



LIFE CHANGING

# PRISONER LEGAL ISSUES FOR CASE MANAGERS

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A practical guide

This booklet provides practical step-by-step guides to some of the common legal issues faced by people on release from prison and a referral guide for legal services. Case managers and support workers can use this guide to assist them in identifying prisoners' legal issues and making effective referrals. The information in this guide is not legal advice and is subject to change.



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## INTRODUCTION

Prisoners are a vulnerable client group when it comes to legal issues. At the time of publication, there is currently no dedicated prisoner legal service in Victoria. As such there is significant unmet legal need in the prison population. A particularly vital time for addressing legal issues that prisoners face is the pre-release stage. Identification and addressing of legal issues at this point can prevent escalation post release and may even assist with reducing recidivism.

Case managers have unique insight into the needs of prisoners given their extensive pre-release and post-release support work.

The purpose of this guide is to assist case managers working with prisoners in the identification of legal issues. As well as providing 'step by step' guides to some of the more common legal issues, this guide also contains a referral list for relevant, low cost legal services.

It would be difficult to cover every possible legal issue that a prisoner may face within a guide of this kind. This guide identifies some of the most common legal issues, in order to give case workers a base to work from, and is aimed at prompting case managers to ask about legal issues. The selection of issues in this guide was based upon extensive discussions with VACRO Link-Out case managers, and research on common legal issues faced by prisoners.

The information contained in the practical guides is not to be taken as legal advice. Case managers are generally not legally trained and should not give legal advice. The focus of the 'step by step' issue guides is on the practical steps a case manager may be able to take to assist with legal issues and prevent escalation. Referral to a legal service should always be considered alongside practical assistance.

The information in this guide is correct at the time of publication but is subject to change.

VACRO would like to acknowledge the assistance of the Victorian Law Foundation, PILCH and Victoria Legal Aid (VLA).

## WHEN SHOULD I BEGIN TO IDENTIFY LEGAL ISSUES?

### A ROUGH GUIDE IN PRIORITISING LEGAL ISSUES

This is a rough guide of when to consider tackling legal issues. Despite considerable crossover, it is generally better to begin dealing with legal issues pre-release. Unresolved legal issues can increase the likelihood of reoffending once people are released or add unnecessary stress or barriers to effective reintegration. There are a number of reasons people won't disclose legal issues until they are released and they may be unable to obtain legal advice while in prison. When legal advice isn't available there are a number of steps a support worker can take.

### PRE-RELEASE

**Fines/Infringements** – Investigating the possibility that your client has unpaid fines or infringements. If they do, they may be able to:

- › 'call in' their outstanding warrants and serve time for them with their existing sentence (note that they may be required to serve extra time to pay them off)
- › address the fines and infringements by entering into a payment plan, or making an application to have them revoked due to special circumstances.

Unpaid fines can result in your client facing arrest or seizure of property on release.

**Debts Owed to the Child Support Agency (CSA)** – If the prisoner did not inform CSA when they were incarcerated, CSA will only backdate assessments of an individual for 18 months. Thus, the earlier CSA are informed of a person's imprisonment the better. Further, payment plans can be negotiated with CSA to prevent the client being pursued for the debt on release.

- › If your client has a CSA debt contact CSA immediately
- › Ensure that CSA are aware of the fact that your client is in prison
- › Discuss with your client strategies of dealing with the debt such as payment plans

**Any issues regarding imprisonment** – The sorts of issues referred to here include; access to healthcare from prison, issues of maltreatment while in prison and being a victim of crime while in prison. It is optimal to refer these issues while the prisoner is incarcerated to the legal providers that do prison outreach work (see the 'Legal Referral Services' section of this guide). It is best to deal with the issue while it is occurring as the information the prisoner can give is going to be clearer than information they are trying to recall post release.

**Family Law** – While mostly this is dealt with post release, it is important to establish if your client is subject to an intervention order that is still current, as this will effect what they can do post release. If a client is interested in pursuing contact with children, referral to a legal service for initial legal advice prior to release is an option.

**Visa Cancellation** – Non-citizens can face visa cancellation.

Usually they will receive a letter from the Department of Immigration and Citizenship (DIAC) in the last six months of their sentence. Any such letters received by DIAC need to be responded to as soon as possible and in accordance with the timelines stipulated. Other things to consider include:

- › if your client is not a citizen make sure they are alert to mail from DIAC and the need to respond quickly
- › help them to understand the process and the factors that affect DIAC's decision whether or not to cancel their visa. Details of the process are outlined on page 18 of this guide.
- › explain the importance of the timelines they are given to respond. They should understand that failure to respond within timelines can result in them losing any rights of response or appeal
- › try and link them in with a legal service if they do receive a letter, as this is a complex area of law

## POST RELEASE

**Fines/Infringements** – If these are not dealt with pre-release, they can arise as issues post release either by way of new fines or by way of pre-existing fines escalating to warrant stage.

**Family Law:** Family law encompasses a variety of issues that your client may have such as: wanting to establish contact with children, being the subject of a family violence intervention order, or division of property issues with an ex partner. These sorts of issues can be identified pre release, but tend to become more apparent post-release. Family Law issues can be dealt with by way of referral for legal advice or alternatively referral to dispute resolution services.

**Visa Cancellation** – DIAC usually initiate visa cancellation actions pre-release but they can also do so post-release.

**Housing Issues** – These include: eviction from housing, access to public housing, problems with landlords and hearings at VCAT. Given the considerable amount of experience that Case Managers have in dealing with housing issues, housing has not been included as a separate topic in this guide. However, there are a number of issues that might require legal assistance, for example, if a person is facing eviction (including if they have received a 'Notice to Vacate' or VCAT has made a possession order) or is being pursued for rental arrears or compensation. There are legal services that can assist with housing and tenancy issues and some of these have been listed in the 'Legal Referral Services' section of this guide.

**Centrelink Issues** – Legal issues surrounding access to Centrelink payments, or debts owed to Centrelink is a complex area. Given the intricacies of this area of law, Centrelink issues have not been included as a separate topic in this guide. Where you experience a legal issue involving access to Centrelink payments or a client who owes a debt to Centrelink, you should refer the matter to a legal service. Social Security Rights Victoria is a legal advice service aimed solely at assisting in this area of law. Their details are included in the 'Legal Referral Services' section of this guide.

**Debts to private companies and Debt Collectors** – Clients may raise issues like being pursued by banks, service providers or debt collectors for debts for mobile phones, utility bills, bank loans or credit cards. Clients can also receive bad credit ratings for debts making it hard to access financial services post-release.

**Guardianship/Administration** – Your client may be in the situation where they have, or need, a Guardian or Administrator appointed to make decisions for them. Guardians and/or Administrators can be appointed to make decisions for an adult person with a disability when that person is unable to do so. The Office of the Public Advocate can provide advice on this area, and their details are included in the 'Legal Referral Services' section of this guide. The Office of the Public Advocate have published detailed factsheets on guardianship and administration. These are available from the 'Administration & Guardianship Fact Sheets' section of their website: [www.publicadvocate.vic.gov.au](http://www.publicadvocate.vic.gov.au). It is important that clients are given the opportunity to receive independent advice about their rights and options in relation to applications for guardianship or administration orders and the possibility of having orders reassessed. Details of legal services that may be able to assist are included in the 'Legal Referral Services' section of this guide.

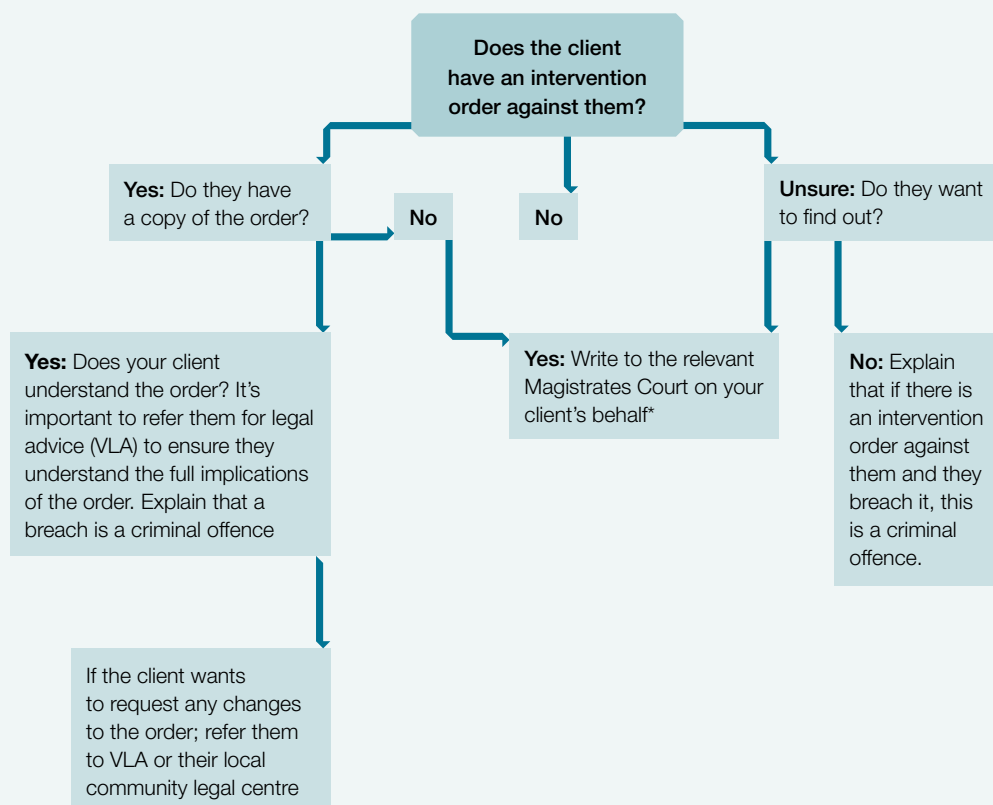




# PRACTICAL GUIDES TO SOME COMMON LEGAL ISSUES FOR PRISONERS

## FAMILY LAW – INTERVENTION ORDERS

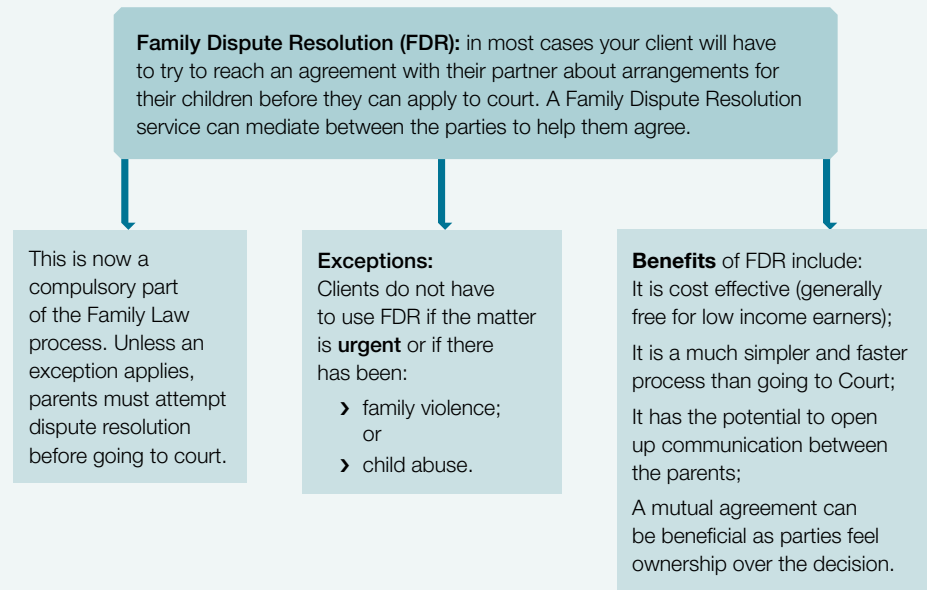
This information will provide you with steps to establish whether or not your client has an intervention order out against them. It is important that if your client does have an order, they seek legal advice to understand the full implications of the order.



\*The relevant Magistrates Court is the one where the order was made. If the client does not remember where the order was made, make enquiries with [help@magistratescourt.vic.gov.au](mailto:help@magistratescourt.vic.gov.au). You will need to attach your client's consent when you make enquiries on behalf of your client.

## FAMILY LAW - CHILDREN AND PARENTING

The information is intended only to give some practical tips in relation to family law. Case Managers should not attempt to give legal advice in family law matters.



### Referral options – Family Dispute Resolution Providers

To find a Family Dispute Resolution provider, see 'services' at [www.familyrelationships.gov.au](http://www.familyrelationships.gov.au)

#### Relationships Australia (RA):

Family Dispute Resolution is available at:

Melbourne CBD  
Berwick  
Greensborough  
Sunshine

RA offer counseling and courses on issues including; parenting skills, and anger management for men.

**Phone:** 1300 364 277

**Website:** [www.relationshipsvictoria.com.au](http://www.relationshipsvictoria.com.au)

Fees are charged according to income.

#### LifeWorks:

They are involved in ten centres which provide a range of services including counseling, family therapy, and relationship education programs.

They offer courses, including anger management for men.

Fees are charged on a sliding scale according to income, and can be waived in situations of genuine hardship.

**Phone:** (03) 8650 6200

**Website:** [www.lifeworks.com.au](http://www.lifeworks.com.au)

## FAMILY LAW – GOING TO THE FAMILY COURT

If your client is unable to resolve their family law issues through FDR, you can assist your client by referring them to a legal service.

**Refer to VLA** – VLA may provide:

- › legal information
- › legal advice
- › dispute resolution called Roundtable Dispute Management (RDM)
- › legal representation

What if your client is not eligible for a Grant of Legal Assistance from VLA?

Many community legal centres will assist clients in family law matters with advice.

Monash Oakleigh Legal Service, for example, run workshops that give advice to client's representing themselves. They also help clients with filling out legal documents.

Encourage your client to consider taking courses which demonstrate a commitment to effective parenting such as:

- › parenting courses
- › anger-management courses
- › rehabilitation programs addressing drug or alcohol use.

Many Family Relationship Centres will provide low cost or free courses of this kind.

Some prisons also offer programs of this kind, and your client could begin preparation prior to release.

**Manage expectations:** The Court process is a long and difficult one. The client should make realistic goals; that is, for example, beginning with supervised visits via a contact centre.

The Courts will always aim to act in the best interests of the child and, most importantly to protect the child from emotional and physical harm. The Court balances this interest against the right of the child to have a relationship with both their parents.

## DEBTS TO THE CHILD SUPPORT AGENCY (CSA)

**\*To deal with CSA on your client's behalf, your client needs to ring CSA and make you an authorised representative**

**Did your client inform CSA when they went into prison?**

There is no automatic report to CSA when a person goes to prison. CSA need to know if a person goes to prison as they need to know the address of the person and whether going to prison has affected their income.

If your client **did not** tell CSA when they went to prison, they will continue to be assessed on their pre-prison income and may accumulate a debt. If informed, CSA will not tell the person's partner that they are in prison.

You can tell CSA that your client has been in prison, but CSA have limits on whether they will back date a change and for how long they will back date. The maximum period is 18 months.

If they refuse to back date or do not back date enough to extinguish the debt, your client can ring CSA to negotiate a payment arrangement. They need to explain their financial hardship. You can assist your client by ensuring that they are well prepared for the phone call, but you cannot negotiate on their behalf.

**Debts incurred before your client went to prison will continue to be pursued by the CSA.**

You can call CSA to enquire about the details of the debt.

You can help your client prepare to call CSA and negotiate a payment arrangement

**If your client wants to take their issues further or you are having difficulty dealing with CSA, refer your client to Victoria Legal Aid or to the Homeless Persons Legal Centre.**

## GETTING A COPY OF YOUR CLIENT'S CREDIT REPORT

**Warning:** If your client wants to get a copy of their credit report, you should tell them that if they request a copy, their creditors or debt collectors who check their report may get access to their current contact details.

There are two private companies who keep consumer credit reports.  
Your client can write to these companies and will receive a free copy of their credit report in 10 working days.  
If you ask for a fast track, you may need to pay.

### Veda Advantage

Your client can write a letter asking for a copy of their credit file. Include the following information:

- > full name;
- > date of birth;
- > driver's license number;
- > two forms of ID;
- > drivers license/passport/birth certificate AND
- > a document issued by an official body which includes their name and address;
- > current address;
- > previous address for five years;
- > current or previous employer;
- > the name of the organisation they last received credit from;
- > a daytime phone number;
- > signature; and
- > how they want to receive the credit report – fax/post/email.

**Mail the letter to:** PO Box 964,  
North Sydney, NSW 2059, or

**Fax:** (02) 9951 7880

### Dun & Bradstreet

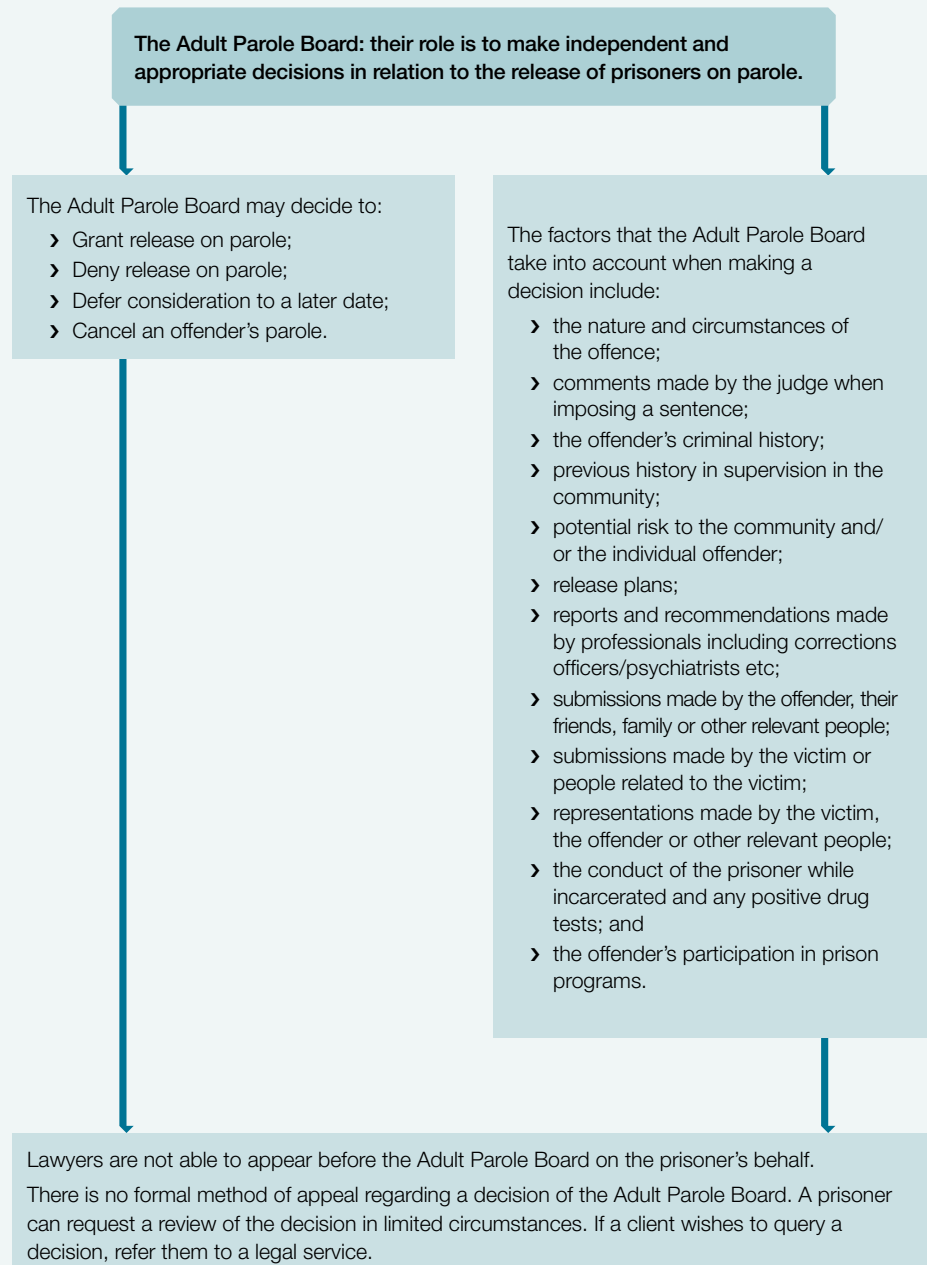
Go to [www.dnbcreditreport.com.au](http://www.dnbcreditreport.com.au) and fill in the online form, or:

Ring 1300 734 806 and ask for an application form to be sent to you.

This information was taken from factsheets available at [www.consumeraction.org.au](http://www.consumeraction.org.au).  
If your client needs further information about changing their credit report, visit the website for further fact sheets and email advice.

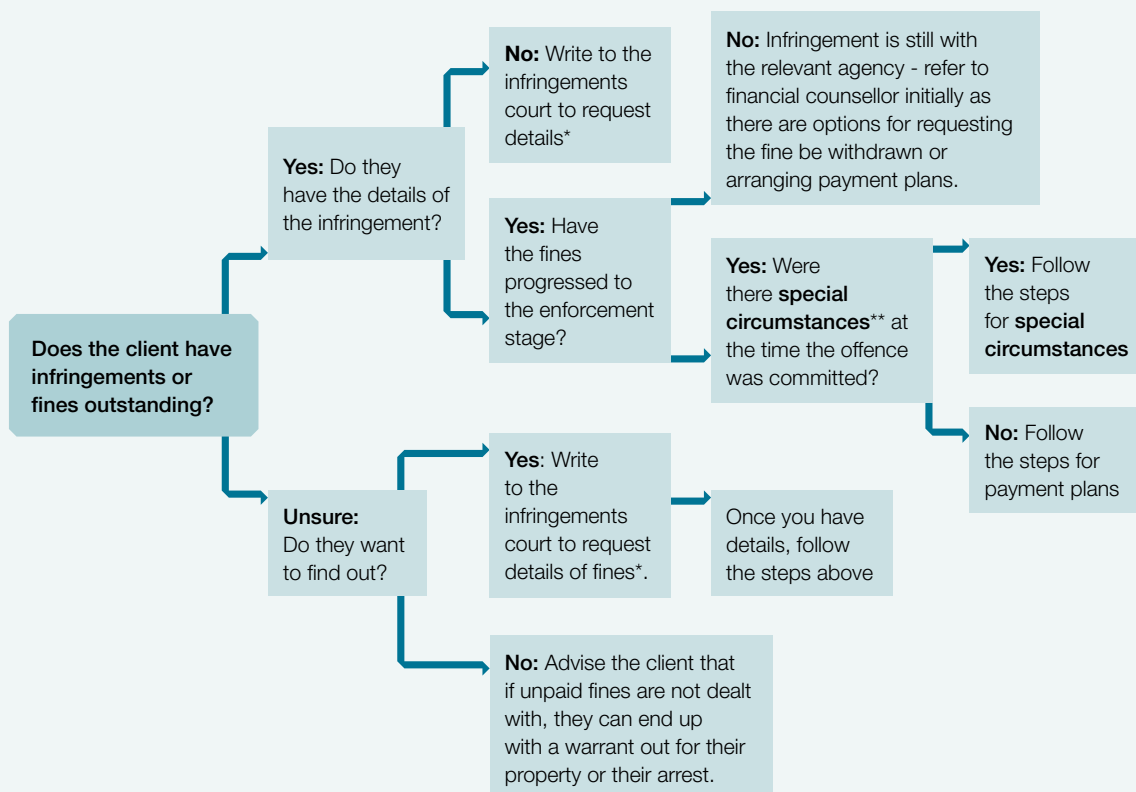
## PAROLE – A BASIC OUTLINE

Your clients may ask you about parole decisions. This fact sheet may assist you in providing some basic information about the factors that are taken into account in parole decisions.



This information has been sourced from the Department of Justice website: <http://www.justice.vic.gov.au/home/prisons/prisoner+services+programs/parole/> and the Law Handbook online: <http://www.lawhandbook.org.au/handbook/>.

## INFRINGEMENTS AND FINES – PRACTICAL TIPS



\*A template letter for requesting details from the Infringements Court can be found at [www.homelesslaw.org.au/caseworkers/fines](http://www.homelesslaw.org.au/caseworkers/fines)

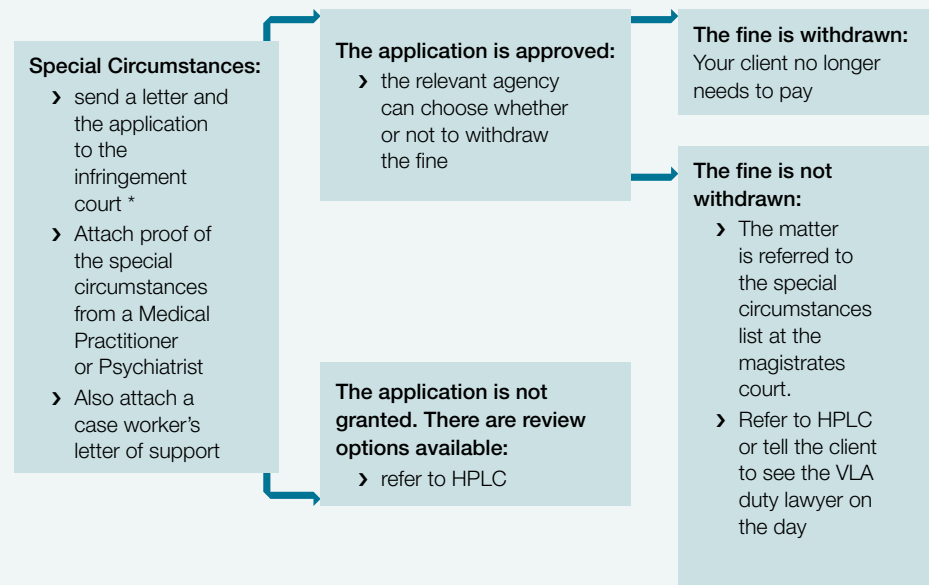
\*\*Special circumstances include:

- › addiction to drugs or alcohol that results in the person being unable to:
- › understand that their conduct constitutes an offence; or
- › control the conduct that constitutes an offence; or
- › Homelessness (including living in crisis or transitional accommodation) that results in the person being unable to control the conduct that constitutes an offence.

If at the time of the offence your client was experiencing any of the above circumstances which resulted in him/her being unable to understand or control their conduct, that person can apply to have the fines revoked. See the steps for special circumstances below:<sup>1</sup>

1 PILCH Homeless Persons Legal Clinic, "For Caseworkers... Fines and Infringements" Available at: [www.homelesslaw.org.au/casewprlers/fines](http://www.homelesslaw.org.au/casewprlers/fines) , accessed 23/01/2012

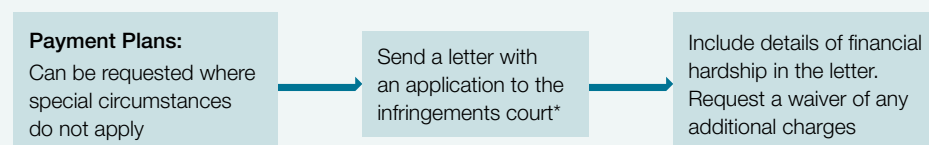
## SPECIAL CIRCUMSTANCES



\*A link to the application form and information about how to apply can be found at <http://www.magistratescourt.vic.gov.au/jurisdictions/specialist-jurisdictions/court-support-services/enforcement-review-program-erp>

\* Template letters for special circumstances applications can be found at [www.homelesslaw.org.au/caseworkers/fines](http://www.homelesslaw.org.au/caseworkers/fines)

## PAYMENT PLANS



\*Payment order application forms and steps about how to apply can be found at <http://online.fines.vic.gov.au/fines/Content.aspx?page=43&s=2&l=10-14-43>

\*Further information about payment order applications can be found at [www.homelesslaw.org.au/caseworkers/fines](http://www.homelesslaw.org.au/caseworkers/fines). The above information has been sourced from [www.homelesslaw.org.au/caseworkers/fines](http://www.homelesslaw.org.au/caseworkers/fines) and [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)



## DEBTS - GENERAL INFORMATION

The information below applies to debts owed to private companies (such as mobile phone providers, banks and utility providers); it does not apply to fines or infringements.

### **If your client is being contacted by debt collectors:**

#### **1. Are the details of the debt correct?**

- › Does your client have records of the debt owed? If they don't, you can write to the debt collection agency to request full details of the debt. For a proforma letter see fact sheet FS11 'What can I do if a Debt Collector Calls?' available in the 'fact sheets' section at: <http://www.consumeraction.org.au/>
- › Establishing the full details of the debt will help you to make more effective referrals.
- › If you are writing on your client's behalf, you may wish to avoid using any letterhead if your client does not want to be identified as a prisoner. You need to attach your client's consent for you to make enquiries on their behalf.

#### **2. There are limits on what debt collectors can do in chasing a debt.**

For details of this information see fact sheet FS12 available in the 'fact sheets' section at: <http://www.consumeraction.org.au/>

#### **3. Is the debt more than 6 years old?**

Special rules may apply to old debts. For details of these rules see fact sheet FS7 in the 'factsheets' section at: <http://www.consumeraction.org.au/>

#### **4. Refer your client to a financial counsellor.**

A financial counsellor can provide advice about your client's rights and assist them with negotiating with debt collectors and planning their finances. Call Consumer Affairs on 1300 55 81 81 for details of free financial counsellors or MoneyHelp on 1800 007 007 for free phone-based financial counselling.

#### **5. Refer your client for legal advice.**

A lawyer may be able to provide your client with advice on any possible defences they may have in relation to the debt. The Consumer Action Law Centre provides free advice and referral services. They can be contacted on 1300 881 020 or email [advice@consumeraction.org.au](mailto:advice@consumeraction.org.au).

#### **6. If your client disputes the debt, consider the possibility of complaining to an ombudsman or industry external dispute resolution scheme.**

The ombudsmen offer a free independent dispute resolution service that can assist with dispute resolution with the company the debt is owed to. They are impartial services. The relevant services are:

- › The Financial Services Ombudsman – <http://fos.org.au>
- › The Credit Ombudsman Service – [www.creditombudsman.com.au](http://www.creditombudsman.com.au)
- › The Telecommunications Industry Ombudsman – [www.tio.com.au](http://www.tio.com.au)
- › The Energy and Water Ombudsman Victoria – [www.ewov.com.au](http://www.ewov.com.au)

#### **7. If court proceedings have been issued, refer your client for legal advice.**

The information above has been sourced from fact sheets compiled by the Consumer Action Law Centre, available at <http://www.consumeraction.org.au/fact-sheets/>, and provides some practical tips on responding to debt issues.

## COMPLAINTS ABOUT HEALTH SERVICES IN PRISON

Although there are a multitude of legal issues that can arise during imprisonment, access to healthcare is a very common concern raised by prisoners, and as such we have included it in this guide.

The right to, and the extent of, access to health services from prison is a complex legal area. Case managers should not give legal advice if a prisoner has a complaint about their health treatment while in prison. If a client wishes to get legal advice, refer them to a prison outreach service such as VLA, Inside Access or the Central Highlands Community Legal Service.

A non-legal option for your client, however, may be to assist them in making a complaint about their health treatment.

Initially, a complaint should be made to the health service provider. In prisons that provider is Justice Health.

### **Justice Health**

Is responsible for the planning and coordination of health services in prisons. To find out how to make a complaint, call: (03) 9947 1601, or email: [Justicehealth@justice.vic.gov.au](mailto:Justicehealth@justice.vic.gov.au)

If the complaint is not resolved with the health service provider, the Health Service Commissioner can also receive complaints.

### **The Office of the Health Services Commissioner**

Provides a free and confidential service. They receive complaints and assist in the complaint resolution process. They are impartial. The complaint form is available in the 'make a complaint' section of [www.health.vic.gov.au](http://www.health.vic.gov.au) and should be sent to:

#### **Health Services Commissioner**

30th Floor  
570 Bourke Street  
Melbourne 3000

You can also call the Office for assistance with filling out the complaint form:

**Phone:** 1800 136 066

Another option available to prisoners is the Victorian Ombudsman service which is also a free service that investigates complaints about state government departments and has broad powers of investigation:

### **Victorian Ombudsman**

Provides an independent and impartial free service that reviews the lawfulness of agencies' actions or decisions, as well as the reasonableness and fairness of these actions in the circumstances.

#### **To make a complaint:**

- › go online at <http://www.ombudsman.vic.gov.au/www/html/215-complaint-form.asp>; or
- › phone the office on (03) 9613 6222 or toll free on 1800 806 314

This information has been sourced from the Department of Justice at [www.justice.vic.gov.au](http://www.justice.vic.gov.au) and the Health Services Commissioner website; <http://www.health.vic.gov.au/>.

## IMMIGRATION – VISA CANCELLATION

Why would a prisoner's visa get cancelled?

A visa can be cancelled by the Department of Immigration and Citizenship (DIAC) if a person does not pass the 'character test'. One way that a person may fail the character test is if they have a 'substantial criminal record'. A person will have a substantial criminal record if they have been:

- › sentenced to a period of imprisonment of 12 months or more
- › sentenced to a number of shorter periods of imprisonment (at the same time or different times) that add up to 2 years or more; or
- › found not guilty due to mental illness and detained.

### THE CANCELLATION PROCESS

DIAC generally start the cancellation process in the last six months of a sentence but it can happen at any time during the prison sentence or post-release.

TIMELINES CAN BE CRITICAL. IF YOUR CLIENT HAS ANY CONFUSION ABOUT TIMELINES, CONTACT THE NATIONAL CHARACTER CONSIDERATION CENTRE ON 1300 722 061.

DIAC will send out a Notice of Intention to Consider Cancellation

DIAC has not made a decision yet – they are just considering cancellation.

Your client has the chance to explain why their Visa should not be cancelled.

They must respond **within 28 days** of the date on the notice.

See next page for further instructions on assisting your client with responding to this notice.



DIAC makes a decision and if the VISA is cancelled they will send out a **Notice of Visa Cancellation**

Where a decision is made there are very strict time frames to review. You must act quickly.

Your client has **9 days** to lodge an appeal.

See below for further instructions

This information is from 'Visa Cancellation Kit' – A publication of Legal Aid NSW, published September 2011. Some parts of that kit have been reproduced below.

## Responding to a Notice of Intention to Consider Cancellation

### Is the criminal record information correct?

Check to see if the client actually has a 'substantial criminal record'.

If the DIAC information is not correct, you must tell DIAC within **14 days**.

For further information see the Visa Cancellation Kit in the Publications section of the NSW legal Aid website [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

### Explaining why a visa should not be cancelled.

You can assist your client to respond to the Notice of Intention to Consider Cancellation. Your client has **28 days** to respond to the notice.

The response should address your client's side of the story and the circumstances of their offence. It should also address:

#### Primary Considerations

##### (Things DIAC must consider)

- › The protection of the Australian Community, taking into account the seriousness of the offence and the risk of re-offending. Your client should demonstrate they understand how serious the offence was;
- › Whether your client came to Australia as a child;
- › The length of time your client has lived in Australia before committing an offence; and Australia's human rights obligations

#### Secondary Considerations

##### (Things DIAC may consider)

- › family ties to Australia;
- › your client's age and health;
- › links to country of origin;
- › hardship to your client or their family;
- › your client's level of education; and
- › any warnings your client has received from DIAC in the past.

Use independent evidence, such as reports from doctors or psychologists or prison reports, wherever possible.

For sample responses and a detailed discussion of the above see the Visa Cancellation Kit in the Publications section of NSW Legal Aid website [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

## Responding to a Decision to Cancel a Visa

Your client can apply for a review of the decision to the Administrative Appeals Tribunal (AAT), but they must do so within **9 days** of being notified of the decision.

For a detailed discussion of the above see the Visa Cancellation Kit in the Publications section of NSW Legal Aid website [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

### To Apply for a Review at the AAT:

Ask the AAT to send out an 'Application for Review of Decision Form'. Complete the form and send it back to the AAT.

Your client should send all the documents they received from DIAC with their application form. Your client should keep a copy of all the documents they send to the AAT.

Your client will need to pay an application fee of \$100.00

Your client should get some legal advice – the Refugee Immigration Legal Centre or Victoria Legal Aid may be able to provide this advice and possibly even represent your client at the AAT. In limited cases PILCH can provide a referral for pro bono assistance, but will not be able to give initial legal advice. If your client does not speak English confidently, they should ask the AAT for an interpreter.

For a detailed discussion of the AAT hearing process, see the Visa Cancellation Kit in the Publications section of NSW Legal Aid website [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au)

**If the AAT confirms DIAC's decision, your client has the right to seek judicial review of the AAT decision at the Federal Court.**

**If the AAT reinstates your client's visa, the Minister for Immigration can use their personal powers to cancel your client's visa.**

**If your client's visa is cancelled, your client will be removed to their country of citizenship**

**They may receive some money to help with accommodation or transport but they will owe the Australian government money for their immigration detention.**

**Your client will never be able to return to Australia.**



# LEGAL SERVICES REFERRAL GUIDE

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A list of legal services relevant to prisoner legal issues pre and post release

Inside this guide, you will find a list of legal services that may be useful in both pre-release and post release work for a range of legal issues. The agencies listed here provide a wide variety of legal services, including legal advice, representation, and assistance with self representation. Timely referral of legal issues can be vital in ensuring that clients seek help before their matter escalates.

## ISSUE SPECIFIC REFERRALS

### Debts to private companies/issues with debt collectors:

**Consumer Action Law Centre** will provide advice on most consumer debt issues and public transport fines. Advice is obtained by filling in the email form on the website:  
<http://www.consumeraction.org.au/contact-us/>

The centre also provides support to case workers dealing with clients with debt issues:

**Phone:** 03 9602 3326 or  
**email:** [advice@consumeraction.org.au](mailto:advice@consumeraction.org.au)

**Homeless Persons' Legal Clinic** may be able to assist clients who are homeless or at risk of homelessness with credit or debt issues

**Free call from a landline:**  
1800 606 313  
[www.pilch.org.au/hplc/](http://www.pilch.org.au/hplc/)

### Immigration Issues:

#### Refugee Immigration Legal Centre:

A community legal centre specializing in all aspects of immigration and refugee law.

**Reception:** 03 9413 0101

**Advice Line:** 03 9413 0100 – only available:

Wed 10am – 4pm and

Fri 2pm – 4pm

**Email:** [rilc@rilc.org.au](mailto:rile@rilc.org.au)

#### Victoria Legal Aid

See details in 'general legal advice services'

**Phone:** (03) 9269 0120

### Centrelink Issues:

#### Social Security Rights, Victoria:

A telephone advice service which provides legal advice and offers limited advocacy and representation.

**Phone:** 03 9416 1111

**Website:** [www.ssr.org.au](http://www.ssr.org.au)

### Tenancy:

#### Tenants Union of Victoria:

Will provide advice regarding:

Private Residential tenancy

Public Residential tenancy

Residents in caravan parks

Residents and tenants in rooming houses

**Phone advice:** 03 9416 2577

– available Mon, Tue, Thur, Fri 9am - 4pm  
and Wed 1pm – 8pm

**Drop in service:** Ground Floor,  
55 Johnson St, Fitzroy – same hours as above

**Website:** [www.tuv.org.au](http://www.tuv.org.au)

#### Two useful resources published by TUV are:

The Rooming House Residents Handbook  
The Public Housing Tenants Handbook

Both of these are available on their website

#### Homeless Persons' Legal Clinic:

Will assist clients who are homeless or at risk of homelessness (including if they have received a Notice to Vacate, have a VCAT hearing or are otherwise facing eviction from public, private or social housing).

**Free call from a landline:**

1800 606 313

[www.pilch.org.au/hplc/](http://www.pilch.org.au/hplc/)



## ISSUE SPECIFIC REFERRALS

### Indigenous Legal Services:

#### Victorian Aboriginal Legal Service:

VALS provides free legal services to indigenous Australians on criminal law, family law and some civil matters. They place a high priority on assisting people in custody.

VALS services the state of Victoria.

**Phone:** 1800 064 865

### Fines/Infringements:

**Homeless Persons' Legal Clinic** will assist with infringements related to homelessness

**Free call from a landline:**  
1800 606 313

[www.pilch.org.au/hplc/](http://www.pilch.org.au/hplc/)

#### A local Community Legal Centre

– see contact details in general legal advice services below; or

**Victoria Legal Aid** may be able to assist via their telephone advice service – see contact details in general legal advice services below.

### Mental Health Issues

#### The Mental Health Legal Centre

They offer free legal assistance where the legal problem relates to a person's mental illness.

They have a free telephone advice line open at the following times:

Mon, Wed, Fri: 3pm - 5pm  
Tue, Thur: 6:30pm – 8:30pm

**Phone:** 03 9629 4422

#### Inside Access (part of MHLC)

A free legal service providing advocacy to imprisoned persons in Victorian adult and forensic correctional facilities.

**Phone:** 03 9629 4422

<http://www.insideaccess.org.au/>

### Family Law:

#### For Legal Advice:

Refer to **Victoria Legal Aid** (see contact details in general legal advice services)

If the client is not eligible for legal Aid, some community legal centres will give advice on Family Law matters and assist with self representation.

**For Example:** The Monash Oakleigh Legal Service run classes for those who wish to represent themselves  
**Phone:** (03) 9905 4336

#### For Family Dispute Resolution

Visit the 'services' section of: <http://www.familyrelationships.gov.au/> for a list of all government FDR centres in Melbourne and their contact details.

#### Women's Legal Service

A statewide legal service for women, specialising in relationship breakdowns and violence against women

#### Legal advice line:

Monday 10am-1pm; Tuesday, Thursday 6.30-8.30pm; Wednesday 2-5pm;

Drop In Thursday 9.30am-12pm

**Toll free:** 1800 133 302

**Email:** [justice@vicnet.net.au](mailto:justice@vicnet.net.au)

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

## ISSUE SPECIFIC REFERRALS

### Guardianship/Administration/Disability

**Office of the Public Advocate** – provide a free advice service in relation to the following issues:

- Rights of people with a disability;
- Care and treatment of people with a disability;
- Complaints about services for people with a disability;

Administration and Guardianship issues, including issues with applications to VCAT

**Advice can be accessed by:**

**Phone:** 1300 309 337

**Email:** opa\_advice@justice.vic.gov.au

**In person:** Level 1, 204 Lygon Street, Carlton.

**The Mental Health Legal Centre**

Offers free legal assistance where the legal problem relates to a person's mental illness.

They have a free telephone advice line open at the following times:

Mon, Wed, Fri: 3pm – 5pm

Tue, Thur: 6:30pm – 8:30pm

**Phone:** 03 9629 4422

**Disability Discrimination Legal Service**

Provides advice, referral and limited representation on issues relating to disability discrimination.

Appointments for advice can be made by phoning: 03 9654 8644

**Email:** info@ddls.org.au

**Address:** 2nd Floor, 247 Flinders Lane, Melbourne 3000.

**Inside Access**

They provide legal advice and advocacy to imprisoned persons who identify with a mental illness. For a full list of legal issues they will advise on, visit <http://www.insideaccess.org.au/>.

They operate legal clinics at Dame Phyllis Frost and Melbourne Assessment Prison. They also take referrals.

**Address:** Level 9, 10-16 Queen Street, Melbourne VIC 3000

**Phone:** (03) 9629 4422

**Homeless Persons' Legal Clinic** will assist clients experiencing or at risk of homelessness in relation to applications for guardianship or administration orders or potential reassessment of these orders.

**Free call from a landline:** 1800 606 313

[www.pilch.org.au/hplc/](http://www.pilch.org.au/hplc/)

## PRISON OUTREACH SERVICES

### Inside Access

They provide legal advice and advocacy to imprisoned persons who identify with a mental illness. For a full list of legal issues they will advise on, visit <http://www.insideaccess.org.au/>.

They operate legal clinics at Dame Phyllis Frost and Melbourne Assessment Prison. They also take referrals.

**Address:** Level 9, 10-16 Queen Street, Melbourne VIC 3000

**Phone:** (03) 9629 4422

### Victoria Legal Aid Prison Advice Service

VLA provides legal information and advice on a variety of legal issues (see details below).

Prisoners can request a VLA prison visit by calling the VLA legal information phone line.

Prisoners can obtain a grant from VLA for ongoing legal representation if they are eligible to do so.

**Phone:** (03) 9269 0120, or 1800 677 402.

### Central Highlands Community Legal Centre

They provide an outreach service one day per month to Ararat and Langi Kal Kal prisons.

Prisoners who wish to make an appointment with the outreach service can do so via their programs coordinator.

They will advise on a range of issues including: family law, wills, powers of attorney, debts, dealing with CSA and parole issues.

They also provide post release legal support.

**Phone:** 5331 5999 or 1800 466 48

## GENERAL LEGAL ADVICE SERVICES

### Community Legal Centres

Community legal centres provide free general legal advice and also representation in certain circumstances.

The peak body for Victorian Community Legal Centres is the Federation of Community Legal Centres.

Community Legal Centres can be found in most suburbs.

A directory of all community legal centres in Victoria and a summary of the areas of law that they can assist with can be accessed at the Federation's website:

<http://www.fclc.org.au/>

### Homeless Persons' Legal Clinic

**This PILCH project conducts** a number of outreach clinics across different locations around Melbourne including at VACRO. HPLC lawyers will assist homeless clients and clients at risk of homelessness with civil law issues as listed above (including housing and tenancy, credit and debt, infringements related to homelessness and guardianship and administration).

The clinic cannot assist with criminal law, family law or immigration law matters but can provide referrals to the correct services.

The clinic is run by appointment.

**For more information or to book an appointment call the toll free number:**  
1800 606 313.

**Legal information is also available at:**  
[www.homelesslaw.org.au](http://www.homelesslaw.org.au)

### Victoria Legal Aid

This service provides legal help and referral to specialist VLA services or external legal service providers on legal issues including:

- › Residential Tenancy
- › Parenting Disputes
- › Child Support
- › Divorce
- › Child Protection
- › Anti-Discrimination
- › Social Security/Centrelink
- › Migration
- › Criminal Law

**For people who already have a VLA lawyer, call:** (03) 9269 0234

For new legal problems, call the Legal Help phone service on (03) 9269 0120 or

1800 677 402 (Country Callers)

Available Mon-Fri: 9am – 5pm

Alternatively prisoners may be able to make an appointment to see a visiting VLA lawyer. Each prison administration will have information on how to do this.

### PILCH

The Public Interest Law Clearing House (PILCH) is an independent, not-for-profit organisation that facilitates pro bono (free) legal services to Victorian individuals and organisations in need. Referrals are assessed against access to justice eligibility criteria, including legal merit, the applicant's ability to afford or obtain assistance elsewhere, the nature of their matter and circumstances (i.e. disadvantage, discrimination, oppression, and human rights considerations) and pro bono capacity. PILCH receives inquiries about legal issues including discrimination, immigration, family and criminal law, employment, guardianship and administration, debt, fines and infringements, tenancy and housing, and financial abuse.

**Phone:** (03) 8636 4444





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