nine reports, with a report on Australia as a whole and each state/territory. Some key findings were:

- legal problems are widespread and often have adverse impacts on many life circumstances
- disadvantaged people are particularly vulnerable to legal problems
- many people do nothing to resolve their legal problems and achieve poor outcomes
- most people resolve their legal problems without using lawyers or the formal justice system.

## Major findings

### **Socioeconomic profile**

- The population of the Far South East is expected to increase by around 25 per cent by 2036. The largest population increases are expected for persons aged 65 years and over.
- Approximately 20 per cent of the Far South East population is aged over 65 years. In Bermagui and Merimbula alone almost a third of the population is aged 65 years or older.
- A slightly higher percentage of Aboriginal and Torres Strait Islander (ATSI) people are represented in the Far South East population, compared to the NSW average. In particular, Eden and Bega are home to proportionally large ATSI communities.
- A slightly higher than average proportion of the Far South East population requires assistance with core activities due to a profound or severe disability.
- In the Far South East, the median weekly household income is considerably lower than the average NSW household.
- The Far South East population includes 18.2 per cent of people born overseas and nine per cent who speak a language other than English at home.
- In the Far South East, there are lower levels of high school completion than the NSW average.
- Approximately 16 per cent of families in the Far South East are single parent families.
- Almost one in four households in the Far South East does not have an internet connection.



### **Service provision**

- In 2011, the rate of calls from residents in the Far South East to LawAccess NSW was approximately 20.6 calls per 1,000 residents. This was below the NSW average of 24.3 calls per 1,000 residents.
- Approximately 12 per cent of the advice and casework matters handled by the Shoalcoast Community Legal Centre were from residents in the Far South East.
- The most frequently enquired about legal matters reported by residents on the Far South East were parenting arrangements, debt and credit, driving and traffic offences and housing.
- None of the three main public legal assistance services in NSW (Legal Aid NSW, community legal centres or the Aboriginal Legal Service NSW/ACT) have offices in the Far South East of NSW.
- The closest Legal Aid NSW office is located in Nowra. Legal Aid NSW provides legal outreach services in Bega, Eden and Moruya. Legal Aid Nowra also has a part-time family law solicitor based in Bega.
- The Shoalcoast Community Legal Centre is funded to provide legal services in the Far South East. Generalist legal services are provided to the Far South Coast, including Bega Valley residents, through weekly telephone legal advice. Face to face appointments are provided every two months at Wallaga Lake, Eden and Narooma. The South East Women's Legal Service, run by the Shoalcoast Community Legal Centre, also offers weekly telephone legal advice. Monthly face to face appointments are available at venues in Braidwood, Cooma (including a monthly credit & debt drop in clinic at the Cooma Library for men and women), Eden, Bega and Merimbula.
- The Aboriginal Legal Service has an office in Moruya.
- For a Far South East resident, the closest public legal service will often be located in the Australian Capital Territory (ACT), however eligibility for some services may be a barrier to receiving assistance.
- The majority of private solicitors working in the Far South East are located in Bega Valley (21 registered solicitors). Cooma-Monaro has 11 registered solicitors; Snowy River has 3 solicitors and Bombala has only 1 listed solicitor.

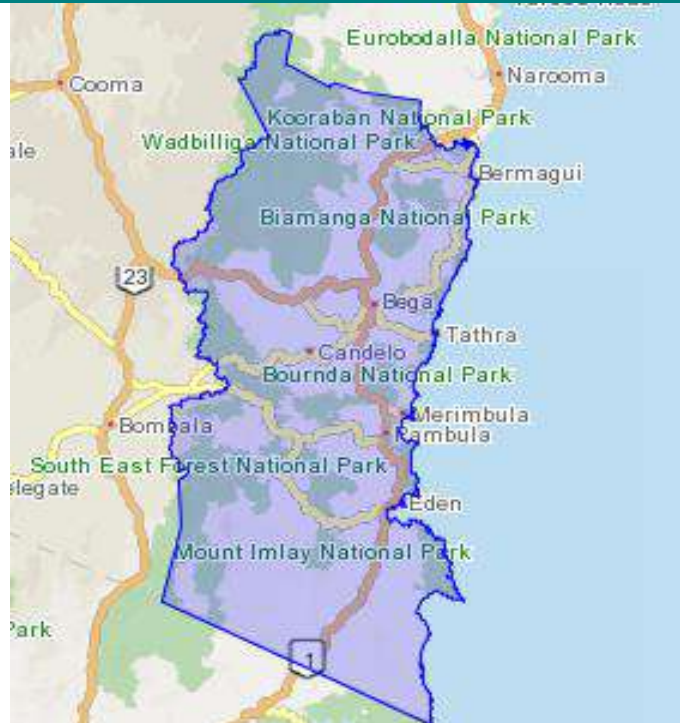
## Geography

The Far South East boundaries and LGAs are defined as follows.

### Bega Valley

- Population – 31,950
- Urban Centres: Bega, Bermagui, Merimbula, Pambula, Eden

Bega Valley Shire is the largest local government area (LGA) within the Far South East region of NSW.



### Cooma-Monaro

- Population – 9,772
- Urban Centres: Cooma, Nimmitabel, Numeralla, Bredbo



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**Snowy River**

- Population – 7,508
- Urban Centres: Berridale, Jindabyne, Adaminaby, Lake Eucumbene

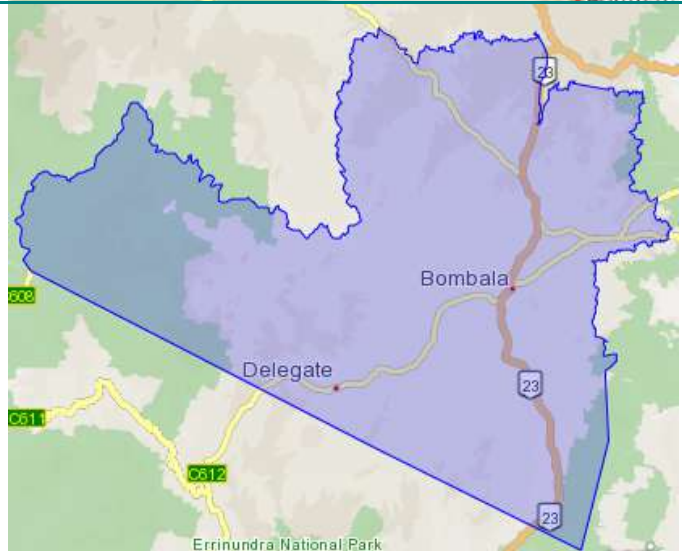


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**Bombala**

- Population – 2,409
- Urban Centres: Bombala, Delegate, Cathcart, Bibbenluke

Bombala Shire is the fifth smallest rural shire in NSW, by area.



Source: Australian Bureau of Statistics (2012a).

# Population

According to figures derived from the *NSW State and Regional Planning Projections 2006–2036*, it is predicted that the population of the Far South East will increase by 24 per cent by 2036. This growth will be unevenly distributed across the different LGAs in the region. Both Bega Valley and Snowy River are predicted to experience high growth, up 30 and 38 per cent respectively. Cooma-Monaro is projected to experience stable population growth of around two per cent, while the population of Bombala is projected to decline by approximately 20 per cent between 2011 and 2036.

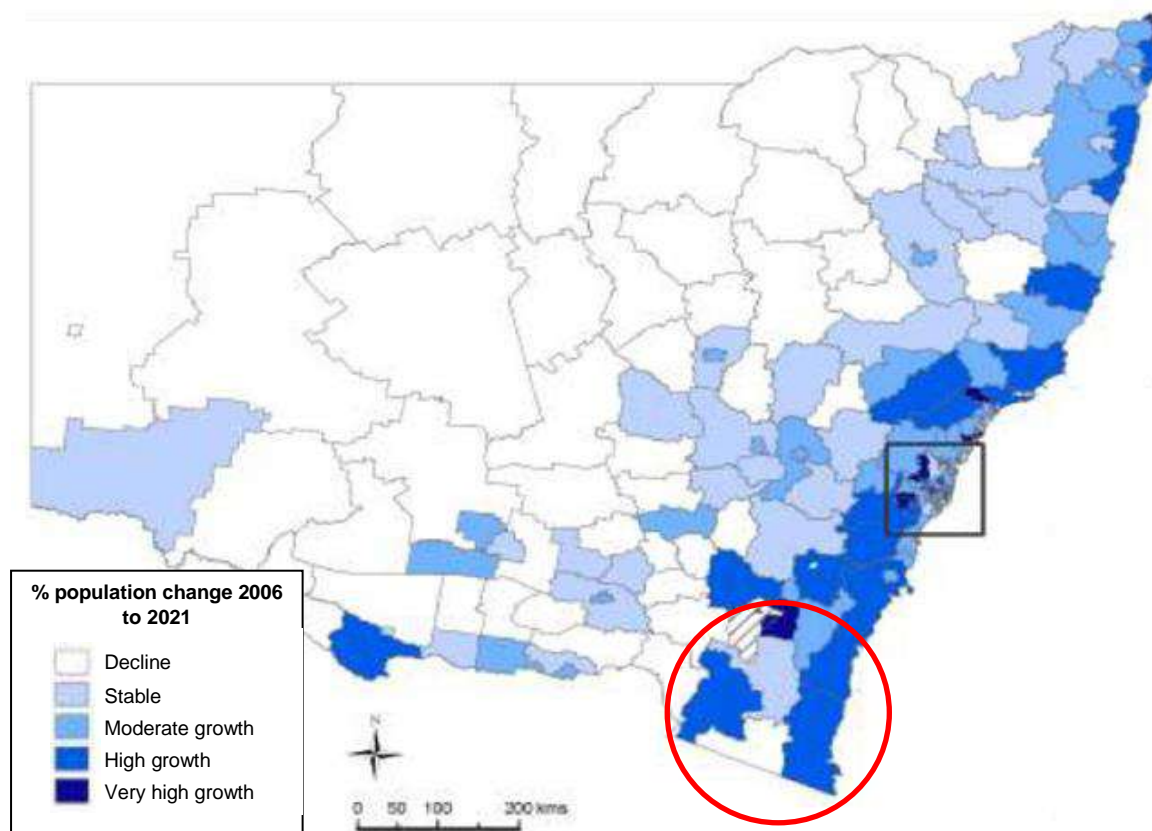
The percentage of the population aged 65 years and over is expected to increase from 18.8 per cent in 2011 to 31.7 per cent in 2036. The largest increases will be in the Bega Valley and Snowy River LGAs.

**Table 1: Population predictions by LGA**

| LGA          | Area (Sq. Km) | 2011 Census population | Projected population 2036 | Estimated population growth |
|--------------|---------------|------------------------|---------------------------|-----------------------------|
| Bega Valley  | 6,279.0       | 31,950                 | 45,300                    | High Growth                 |
| Cooma-Monaro | 5,184.5       | 9,772                  | 10,500                    | Stable                      |
| Snowy River  | 6,030.4       | 7,508                  | 11,300                    | High Growth                 |
| Bombala      | 3,946.6       | 2,409                  | 2,000                     | Decline                     |

Source: NSW Department of Planning and Australian Bureau of Statistics (2012a).

**Figure 1: Projected percentage population change by statistical local area, 2006–2021**



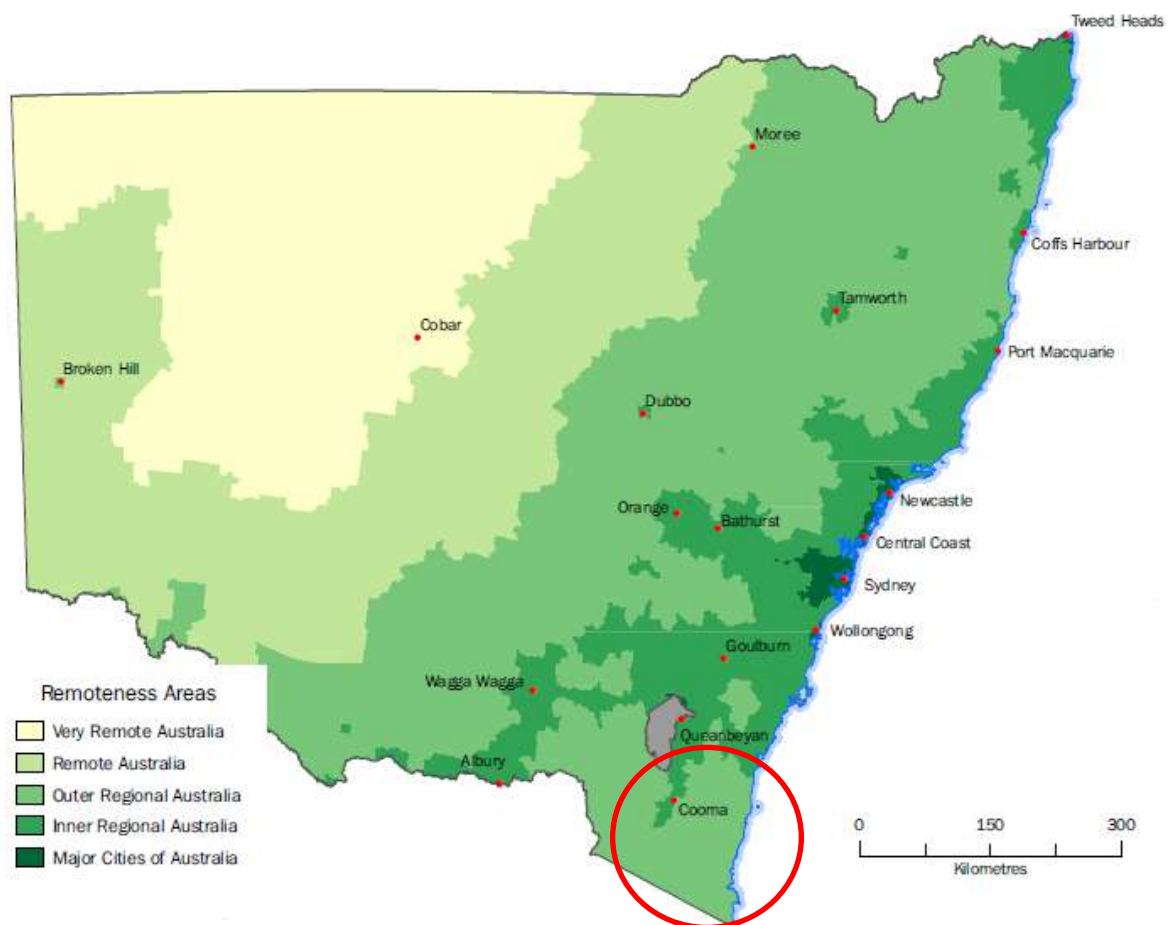
Source: Department of Planning (2009).

## Remoteness

The majority of the Far South East is classified by the ABS Australian Statistical Geography Standard (ASGS) as Outer Regional, meaning that there is significantly restricted accessibility of goods, services and opportunities for social interaction.

The area around the township of Cooma is categorised by the ABS as Inner Regional, indicating that there is some restriction to the accessibility of some goods, services and opportunities for social interaction.

**Figure 2: NSW remoteness area boundaries (ASGS 2011)**



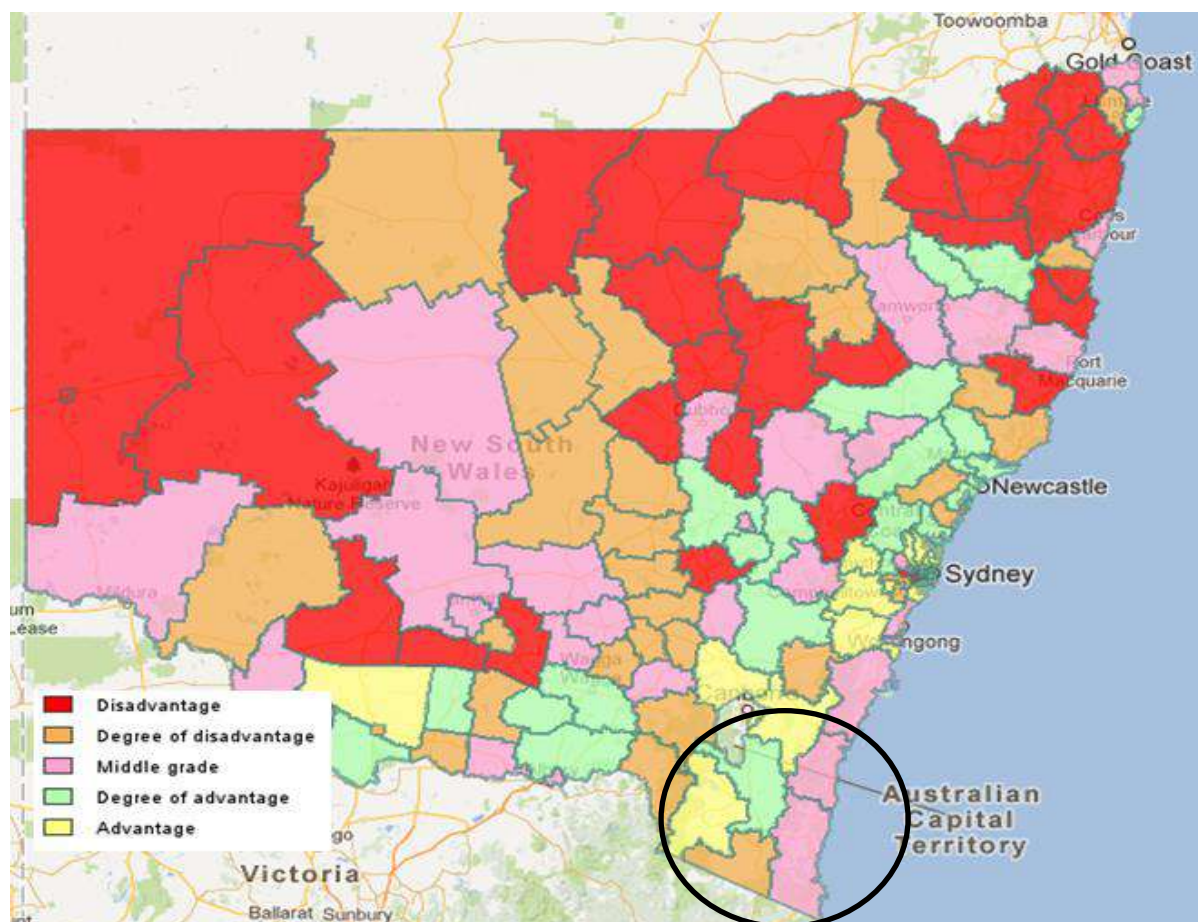
Source: Australian Bureau of Statistics (ABS 2011a).



## Socio-economic Index for Areas (SEIFA)

The ABS Index of Relative Socio-economic Advantage and Disadvantage summarises information collected from the census that indicates either relative advantage or disadvantage.<sup>1</sup> This index ranks areas on a continuum from most disadvantaged to most advantaged. It is derived from census information on attributes such as low income, high proportion of single parents, no internet connection, low educational attainment, high unemployment and jobs in relatively unskilled occupations.<sup>2</sup>

**Figure 3: Relative advantage and disadvantage by LGA (SEIFA, Census 2011)**



Source: Australian Bureau of Statistics (ABS 2011b).

The above map shows the level of advantage and disadvantage across NSW. Local government areas in the Far South East show a varying level of advantage/disadvantage. Bombala LGA ranks within the top 50 most disadvantaged areas of the state, showing a degree of socio-economic disadvantage. Both Bega Valley and Cooma-Monaro rank as neither particularly disadvantaged or advantaged, while the Snowy River LGA is considered relatively advantaged.

<sup>1</sup> SEIFA measures relative advantage and disadvantage at an area level, not at an individual level. Area level and individual level disadvantage are separate though related concepts. Area level disadvantage depends on the socioeconomic conditions of a community or neighbourhood as a whole. These are primarily the collective characteristics of the area's residents, but may also be characteristics of the area itself, such as a lack of public resources, transport infrastructure or high levels of pollution. However, it is important to remember that SEIFA is restricted to the information that is included in the census.

<sup>2</sup> For a full list of relevant variables see ABS 2011b, *Socio-Economic Index for Areas (SEIFA): Technical Paper*, cat no. 2033.0.55.001, p. 34.

## Demographic profile

The demographic data presented in this report is taken from the 2011 Census.

**Table 2: Key demographic indicators for the Far South East**

|  |   | <i>Bega Valley</i>   | <i>Cooma-Monaro</i>   | <i>Snowy River</i>   | <i>Bombala</i>  | <i>NSW Average</i>   |
|--|---|--|---|--|---|--|
| <b>Indigenous status</b>                       | Aboriginal or Torres Strait Islander                      | 2.8%   | 2.7%  | 1.0%   | 2.0%  | 2.5%   |
| <b>Age</b>                                     | Children 0–14 years                                       | 17.5%  | 19.2%   | 19.7%  | 18.5%   | 19.3%  |
|  | 65 years and over   | 21.4%  | 18.1%   | 12.0%  | 20.1%   | 14.7%  |
|  | Median age  | 48   | 43  | 38   | 43  | 38   |
| <b>Culturally &amp; linguistically diverse</b> | Born overseas   | 16.9%  | 18.8%   | 25.2%  | 11.9%   | 31.4%  |
|  | Most common countries of birth (outside Australia)        | England (4.6%),<br>NZ (1.2%),<br>Germany (0.8%),<br>Netherlands (0.7%),<br>Scotland (0.6%) | England (3.2%),<br>Germany (1.5%),<br>NZ (1.4%),<br>Italy (0.7%),<br>Netherlands (0.7%) | England (3.6%),<br>NZ (1.2%),<br>Germany (0.9%),<br>Scotland (0.5%),<br>Austria (0.5%) | England (3.0%),<br>NZ (0.7%),<br>Germany (0.7%),<br>Ireland (0.3%),<br>USA (0.3%) | <b>England (3.3%),<br/>China (2.3%),<br/>NZ (1.7%)<br/>India (1.4%)<br/>Vietnam (1.0%)</b> |
|  | Speak non-English language at home                        | 6.9%   | 11.2%   | 17.3%  | 4.8%  | 27.5%  |
|  | Most common languages spoken at home (other than English) | German (0.6%),<br>Dutch (0.3%),<br>Italian (0.2%)  | German (1.2%),<br>Italian (0.6%),<br>Arabic (0.4%)                                      | German (1.1%),<br>French (0.4%),<br>Italian (0.4%)                                     | German (0.3%),<br>Russian (0.2%),<br>Swedish (0.1%)                               | <b>Arabic (2.7%),<br/>Mandarin (2.0%),<br/>Cantonese (2.0%)</b>                            |
| <b>Disability</b>                              | Need assistance with core activities                      | 5.7%   | 5.6%  | 2.6%   | 6.2%  | 4.9%   |
|  | Provide unpaid assistance to people with disability       | 12.9%  | 13.0%   | 9.4%   | 14.5%   | 11.4%  |
| <b>Family</b>                                  | Single parents  | 14.9%  | 15.5%   | 11.2%  | 14.2%   | 16.3%  |
| <b>Housing</b>                                 | Public housing  | 2.7%   | 2.5%  | 0.5%   | 1.3%  | 4.4%   |
|  | Median weekly rent  | \$200  | \$180   | \$230  | \$130   | \$300  |

|                              |   | <i>Bega Valley</i>  | <i>Cooma-Monaro</i>  | <i>Snowy River</i>   | <i>Bombala</i>   | <i>NSW Average</i>  |
|------------------------------|---|---|--|--|--|---|
| <b>Income and employment</b> | Family income   | \$1014  | \$1254   | \$1405   | \$1010   | \$1477  |
|                              | Personal income   | \$454   | \$534  | \$634  | \$462  | \$651   |
|                              | % of households that had a weekly income household income less than \$600 | 33.6%   | 30.9%  | 23.1%  | 34.7%  | 24.2%   |
|                              | Unemployment  | 5.9%  | 4.7%   | 2.0%   | 3.7%   | 5.9%  |
|                              | On Centrelink benefits  | 30.6%   | 22.4%  | 15.4%  | 26.8%  | 23.6%   |
|                              | Industries of employment  | School education (5.3%),<br>Dairy product manufacturing (4.9%),<br>Cafes & restaurants (4.6%) | Sheep, beef cattle and grain farming (6.1%),<br>School education (4.7%),<br>Cafes & restaurants (4.5%) | Accommodation (15.2%),<br>Sports and physical recreation activities (6.8%),<br>Sheep, beef cattle and grain farming (6.7%) | Sheep, beef cattle and grain farming (20.9%),<br>Forestry & logging (6.1%),<br>Log sawmilling and timber dressing (5.9%) | School education (4.4%),<br>Cafes/restaurants (4.1%),<br>Hospitals (3.2%) |
| <b>Education</b>             | Highest level of school completed – below Year 10                         | 15.7%   | 14.6%  | 8.5%   | 23.3%  | 13.2%   |
| <b>Internet Connection</b>   | Households with no internet connection                                    | 24.3%   | 25.6%  | 16.9%  | 35.3%  | 23.6%   |
| <b>Family violence</b>       | Rate of domestic violence related assault                                 | 341 per 100,000 population  | 342 per 100,000 population   | 194 per 100,000 population   | n/a  | 375 per 100,000 population  |
| <b>Total population</b>      |   | <b>31,950</b>   | <b>9,772</b>   | <b>7,508</b>   | <b>2,409</b>   |   |

Sources: Australian Bureau of Statistics (ABS 2012a, ABS 2012b), NSW Bureau of Crime Statistics and Research (NSW BOCSAR 2012).

Note:

**Blue shading** indicates that the indicator of disadvantage is higher than or equal to the NSW average.

**Orange shading** indicates that the indicator of disadvantage is lower than the NSW average.



## Age

### Older people

At 19.4 per cent, the Far South East has one of the highest proportions of people aged 65 years and over in NSW. According to State Government population projections, the proportion of people aged 65 years and over is expected to increase to 31.7 per cent by 2036 as the national population ages over the coming decades. In particular, the ageing population in Bega Valley, Cooma-Monaro and Snowy River is expected to more than double by 2036.

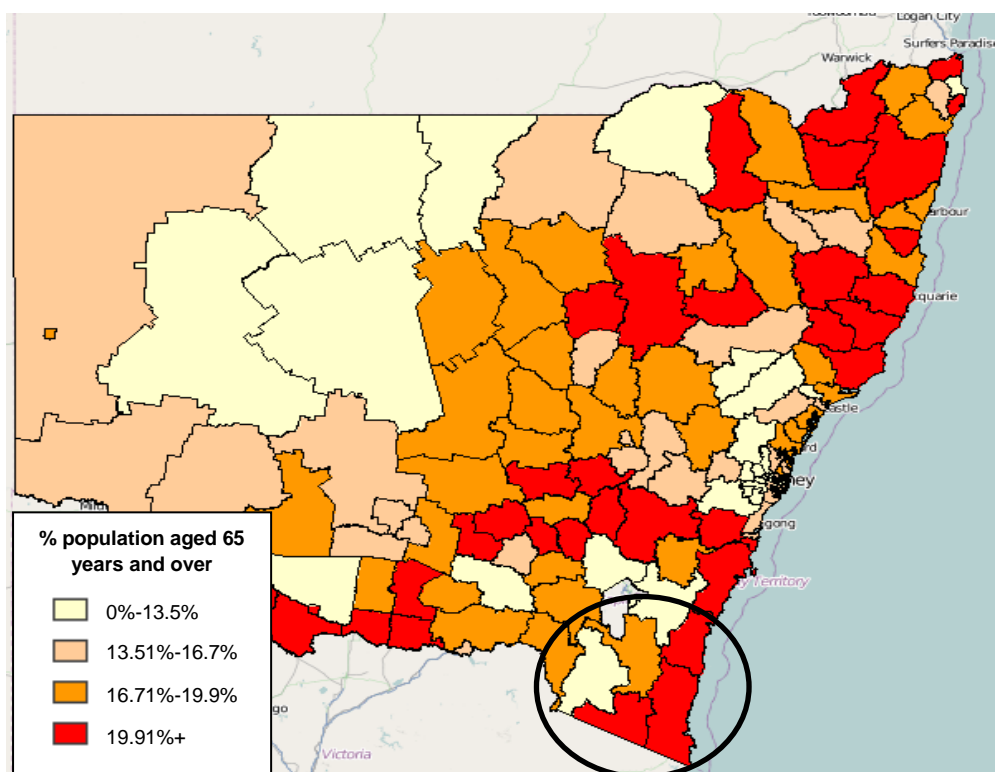
**Table 3: Population predictions by LGA for persons aged 65 years and over**

| LGA          | Persons aged 65 years and over |                           |
|--------------|--------------------------------|---------------------------|
|              | 2011 Census population         | Projected population 2036 |
| Bega Valley  | 6,841                          | 15,500                    |
| Cooma-Monaro | 1,773                          | 2,900                     |
| Snowy River  | 902                            | 2,900                     |
| Bombala      | 482                            | 600                       |

Source: Australian Bureau of Statistics (ABS 2012a), NSW Department of Planning (2010).

According to the 2011 Census, the LGAs of Bega Valley (21.4% of the Bega Valley population) and Bombala (20.1% of the Bombala population) have particularly high population proportions of people aged 65 years and over. Specifically, in the towns of Bermagui (27.7%), Merimbula (27.7%) and Pambula (26.7%) more than one in four residents is aged over 65 years. The population of older people in these areas is more than double the state average (14.7%).

**Figure 4: Proportion of the population aged 65 years and over by LGA**



Source: Australian Bureau of Statistics (ABS 2012a).

## Gender

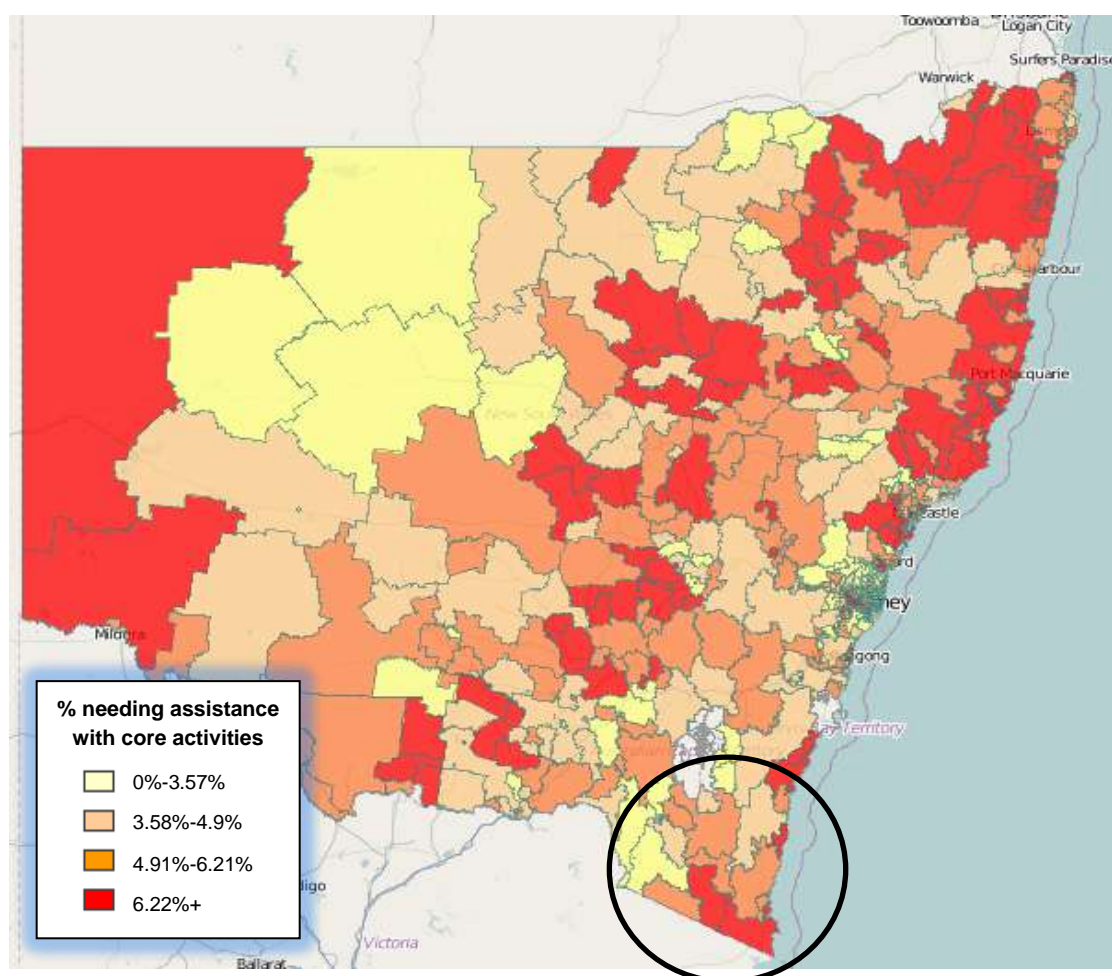
Overall, there is an even division of men and women in the Far South East (50% men and 50% women). This represents a slightly higher proportion of men in the region compared to the NSW average (49.4%).

The Snowy River LGA exhibits a slightly different gender profile to the other LGAs in the region, with considerably more men residing in the area than women (53.4% compared to 46.6%).

## Indicators of disadvantage

### Disability

**Figure 5: Proportion of the population requiring assistance with core activities by postcode**



Source: Australian Bureau of Statistics (ABS 2012a).

On average almost 5 per cent of the NSW population requires assistance with core activities due to a profound or severe disability (4.9% of the NSW population).<sup>3</sup> A slightly higher proportion of people in the Far South East require assistance with core activities than the NSW average, 5.2 per cent. In particular, in Pambula (10.5%), Nimmitabel (8.0%) and Eden (7.7%) there are a higher proportion of people living with a profound or severe disability requiring assistance.

<sup>3</sup> People with a profound or severe disability are defined as those people needing help or assistance in one or more of the three core activity areas of self-care, mobility and communication, because of a disability, long-term health condition (lasting six months or more) or old age.

### *Unpaid assistance to people with a disability*

The 2011 Census also counted the number of people providing unpaid care, help or assistance to family members or others because of a disability, a long-term illness or problems related to old age.<sup>4</sup> Bombala (14.5%), Cooma-Monaro (13.0%) and Bega Valley (12.9%) all display a higher than average proportion of residents providing unpaid assistance to people with a disability (NSW average 11.4%).

### **Indigenous status**

According to the 2011 Census, approximately 2.5 per cent of people living in the Far South East are ATSI. The largest population concentrations in the Far South East are in the LGAs of Bega Valley (2.8%) and Cooma-Monaro (2.7%). In both these LGAs the Indigenous population was greater than the NSW average (2.5%). The towns with the highest Indigenous populations were Eden (7.8%) and Bega (5.1%).

### **Cultural diversity**

#### *Born overseas*

According to the 2011 Census, an estimated 18.2 per cent of the total Far South East population were born overseas. This proportion is substantially lower than the NSW average of 31.4 per cent. The top three countries of birth outside Australia for residents of the Far South East were England, New Zealand and Germany.

#### *Speak a language other than English at home*

Approximately 9 per cent of the total Far South East population speak a language other than English at home. This is almost a third of the NSW average of 27.5 per cent. The other main languages spoken at home were German, Italian, French, Dutch and Russian, but only in quite small numbers.

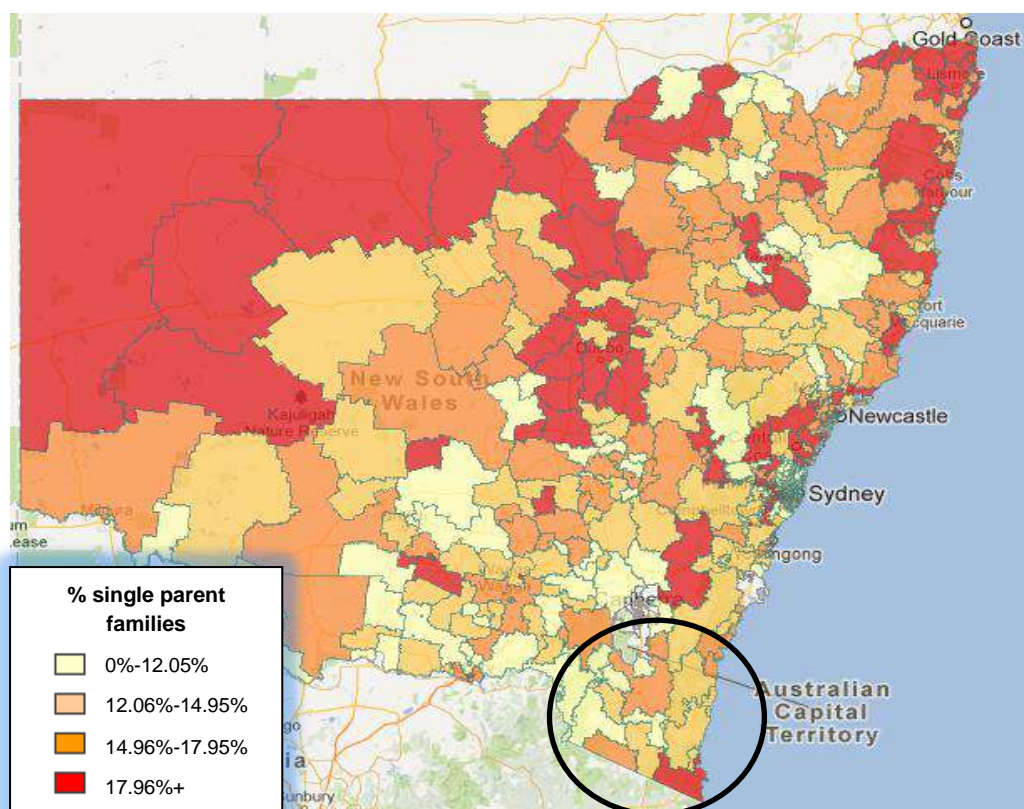
### **Single parents**

On average, 16.3 per cent of NSW families are considered to be single parent families. As can be seen in the demographic overview table (Table 2), all LGAs in the Far South East have a lower than average percentage of families that are headed by a single parent. Some of the larger towns within the region do however have higher proportions of single parent families, for example, Bega (21.8%), Eden (21.5%), Pambula (18.8%) and Cooma (18.1%) all display a higher proportion of single parent families compared to the NSW average.

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<sup>4</sup> This includes people who are in receipt of a Carer Allowance or Carer Payment. It does not include work done through a voluntary organisation or group.

**Figure 6: Proportion of the population that are single parent families by postcode**



Source: Australian Bureau of Statistics (ABS 2012a).

## Employment

### *Unemployment*

According to the 2011 Census, the unemployment rate in the Far South East is approximately 4.9 per cent.<sup>5</sup> This is less than the NSW average unemployment rate of 5.9 per cent. The highest rates of unemployment are found in Bega Valley (5.9%), specifically in Bermagui (8.8%), Eden (8.0%) and Pambula (6.6%).

### *Median age of labour force*

The median age of people in the workforce in Bega Valley, Cooma-Monaro and Bombala is approximately 5 years above the NSW average age of 40 years. This is likely to be the result of the slightly older population profile of these areas.

## Income

### *On Centrelink benefits*

Almost one-third of residents in Bega Valley (30.6%) and one-quarter of residents in Bombala (26.8%) received some type of Centrelink benefit. Both these areas have higher levels of people on benefits than the NSW average (23.6%). The LGAs of Cooma-Monaro (22.4%) and Snowy River (15.4%) had a lower than average proportion of residents receiving benefits.

<sup>5</sup> The ageing nature of the population is likely to be produce, to some degree, lower rates of unemployment (ABS 2012a).

### *Income levels*

The median weekly individual income for persons aged 15 years and over residing in the Far South East varied between LGAs. Residents in Bega Valley and Bombala had the lowest median weekly incomes (\$454 and \$462, respectively); this was considerably lower than the NSW average of \$561 per week. The Snowy River area had the highest median income within the region, particularly in and around the town of Jindabyne (\$686 per week), which has a large tourism industry and hence lower unemployment (1.6%).

The median household income was lower across most of the Far South East compared to the NSW average of \$1237 per week. Residents in Nimmitabel (\$575), Delegate (\$672) and Bermagui (\$691) earned approximately half the median NSW household income.

## **Housing**

### *Median weekly rent*

The average median rent in the Far South East varies, with higher rents experienced in coastal areas, such as Merimbula (\$200) and Bermagui (\$200) and also tourist areas, such as Jindabyne (\$260), while lower rents are experienced inland, including Delegate (\$100), Nimmitabel (\$118), Adaminaby (\$130) and Bombala (\$150).

### *Public housing*

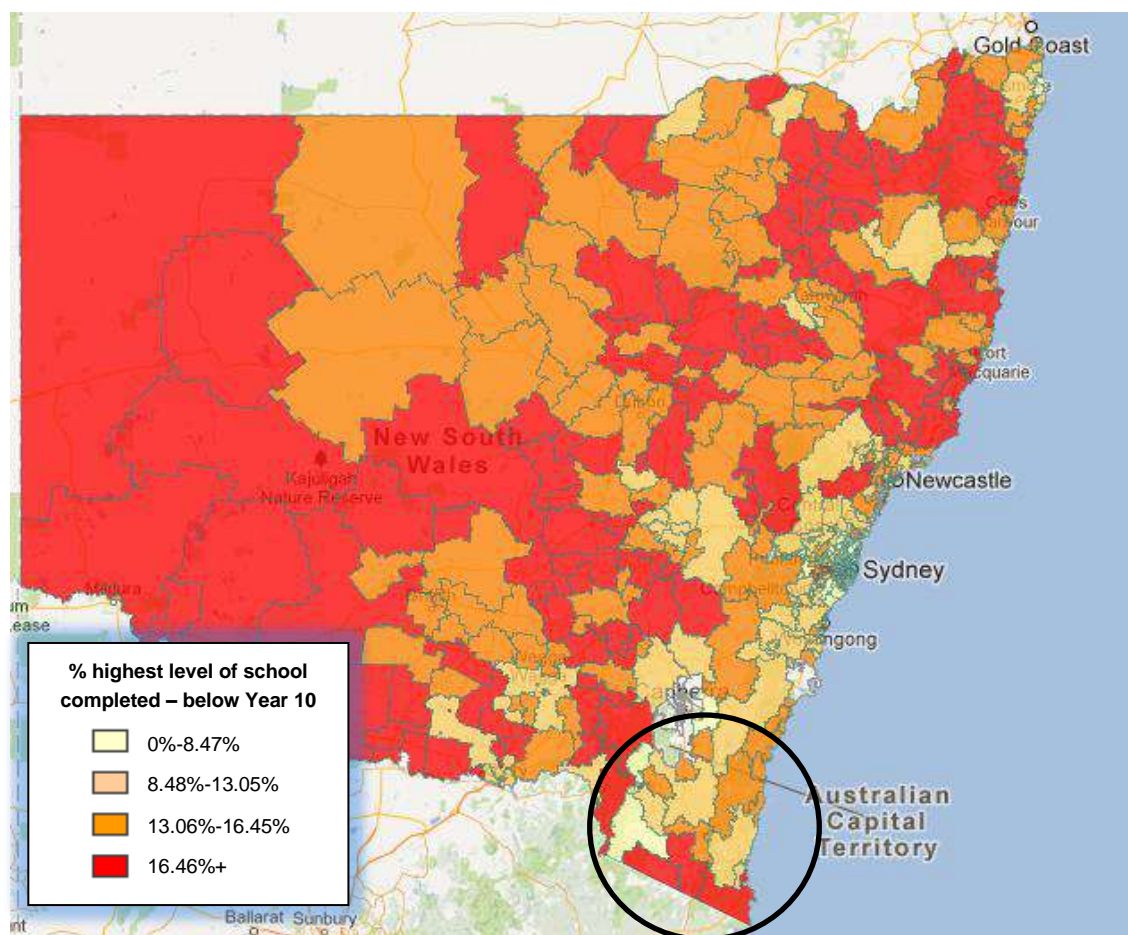
Approximately 4.4 per cent of dwellings in NSW are public housing. A much smaller proportion of dwellings in the Far South East are public housing. Approximately 2.7 per cent of dwellings in the Bega Valley LGA are public housing, 2.5% in Cooma-Monaro, 1.3% in Bombala and 0.5% in the Snowy River. This roughly equates to less than one per cent (0.4%) of the total public housing provided across NSW.

## **Education**

There is a higher proportion of persons aged 15 years and over in the Far South East that did not complete high school (52.9% of persons aged 15 years and over). In particular, some areas showed very high levels of residents whose highest year of school completed was below Year 10 (see Figure 7). For example, almost one in four residents aged 15 years and over living in the Bombala LGA left school before completing Year 10 (23.3%). This is almost double the NSW average of 13.2 per cent.



**Figure 7: Proportion of the population whose highest level of school completed was below Year 10, by postcode**



Source: Australian Bureau of Statistics (ABS 2012a).

### Internet connectivity

Residents in the Far South East have lower rates of internet connectivity than the NSW average, except in Snowy River.<sup>6</sup> In particular, more than one-third of residents in Bombala (35.3%) have no internet connection at their home.

### Family violence

The rate of reported domestic violence related assaults in the Far South East has remained relatively stable between 2008 and 2012. Overall, the LGAs in the Far South East rank 77<sup>th</sup> (Cooma-Monaro), 78<sup>th</sup> (Bega Valley) and 112<sup>th</sup> (Snowy River) in terms of recorded incidents of domestic violence related assault in 2012 (NSW BOCSAR, 2012).<sup>7</sup>

Approximately 350 domestic violence related assaults are reported per 100,000 people living in both Bega Valley and Cooma-Monaro, compared to the NSW average of 375 incidents per 100,000 people. The Snowy River LGA has a slightly lower rate of reported domestic violence assaults, 194 incidents per 100,000 population.

<sup>6</sup> This is most likely a by-product of the large tourist industry in the Kosciuszko National Park.

<sup>7</sup> LGAs are ranked in order of their rate of reported domestic violence related assaults, from lowest to highest, with rank 1 representing the area with the highest rate of reported domestic violence related assaults. The LGAs are ranked compared to all NSW LGAs (there are a total of 153 LGAs in NSW). Note: Due to the small population of Bombala, rank and rate calculations are not provided by NSW BOCSAR for this LGA.

## Service provision data

Service provision data presented in this report is extracted from the Foundation's Legal Assistance Services Data Digest (LASDD). The LASDD brings together standardised data from NSW public legal assistance agencies, including LawAccess NSW, Legal Aid NSW (advice assistances only) and NSW community legal centres.

To facilitate comparison across a range of key indicators, raw data provided by the agencies is transformed and standardised to common sets of categories, e.g. similar legal matter classifications. For this reason, service provision data presented in this section will differ from other published statistics.

### LawAccess NSW

LawAccess NSW is a free government telephone service that provides legal information, referrals and in some cases, advice for people who have a legal problem in NSW. Legal officers provide legal advice over the telephone, and/or refer callers to other legal or related services that are appropriate to their needs.

As there is no Legal Aid NSW office or community legal centre in the Far South East, data from LawAccess NSW was used to provide a snapshot of general expressed legal need in the region.

### Overview

Between 2009 and 2011, residents in the Far South East made approximately 3,500 calls to LawAccess NSW for legal assistance. Almost two-thirds of calls were made from residents in Bega Valley (63.9%), 18.7 per cent from Cooma-Monaro, 12.7 per cent from Snowy River and almost five per cent of calls were from Bombala (4.9%).

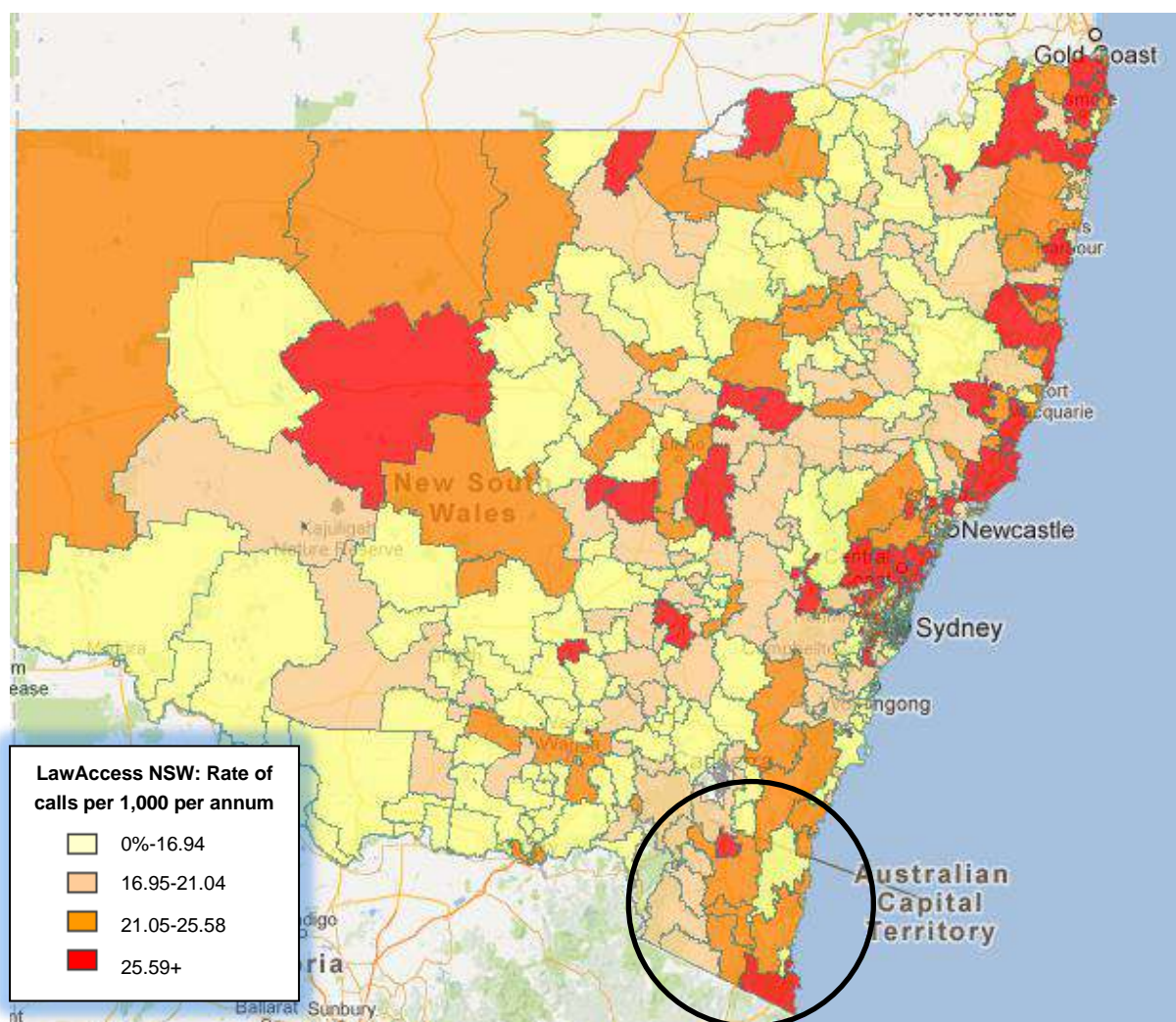
Expressed as a per capita rate there were approximately:

- 22.7 calls per 1,000 residents in Bega Valley
- 23.4 calls per 1,000 residents in Bombala
- 21.8 calls per 1,000 residents in Cooma-Monaro
- 19.3 calls per 1,000 residents in Snowy River

The map shows the rate of calls to LawAccess NSW for the entire state by postcode. It indicates that the rates of calls for residents in the Far South East were relatively high compared to some other areas of the state. In particular, residents in Eden, Bega, Bombala and Bermagui made comparatively high rates of calls to LawAccess NSW compared to their population size.

The map also shows that the rate of calls to LawAccess NSW is highest along the coast and declines steadily heading inland. For example, the rate of calls from residents in Eden was 29.6 per 1,000 residents compared to the rate of calls from Berridale which was 19.7 per 1,000 residents.

**Figure 8: Rate of calls to LawAccess NSW per 1,000 per annum, 2009–2011**



### Trends

The numbers of calls for assistance from residents in the Far South East have remained relatively stable over the three-year period, with a slight decline observed in Bega Valley and Cooma-Monaro between 2009 and 2011.

**Table 4: Number of calls to LawAccess NSW from residents in the Far South East, 2009 –2011**

| LGA            | 2009  | 2010  | 2011  | Total |
|----------------|-------|-------|-------|-------|
| Bega Valley    | 790   | 742   | 645   | 3,605 |
| Cooma-Monaro   | 241   | 192   | 206   | 1,070 |
| Snowy River    | 143   | 144   | 148   | 699   |
| Bombala        | 56    | 50    | 63    | 302   |
| Far South East | 1,230 | 1,128 | 1,062 | 3,420 |

N = 3,420 calls to LawAccess from residents in the Far South East.



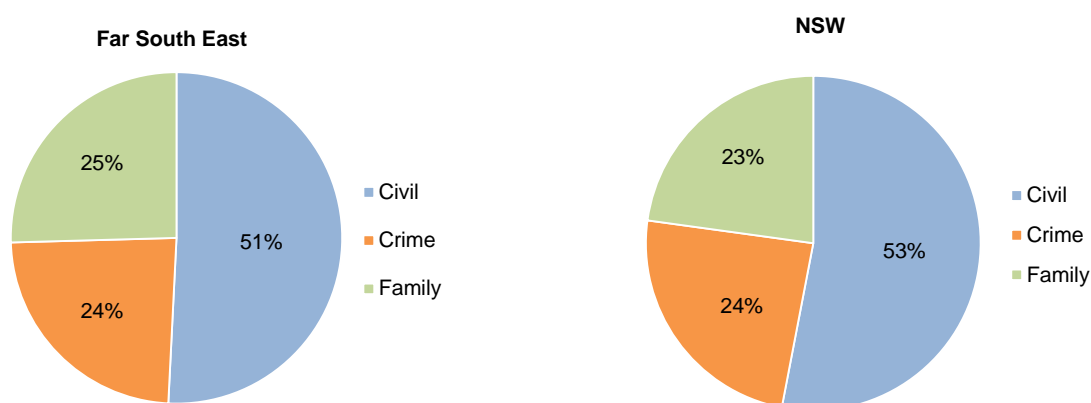
## Types of enquiries

### Broad areas of law

Just over half of the calls made by residents in the Far South East to LawAccess NSW related to civil law matters (51%). A further 25 per cent of calls related to family law and 24 per cent were criminal law matters. Overall, this breakdown is almost identical to the profile of calls made by all NSW residents.

Expressed as a per capita rate, residents in the Far South East made approximately 11.2 calls relating to civil law matters per 1,000 persons in the population. This is slightly lower than the NSW average, 13.7 civil law matters per 1,000 NSW residents. For criminal law, residents in the Far South East made an average of 5.2 calls per 1,000 residents; again, this is slightly lower than the NSW average (6.3 calls per 1,000 population). Finally in terms of family law, residents in the Far South East made 5.6 calls per 1,000 residents compared to 5.9 calls per 1,000 residents NSW-wide.

**Figure 9: LawAccess NSW: proportion of enquiries by broad area of law, Far South East compared to NSW average, 2009–2011**



N = 3,420 calls to LawAccess from residents in the Far South East. N = 537,411 calls to LawAccess from residents in NSW.

### Top 10 enquiries made by Far South East residents to LawAccess NSW

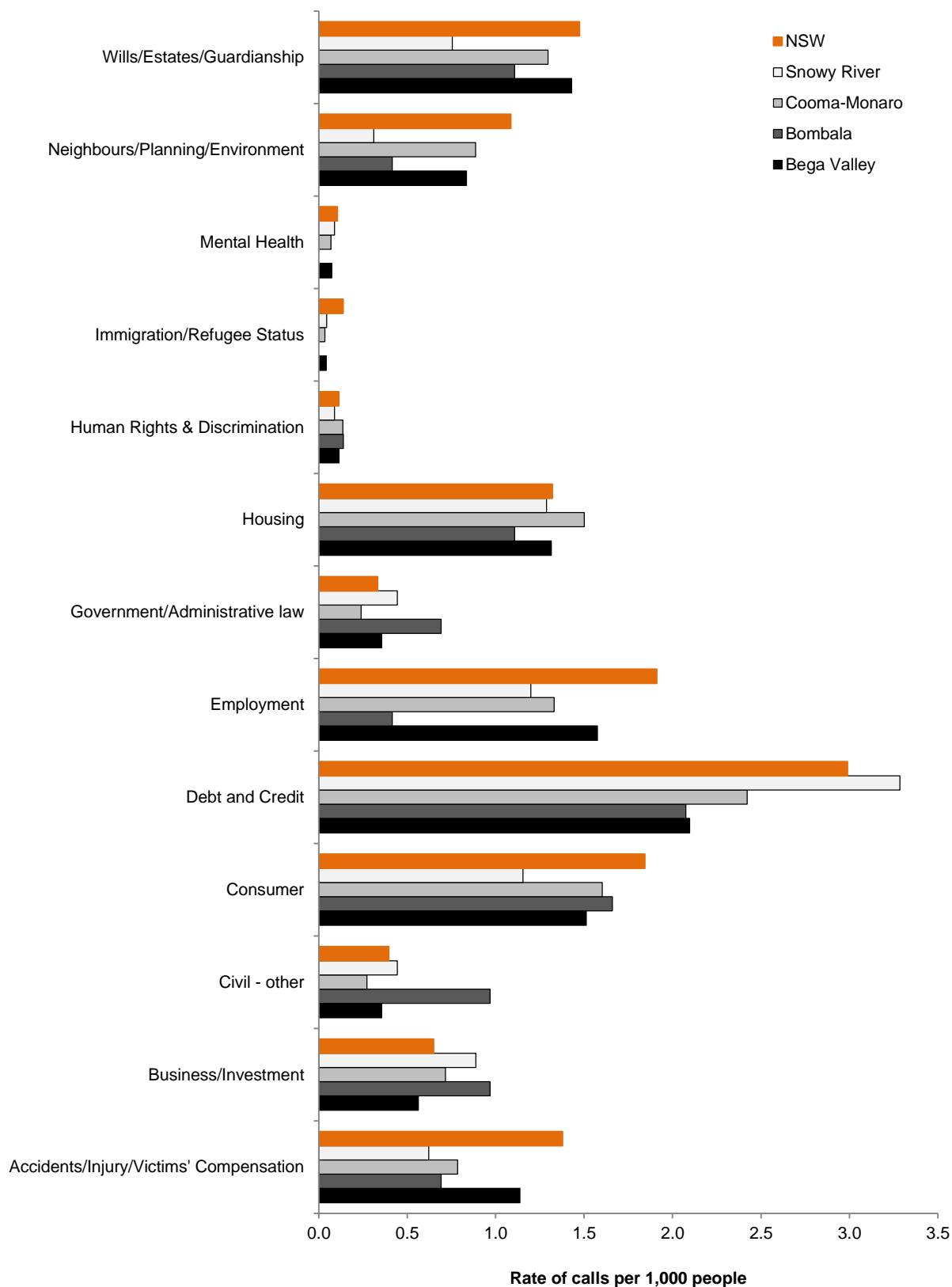
1. The most frequently enquired about legal matter was parenting arrangements. This matter type consists of issues relating to a child living and access arrangements. Almost one in seven calls related to parenting arrangement matters (13.7%).
2. Debt and credit matters were also frequently enquired about, with one in ten calls relating to a debt or credit matter (10.6%). The most common debt and credit enquiries related to money owed to and by the client. Interestingly, bankruptcy and mortgage repossession matters were enquired about in just fewer than two per cent of calls.
3. Driving and traffic offences ranked as the third most common enquiry (7.9%). The majority of these calls related to speeding and other traffic fines.
4. Consumer problems, particularly complaints about legal services, were frequently enquired about (6.7%) and consumer protection enquiries were also relatively common.
5. The fifth most common enquired about legal matter was employment (6.4%). The bulk of these calls related to dismissal, wages and entitlement issues.
6. Calls relating to housing ranked sixth (6.1%), with tenancy matters being the most commonly enquired housing matter. Home ownership issues, such as purchase and title disputes, were recorded less frequently than rental issues.

7. Wills, estates and guardianship matters were the seventh most common enquiry (5.8%). The vast majority of these matters related to making a will.
8. Family law issues related to property and maintenance were also frequently enquired about (5.8%). Almost 100 per cent of these enquiries related to property settlement after a separation or divorce.
9. Domestic violence matters, mainly calls relating to apprehended domestic violence orders, ranked as the ninth most common enquiry (5.2%).
10. Offences against persons' criminal law matters were the tenth most common enquiry (4.5%). These calls related to assault, sexual assault and non-domestic violence harassment.

The least frequent enquires made by residents in the Far South East to LawAccess NSW related to: mental health issues, firearms and weapons, immigration and refugee matters, and robbery.

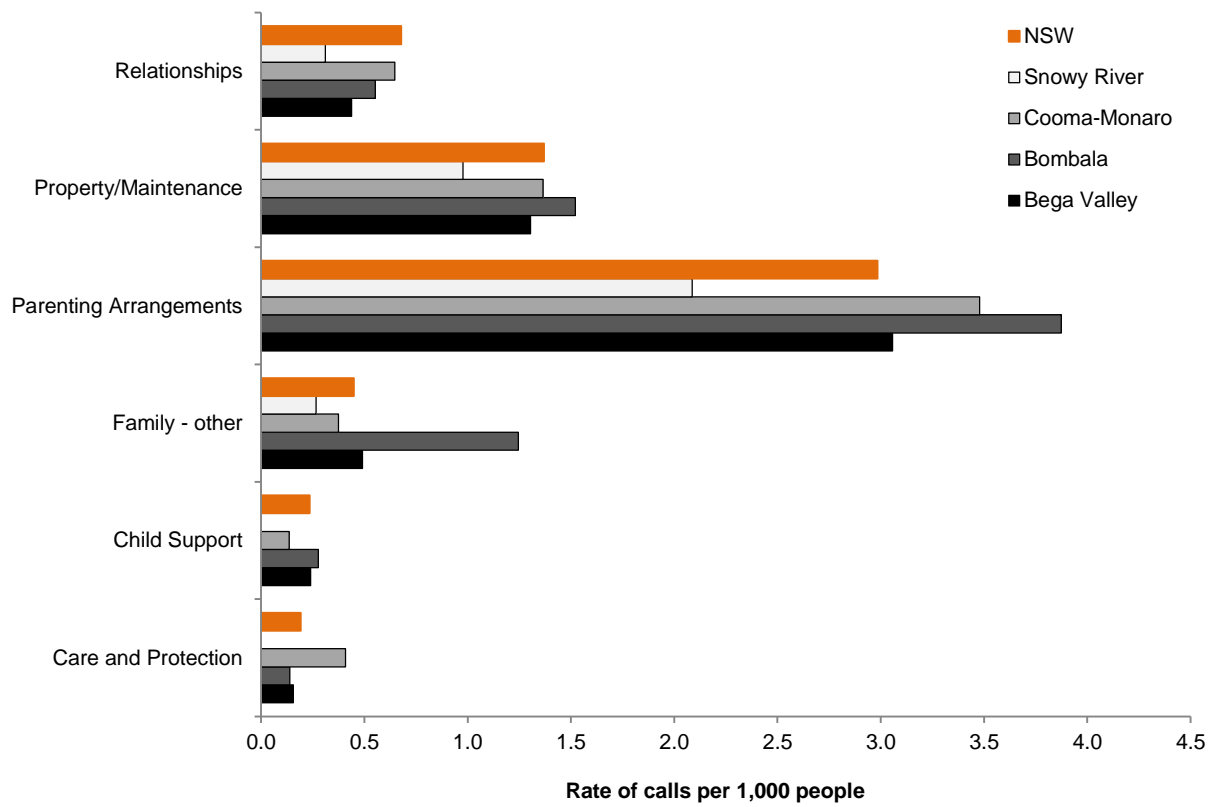
The following three figures show in detail the rate of calls for all legal matter groups by the four LGAs forming the Far South East region. The figures also provide a NSW comparison rate.

**Figure 10: LawAccess NSW: rates of civil law matters per 1,000 people per annum, 2009–2011**



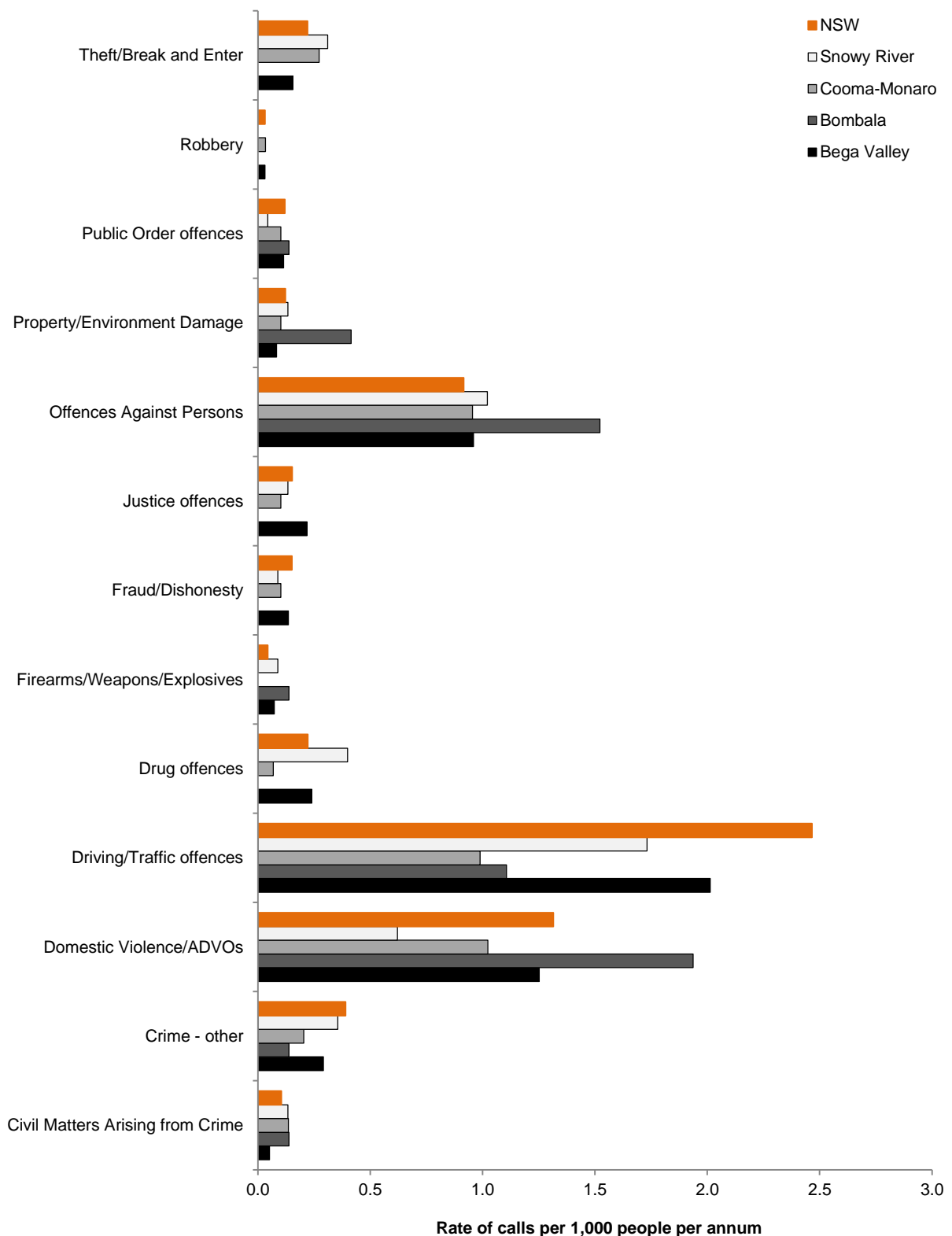
N = 1,737 civil law calls to LawAccess NSW from residents in the Far South East.  
 N = 284,933 civil law calls to LawAccess NSW from residents in NSW.

**Figure 11: LawAccess NSW: rates of family law matters per 1,000 people per annum, 2009-2011**



N = 813 family law calls to LawAccess NSW from residents in the Far South East.  
 N = 129,853 family law calls to LawAccess NSW from residents in NSW.

**Figure 12: LawAccess NSW: rates of criminal law matters per 1,000 people per annum, 2009-2011**



N = 870 criminal law calls to LawAccess NSW from residents in the Far South East.

N = 122,625 criminal law calls to LawAccess NSW from residents in NSW.

## Demographic profile

**Table 5: LawAccess NSW: demographic characteristics of service users, 2009–2011**

| <i>Demographic characteristics</i> |                   | <i>Far South East</i> | <i>NSW</i> |
|------------------------------------|-------------------|-----------------------|------------|
| <i>Indigenous status</i>           | Indigenous        | 4.0%                  | 3.1%       |
|                                    | Non-Indigenous    | 87.9%                 | 89.0%      |
| <i>Gender</i>                      | Male              | 42.4%                 | 43.9%      |
|                                    | Female            | 57.1%                 | 55.6%      |
| <i>Age</i>                         | 18 and under      | 0.6%                  | 0.4%       |
|                                    | 18 to 24 years    | 6.9%                  | 7.5%       |
|                                    | 25 to 34 years    | 17.8%                 | 19.9%      |
|                                    | 35 to 44 years    | 24.0%                 | 22.5%      |
|                                    | 45 to 54 years    | 24.5%                 | 25.5%      |
|                                    | 55 to 64 years    | 14.2%                 | 12.3%      |
|                                    | 65 years and over | 9.2%                  | 8.3%       |

N = 3,420 calls from residents in the Far South East. Indigenous status was not disclosed in 4.0% of calls, gender was not disclosed in 0.6% of calls and age was not disclosed in 2.9% of calls.

Source: Australian Bureau of Statistics (ABS 2012a).

### *Indigenous status*

Four per cent of calls received from residents in the Far South East were from Indigenous persons. This percentage is slightly higher than the proportion of Indigenous persons in the Far South East population (2.5%). The proportion of Indigenous persons making enquiries in the Far South East is also slightly higher than the average for all calls to LawAccess NSW from Indigenous persons (3.1%). Expressed as a per capita rate, Indigenous persons made 35 calls per 1,000 Indigenous residents in the Far South East compared to 32.1 calls per 1,000 Indigenous persons NSW-wide.

### *Gender*

More than half (57.1%) of calls received by LawAccess NSW from residents in the Far South East were from women; this is higher than the total percentage of women in the Far South East population (50.0%). The proportion of women in the Far South East making enquiries is also slightly higher than the percentage of women seeking assistance from LawAccess NSW overall (55.6%).

Expressed as a per capita rate, women made 25.2 calls per 1,000 female residents in the Far South East. This rate is lower than the corresponding rate for all women across the state using LawAccess NSW (28.4 calls per 1,000 women in NSW). Men in the Far South East made 18.7 calls to LawAccess NSW per 1,000 male population. This rate is considerably lower than the equivalent rate for all men across NSW (23.1 calls per 1,000 men in NSW).

### *Age*

Two-thirds of calls received from residents in the Far South East were from persons aged 25 to 54 years (66.3%). This mirrors the age profile of callers across the state, with two-thirds of all callers to LawAccess NSW between these ages (67.9%).

Interestingly, although the demographic profile shows that the Far South East has a high population aged 65 years and over, the rate of calls to LawAccess NSW from this group is below the state average. Residents of the Far South East aged 65 years and over made approximately 10 calls per 1,000 residents; this is lower than the total rate for NSW for people aged 65 years and over (almost 15 calls per 1,000 population).

### **Source of inquiry**

Residents in the Far South East of NSW were most likely to have found out about LawAccess NSW through:

- telephone book (24.4% of calls)
- LawAccess NSW online (10.3%)
- a court notice or local court (9.3%)
- friend or family member (8.0%)
- prior contact with LawAccess NSW-(5.1%)

## Shoalcoast Community Legal Centre

The Shoalcoast Community Legal Centre located in Nowra provides outreach services, phone and face-to-face advice to residents in the Far South East. The following section provides a snapshot of the types of enquiries handled by Shoalcoast Community Legal Centre.<sup>8</sup>

### Overview

Between 2009 and 2011, residents in the Far South East made enquiries about 724 matters to the Shoalcoast Community Legal Centre. This equates to just over 12 per cent of the total number of matters handled by the Shoalcoast Community Legal Centre during this period (12.2%). The majority of matters handled by the Shoalcoast Community Legal Centre were from residents in Shoalhaven (64.9%) and Eurobodalla (18.1%). Almost 80 per cent of the 724 matters from residents in the Far South East were from Bega Valley (79.6%), 11.5 per cent from Cooma-Monaro, 4.8 per cent from Snowy River and 4.6 per cent of matters were from Bombala.

### Trends

**Table 6: Number of matters handled by the Shoalcoast Community Legal Centre from residents in the Far South East, 2009–2011**

| LGA                   | 2009       | 2010       | 2011       | Total      |
|-----------------------|------------|------------|------------|------------|
| Bega Valley           | 141        | 188        | 247        | 576        |
| Cooma-Monaro          | <5         | <5         | 78         | 83         |
| Snowy River           | 0          | 0          | 35         | 35         |
| Bombala               | <5         | <5         | 26         | 30         |
| <b>Far South East</b> | <b>145</b> | <b>193</b> | <b>386</b> | <b>724</b> |

N = 724 matters from residents in the Far South East.

As Table 6 shows, the Shoalcoast Community Legal Centre has been providing an increasing number of legal assistance services to residents in the Far South East. In all four LGAs within the region, the number of matters recorded increased substantially from 2009 to 2011.

### Types of enquiries

#### *Broad areas of law*

Over half of the matters enquired about by residents of the Far South East to the Shoalcoast Community Legal Centre related to civil law (53%). A further third of matters related to family law (35%) and 12 per cent were criminal law matters. This pattern of enquiries is not too dissimilar to the profile of enquiries to LawAccess NSW (see Figure 9), except that the Shoalcoast Community Legal Centre receives a higher proportion of family law matters and a lower proportion of criminal law matters.

#### *Top 5 enquiries made by Far South East residents to the Shoalcoast Community Legal Centre*

The top five enquiries made by residents in the Far South East to the Shoalcoast Community Legal Centre between 2009 and 2011 were:

1. Parenting arrangements (16.2% of enquiries)
2. Property and maintenance (9.0% of enquiries)
3. Accidents, injury and victims' compensation (8.8% of enquiries)
4. Debt and credit (8.3% of enquiries)
5. Housing (7.2% of enquiries)

<sup>8</sup> As the data provided by Shoalcoast Community Legal Centre is derived from the LASDD, data presented in this section will differ from other published statistics.



## Demographic profile

**Table 7: Shoalcoast Community Legal Centre: demographic characteristics of service users, 2009–2011**

| <i>Demographic characteristics</i> | <i>Far South East</i> |       |
|------------------------------------|-----------------------|-------|
| <b>Indigenous status</b>           | Indigenous            | 14.4% |
|                                    | Non-Indigenous        | 84.4% |
| <b>Gender</b>                      | Male                  | 26.1% |
|                                    | Female                | 73.8% |
| <b>Age</b>                         | 18 and under          | 0.6%  |
|                                    | 18 to 24 years        | 4.7%  |
|                                    | 25 to 34 years        | 15.6% |
|                                    | 35 to 44 years        | 23.8% |
|                                    | 45 to 54 years        | 27.5% |
|                                    | 55 to 64 years        | 14.5% |
|                                    | 65 years and over     | 10.4% |

N = 724 matters from residents in the Far South East. Indigenous status was not disclosed in 1.2% of matters, gender was not disclosed in 0.1% of matters and age was not disclosed in 3.0% of matters.

### *Indigenous status*

Almost 15 per cent of the assistance provided by the Shoalcoast Community Legal Centre in the Far South East was delivered to Indigenous persons (14.4%). This percentage is substantially higher than the proportion of Indigenous persons in the Far South East population (2.5%). The proportion of Indigenous persons assisted by the Shoalcoast Community Legal Centre is also higher than the proportion of Indigenous persons in the Far South East calling LawAccess NSW for assistance (4.0%).

### *Gender*

Almost three-quarters (73.8%) of matters handled by the Shoalcoast Community Legal Centre in the Far South East were matters reported by women; this is noticeably higher than the total percentage of women in the Far South East population (50.0%). The proportion of women assisted by the Shoalcoast Community Legal Centre is higher than the proportion of women from the Far South East seeking assistance from LawAccess NSW (57.1%).

### *Age*

Two-thirds of the assistance provided by the Shoalcoast Community Legal Centre in the Far South East is provided to persons aged 25 to 54 years (66.9%). This parallels the age profile of residents in the region using LawAccess NSW (66.3%, see Table 5).

# Review of legal needs research

## Level of unmet legal need in the Far South East

Data from legal service providers, such as LawAccess NSW and the Shoalcoast Community Legal Centre, provides a snapshot of expressed legal need in the Far South East. While information about service users who present with legal problems is a useful tool for assessing legal need, it cannot estimate the legal need that remains ‘unexpressed’ (i.e. people who have a problem but do not contact a legal service for assistance).

Unexpressed legal need can be estimated by undertaking legal needs research. In 2008, the Law and Justice Foundation of NSW undertook the largest legal needs survey in the world, the Legal Australia-Wide (LAW) Survey. A representative sample of 20,716 respondents across Australia was interviewed about the legal problems they experience, the actions they take, where they go for advice and the outcomes they achieve (Coumarelos *et al*, 2012).

While there is a limit to the degree to which the results of the LAW Survey can be generalised to any specific locality within Australia, given the specific socio-demographic profile of the Far South East (discussed earlier), some of the findings from the LAW Survey have particular relevance.

This section looks at some of the important LAW Survey findings relevant to the Far South East.

### Prevalence of legal problems

Overall, the LAW Survey found that legal problems are widespread. Half of all respondents reported experiencing a legal problem in the 12 months prior to interview with 22% experiencing three or more legal problems and 27% experiencing a substantial legal problem.<sup>9</sup>

Applying these sample percentages to population numbers, it is estimated that approximately 25,700 people in the Far South East may experience a legal problem in a 12 month period, including 11,300 experiencing three or more legal problems and 14,000 experiencing a substantial legal problem.<sup>10</sup> With population numbers in the Far South East expected to increase 24% by 2036, these estimates could likewise be expected to increase.

### Older people

The Far South East has a high proportion of people aged 65 years and over. Older Australians can have particular types of legal needs due to their unique life circumstances, such as their low income and increased health needs. They may require access to legal services for a variety of reasons, including:

- wills and powers of attorney
- property and accommodation issues
- family law matters involving grandchildren
- health services
- consumer and financial issues
- as victims of elder abuse<sup>11</sup>.

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<sup>9</sup> Substantial legal problems were rated by the survey respondents as having either a ‘severe’ or ‘moderate’ impact on their everyday life.

<sup>10</sup> These figures are based on 2011 Census (ABS 2012a, see Table 1).

<sup>11</sup> See Loddon Community Legal Centre (2006), Victoria Legal Aid (2006).

While the LAW Survey indicates that older people tend to experience less legal problems than younger people, respondents aged 65 years or over tend to be less likely to take action to address their legal problems. Obstacles faced by older people accessing legal services can include a lack of awareness of their legal rights, a lack of confidence in enforcing those rights, a reluctance to take legal action and a perception that the law is disempowering and cannot solve their problems (Ellison et al. 2004).

The LAW Survey also found that older people were less likely to finalise their legal problems. This indicates that older people could benefit from greater levels of assistance or support in order to resolve their legal problems successfully.

Older people have been found to have particular legal information-seeking behaviours and needs (Edwards and Fontana 2004). Given the high proportion of older people in the Far South East, legal advice and assistance services could be tailored to their particular legal needs. Such specialist services could use age-appropriate communication and focus on overcoming the specific barriers to accessing justice faced by this client group.

### **Disability**

Compared to the NSW average, a slightly higher proportion of people in the Far South East indicate that they have a disability. In particular, Pambula (10.5%), Nimmitabel (8.0%) and Eden (7.7%) have a higher proportion of people living with a profound or severe disability.

LAW Survey respondents with disabilities, including those with a mental illness, were more than twice as likely to experience legal problems as were other respondents. In addition, they were more likely to experience substantial legal problems and multiple legal problems. Disability is linked to high overall rates of most types of legal problems – namely, accident/injury, consumer, credit/debt, education, employment, family, general crime, government and housing problems.

People with disabilities were more likely to take action to address their legal problems, but they reported that their problems were less likely to be finalised. This finding suggests that people with disabilities may be more likely to address their legal problems as they routinely consult with non-legal professionals about their health and other needs and, as a result, may turn to these people when legal problems arise (Coumarelos and Wei 2009). However, it is also possible that people with disabilities tend to seek advice for their legal problems precisely because they find it difficult to handle these problems alone. This underscores the value of people with disabilities being supported by quality, accessible, legal and non-legal assistance.

People with disabilities may often have non-legal needs in addition to their legal needs. They tend to suffer multiple types of disadvantage, such as poverty, poor housing, unemployment and crime victimisation. It has been argued that the link between disability and legal problems is bidirectional. Not only are people with a disability more likely to experience legal problems, but the impact of their legal problems may further entrench their disadvantage (Pleasence 2006).

### **Single parents**

A number of towns in the Far South East have a higher proportion of single parent families than the state average, particularly in Bega and Eden. LAW Survey respondents that were single parents were twice as likely to experience legal problems as were other respondents, and they were more likely to experience substantial and multiple legal problems. Single parents were more likely to experience credit and debt, crime, government, health, housing, rights, and family problems. Family problems were seen as the most severe type of legal problem causing income loss or financial strain (57% of family problems), stress-related illness (46%), physical ill health (36%) and having to move home (30%).

Single parents, like people with a disability, have been identified as a group that often experiences multiple disadvantage, such as poverty and poor housing. The changes in personal circumstances that result from family breakdown, such as changes in family, economic and housing circumstances, can leave single parents particularly vulnerable to a range of further legal and non-legal problems.

### **Indigenous people**

It is well established that Indigenous people are among the most disadvantaged Australians (SCRGSP 2007). Consistent with their disadvantaged status, Indigenous respondents to the LAW Survey reported an increased prevalence of multiple legal problems, a reduced ability to finalise their legal problems and an increased likelihood of experiencing government, health and rights problems.

The Far South East towns with the highest populations of Indigenous people were Eden (7.8%) and Bega (5.1%). The Aboriginal Legal Service has an office in Moruya that provides services to Aboriginal people in care and protection, and criminal law matters. The findings from the LAW Survey indicate that Indigenous people also experience a range of civil law problems. Due to their disadvantaged status, Indigenous people are also likely to benefit from a more holistic or client-focused approach to their legal problems, including a coordinated response across legal and other human services.

### **Unemployment**

While the unemployment rate in the Far South East (4.9%) is slightly lower than the state average, some towns do have higher rates of unemployment, for example, Bermagui and Eden. Respondents to the LAW Survey that had been unemployed were more likely to experience legal problems and were also more likely to experience substantial legal problems and multiple legal problems. Unemployed respondents were more likely to experience consumer issues, credit and debt, crime, family, government, health, housing and rights problems. Unemployed people were also less likely to take action to address their legal problems.

Unemployment, and especially long-term unemployment, is another demographic characteristic that can be linked to multiple disadvantage. Furthermore, legal needs surveys suggest that legal problems with employment can trigger further legal problems, such as credit and debt problems, indicating that unemployed people may benefit from well-coordinated legal and non-legal services.

### **Education**

Overall, in the Far South East, the proportion of people that did not complete school is reasonably high. In Bombala, 23.3% of people left school before completing Year 10, almost double the NSW average (13.2%). LAW Survey respondents that had low levels of education were less likely to experience legal problems, but for the problems that they did experience, they were less likely to take action to address them. This may reflect a failure to recognise legal problems, due to poor legal knowledge or an unwillingness to admit to legal problems. Thus, in the Far South East, people with low education levels may benefit from information and education initiatives aimed at increasing their legal literacy, so that they can readily identify legal problems and access legal advice services.

### **Remoteness and disadvantage**

Respondents to the LAW Survey reported that in-person communication was the most common form of communication used with their legal advisers (75%). However, a number reported experiencing difficulties trying to obtain this help. In 11% of cases, respondents reported that their legal adviser was too far away or difficult to get to. In remote and regional areas, respondents reported travelling more than 80 km in almost 30 per cent of cases (28%).

LAW Survey respondents also noted that cost was their most frequent difficulty when obtaining help from legal advisers. The median family income in the Far South East is considerably lower than the

NSW average and in Bega Valley and Bombala median weekly incomes are particularly low. For those unable to afford a private solicitor, 'in-person' public legal services are available in Nowra (more than 300 km from most Far South East towns), or through an outreach service in Bega and Eden. While these regional centres might be reasonably accessible by car, car ownership can be difficult for people with limited financial means.<sup>12</sup>

#### *Telephone services*

Telephone advice is an invaluable way of providing advice to people having difficulty accessing legal assistance face-to-face, such as those living in rural and regional areas. The LAW Survey indicated that the telephone is a common approach used for communicating with legal advisers (73%).

However, telecommunication is sometimes not an option for disadvantaged clients, such as people with certain cognitive disabilities, mental illness, language barriers or with poor education levels. In particular, explaining legal concepts over the telephone may be difficult, plus telephone advice services do not allow solicitors to see and deal with clients' documents.

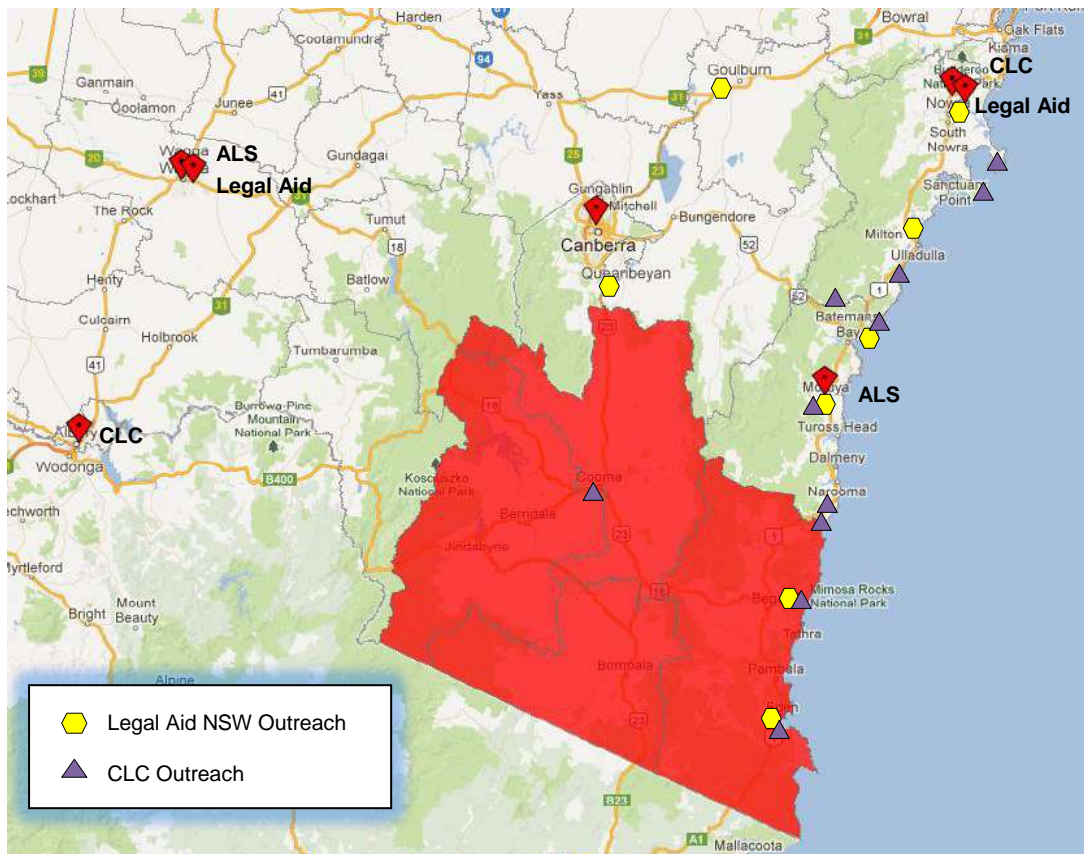
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<sup>12</sup> For example, there is no bus to the coast from Bombala, unless you leave at 8.05am and arrive at Bega at 8.15pm. The buses from towns in the Far South East to Canberra are scheduled so that the return trip cannot be done in one day. More information on transport options can be found at <http://www.bombala.nsw.gov.au/pdfs/community/monarotransguide.pdf>.

## Legal services in the Far South East

None of the three main public legal assistance services in NSW — Legal Aid NSW, community legal centres or the Aboriginal Legal Service NSW/ACT — have offices in the Far South East. It is important to note that often the closest public legal service is located in the ACT; however eligibility for some services may be a barrier to receiving assistance.

**Figure 13: Map of public legal assistances services in the Far South East**



### Legal Aid NSW

Legal Aid NSW is a state-wide organisation providing legal services to socially and economically disadvantaged people across NSW. It delivers legal services in most areas of criminal, family and civil law. The closest Legal Aid NSW office for residents in the Far South East is located in Nowra (or across the border in the ACT). Legal Aid NSW does however operate outreach services in Bega, Eden and Moruya.

- *Bega Legal Advice Service*  
At this service, free criminal, family and civil law advice is provided by Elizabeth Fleming and Associates on behalf of Legal Aid NSW.
  - Location: Bega Court House
  - Phone: 02 44740700
  - Hours: Third Thursday of each month, 10:00am to 1:00pm



- *Bega Homeless Legal Advice Service*  
At this service, Legal Aid NSW provides free legal advice to people experiencing homelessness or who are at risk of homelessness
  - Ricky’s Place
  - Phone: 02 64925555
  - Hours: Second Friday of each month, 11:30m to 1:30pm
  
- *Bega Family Law Advice Service*  
At this service, Legal Aid NSW provides free family law advice.
  - Family Support Office
  - Phone: 02 44224351
  - Hours: Thursday, 10:00am to 12:30pm
  
- *Eden Homeless Legal Advice Service*  
At this service, Legal Aid NSW provides free legal advice to people experiencing homelessness or who are at risk of homelessness.
  - Location: Campbell Page – Eden Youth Centre
  - Phone: 02 64964681
  - Hours: Second Friday of each month, 9:00am to 10:30am
  
- *Moruya Family Law Advice Service*  
At this service, Legal Aid NSW provides free family law advice.
  - Location: Moruya Local Court
  - Phone: 02 44224351
  - Hours: Alternate Tuesdays, 10:00am to 11:30am

## Community legal centres

Community legal centres (CLCs) are independent, community-based organisations that provide free legal advice and related services to people and communities facing economic, social or cultural disadvantage. CLCs assist people who typically might struggle to access legal assistance — people on low incomes or Centrelink benefits, people with a disability, people from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people, and people experiencing homelessness.

The closest CLC available to residents in the Far South East is the Shoalcoast Community Legal Centre located in Nowra. The Shoalcoast Community Legal Centre assists people from the Far South East by taking part in outreach, phone advice and face to face appointments.

**Table 8: Distance to the Shoalcoast Community Legal Centre (located in Nowra)**

| Central town in LGA | Distance | Time to travel (by car) |
|---------------------|----------|-------------------------|
| Bega                | 364 kms  | 3 hours 20 minutes      |
| Cooma               | 287 kms  | 4 hours                 |
| Berridale           | 320 kms  | 4 hours 15 minutes      |
| Bombala             | 358 kms  | 4 hours 30 minutes      |

The Shoalcoast Community Legal Centre provides legal outreach services every two months to residents in the Far South East at Wallaga Lake, Eden and Narooma (just north of Bega Valley). Outreach services are also provided in Ulladulla, Batemans Bay, Moruya, Wreck Bay, Jerrinja and Sanctuary Point.

In addition, the Shoalcoast Community Legal Centre provides the South East NSW Women’s Legal Service. This service provides free legal advice, referral and assistance to women living in the South East, particularly Aboriginal women. The solicitor can be contacted by phone on Tuesdays and Thursdays, plus the service delivers face to face advice once a month in Braidwood, Cooma (including a monthly credit & debt drop in clinic at the Cooma Library for men and women), Eden, Bega and Merimbula.

As part of the Aboriginal Legal Access Project (ALAP) the Shoalcoast Community Legal Centre provides legal advice clinics to Aboriginal organisations and communities on a regular basis, including: Waminda Aboriginal Women’s Health Centre Nowra, Jerrinja Aboriginal Community, Wreck Bay Aboriginal Community, Murra Mia Aboriginal Housing Corporation in Batemans Bay and Wallaga Lake Aboriginal Community. Aboriginal women are priority clients of the centre.

## Aboriginal Legal Service NSW/ACT

The Aboriginal Legal Service NSW/ACT (ALS NSW/ACT) helps with legal advice and court representation for Aboriginal men, women and children in NSW and ACT. The ALS NSW/ACT works in two areas of law: criminal law, and care and protection law. The closest ALS NSW/ACT office is located in Moruya. Outreach services, managed by the Aboriginal Legal Service Canberra, are also provided to Aboriginal persons in Cooma and Queanbeyan.

## Private lawyers

The majority of lawyers working in the Far South East are located in the LGA of Bega Valley (21 registered solicitors).<sup>13</sup> Cooma-Monaro has 11 registered solicitors; Snowy River has 3 solicitors and Bombala has only 1 listed solicitor.

Overall, the Far South East has experienced a net loss of one registered solicitor between 2009 and 2011. This loss was in the LGA of Bega Valley.

## Other legal services

### Courts

There are local courts located in the towns of Cooma, Bega, Bombala and Eden. Most full-time local court registries have a registrar who can provide information, assistance and guidance to members of the public on local court procedures and applications.

Court registry staff can help residents:

- apply for an apprehended domestic violence order, including urgent orders
- when an agency such as Legal Aid NSW, LawAccess NSW or a CLC has provided advice and referred a client to the local court for information or assistance with forms
- when telephone assistance may be difficult
- when local court proceedings have commenced
- witness court documents.

**Table 9: Local Court Directory – Far South East**

| Local court | Address                   | Days             |
|-------------|---------------------------|------------------|
| Cooma       | Vale St                   | Monday to Friday |
| Bega        | corner Gipps and Carp Sts | Monday to Friday |
| Bombala     | High St                   | Monday           |

<sup>13</sup> Data on the number of registered solicitors was taken from the Law Society website ([www.lawsociety.com.au](http://www.lawsociety.com.au)). The online directory includes all registered NSW solicitors who currently hold practising certificates as at 30 June 2011.



### **Law Society of NSW**

Regional Law Societies aim to promote and support local legal initiatives, to lobby on key issues affecting the local legal profession and to assist with the provision of education and training opportunities for the local profession.

- *Far South Coast & Monaro*
  - President: Andrew Fleming, Elizabeth Fleming & Associates
  - Location: Moruya
  - Phone: 02 4472 8600
- *Shoalhaven & District*
  - President: Carolyn Hagedoorn, Marriott Oliver
  - Location: Nowra
  - Phone: 02 4422 4422
- *Southern Tablelands*
  - President: Andrew Herring, Herring & Associates – Lawyers
  - Location: Queanbeyan
  - Phone: 02 6162 1606

### **Legal Information Access Centre**

The Legal Information Access Centre (LIAC) is a specialist information service of the State Library of NSW, which provides access to legal information throughout the NSW community by coordinating the Find Legal Answers service available in all public libraries in NSW and online. The public libraries in Cooma, Eden, Bega, Bermagui, Merimbula and Bombala provide residents with a wide range of legal books and pamphlets. These libraries have:

- the Find Legal Answers Tool Kit (a collection of easy to read, practical books about the law)
- the *Hot Topics* series of legal issues in plain language.

These libraries also have:

- an additional collection of legal resources
- staff trained to provide a legal information service.

The Snowy Mountains Neighbourhood Centre in Jindabyne also provides access to the same resources.

### **Family and domestic violence services**

- *Family Dispute Resolution Service* is a program of Relationships Australia. There are offices in both Bega and Cooma. This service provides family mediation and counselling to support individuals, couples and children experiencing relationship breakdown.
- *Family Relationship Centre Nowra* is a source of information and confidential assistance for families at all stages in their lives. The Centre provides family dispute resolution (mediation) to enable separating families to achieve workable parenting arrangements outside the Court system. The Centre provided outreach workers in Bega, Moruya and Ulladulla, and delivers services for clients in the Shoalhaven, Eurobodalla and Bega shire areas.

- *Post Separation Cooperative Parenting Service* helps separated parents who are fighting learn how parental conflict affects children and why children need parents to be supportive of their relationship with the other parent. ANGLICARE NSW operates this service in Bega and Moruya.
- *Southern Women's Group Inc. (SWC)* provides a range of accessible information and referral, community development, capacity building and advocacy services for women and their children. This service currently auspices the following services:
  - The *Women's Resource Centre* has a range of services including computer/internet access and training, library, production and distribution of a bi-monthly newsletter SCREECH, photocopying and a friendly meeting space. We offer a safe and friendly space for women in the community to 'drop-in' to relax and meet with other women.
  - *Far South Coast Women's Domestic Violence Court Advocacy Service* provides information, referral and direct support for women and children seeking Apprehended Domestic Violence Orders in Bega, Eden, Narooma, Moruya and Bateman's Bay. A solicitor from the Shoalcoast Community Legal Centre visits monthly.
- *South Eastern Women's Domestic Violence Court Advocacy Service* is a service for women and children who have experienced or are experiencing domestic violence, to obtain effective legal protection through applications for Apprehended Domestic Violence Orders (ADVOs). This service provides clients with information about the court process, support throughout the court process and also referrals to other services, such as counselling or accommodation services. The office is located in Queanbeyan, but also provides services to Cooma and Goulburn.
- *South East Women and Children's Service Incorporated* provides support and accommodation to women and children affected by family and domestic violence, and operates primary prevention and early intervention programs aimed at promoting a community where violence is unacceptable. This service currently manages the following funded programs across Bega Valley including:
  - Bega Women's Refuge
  - Transitional Women's Housing
  - Staying Home Leaving Violence
  - Eden Family and Domestic Violence Program
- *NSW Health Sexual Assault Services* help with crisis counselling as well as medical and ongoing counselling needs, help in reporting a sexual assault to the police and preparing for any court hearings or making a victim impact statement. These services are free and confidential and are available to males and females. The following services are available in the Southern region: Bega Valley Sexual Assault Service, Cooma Community Health Centre, Eurobodalla Sexual Assault Service, Moruya Sexual Assault Service, Goulburn Sexual Assault Service and Queanbeyan Community Health Centre.

### **Tenancy services**

- *Illawarra and South Coast Tenants Service (ISCTAS)* provides free information, advice and advocacy to tenants and long-term residents of caravan parks. ISCTAS services the Wollongong, Shellharbour, Kiama, Wingecarribee, Shoalhaven, Eurobodalla, and Bega Valley areas.
- *South West Tenants Advice Service* provides advice and advocacy to residential tenants in NSW (particularly those in Queanbeyan, Cooma-Monaro and Goulburn areas), including representation in the Consumer Trader Tenancy Tribunal.

- *Sapphire Coast Tenancy Scheme* is a not-for-profit service providing safe, secure and affordable housing to people on low to moderate income. The scheme covers an area from Bermagui to Eden.
- The *Illawarra South East Tenant Participation Resource Service* is funded by Housing NSW and auspiced by the Illawarra Forum Inc. to deliver an information, advocacy and referral service to social housing tenants and applicants in the Illawarra and South East.
- *Southern NSW Aboriginal Tenant Advice Service (Murra Mia)* provides tenant advice and advocacy service for ATSI clients. This service is located in Batemans Bay.
- *Tenants' Union of NSW* represents the interests of all tenants in NSW including those in public and private housing, as well as boarders and lodgers, and caravan park residents.

### **Disability services**

- *Information on Disability and Education Awareness Service* supports people with disability and people with age related disability, their families, carers and other supporters to self-advocate, enabling them to make informed decisions about matters of importance to them in their daily life. There is a regional office located just outside Cooma-Monaro in Tumut.
- *The Disability Trust* provides information for people with disabilities and their families about everyday issues including: locally available programs and services, referrals to counselling or advocacy services, self-advocacy and support groups, forums and workshops, gaining access to services, aids and equipment and community links. The information and advocacy services have three programs:
  - Disability Information and Assistance Line — covers the Illawarra region and provides information services
  - Illawarra Self Advocacy Group — a group that meets monthly to increase skills, confidence and knowledge, in a fun way, so that people can speak up for themselves and help others to speak up as well
  - Shoalhaven Information and Advocacy — covers the Shoalhaven region and provides information services and direct advocacy for people with a disability.
- *Australian Centre for Disability Law* provides free legal advice, representation and assistance for people with a disability and their associates who may have been discriminated on the basis of their disability occurring in NSW.

### **NSW State-wide services**

*LawAccess NSW* is a free government telephone service that provides legal information, referrals and in some cases, advice for people who have a legal problem in NSW.

### **Specialist NSW CLCs**

- *Consumer Credit Legal Centre (NSW)* provides financial counselling, information, referral and legal advice to individual consumers on credit, banking and insurance issues.
- *Environmental Defenders Office NSW* assists individuals and community groups working to protect the environment.
- *HIV/AIDS Legal Centre (NSW)* provides advice and assistance in HIV and Hepatitis C related legal matters including superannuation, insurance, discrimination, employment, immigration, wills, privacy, powers of attorney and enduring guardianships.

- *Immigration Advice and Rights Centre* provides free advice relating to Australian immigration law, refugee and citizenship law.
- *Intellectual Disability Rights Service* provides legal advice, education, resources and publications to people with an intellectual disability and their family members, friends, advocates or solicitors assisting a person with intellectual disability.
- *National Children's and Youth Law Centre* provides free, independent legal advice for children young people, and their advocates.
- *Refugee Advice and Casework Service (Australia)* provides immigration advice to onshore asylum seekers, that is, people in Australia who are fleeing persecution in their home countries and seeking protection in Australia.
- *The Aged-care Rights Service (TARS), incorporating the Older Persons Legal Service* provides legal advice and representation for residents of retirement villages and older persons throughout NSW who are socially vulnerable due to their age, frailty and/or disability. TARS offers advice on general legal matters including consumer issues, human rights matters, social security matters, substitute decision-making and aged rights advocacy.
- *Welfare Rights Centre (NSW)* provides advice and representation on social security and family assistance matters.
- *Wirringa Baiya Aboriginal Women's Legal Centre* is a state-wide service for Aboriginal women and children with a focus on domestic violence, sexual assault, child sexual assault and other issues relating to victims of violence.
- *Women's Legal Service Limited (NSW)* provides free legal information and referrals for women in NSW with a focus on domestic violence, sexual assault, family law and discrimination.

#### **ACT-based services**

- *Street Law* (Welfare Rights and Legal Centre (ACT)) assists people who are homeless or are at risk of becoming homeless by providing a free legal service and by connecting clients with other services. The office is located in Canberra, but also provides services to Queanbeyan.
- *The Women's Legal Centre (ACT & Region) Inc.* is a community legal centre for women in Canberra and the surrounding area. It provides legal information and advice and refers clients to other support services. The office is located in Canberra, but also provides services to Queanbeyan.

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