

# Eastern Community Law

## Newsletter

Summer 2007

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### ECLC Services

#### Box Hill Office

Suite 3, Town Hall Hub  
27 Bank Street, Box Hill 3128  
Mon – Fri 9:00am – 5:00pm  
Ph: (03) 9285 4822 Fax: 9285 4833  
eclc@eclc.org.au

#### Outreach locations:

Hawthorn  
Ashburton  
Ringwood Magistrates' Court

Serving the Cities of Whitehorse, Boroondara & Manningham

**For an appointment for these services, call (03) 9285 4822**

#### Boronia Office

Suite B, 6 Floriston Road, Boronia 3155  
(PO Box 747)  
Mon – Thurs 9:00am – 5:00pm  
Ph: (03) 9762 6235 Fax: (03) 9762 9751  
Freecall: 1300 79 70 88  
outereast@eclc.org.au

#### Outreach Locations

Rowville  
Lilydale  
Yarra Junction  
Ringwood Magistrates' Court

Serving the Cities of Knox & Maroondah & the Shire of Yarra Ranges

**For an appointment for these services, call (03) 9762 6235**

[www.eclc.org.au](http://www.eclc.org.au)



### The Victory of Longevity

Janet Wood

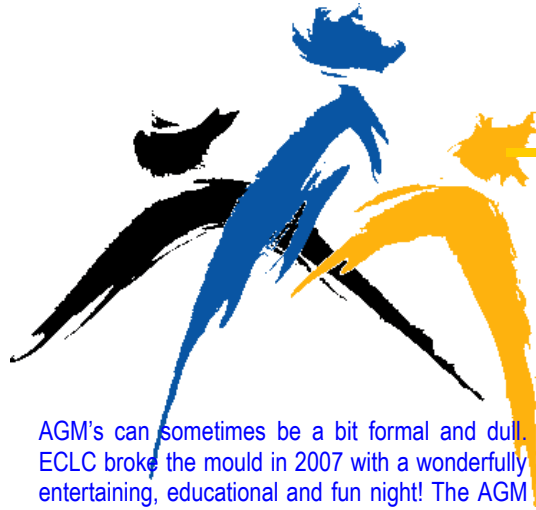
A highlight of ECLC's Annual General Meeting was the excellent speech delivered by Janet Wood, Board Member of the Council of the Ageing Victoria (COTA). COTA is the peak body representing the wide-ranging needs and interests of older people in the Victorian community.

Janet began by talking about the need to rethink the way in which we perceive age, especially in light of the current global trend towards extended life expectancies. Janet challenged popular claims that we are facing the threat of an "epidemic of older people". Janet pointed out that the number of people older than 65 years of age in Australia is estimated at just below 20%, an increase of only 1% relative to the rest of the country since 1996.

Nevertheless, these changing demographics have prompted new issues for older people. The rapid growth of reverse mortgages and the potential for the financial abuse of older persons have been of particular concern to COTA. Janet emphasised that COTA is seeking "improved protection for seniors' financial assets through a range of initiatives including access to independent financial advisers, national regulation for mortgage brokers, and improved advertising regulations."

Alarming, Janet said that, "Across Victoria there's an estimate that about 3% of senior Victorians are subjected to some form of abuse", amounting to approximately 20,000 people. The range of abuse is very wide.

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AGM's can sometimes be a bit formal and dull. ECLC broke the mould in 2007 with a wonderfully entertaining, educational and fun night! The AGM theme reflected the current direction of ECLC, with the addition of YRIPP and new projects to assist older people.



The high quality speakers educated and entertained the meeting with their insights and painted vibrant pictures of the strengths and difficulties of both the young and older communities in the Eastern region. We are pleased to share some highlights.



### Not just what's in the paper

Carmel Guerra

CMYI Director Carmel Guerra was invited to speak at ECLC's Annual General Meeting to cover the "Young" part of the ECLC's theme for the night "On for Young and Old". CMYI is a community based organisation that advocates for the needs of young people from migrant and refugee backgrounds.

CMYI is currently working with ECLC in partnership with Victoria Police, Youth Affairs Council of Victoria, Victorian Aboriginal Legal Service and the Federation of Community Legal Centres to implement the exciting new YRIPP program, which started in September 2007.

Carmel gave an overview of YRIPP and what prompted its inception. "Historically there was not a structured Independent Persons program across Victoria," Carmel said.

*Continued Page 4...*



## Staff Snapshot

This edition, ECLC profiles Leonie Burnham, Inner East Co-ordinator..

### What work do you do at ECLC?

Coordinator of Inner East Office (Box Hill) and coordinate the volunteer programs across ECLC.



### What did you do before working with ECLC?

I was a Dispute Assessment Officer and a Mediator for the Department of Justice.

### What do you like about ECLC?

I think ECLC is a growing organisation that is achieving amazing things with minimal resources. It is an exciting place to work and a pleasure to work with such an experienced team and a high energy level.

### Highlights of your work so far?

There have been too many to name. The opening of Boronia office, the relocation to Box Hill as well as the successful Volunteer Dinner this year just to name a few.

### Favourite holiday destination?

My home.

### Any funny or embarrassing moments on the job so far?

As my brain gets older I am forgetting people's names more often and that can be very embarrassing especially in my position where I am dealing with people all day.

### Favourite Food?

Always changing but at the moment ice cream with Milo on top (childhood hangover I think!)

### Any legal issue that frustrates you?

Consumer disputes. No matter how much legal education is done there are people being taken advantage of and not aware of their rights.

### Favourite time of the year and why?

The day we get back the extra hour sleep at the end of daylight savings. It's the day that I feel I have all the time in the world to do things.

## Call for YRIPP Volunteers!



ECLC introduces Vivianne Gloz, the Eastern Regional Co-ordinator of the Youth Referral Independent Person program, employed by CMYI and hosted by ECLC.

The role of the Independent Person (IP) is to observe the interview process and to ensure that the young person feels supported and that his or her rights are protected.

Vivianne would love to hear from anyone who is interested in becoming a volunteer, or from those who would like more information on the program.

Call Vivianne at the Box Hill office on (03) 9285 4822

## Overhanging Branches

With the recent Spring growth, many homeowners are turning their attention to pruning their gardens before the warmer weather sets in. Eastern CLC reports that many callers are asking for legal advice on what they can do about the branches that are overhanging the fence from their neighbour's property. Trees and plants are a common cause of neighbour disputes.

ECLC has produced a Fact Sheet about what you can do about overhanging branches and poisonous plants. The Fact Sheet answers common questions such as:

- Can I cut back branches overhanging the fence?
- What can I do with the off-cuts?
- Can I go onto my neighbour's property to cut back or return off-cuts?
- Can the Council force me to trim back over the footpath?

A person who is affected by their neighbour's tree may be able to take legal action, but the cost is often prohibitive. Property owners have a right to use and enjoy their land without unreasonable interference from neighbouring plants and ECLC can assist consumers negotiate with their neighbours if necessary.

For a copy of the fact sheet, email [outereast@eclc.org.au](mailto:outereast@eclc.org.au) and include "Branches" in subject line, or call (03) 9762 6235. This fact sheet will be available from ECLC's website shortly.

## Knox Accord

The Knox Accord Project is a community strengthening initiative aimed at enhancing women's safety within Knox and raising community awareness regarding family violence. Led by Knox Community Health Service, ECLC is working on the Accord Project in partnership with various Knox-based agencies. This continues our commitment to making a difference in the lives of women and children experiencing family violence and reducing the occurrence and prevalence of violence in our community.

The Project involves the development of a Knox Accord Policy. The Policy aims to highlight Knox as a community which does not tolerate violence in general, and violence against women in particular, as well as having developed effective responses to violence where it has occurred. Community members and representatives of organisations, services and businesses will be invited to become signatories to the Policy. The Knox Accord Project also includes strategies and protocols to support the community to understand the nature, impact and "costs" of family violence through education and a media and promotion strategy.

All local service providers and signatories to the Knox Accord will be invited to participate in 'Knox Commitment Day' on 25 November 2007, which coincides with the UN International Day to End Violence Against Women and the White Ribbon Campaign.

## ECLC Board

At the AGM the 2007-08 Board as formed. The Board members are: Helen Killmier (Chairperson), Sue Carlile, Marie Casey, Helen Evenden, Rhonda Goodall, Kate Hamond, Maryclare Machen and Lance Wilson.

ECLC thanks Karen Jones for her excellent service on the Board of Management over the last two years. Her contribution and leadership were very much appreciated.

ECLC is delighted to welcome Rhonda Goodall to ECLC's Board. Rhonda, an experienced family lawyer, has been a volunteer for over 10 years and brings legal expertise and community commitment to the role.

Rhonda Goodall (new Board Member), Eunice Chesterfield (Life Member) and Maryclare Machen (Secretary) at the AGM.





## Do not knock

The Consumer Action Law Centre has launched the "Do Not Knock" campaign to assist consumers to avoid door-to-door marketers if they wish to do so.

The Centre is distributing "Do Not Knock" stickers to householders and warning sales representatives that they could be breaking the law if they knock on a door displaying the sticker. The "Do Not Knock" sticker clearly names salespeople, not charities or religious organisations.

For a sticker, please visit [www.consumeraction.org.au](http://www.consumeraction.org.au) or call ECLC

## Election Commitments

*Michael Smith, Manager*

ECLC has been active over the last year in developing responses to the legal issues facing older people in the community, particularly around abuse and exploitation. This may be financial, physical or otherwise, regrettably most often within family or intimate relationships. The Centre has again worked in partnership, at state and national levels.

In September, the Standing Committee on Legal and Constitutional Affairs tabled the Report of the Inquiry into Older people and the law (<http://www.aph.gov.au/house/committee/laca/olderpeople/report.htm>). It canvasses the legal needs of older people, the barriers faced in accessing legal services and importantly, some of the options available to expand or improve legal assistance to this vulnerable group.

Significantly the Report noted that, "The Committee considers CLCs [community legal centres] to be well placed to provide information, advice, counselling, and advocacy to older people in one location". The Committee recommended that "the Australian Government increase funding to the Community Legal Services Program specifically for the expansion of services, including outreach services, to older people by Community Legal Centres ... (and) ... to expand their community education role, with a specific focus upon older people."

In October ECLC wrote to Federal political leaders and candidates across the east seeking their support to improve access to legal services for vulnerable members of the community, particularly older people, with a focus on these recommendations, and seeking expanded Commonwealth funding to ECLC and CLCs generally.

Responses were received from four parties:

- The Australian Democrats expressed their support for CLCs generally and propose 'an urgent injection of Commonwealth funding into legal aid and community legal centres, with priority given to restorative justice approaches, family law, child protection and domestic violence matters, as well as the restoration of funding for immigration and refugee matters';
- Anna Burke MP, Ken Harvey and Dymrna Beard (candidates) from the ALP gave assurances of their support for ECLC and the report's recommendations;
- The Greens advised of their Justice Policy advocating a tripling of funding to CLCs (up from \$67.5 million to \$202.5m in total over 3 years). They would also offer all pensioners a "no strings" free legal consultation and follow up (by Legal Aid).
- The Coalition responded with concern for the vulnerable position of many elderly Australians, their 'demonstrated strong commitment for high quality legal aid and community legal services' and argued that most case studies were relating to State matters and requests for funding should be made to the Victorian government.

As you consider your choices at the upcoming election, ECLC invites you to again consider equality and social justice for disadvantaged members of the community, in the legal system and beyond.

## Human Rights – On the Festival Stage

Eastern Community Legal Centre has received \$5,000 in funding from the Victorian Equal Opportunity and Human Rights Commission's Community Grants Project.

The grant will be used to contract a professional drama group to develop, write and present a short performance at various community festivals that specifically promotes awareness of the Victorian Charter of Human Rights and Responsibilities. The performance piece will be on show at five festivals across the Eastern region during 2008.

The Victorian Charter of Human Rights and Responsibilities came into effect on 1st January 2007. The Charter is an agreed set of democratic rights and freedoms protected by law. One of the key new roles of the Commission under the Charter is to inform and educate Victorians about their human rights and responsibilities.

Acting Commission chief executive, Ms Slavka Scott, said the grants program was a way to raise awareness of human rights within the community. "Victoria has a new Charter of Human Rights and Responsibilities but not enough people are aware of it," she said. "We have awarded these grants to outstanding applicants so that they can pass on knowledge and awareness of human rights to their communities."

"We are absolutely delighted that the Commission has chosen to support our project, *Human Rights - On the Festival Stage*," stated Michael Smith, ECLC Manager. "The Charter is a significant step forward for Human Rights with its key principles of Freedom, Respect, Equality and Dignity, but not yet widely known. We are most enthusiastic about promoting the rights to all ages, in a creative and entertaining way."

### *Janet Wood (continued)*

It can take the form of relatively minor but still harmful psychological abuse to quite extreme acts of physical violence. Janet commended last year's concerted effort, supported by the Victorian government, to stem this tide of abuse. The resulting 'Inquiry into Elder Abuse Prevention', which has its roots in human rights, has helped to clarify the issues involved in the abuse of older persons and provided services with a common base from which to work.

Janet signaled that the next step has involved COTA working together with ECLC, PILCH and Loddon Campaspe CLC to develop an older persons' legal service delivery model for Victoria. The proposal seeks to implement a system of referral, community and professional education and legal casework aimed at preventing the abuse of older people.

Yet, in tackling the abuse of older persons, Janet noted that COTA is also very anxious not to 're-stereotype' older people as incompetent or incapable. She observed that, "the vast majority of older people lead lives of choice-making, they live lives where they determine what they are going to do and they do it extremely well." Efforts to prevent the financial and physical abuse of older persons and address the negative image of older people in our community mean that, "we are going in the right direction". Janet stressed that we all need to work together to ensure that we celebrate ageing as the "victory of longevity".

### Would you like to donate to ECLC?

For more details on how to donate and how your donation will be used, please visit ECLC's website. Donations over \$2 are tax deductible and can now be made on-line.



## Social Security Advice?

Victoria Legal Aid is commencing an outreach service to both ECLC's offices to assist clients with Social Security Matters, including criminal prosecutions and appealing Centrelink decisions.

ECLC is delighted to host this service, with Aldo *Paciocco*, Ringwood VLA's Social Security Lawyer, staffing a fortnightly service between Box Hill and Boronia. This service will be of great benefit to clients across the Eastern region.

**Important** – All appointments for this service must be made by calling VLA's Ringwood Office on (03) 9259 5444 and stating whether you prefer to attend the **Box Hill** or **Boronia Social Security Outreach**. (Service users will be clients of VLA.)

## Christmas Closure

**ECLC will be closed from 5pm, Friday 21<sup>st</sup> December and re-open to clients on Monday 7<sup>th</sup> January 2008.**

ECLC Board and staff wish all of our volunteers, clients and colleagues a happy, safe and relaxing holiday season and look forward to working with you all again in 2008.

## Support

The ongoing support of these financial and other partners is gratefully acknowledged:

- Victoria Legal Aid
- Commonwealth Government
- City of Boroondara
- City of Whitehorse
- Knox City Council
- Rotary Club of Balwyn
- Box Hill Citizen's Advice Bureau
- Centre for Multicultural Youth Issues
- Council on the Ageing (Victoria)
- EACH (Eastern Access Community Health)
- EDVOS (Eastern Domestic Violence Outreach Service)
- Family Access Network
- GordonCare
- Inner East Community Health Centre
- Knox Community Health Service
- Knox Infolink
- Loddon Campaspe Community Legal Centre
- Louise Multicultural Community Centre
- Migrant Information Centre (Eastern)
- Public Interest Law Clearing House
- Ringwood Magistrates' Court
- Women's Legal Service Victoria
- JH Legal
- Mercader
- Moores Legal
- Robinson Gill
- Volunteers and Members of ECLC

For information on ECLC's services  
or to view a map of our office locations,  
please see the website or call the office directly.

[www.eclc.org.au](http://www.eclc.org.au)

## Multicultural Youth Pledge

The CMYI Multicultural Youth Pledge is aimed at defending Australia's migrant and refugee youth. "This campaign is designed to set the record straight, get some balance into the discussion, counter myths and provide information about the situation of migrant and refugee young people", says CMYI Director Carmel Guerra.

Veronica, a 17-year-old Sudanese refugee is one of the faces of the campaign. "I used to feel safe, a good environment, a good school ... living in harmony, accepted, respected, but now...I'm being disrespected; I'm being treated unfairly ... I think people should be more accepting. There's only one difference and that's the colour of our skin, and that doesn't matter", says Veronica.

The Pledge is seeking the help of decision makers at all levels to:

- actively counter negative stereotypes developing around African, particularly Sudanese young people;
- work harder to engage with and promote the skills, knowledge and energy of migrant and refugee young people;
- develop a national strategy to tackle racism and discrimination;
- fund comprehensive research into the real situation for migrant and refugee young people; and
- increase targeted funding for support services for migrant and refugee young people.

ECLC has formally endorsed the campaign and encourages its members, volunteers and supporters to do so.

See the Multicultural Youth Pledge & sign at [www.cmyi.net.au](http://www.cmyi.net.au).

### Carmel Guerra (continued from page 1)

In the first program of its kind nationally, YRIPP aims to bring consistency to the role of the Independent Person through the standardised training of volunteers, particularly in dealing with refugee migrant and Indigenous background young people. Ultimately, YRIPP will establish a "much more efficient way of ensuring that the rights of young people are protected".

Carmel also offered a snapshot of refugee communities settling in Victoria. "In the past 10 years 65% of all people who have arrived under the humanitarian program...have been under the age of 30," she stated. This number has now increased to 75%. The growing proportion of young refugees has coincided with a shift in their level of education, with most refugees having received less than 3 years of schooling prior to coming to Australia.

There are an increasing number of new arrivals settling in the Eastern region. In the Knox and Whitehorse areas, there has been an increase in overseas students. "There has also been a shift in our intake countries from places like the former Yugoslavia to the Horn of Africa, to now the Middle East, Western, Eastern Africa as well as Burma.

Maroondah has now become a settlement site for new refugees. Carmel highlighted that this poses challenges for service providers in the East because of the lack of refugee-tailored services or agencies that have long-existed in traditional settlement areas. Carmel called on the State government, local governments and the community sector to "start ... planning ahead and focusing on developing services."

Finally, Carmel addressed the recent negative media attention given to African refugees, particularly those in the East. In response, CMYI initiated the web-based Multicultural Youth Pledge, hoping to get across the alternative message that "African young people are not just what you hear about in the paper, but there are other stories of kids doing well". Carmel emphasised that while we all enjoy the benefits of living in a multicultural society, "every one of us has a responsibility to work towards creating that equal just society, one that is accepting, tolerant of differences and looks for similarities between us because we are now people of a global world".