

Increasing access to legal support for Australians facing disadvantage

Submission to the Independent Review of the
National Legal Assistance Partnership 2020-2025

October 2023

Contents

Introduction	2
Required information	2
About Justice Connect	2
About our submission	3
Executive summary & six recommendations	4
Increasing access to legal support for Australians facing disadvantage	6
NLAP Review Issue 2: Legal needs	6
Rising risk of homelessness, prevalence of financial elder abuse, and growing unmet legal need	6
NLAP Review Issue 4: Disadvantaged groups	7
Prioritising adequate support for people experiencing or at risk of homelessness and older Australians	7
Delivering more legal support for emerging cohorts in disaster contexts	7
NLAP Review Issue 8: Wraparound services	8
Holistic legal services ensure disadvantaged Australians can maintain or access safe housing	8
<i>Collaboratively leveraging pro bono and community partnerships</i>	8
<i>Addressing rising housing insecurity with digital innovation</i>	9
Collaborative legal support for the most at-risk older Australians facing financial abuse	10
NLAP Review Issue 9: Early intervention	10
Intervening earlier to prevent homelessness and address legal need for the most at-risk Australians	10
Avoiding financial elder abuse for older people through early intervention	10
NLAP Review Issue 15: Opportunities	12
Digital innovation provides an opportunity to reach disadvantaged people missing out on legal support	12
Australia's community organisations need access to free legal assistance	12
Contact	13
Endnotes	14

Acknowledgement of Country

Justice Connect acknowledges the Wurundjeri and Boon Wurrung peoples of the Kulin Nation, and the Gadigal peoples of the Eora Nation as the Traditional Owners of the land on which we meet and work. We acknowledge that sovereignty was never ceded and pay our respects to Elders past and present.



Introduction

Required information

Organisation name

Justice Connect
PO Box 16013
Melbourne VIC 8007
DX 128 Melbourne

Organisation type

Community Legal Centre (CLC)

Funding

We are grateful to receive Commonwealth Government NLAP funding for Justice Connect's Homeless Law, which is Victoria's specialist, state-wide free legal service for people experiencing or at risk of homelessness. This critical NLAP funding is currently scheduled to lapse on 30 June 2025. We also receive funding from other Commonwealth & State government sources.

Consents

We consent to:

- our submission being published on the Review website,
- our submission being identified in the report of the Review, and
- our submission being quoted with attribution in the report of the Review.

About Justice Connect

In the face of rising unmet legal need, Justice Connect designs and delivers high-impact interventions to increase access to legal support and progress social justice.

We believe in a fair and just world, where people and communities are supported to engage with and fully participate in our legal and social systems, and avoid the negative impacts on their wellbeing or organisational health that flow from unresolved legal problems.

We are committed to taking an impact-focused approach, applying research and design principles to develop our products and services to ensure they make a tangible difference for our clients and sector peers.

We deliver services that assist both people and not-for-profit organisations. Those we assist often struggle to navigate the law, are unable to use the law in their daily lives and disproportionately experience the impacts of harsh and unjust laws. We aim to solve legal problems to help prevent the negative impacts on people's lives and organisations and empower the community to use the law as a force for good.

Given the scale of the challenges we address, we use digital innovation to extend our reach and impact, supporting us to be more efficient and accessible, while helping us capture and use data to better understand legal need and structural issues.

We also harness the extraordinary pro bono contributions of over 50 member firms and the barristers we work with across the country. We direct pro bono effort through our innovative service models to ensure that pro bono hours deliver the best outcomes for the community.

Drawing on the insights from our service delivery, we develop strategic interventions to help address the system-level drivers of legal problems and the barriers people face when engaging with the legal system. By addressing root causes of flawed or unfair laws and poorly designed systems, we prevent the long-term challenges that people and not-for-profit organisations continue to face.



In 2022-23, Justice Connect achieved the following impacts:

- Delivered **7,817** one-to-one legal services.
- Leveraged **47,779** hours of pro bono support, with an estimated in-kind value of **\$19,331,676**.
- Received **499,577** views to our online legal information resources.
- Achieved **93,035** views to our online interactive legal self-help tools.
- Reached people **26 million** times with targeted digital consumer engagement.

About our submission

We welcome the opportunity to make a submission to the Independent Review of the National Legal Assistance Partnership (NLAP) 2020–2025.

In addition to this direct submission, Justice Connect also confirms our support of the following submissions from the wider-legal assistance sector, which we have had the opportunity to review: Federation of Community Legal Centres (Victoria), and Victorian Sector Outcomes Pilot 2022-23, which has been led by Victoria Legal Aid. We have also appreciated engaging in wider consultations with Community Legal Centres Australia, Community Legal Centres New South Wales (NSW), and the Australian Pro Bono Centre.



Executive summary & six recommendations

In Australia, 8.5 million Australians have a legal problem each year and 4 million Australians will access no legal or other assistance for their problem. Legal problems create and compound life problems, including housing insecurity, mental and physical health issues, financial hardship, and family violence.

Intersection of rising unmet legal need & increasing disadvantage for Australians

This rising legal need is being caused and compounded by the housing and cost of living crises, climate disasters, and the ongoing impacts of COVID-19, resulting in more Australians having legal needs for the first time, while placing more pressure on people with complex vulnerabilities. This has led to ever-growing demand for Australia's legal assistance sector services, including Justice Connect.

The recent findings of the Victoria Law Foundation's Public Understanding of Law Survey (PULS)¹ confirm that legal needs are not rare events, but are commonplace and interwoven into the lives of community members, with 42% of respondents reporting one or more legal problems, which equates to 6.4 million legal problems when applied across the Victorian population.² The PULS data also highlights that increased prevalence of legal need is closely linked to experiences of disadvantage, particularly in terms of housing and financial needs, and communities impacted by disasters.

This submission will address key intersections of increasing unmet legal need and rising disadvantage in our community, including:

- There are currently over 122,000 Australians who are experiencing homelessness, including over 30,000 people in Victoria (representing a 24% increase between 2016–2021).³ Record rent increases, and an acute shortage of social (public & community) and affordable housing, are also locking out many Australians and their families from securing safe and sustainable homes.⁴
- The National Elder Abuse Prevalence study tells us that financial elder abuse is a growing issue across Australia,⁵ with the over-65 age group expected to double in the next 25 years.
- The Law Council of Australia identifies Emergency Responses as a key area that gives rise to unmet legal need.⁶ Yet many disaster-impacted communities face barriers to accessing legal help when seeking to rebuild their lives and livelihoods in the aftermath of a disaster or crisis, which can compound their experiences of disadvantage.
- Community organisations helping the most vulnerable Australians are under further strain, especially for over 50% of Australian charities that have no paid staff and rely solely on volunteers to deliver help to communities in need.⁷

NLAP Review key opportunities to improve legal services & outcomes across Australia

Given these circumstances, the NLAP Review offers a significant opportunity to address critical unmet legal needs, and consider how disadvantage intersects with escalating legal need across Australia. Specialist, integrated, and digitally-enabled legal services are essential for long-lasting impact on the most at risk Australians, who would otherwise miss out on legal support.

The planning, design, and delivery of wraparound legal assistance services should incorporate key learnings about the benefits of specialisation, accessibility, and multi-channel, multi-intensity service integration in achieving better, longer-term outcomes for Australians facing disadvantage. To avoid disadvantage from compounding for Australians, investment is encouraged in prevention-focused, early intervention legal services that have proven impact and downstream cost savings to government and the wider community. As part of this, it will be beneficial for the NLAP Review to specifically consider lapsing NLAP funding for legal assistance services, such as Justice Connect's Homeless Law, and commit to multi-year funding agreements (including CPI) to sustain specialised, holistic and client-centred legal support.

As unmet legal need continues to grow, online legal interventions through digital innovation present an opportunity to reach more disadvantaged people, and the community organisations that support them, at scale. Almost half of PULS respondents indicate they have obtained information from the Internet to help deal with their legal problems, including in the context of climate-fuelled disasters.

This submission is focussed on responding to the key issues and questions raised in the NLAP Review Issues Paper (particularly Issue 2: Legal needs, Issue 4: Disadvantaged groups, Issue 8 Wraparound services, Issue 9 Early Intervention, and Issue 15: Opportunities), which are connected to Justice Connect's specific, evidence-based insights. We also feature insights from our engagement with the community and legal sectors, and share direct feedback from our clients, to make the following six recommendations to increase access to legal support for Australians facing disadvantage:

#	Six recommendations to increase access to legal support for Australians facing disadvantage	NLAP Review Issue
1	<p>To help current legal assistance services to better meet the overall scale and breadth of the legal needs of disadvantaged Australians (NLAP Review Issue 2), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. The outcomes of the NLAP Review should include a focus on the intersection between our community's rising, unmet legal need, increasing risk of homelessness, and growing prevalence of financial elder abuse, along with the value of targeted legal services in achieving lasting impact for Australians experiencing disadvantage. 	2: Legal needs
2	<p>To prioritise adequate support for existing and emerging disadvantaged groups of Australians (NLAP Review Issue 4), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. People experiencing or at risk of homelessness, and older people, remain two of the most systemically disadvantaged groups in Australia, and adequate support for both of these cohorts should be sustained and increased. b. Extending the NLAP definition of disadvantaged groups to include individuals, small business owners, and community organisations affected by disasters (or supporting disaster-recovery efforts), and making sure that adequate support is made available for these emerging disadvantaged cohorts across Australia. 	4: Disadvantaged groups
3	<p>To enable holistic service provision to improve outcomes for Australians and reduce the demand for legal assistance services (NLAP Review Issue 8), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. The planning, design, and delivery of wraparound legal assistance services should incorporate key learnings about the benefits of specialisation, accessibility, and multi-channel, multi-intensity service integration in achieving better, longer-term outcomes for Australians experiencing disadvantage, particularly people facing homelessness and older people. 	8: Wraparound services
4	<p>To best support legal and non-legal activities that intervene earlier to prevent legal need through legal assistance funding (NLAP Review Issue 9), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. Prioritising legal assistance services that specialise in early intervention, integrated legal supports, which have proven impact and downstream cost savings in holistically preventing legal need. This includes targeted, multi-disciplinary and collaborative models that stop homelessness before it starts for people facing disadvantage, keep women and children safely housed, and avoid financial abuse for older Australians. 	9: Early intervention
5	<p>To ensure that early intervention, wraparound, and digital legal supports are made available to people experiencing or at risk of homelessness across Victoria, who are a key systemically disadvantaged group of Australians with rising legal need (NLAP Review Issues 2, 4, 8, 9), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. Sustaining the NLAP funding of Justice Connect's Homeless Law, which is currently scheduled to lapse on 30 June 2025. Further investment of \$300,000 per year (including CPI) in our specialised homelessness legal services through NLAP from 1 July 2025 will result in \$6.25M in annual cost savings to government and the wider community (our detailed costings are available on request). b. A commitment to a multi-year funding agreement, which would also allow for longer-term planning and responsiveness. It would directly support the continuation of high-impact, client-centred legal assistance that prevents and ends homelessness for the most at-risk Australians. 	2: Legal needs 4: Disadvantaged groups 8: Wraparound services 9: Early intervention
6	<p>To further improve service delivery outcomes and maximise use of resources through changes to the NLAP (NLAP Review Issue 15), Justice Connect recommends:</p> <ul style="list-style-type: none"> a. Supporting evidence-based digital innovation strategies that effectively deliver legal support to more disadvantaged Australians missing out on legal help. b. Allocating sustained NLAP resourcing to existing legal services that are delivering tangible impact in meeting the legal needs of Australians facing disadvantage and the community organisations that support them. 	15: Opportunities

Increasing access to legal support for Australians facing disadvantage

NLAP Review Issue 2: Legal needs

To what extent does current legal assistance meet the overall scale and breadth of the legal needs of disadvantaged Australians?

Rising risk of homelessness, prevalence of financial elder abuse, and growing unmet legal need

On any given night, there are over 122,000 Australians who are experiencing homelessness, including over 30,000 people in Victoria (representing a 24% increase between 2016–2021).⁸ Record rent increases and an acute shortage of social (public and community) and affordable housing are also locking out many Australians and their families from securing safe and sustainable homes. This includes recent survey findings that no private rental properties in Victoria were affordable for a single person on JobSeeker, and only seven (0.04%) properties were affordable for a person receiving Centrelink parenting payments.⁹

The NLAP Review process presents an important opportunity to focus on the intersection between our community's rising legal need, growing risk of homelessness, and increasing prevalence of financial elder abuse, along with the value of targeted legal services in achieving lasting outcomes for disadvantaged Australians.

Legal, housing, financial, health, and social needs have increased in the context of COVID-19 and the 'recovery phase', placing many Australians at risk of homelessness for the first-time.¹⁰ These continued impacts have been exacerbated by rising pressures related to the national housing and cost of living crises, which we have directly observed in the heightened demand for our tailored legal services for people facing disadvantage.

Through our specialised, Victoria-wide legal services for people experiencing or at risk of homelessness,¹¹ we have directly seen the community's growing circumstances of disadvantage, and the compounding, cumulative impact this has on Australians' legal and life issues.¹² In the last two years, we have seen a 40% increase in our intensive, integrated casework for people facing homelessness. Through this frontline work, we know that many Australians who had not previously sought holistic legal support are seeking help from already under-resourced community and legal services.

The National Elder Abuse Prevalence study also tells us that financial elder abuse is a growing issue across Australia,¹³ with the over-65 age group expected to double in the next 25 years. There are currently more legal needs related to older people than ever: not only does Australia have an ageing population, but the rising cost of living pressures in the community are also resulting in an increasing risk of financial elder abuse.

The recent findings of the Victoria Law Foundation's Public Understanding of Law Survey (PULS) confirm that legal needs are not rare events, but are commonplace and interwoven into the lives of community members, with 42% of respondents reporting one or more problems, which equates to 6.4 million problems when applied across the Victorian population.¹⁴ The PULS data also highlights that the most common legal problems for individuals relate to housing needs, and financial needs (such as consumer matters, fines, and debts). Given these findings, it is clear that current legal assistance is not meeting the overall scale and breadth of legal need for disadvantaged Australians.

In this context, there is a complex intersection between this rising legal need, and the increased risk of homelessness and the growing prevalence of financial elder abuse that developed during COVID-19, which continues to heavily burden Australians experiencing disadvantage. This also presents an opportunity for the NLAP Review to encourage further investment in supporting the Australian legal assistance sector to address the rising scale and breadth of legal need, including for people experiencing or at risk of homelessness, and older people facing financial abuse.

Recommendation 1:

To help current legal assistance services to better meet the overall scale and breadth of the legal needs of disadvantaged Australians (NLAP Review Issue 2), Justice Connect recommends:

- a. The outcomes of the NLAP Review should include a focus on the intersection between our community's rising, unmet legal need, increasing risk of homelessness, and growing prevalence of financial elder abuse, along with the value of targeted legal services in achieving lasting impact for Australians experiencing disadvantage.

NLAP Review Issue 4: Disadvantaged groups

Are there other systemically disadvantaged groups, either existing or emerging, who are not supported adequately?

Prioritising adequate support for people experiencing or at risk of homelessness and older Australians

People experiencing or at risk of homelessness are one of the most systemically disadvantaged groups of Australian community members, who face multiple, complex vulnerabilities.¹⁵

There is heightened risk of homelessness for women and children, particularly in the context of family violence. They represent 74% of people accessing homelessness support services in Victoria, and across Australia, women account for 82% of the increase in people experiencing homelessness between 2016 and 2021.¹⁶ This is reflected in our targeted women's homelessness prevention model,¹⁷ which in the last 12 months, successfully kept 158 women and children safely housed through an intensive combination of legal and social work assistance (up by 14% from 2021-22). Pitcher Partners has costed the benefit of this work to be 6.3 times the level of investment.¹⁸

*The benefit of our work supporting women and children to stay safely housed has been costed to be **6.3 times the level of investment.***

The continued importance of ensuring adequate support for people experiencing or at risk of homelessness is further evidenced by the intersectional needs of this disadvantaged cohort. In 2022-23, of new clients receiving support through our specialised legal services for people facing homelessness across Victoria, 96% were experiencing financial disadvantage, 86% reported having experienced family violence, and 75% were experiencing physical or mental health issues.

The findings of the National Elder Abuse Prevalence Study have also confirmed that older Australians remain a disadvantaged group,¹⁹ that needs to be adequately supported in the context of our ageing population. In particular, older people are more likely to experience complex health needs and be at risk of financial abuse. In this context, there is significant potential for the Australian legal assistance sector to further address the legal needs of older community members across Australia, including through tailored health justice partnerships (HJPs).²⁰

Delivering more legal support for emerging cohorts in disaster contexts

As climate-fuelled disasters increase in frequency, more people need legal help than ever. Each disaster and crisis creates its own pattern of legal issues, and this places the legal assistance sector, including Justice Connect, under growing pressure. We aim to get more help to more people throughout the disaster cycle — particularly to provide better support for legal issues that are most likely to arise during the long recovery period, and also focusing on preparedness activities to improve resilience.

Communities experience complex problems when seeking to rebuild their lives and livelihoods in the aftermath of a disaster or crisis. The Law Council of Australia²¹ identifies Emergency Responses as a key area that gives rise to unmet legal need. Yet many impacted communities face barriers to accessing legal help.

Communities need quick, effective services to adapt to the specific type of legal needs that arise after disasters, whether they have been impacted by severe floods or fires and need legal advice on their insurance, property, or small business; or if they are a community organisation swiftly trying to understand a changing landscape to protect the safety of their staff, volunteers, and clients.

A cornerstone of our disaster response is Justice Connect's [Pro Bono Portal](#), which is used by 39 Community Legal Centres (CLCs) across Australia to make referrals to our network of 168 pro bono law firms. Currently, close to 170 CLC workers are using the Portal to facilitate their pro bono referrals, allowing them to directly connect with firms, have their clients' legal needs addressed, and grow their networks. We provide training and user support to all users, and regularly seek feedback to inform further feature development. However, scaling and sustaining this crucial access to justice infrastructure requires dedicated and sustained resourcing.

Recommendation 2:

To prioritise adequate support for existing and emerging disadvantaged groups of Australians (NLAP Review Issue 4), Justice Connect recommends:

- a. People experiencing or at risk of homelessness, and older people, remain two of the most systemically disadvantaged groups in Australia, and adequate support for both of these cohorts should be sustained and increased.
- b. Extending the NLAP definition of disadvantaged groups to include individuals, small business owners, and community organisations affected by disasters (or supporting disaster-recovery efforts), and making sure that adequate support is made available for these emerging disadvantaged cohorts across Australia.

NLAP Review Issue 8: Wraparound services

How can holistic service provision improve outcomes and reduce the demand for legal assistance services?

Holistic legal services ensure disadvantaged Australians can maintain or access safe housing

The Victoria Law Foundation's recent Public Understanding of Law Survey confirms the importance of initiatives that seek to improve service targeting, outreach, co-ordination between legal and non-legal services, appropriateness of services for different people and populations, and service timeliness.²² PULS also confirms that the most disadvantaged Australians have the larger proportion of multiple unmet legal need, which demonstrates the importance of increasing holistic services for these cohort.

Based on Law Council of Australia findings, our wraparound legal services are best practice in successfully preventing and ending homelessness for Australians.²³ Our model involves multi-disciplinary staff, pro bono lawyers, and embedded community partnerships, so we can successfully address the legal and non-legal needs of people facing homelessness under one roof.²⁴ These integrated supports ensure that the most at-risk Australians, including those in regional and rural communities, can access, navigate, and exit the justice system, and maintain or access secure housing. We also prioritise keeping women and children safely housed through integrated legal and social work supports.

In analysing 10 years' worth of client feedback collected about the impact of our specialised Victoria-wide homelessness legal services, our multi-disciplinary services have been found to be highly effective in holistically addressing rising legal need for some of the most disadvantaged Australians.²⁵ Recent client feedback includes *"I wasn't evicted and was safe. I still have shelter...and no more threats"* and *"I've got somewhere to live, otherwise I would have been out on the street"*.

Collaboratively leveraging pro bono and community partnerships

Our multi-disciplinary staff not only directly and intensively tackles individual legal need, we also harness the considerable pro bono capacity of the legal profession to deliver more help to those who need it and build the

capacity of both frontline workers from our embedded community partners. In the last 12 months, over 650 pro bono lawyers from Justice Connect's member law firms delivered 29,986 hours of high-quality, free assistance to Australians facing homelessness through our specialist service (up by 6% from 2021-22).

In addition to our expert day-to-day supports and our customised training program, we also extend our capability building work through codesigned digital resources, including our recently launched [Workers' Resource Hub](#), and [Homeless Law in Practice](#),²⁶ extending our support of pro bono lawyers, and the wider legal assistance and community sectors, across Victoria.

In recent years, our community has been grappling with ever rising and increasingly complex needs. From our day-to-day work in preventing and ending homelessness, it is clear that more Australians than ever need our legal help, and many are not receiving it. We have seen significant growth in demand for our specialist homelessness legal services, coupled with an increase in the complexity of circumstances impacting help-seekers facing housing insecurity.²⁷

Since COVID-19 commenced, we have had a 124% increase in new enquiries from people facing homelessness. This includes more demand for wraparound legal services with expert, integrated social work support, and embedded housing, financial, and employment referral pathways. Our data reflects COVID-19's ongoing social and economic impacts, which are heightened by the current housing and cost of living crises. In particular, our intensive, integrated non-legal supports have increased by 43% in the last 12 months (compared to 2021-22). This context has created a new cohort of 'future homeless' and financially insecure people, while also compounding difficulties experienced by disadvantaged Australians.²⁸

This corresponds with the PULS findings, which confirm that increased prevalence of legal need is closely linked to experiences of disadvantage, including housing issues, and that almost half of PULS respondents indicated they obtained information from the Internet to help deal with problems.²⁹ In that context, we have continued to adapt our wraparound homelessness legal services, so we are now delivering multi-channel, multi-intensity supports to people experiencing housing insecurity, which directly complement and inform our service design, our evidence-based strategic advocacy for better laws and policies, and our user-centred digital interventions.

Addressing rising housing insecurity with digital innovation

Even with the significant support of Justice Connect's pro bono member law firms, it is just not possible to service one-to-one the increased need within our community. Given this ever-rising need, particularly connected to the housing and cost of living crises, we target our highest-intensity services to those most at risk, and who would be unable or unlikely to achieve a successful resolution of their legal matter without this level of assistance. However, we know we are unable to provide this level of high-intensity support to the thousands of Australians with unmet legal need.

That is why we scale our reach through innovative 'one-to-many' initiatives, such as our [Dear Landlord online self-help tool for Victorian renters](#).³⁰ Dear Landlord is a user-centred digital tool, which empowers more Australians in private rentals to avoid eviction and stay securely housed. It was first codesigned and developed in 2017-18, after the benefits of an accessible self-help tool were identified through data and client insights drawn from our wraparound service delivery, including through our intensive, holistic work preventing homelessness for women and children.

We rapidly iterated Dear Landlord in response to COVID-19 and the related changes to Victoria's rental laws. From the height of the pandemic, Dear Landlord has been a key part of Justice Connect's responsive approach in increasing access to legal support and preventing homelessness, including throughout regional and rural Victoria. Since COVID-19 commenced in 2020, nearly 105,000 renters have used Dear Landlord to avoid eviction.³¹

Since COVID-19 commenced, nearly 105,000 renters have used our Dear Landlord digital self-help tool to avoid eviction.

Collaborative legal support for the most at-risk older Australians facing financial abuse

A recent Commonwealth Attorney-General's Department evaluation found that specialist, integrated elder abuse services like our health justice partnerships (HJPs) are more effective at responding to financial elder abuse than mainstream services, which are not designed or resourced to provide combined legal and social supports.³²

Since 2015, our evidence-based HJP model has been tailored to improve our reach to the most at-risk older people by integrating with the services that older people trust and use. By integrating closely with health workers and pro bono lawyers, our client-centred model delivers holistic supports to increase access to justice for older people with complex needs who would otherwise fall through the cracks.³³ Justice Connect's HJPs for older Australians are also complemented by our client-centred project initiatives, which are informed by evidence emerging through our casework and our collaboration with our health partners.

This includes our future planning work across Victoria, through which we have codesigned and developed innovative 'Conversation Guides', a resource that facilitates important, precursory conversations in groups of older people about what they want their older age to look like. During 2022-23, we brought our Conversation Guides to over 100,000 older Australians and organisations that support them, both online and offline.³⁴

*We brought our future-planning Conversation Guides to **over 100,000 older Australians** and organisations that support them, both online and offline*

Recommendation 3:

To enable holistic service provision to improve outcomes for Australians and reduce the demand for legal assistance services (NLAP Review Issue 8), Justice Connect recommends:

- a. The planning, design, and delivery of wraparound legal assistance services should incorporate key learnings about the benefits of specialisation, accessibility, and multi-channel, multi-intensity service integration in achieving better, longer-term outcomes for Australians experiencing disadvantage, particularly people facing homelessness and older people.

NLAP Review Issue 9: Early intervention

How should legal assistance funding support activities that at an early stage reduce or prevent legal need, including activities not purely of a legal character?

Intervening earlier to prevent homelessness and address legal need for the most at risk Australians

We need to prevent homelessness before it starts. The Law Council of Australia highlighted that our early intervention model is best practice,³⁵ focusing on preventing homelessness for Australians with complex needs and keeping women and children safely housed across Victoria. Through longstanding pro bono and community partnerships, as well as multi-disciplinary supports, we reach people earlier in the cycle of their legal and non-legal issues, and provide specialised supports, so disadvantaged Australians can avoid or exit homelessness.

For over 20 years, we have delivered Victoria's specialist, state-wide free legal service for people experiencing or at risk of homelessness. Since 2010, we have pioneered and refined an early intervention integrated practice model, preventing people from entering or remaining in the homelessness cycle. Our integrated legal and social work has demonstrated impact sustaining positive housing outcomes to avoid tens of millions of dollars in justice, housing, and community support costs.

In 2022-23, we directly prevented 213 clients and their families from being evicted into homelessness (up by 25% from 2021-22),³⁶ and we had a tenancy sustainment success rate of 93%. This work has never been more impactful than in the context of the current housing and cost of living crises, and based on Australian

Housing and Urban Research Institute findings, equates to government and community-wide cost savings of approximately \$6.25 million.³⁷

*In the last 12 months, our specialised homelessness legal services directly prevented **213 clients** and their families from being evicted, equating to **\$6.25 million cost savings** to the government and wider community.*

Avoiding financial elder abuse for older people through early intervention

Social Return on Investment modelling undertaken as part of a recent Commonwealth Attorney-General's Department evaluation of specialist elder abuse services³⁸ found that specialist legal assistance sector services for older Australians are cost-effective, as every \$1 spent on program costs leverages \$3.69 of value to the community. These findings include our specialist health justice partnership (HJP) model, which is focused on preventing and addressing financial elder abuse.³⁹ Based on these findings and our current non-NLAP funding, in the last year, our multi-state HJP practice across Victoria and NSW delivered cost-savings of \$2.46 million to the government and wider community.

*Specialist elder abuse services – including our Health Justice Partnerships for older Australians – have been found to provide **\$3.69 of value for every \$1 spent**.*

Through this collaborative model in NSW and Victoria, our lawyers are embedded in health services where they work closely with health professionals to identify and deliver critical legal help earlier to disadvantaged older patients who are experiencing or at risk of abuse. A key benefit of our integrated HJP model is that it enables earlier intervention in clients' 'life problems' before they develop into more complicated and intractable legal issues, facilitating significant cost-savings to government and the wider-community. An evaluation led by La Trobe University in 2018 found that Justice Connect's HJP model facilitates greater opportunity for preventative intervention, avoiding the escalation of matters into more complex and costly legal issues.⁴⁰

Recommendation 4:

To best support legal and non-legal activities that intervene earlier to prevent legal need through legal assistance funding (NLAP Review Issue 9), Justice Connect recommends:

- a. Prioritising legal assistance services that specialise in early intervention, integrated legal supports, which have proven impact and downstream cost savings in holistically preventing legal need. This includes targeted, multi-disciplinary and collaborative models that stop homelessness before it starts for people facing disadvantage, keep women and children safely housed, and avoid financial abuse for older Australians.

Recommendation 5:

To ensure that early intervention, wraparound, and digital legal supports are made available to people experiencing or at risk of homelessness across Victoria, who are a key systemically disadvantaged group of Australians with rising legal need (NLAP Review Issues 2, 4, 8, 9), Justice Connect recommends:

- a. Sustaining the NLAP funding of Justice Connect's Homeless Law, which is currently scheduled to lapse on 30 June 2025. Further investment of \$300,000 per year (including CPI) in our specialised homelessness legal services through NLAP from 1 July 2025 will result in \$6.25M in annual cost savings to government and the wider community (our detailed costings are available on request).
- b. A commitment to a multi-year funding agreement, which would also allow for longer-term planning and responsiveness. It would directly support the continuation of high-impact, client-centred legal assistance that prevents and ends homelessness for the most at-risk Australians.

NLAP Review Issue 15: Opportunities

What other changes to the NLAP would further improve service delivery outcomes and maximise use of resources?

Digital innovation provides an opportunity to reach disadvantaged people missing out on legal support

There are significant opportunities to provide timely, tailored legal assistance in online settings at scale and make meaningful strides in reaching the cohort of 4 million people currently receiving no assistance, which is both compounding disadvantage and driving increased legal need.

The Victoria Law Foundation's Public Understanding of the Law Survey tells us that almost half of all help-seekers who took action with their legal issue first obtained information online.⁴¹

Our legal service delivery model incorporates digital transformation and digital innovation to meet ever increasing levels of unmet legal need in the Australian community. By co-designing solutions to improve the experience, efficiency, and impact of access to justice legal services, we now have a suite of products in wide use across Australia and the world. These products address multiple stages of the legal assistance journey:

- **Identification and triage:** We've developed a [diagnostic artificial intelligence \(AI\) Natural Language Processor](#) that can diagnose legal problems in the natural language of Australians helping them define their legal issue and connect with resources and services earlier in their journey.
- **Intake:** Our intelligent [online intake and triage tool](#) that helps people quickly and easily understand whether they are eligible for our services, and where preliminarily eligible, submit a full application online.
- **Referrals:** Our [referrer tool](#) that helps our sector colleagues understand when we can help someone they are working with and easily warm-refer clients deep into our system, reducing referral drop-out.
- **Pro bono capacity:** Our [Pro Bono Portal](#) that revolutionises the way we work with our network of 10,000 pro bono lawyers, ensuring we are making the most of their capacity and connecting them more efficiently, transparently, and effectively to unmet legal need.

Australia's community organisations need access to free legal assistance

We run a specialist program providing free legal supports to community organisations, which the only service of its kind in Australia.⁴² Our multichannel service model helps organisations remain legally compliant, achieve good governance, and provide a safe workplace for their staff, volunteers, and clients. We prioritise helping organisations that provide services to vulnerable people, First Nations communities, and in regional, rural, and remote areas of the country.

The impacts of COVID-19, successive climate-fuelled disasters, and the rising cost of living have seen demand for the services community organisations provide skyrocket, while human and financial resources within these organisations have been increasingly strained. Volunteering numbers have continued to decline, which further strains the resources of organisations, especially for over 50% of Australian charities that have no paid staff and rely solely on volunteers to deliver help to communities in need.⁴³

Community organisations are also facing a wave of large-scale reforms around industrial relations, workplace safety, privacy, and tax, which have a major impact on resource-poor organisations. They will need to be prepared to adapt their operations, necessitating a critical need for free legal and governance assistance to help community organisations to survive this period, and to build their capacity to adapt and transform at a time of rapid change and increasing need.

In addition to saving community organisations time, money, and resources, the support we provide has a flow on impact on the level of services frontline organisations can deliver in their communities.

*Research from Deloitte Access Economics⁴⁴ estimates **18,000 additional client service episodes** were able to be provided by frontline organisations **because of our legal services for community organisations**.*

This means 18,000 more people were supported to find social housing, access legal support, care for someone living with mental or physical health issue, exit safely from domestic or family violence, or get support for community-building.

With appropriate and secure resourcing, we would be able to scale our national service delivery to help more frontline organisations, so they can thrive within complexity and continue to provide essential services to their communities.

Recommendation 6:

To further improve service delivery outcomes and maximise use of resources through changes to the NLAP (NLAP Review Issue 15), Justice Connect recommends:

- a. Supporting evidence-based digital innovation strategies that effectively deliver legal support to more disadvantaged Australians missing out on legal help.
- b. Allocating sustained NLAP resourcing to existing legal services that are delivering tangible impact in meeting the legal needs of Australians facing disadvantage and the community organisations that support them.

Contact

We thank the Reviewer, Dr Warren Mundy, for considering Justice Connect's submission to this Independent Review of the National Legal Assistance Partnership 2020-2025, and confirm that we would welcome any further opportunities to contribute.

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Endnotes

- ¹ Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.
- ² Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.
- ³ Australian Institute of Health and Welfare, *Homelessness and homelessness services* (2023), available at: <https://www.aihw.gov.au/reports/australias-welfare/homelessness-and-homelessness-services>.
- ⁴ Anglicare Australia, *Anglicare Australia Rental Affordability Snapshot* (2022), available at: <https://www.anglicarevic.org.au/wp-content/uploads/2022/04/Victorian-Rental-Affordability-Snapshot-2022.pdf#:~:text=Of%20the%2018%2C934%20private%20rentals%20advertised%20across%20Victoria%3A,least%20one%20household%20type%20living%20on%20minimum%20wage>.
- ⁵ Qu, L., et al, *National Elder Abuse Prevalence Study: Final Report* (2021). Melbourne: Australian Institute of Family Studies, available at: https://aifs.gov.au/sites/default/files/publication-documents/2021-national-elder-abuse-prevalence-study-final-report_0.pdf.
- ⁶ Law Council of Australia (2021), 'Addressing the legal needs of the missing middle', <https://lawcouncil.au/publicassets/d8ff81b4-7558-ec11-9444-005056be13b5/2021%2011%2030%20-%20PP%20-%20Addressing%20the%20legal%20needs%20of%20the%20missing%20middle.pdf>
- ⁷ Volunteer numbers are down by almost 600,000 from 2018 according to the [ACNC Australia Charities Report \(9th Edition\)](#).
- ⁸ Australian Institute of Health and Welfare, *Homelessness and homelessness services* (2023), available at: <https://www.aihw.gov.au/reports/australias-welfare/homelessness-and-homelessness-services>.
- ⁹ Anglicare Australia, *Anglicare Australia Rental Affordability Snapshot* (2022), available at: <https://www.anglicarevic.org.au/wp-content/uploads/2022/04/Victorian-Rental-Affordability-Snapshot-2022.pdf#:~:text=Of%20the%2018%2C934%20private%20rentals%20advertised%20across%20Victoria%3A,least%20one%20household%20type%20living%20on%20minimum%20wage>.
- ¹⁰ Please see for evidence-based learnings from Justice Connect's Homeless Law: <https://justiceconnect.org.au/dear-landlord-intervening-early-to-prevent-evictions-during-covid-19/>. For more information, please see: Emma Baker et al, 'Renting in the Time of COVID-19: Understanding the Impacts' (AHURI Final Report No 340, October 2020). See also Brianna Casey, CEO of Foodbank Australia, 'Opening statement to the Senate Select Committee on COVID-19' (July 2020), available at: <https://www.aph.gov.au/DocumentStore.ashx?id=c3dea3ee-4578-4b95-80d1-ff2c49f1b0f6>, particularly see where she noted that that foodbank users had jumped by 79% to 1.4 million since the start of the public health emergency.
- ¹¹ Justice Connect's Homeless Law program is Victoria's specialist, statewide free legal service for people experiencing or at risk of homelessness. Since 2001, we have holistically helped Victorians with poverty-related fines and charges, tenancy and housing issues (particularly eviction prevention and advocating for renters with tenancies impacted by family violence) and debts. Justice Connect provides integrated legal and social work services, along with innovative digital tools, to increase access to justice for our clients, working closely with pro bono law firms and community-sector partners. For more information, please see: <https://justiceconnect.org.au/our-services/homeless-law/>.
- ¹² For more detailed recent insights, please see: Justice Connect's Homeless Law, *Briefing report on Housing and Financial Insecurity for Renters* (July 2023), available at: https://justiceconnect.org.au/wp-content/uploads/2023/07/230724_HL_Rising-Housing-Financial-Insecurity-For-Renters.pdf, and Justice Connect's Homeless Law, *A Place to Call Home: increasing housing security and supply for all Victorians – Submission to Inquiry into the rental and housing affordability crisis in Victoria* (July 2023), available at: <https://justiceconnect.org.au/wp-content/uploads/2023/07/JCHL-Submission-to-the-Inquiry-into-the-rental-and-housing-affordability-crisis-in-Victoria-July-2023.pdf>.
- ¹³ Qu, L., et al, *National Elder Abuse Prevalence Study: Final Report* (2021). Melbourne: Australian Institute of Family Studies, available at: https://aifs.gov.au/sites/default/files/publication-documents/2021-national-elder-abuse-prevalence-study-final-report_0.pdf.
- ¹⁴ Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.
- ¹⁵ For more detailed evidence regarding the complex legal and non-legal needs of Australians facing homelessness, please see: Justice Connect's Homeless Law, *Finding Shelter from the law: Fairer responses to homelessness in our community* (2020), available at: <https://justiceconnect.org.au/wp-content/uploads/2020/04/Justice-Connect-Position-Paper-Finding-shelter-from-the-law-March-2020.pdf>.
- ¹⁶ Australian Institute of Health and Welfare, *Homelessness and homelessness services* (2023), available at: <https://www.aihw.gov.au/reports/australias-welfare/homelessness-and-homelessness-services>.
- ¹⁷ Justice Connect's Women's Homelessness Prevention has been cited by the [Law Council of Australia's Justice Project Final Report](#) as best practice for successfully preventing and reducing housing insecurity. The WHPP provides specialised, ongoing legal and social work assistance to ensure that women and children are safely housed, advocates for victim-survivors with rentals affected by family violence, as well as resolving debts and fines that are barriers to secure housing and keeping women and their children together. In 9 years, the WHPP has holistically kept 1,255 women and children safely housed across Victoria. For more information: <https://justiceconnect.org.au/our-services/homeless-law/womens-homelessness-prevention-project/>.
- ¹⁸ Pitcher Partners Corporate Finance Vic Pty Ltd, Women's Homelessness Prevention Project – Cost Benefit Analysis, (September 2019).
- ¹⁹ Qu, L., et al, *National Elder Abuse Prevalence Study: Final Report* (2021). Melbourne: Australian Institute of Family Studies, available at: https://aifs.gov.au/sites/default/files/publication-documents/2021-national-elder-abuse-prevalence-study-final-report_0.pdf.
- ²⁰ In 2015 Justice Connect's Seniors Law pioneered the use of the Health Justice Partnership (HJP) model in Australia to respond to elder abuse. Our HJPs in Victoria were the first and are the longest running in Australia to support older people and tackle elder abuse, and we also deliver ongoing HJPs for this disadvantaged group in NSW. For more information: <https://justiceconnect.org.au/our-services/seniors-law/about-hjps/>.
- ²¹ Law Council of Australia (2021), 'Addressing the legal needs of the missing middle', <https://lawcouncil.au/publicassets/d8ff81b4-7558-ec11-9444-005056be13b5/2021%2011%2030%20-%20PP%20-%20Addressing%20the%20legal%20needs%20of%20the%20missing%20middle.pdf>
- ²² Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.
- ²³ Law Council of Australia, *Justice Project Final Report - People Who are Homeless* (August 2018) at p 31; LCA, *Justice Project Final Report - Legal Services* (August 2018) at pp 24, 77-8, available at: www.lawcouncil.asn.au/justice-project/final-report.
- ²⁴ In 2022-23, Justice Connect's Homeless Law opened 696 new legal casework files (up by 7% from 2021-22) for 463 people experiencing or at risk of homelessness across Victoria. A significant number of clients had multiple legal matters (e.g. eviction and summary crime; fines, and housing debts), and their priority needs could be met within our tailored model. Our staff social workers also provided 1,151 targeted non-legal supports. Our integrated social work supports include intensive direct non-legal assistance, expert linkages to other services, linkages to financial brokerage, direct engagements (such as providing supporting evidence) involving courts and tribunals, and secondary consultations to our network of pro bono lawyers and caseworkers from our embedded community partners.



²⁵ Of Justice Connect's Homeless Law clients surveyed between 2014-2023:

- 93% rated the quality of our integrated social work supports as excellent or good.
- 92% said that our lawyers helped them to better understand their legal options.
- 90% said that we helped them to get a better outcome than they would have otherwise experienced.

²⁶ In 2022-23, Homeless Law in Practice had 72,192 unique page views in 2022-23 (up by 49% from 2021-22).

²⁷ Justice Connect's experience is consistent with other legal and community service providers: see Federation of Community Legal Centres Victoria (2020) Legal need and the COVID-19 crisis, available at https://d3n8a8pro7vhmx.cloudfront.net/fclc/pages/743/attachments/original/1593647085/FCLC_COVID-19_bid_-_For_tabling_at_PAEC_-_19052020_-_final.pdf?1593647085. Also see, Kutin, J. J., McDonald, H. M., Hagland, T., Kennedy, C., & Balmer, N. J. (2022). Working in community legal centres in Victoria. Results from the Community Legal Centres Workforce Project: COVID-19 experiences and lessons. Melbourne, Australia: Victoria Law Foundation. Available at: <https://victorialawfoundation.org.au/research/research-reports/>, 19.

²⁸ Of new Justice Connect's Homeless Law clients in 2022-23, 55% were connected to us through one of our longstanding, embedded community partnerships and frontline colocations,²⁸ where people are accessing essential non-legal services to address their com. particularly women and children at risk of homelessness in the context of family violence.

²⁹ Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.

³⁰ Dear Landlord provides early access to customised legal help and practical information, so renters can better understand their rights under the relevant rental laws, build confidence, and take early steps to stay securely housed. Through Dear Landlord, renters can create tailored letters to their rental providers proposing payment plans or rent reductions, along with being able to draft Tribunal applications.

³¹ Over 85% of users have shared that Dear Landlord helped them to understand their rights, and to take action in improving their rental situation. Significantly, 36% of users accessed Dear Landlord to create a payment plan proactively before even receiving an eviction notice, which shows the power of our co-designed digital tools to stop homelessness before it starts. In the last 12 months, there has been a 12% increase in renters who used Dear Landlord to generate customised documents to avoid eviction. We also continue to update Dear Landlord in response to renters' changing legal, financial, and personal circumstances, including those caused and compounded by the current housing and cost of living crises. As part of this, we are currently scoping the next iteration of Dear Landlord, which will more directly assist users to respond to rent increase requests from their rental providers.

³² Inside Policy (prepared for the Attorney-General's Department), *Final Evaluation of the Elder Abuse Service Trials – Final Report*, 6 (2021), available at: https://www.ag.gov.au/sites/default/files/2023-02/final-evaluation-of-the-elder-abuse-service-trials-report_0.pdf.

³³ In 2022-23, Justice Connect's wraparound HJPs helped older people with 1,691 instances of specialised legal support, whether that was providing legal advice, delivering ongoing casework or making referrals. Our specialised HJP lawyers also ran 47 training sessions with 634 healthcare workers, to build their capacity to spot the signs of elder abuse, and connect clients with help from Justice Connect. From these sessions, 92% of workers said our HJP has improved their knowledge of elder abuse.

³⁴ We saw a 313% increase in older people attending our in-person workshops focussed on the Conversation Guides, run by our expert lawyers, and 92% of these older people shared they were now more confident to plan for their future.

³⁵ Law Council of Australia, *Justice Project Final Report - People Who are Homeless* (August 2018) at p 31; LCA, *Justice Project Final Report - Legal Services* (August 2018) at pp 24, 77-8, available at: www.lawcouncil.asn.au/justice-project/final-report.

³⁶ 'Evictions into homelessness avoided' includes where:

- the eviction was clearly prevented (for e.g., successful outcome at VCAT, NTV withdrawn, a landlord agreeing not to execute a warrant after a possession order),
- the tenancy ended but we were able to postpone the warrant or otherwise obtain more time for the client, allowing them to secure alternative housing, avoiding them being evicted into homelessness,
- the client left the property of their own accord into other housing but had attended a clinic and received advice and advocacy in the lead up.

It does not include where more time was obtained but the client was not able to secure alternative housing; or clients who relinquish tenancies (including incarcerated renters).

³⁷ Kaylene Zaretsky et al, The cost of homelessness and the net benefit of homelessness programs: a national study, AHURI Final Report No 205 (2013) 4, which identified that people experiencing homelessness had higher interaction with health, justice and welfare systems than people with stable housing and estimated that an individual experiencing homelessness represents an annual cost to government services that is \$29,450 higher than for the rest of the Australian population. Of this increased cost, \$14,507 related to health services, \$5,906 related to justice services, and \$6,620 related to receipt of welfare payments.

³⁸ Inside Policy (prepared for the Attorney-General's Department), *Final Evaluation of the Elder Abuse Service Trials – Final Report*, 6 (2021), available at: https://www.ag.gov.au/sites/default/files/2023-02/final-evaluation-of-the-elder-abuse-service-trials-report_0.pdf.

³⁹ Justice Connect's grateful to currently receive funding for our Health Justice Partnerships in NSW from the Commonwealth Attorney General's Department through its Specialist Elder Abuse Services program.

⁴⁰ La Trobe University & Justice Connect, *Working together: A Health Justice Partnership to Address Elder Abuse – Two Year Interim Report* (2018), available at: https://justiceconnect.org.au/wp-content/uploads/2018/08/HJP_impact-report_year-2_web_FINAL.pdf.

⁴¹ Balmer, N.J., et al, The Public Understanding of Law Survey (PULS) Volume 1: Everyday Problems and Legal Need (2023). Melbourne: Victoria Law Foundation, available at: <https://puls.victorialawfoundation.org.au/publications/everyday-problems-and-legal-need>.

⁴² *Not-for-profit Law* builds the capability and confidence of community organisations through legal help so they are stronger, more effective and can focus on helping more people in need. Since its establishment in 2008, Not-for-profit Law has helped hundreds of thousands of community organisations across Australia with legal, regulatory and governance issues through an effective, integrated, multi-channel service design which includes:

- 300+ free legal information resources, including fact sheets, guides, and interactive tools,
- free and affordable webinars and training delivered for individual staff and community organisations, and through peak bodies and government agencies,
- free legal advice provided by our in-house legal team or via pro bono referrals to our 50+ member law firms and barristers, and
- taking the data and evidence from our service delivery to advocate for better laws and policies for the community organisations we assist.

⁴³ Volunteer numbers are down by almost 600,000 from 2018 according to the *ACNC Australia Charities Report (9th Edition)*.

⁴⁴ Deloitte Access Economics, *The economic contribution of Justice Connect's Not-for-profit Law service* (2018), available at https://justiceconnect.org.au/wp-content/uploads/2018/12/Deloitte_Access_Economics_Justice_Connect_NFP_Law.pdf.



