

PILBARA COMMUNITY LEGAL SERVICE NEWSLETTER

Welcome to our March PCLS newsletter!

We hope everyone is staying safe during this tough time in the world with the Covid-19 virus.

PCLS will continue to operate as usual to ensure that our Pilbara clients can still access our services! We are taking the necessary precautions to ensure that all our staff and clients stay safe. PCLS has now stopped all face to face interactions with clients and our staff are now assisting clients via phone/email or video link appointments.



What can you do to play your part?

- ✓ Stay at home if you are feeling sick.
- ✓ Keep a full arm span (1.5m) between you and other people where possible.
- ✓ Wash hands regularly with soap and water or buy an alcohol based sanitizer and use regularly.
- ✓ Cover your nose and mouth with a tissue or using your elbow when sneezing or coughing.

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Pilbara Community Legal Service is a not for profit Government funded agency managed by a Board of Management and supported by a CEO and administrative staff. PCLS has four office locations, Karratha, Roebourne, South Hedland and Newman, however our services are delivered throughout the Pilbara region to isolated communities which include: Talka Warra, Yandiyarra, Marble Bar, Nullagine and Jigalong with occasional visits to Onslow, Tom Price and Paraburadoo.

We assist in the areas of:

Financial counselling– provide financial service information, budgeting, advocacy and support services for the purposes of assisting individuals who are in financial difficulty due to circumstances such as debt, over-commitment, unemployment, sickness or family breakdown.

Tenancy Support– provide tenancy advocacy, education and support services to tenants facing difficulties maintaining their tenancy. We assist and support people who are experiencing homelessness and ensure they are linked with mainstream services.

Legal– provide free education to the community as well as legal advice, primarily in the areas of Family Law, Criminal Injuries Compensation, Wills and Deceased Estates (we do not provide criminal law advice).

Domestic Violence- Provide support and advocacy for victims of domestic violence/ at risk clients, promoting safety planning to help ensure client wellbeing whilst helping to resolve crisis. DV assists with access to other related services such as legal advice, accommodation, health, income support and financial counselling.

Migrant Settlement Services– provide one on one casework, support, information and linkages to other mainstream services to assist migrants. community development activities are undertaken which include the implementation of projects that aim to support and empower newly emerging community groups.

Redress Support- Our redress support workers are here to help survivors of institutional child sexual abuse understand the Scheme, talk about feelings and guide them through the whole application process.

To find out more about our service:

- Visit our website: www.pcls.net.au
- Located in Karratha, Roebourne, South Hedland and Newman
- Open 8am – 4pm Monday– Friday



FINANCIAL COUNSELLING

Susanne, Karen, and Jayne are the Financial Counsellors for PCLS. They can offer information, conduct assessments and provide options and support to assist clients, address identified problems and manage financial situations more effectively. To make an appointment please contact Susanne in Karratha on **(08) 9185 5899**, Karen in Roebourne on **(08) 6149 2031** and Jayne in South Hedland on **(08) 9140 1613**. If you are located in Newman, please contact Jayne in South Hedland.

Food Assistance

Food assistance is subject to funding and availability. If you require food assistance we recommend you contact the services mentioned below to check their availabilities.

Karratha

Salvation Army– 2 Bond Place, Karratha
 Wednesdays and Fridays 9:00am– 12:00pm
 Centrelink referral needed

St Vinnies– 19 Welcome Road, Karratha
 Fridays 9:00am-12:00pm
 Centrelink referral needed

Roebourne

Yaandina Community Service– 55 Hampton Street, Roebourne
 Income statement required– must meet the eligibility criteria which is discussed when your income statement is provide at their office.

Hedland

Hedland Breakfast Program- 14 Forrest Circle, South Hedland
 Monday - Friday 7.00 am - 9.00am at the Sobering Up Centre. All that present will be provided with a fully cooked breakfast meal. No referral needed, just attendance

South Hedland Soup Kitchen- 14 Forrest Circle, South Hedland
 Monday - Friday 4.00pm - 5.30pm at the Sobering Up Centre. All that present will be provided with a fully cooked breakfast meal. No referral needed, just attendance.

Coles Food Card

To be eligible client must have not received a Coles Card in the last 3 months, will not get paid in 3 day's time or has not been paid in the last 3 days. Client will need to present their Centrelink Statement to Bloodwood Tree office - 19 Hamilton Road, South Hedland.



No Interest Loans (NILS) Unavailable

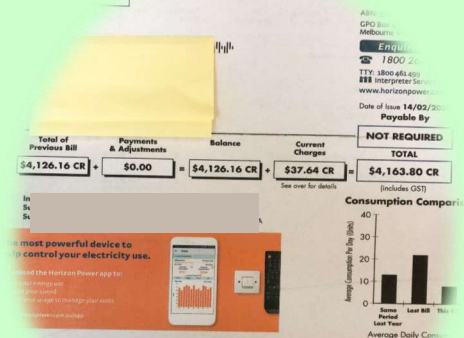
The WA No Interest Loans Clients will not be able to (NILS) which we had written apply for NILS between 16 about in our February issue, March to 14 April 2020 due are currently unable to to their systems being accept or fund any loan upgraded. applications.

Money Power!

One of our Roebourne clients had a power bill showing \$4163.80. The client came in to our Roebourne office to see financial counsellor Karen confused about her bill.

What the client didn't realise, was that she was actually \$4163.80 in credit!

Karen advocated for the client with Horizon Power and that client has been reimbursed the total amount.



payment is required as your account balance is in credit

TENANT ADVICE AND EDUCATION SERVICE

Kailene and Kelly are the Tenant Advocate and Education Service Workers. Their role is to advocate, support and educate tenants in relation to their rights and responsibilities in accordance with the Residential Tenancies Act (RTA). They cannot provide advice to landlords or commercial tenants. To make an appointment please contact Kailene in Karratha on **(08) 9185 5899** or contact Kelly in South Hedland on **(08) 9140 1613**

COVID-19 Tenancy Issues– Message from Tenancy WA

Rent Arrears/Income

Landlords have been ‘encouraged’ by the PM and Premier to not breach/evict people at this time.

Banks are showing they are open to flexibility and negotiations with regards to mortgage payments, so this should not be an excuse for them to evict tenants. Some landlords have been open to negotiate rental prices and/or showing flexibility with rent arrears.

Tenants should be getting on the front foot with this and try negotiate some flexibility if you are experiencing hardship sue to Covid-19.

Please contact our office to speak to our tenant advocate for a sample letter as shown in the picture, which may assist you to negotiate rent at this difficult time.

Important: The states/National Cabinet are in the process of considering measures to protect renters. It is hoped that there will be an answer, in the next day or two, for tenants on what they can do is suffering financially.

We advise tenants to wait until these measures have been announced. This may take form of a temporary halt on evictions or income support for tenants.

There is currently a campaign running to make noise about the need for a halt on evictions. Any centres or individuals who wish to contribute to this push you can write a letter and/or sign the petition here:

<https://actionnetwork.org/petitions/protect-our-communities-no-evictions-during-a-health-crisis>

Availability of Income Support

If you have been affected financially by Covid-19 you may be eligible for Centrelink assistance/payments.

More information on the support payment/ measures can be found here:

<https://www.dss.gov.au/about-the-department/coronavirus-covid-19-information-and-support>

Open Houses/Inspections

The PM announced that all open houses are banned nationally and we are encouraging tenants to negotiate, on this basis, for any visits to the property apart from maintenance and repairs to be postponed.

Dear [Landlord name]

[[We]] are making a special appeal to you regarding our home at [address]. As you no doubt are aware, the COVID-19 coronavirus is having a serious impact on many in our community.

The advice from health departments is also to practice 'distancing' techniques and this makes it hard for people to be out in public, spending and keeping local businesses going. [[Suggestion: talk a bit about your own situation, eg. Unfortunately this has also impacted our household. We have lost shifts at our workplace etc.]]

[[We]] know this will have an impact on you as well. [[We]] hope that the government will come to assist the whole community, by looking at rents, mortgage payments, council rates and utilities.

However in the short term, with the impacts being felt across the community, if [[we]] have to vacate it may be very difficult for you to find a new tenant at the moment, especially at the same rent [[I am/we are]] paying. This wouldn't be good for either of us!

From that perspective, [[We]] would like to propose [[a reduced rent to \$xxx pw/a pause on the rent depending on your circumstances]] for the next [[month/fortnight]] if we can come to an arrangement then once this crisis is over and our income picks up again or other relief is introduced then our rent payments can continue sooner.

[[We]] would be happy to revisit this arrangement [[monthly/fortnightly]]. If the government does make some decision on these issues, whether it's rent and mortgage relief or something else, then [[We]] expect [[we]] will follow that directive.

Could you call [[me/us]] on [[phone number]] to discuss or reply by email at [[your email]].

Thank you for your consideration

[[your name]]



Thankyou to Tenancy WA for the update on all the above mentioned information.

HOUSING SUPPORT WORKER

Karla, Angie, Lisa, Anne and Tamara are the Housing Support workers. The Housing Support Workers assist people having difficulty securing or maintaining stable accommodation. The program is for people who are at risk of or are experiencing any type of homelessness issue. To make an appointment please contact Karla in Karratha on **(08) 9185 5899**, Angie in Roebourne **(08) 6149 2031**, Lisa or Anne in South Hedland on **(08) 9140 1613** or Tamara in Newman on **(08) 9175 0148**

LEGAL TEAM

Julie (Principal Solicitor), Carolyn and Sabrina are the solicitors for PCLS. Our solicitors offer free legal assistance and assist clients who are needing advice or help in the areas of family law (parenting, property and divorce), restraining orders, criminal injuries compensation, and care and protection matters. If you are needing assistance with any of the above please call our Karratha office on **(08) 9185 5899**, or our South Hedland office on **(08) 9140 1613**. to make an appointment for legal advice.

FAMILY LAW FACTSHEET: DIVORCE



WHAT IS A DIVORCE?

Divorce is when a Court officially ends a marriage. Once your Divorce is finalised you can remarry. The Courts in Australia do not need to consider why the marriage ended, you just need to satisfy the Court that you and your spouse have been separated for at least one year and there is no reasonable chance of continuing the marriage. Arrangements for property and children are made separately.

APPLYING FOR DIVORCE



WHAT YOU NEED IN ORDER TO APPLY FOR A DIVORCE

- ✓ Separated for at least 1 year
- ✓ You or your spouse meet the Australian residency requirements
- ✓ You have made arrangements for any children

You cannot apply for divorce within the first 2 years of marriage unless you have a counselling certificate or the court's permission

Applying for a Divorce is done electronically on the Commonwealth Courts Portal <https://www.comcourts.gov.au>. You will need to register online and follow the prompts to complete the online application form. There are different processes if you are making a sole application or a joint application

You will need to upload your marriage certificate and additional documents if required.

There is an application fee to be paid but you may be eligible for a reduced fee if you meet certain criteria.

Importantly, once a divorce order is made, you have 12 months to achieve a property settlement with your ex-spouse. If you miss the 12 months limitation date you will have to seek leave of the court to hear any property application between you and your ex-spouse.

SEPERATION UNDER ONE ROOF

When you and your partner separate but continue to live in the same home, you will need to prove to the Court the date you formally separated. The applicant(s) and a third party (family member, friend, neighbour) will need to file an affidavit which should include facts that show separation and the reasons for continuing to live together and how things changed after separation.

COURT BASED OPTION TO HELP RESOLVE FAMILY DISPUTES

A Divorce does not sort out issues relating to property, finances or children and you will need to make those arrangements separately. These arrangements are finalised by filing different applications. When applying for a divorce, you will need to satisfy to the Court that there are proper arrangements in place for children under 18. Ideally, parenting and financial agreements should be reached prior to the divorce to avoid lapsing timeframes and enable efficient processing of your divorce. If you and your partner cannot agree you should seek legal advice to help you apply for a Court Order.

DOMESTIC VIOLENCE SUPPORT WORKERS

Sara, Melanie and Kody are our domestic violence team at PCLS. Their role involves providing support to victims of family and domestic violence through safety and crisis intervention planning, informal counselling, support planning, advocacy, court support, assistance with Violence Restraining Order applications and education. To make an appointment please call Sara in Karratha on **(08) 91855899** or Melanie and Kody in South Hedland on **(08) 9140 1613**.

Types of Family and Domestic Violence

It is important to identify that physical abuse is not the only type of abuse.

So what are the different types?

Physical Abuse

This occurs when a person uses physical force against another. This type of abuse can start slowly, and get more intense and worsen overtime.

Financial Abuse

This can be subtle, with a perpetrator gradually taking control over bank accounts or financial transactions.

Emotional Abuse

This is used to take away a persons independence, confidence and self-esteem. Emotional abuse can have a significant long term impact on a person’s mental health and well being.

Sexual Abuse

This is forced or unwanted sexual activity. The perpetrator may use physical force, make threats or take advantage if a person is unable to give their consent.

Elder Abuse

This can include physical, financial, emotional or sexual abuse towards an

older person. The older person may be dependant on the abuser e.g relying on them for care.

Verbal abuse, social abuse, spiritual abuse, image based abuse, dowry abuse, stalking, reproductive coercion, post– separation violence, are all other types of abuse.

If you or someone you know is experiencing any type of abuse, please contact one of our support workers for help.

Info from: <https://www.whiteribbon.org.au/understand-domestic-violence/types-of-abuse/>

REDRESS SUPPORT WORKERS

Tracey, Karla and Melanie are our Redress support team at PCLS. Our redress support workers are here to help survivors of sexual abuse understand the Scheme, talk about feelings and guide them through the whole application process. To make an appointment please call Karla in Karratha on **(08) 91855899**, Tracey in Roebourne on **(08) 6149 2031** or Melanie in South Hedland on **(08) 9140 1613**.

Department of Justice Open Day!

The Department of Justice holds regional open days to enable easy access for Aboriginal people who may need assistance with:

- Applying for drivers licence.
- Identification documents
- Organising payment of outstanding fines.
- Centrelink matters.

PCLS was asked by the DOJ to attend at

Roebourne and Onslow on 4,5,6 March to assist and advise participants' of the various services we provide.

Staff handed out brochures and promotional gift bags to the people in the communities of Roebourne and Onslow.

If you would like more information on the open days or want to keep up to date on when the next one, log on to

the Department of Justice website:

https://www.department.justice.wa.gov.au/U/upcoming_open_days.aspx



COMMUNITY MIGRANT SERVICE WORKERS

Victoria is our community migrant service worker for the Pilbara. Their role is to provide one-on-one casework, support, information and linkages to other mainstream services to assist migrants. To make an appointment please call Victoria in South Hedland on **(08) 9140 1613**.



Applying for Australian Citizenship



Are you wanting to apply to become an Australian Citizen? Here's some information on what you need to do!

What are the requirements? you must:

- Be between 18 and 60 years of age.
- Have live continuously and legally in Australia for the past 4 years.
- Be physically present in Australia and must not have been absent for more than 12 months in the last 4 years.
- Be of good character.
- Lived in Australia for at least 9 out of 12 months of the year.

How long does the process take?

After filing the application, the DIBP will

aim to process your application within 3 months, but there is always the possibility of back log or other delays.

General Evidence Requirements:

If you are over 18 you need to provide these original documents:

- A good quality photograph against a plain, light coloured background, no more than 6 months old. Your face, head and shoulders must be clearly visible.
- Your hand-written original signature.
- Proof of residence.
- Identification documents, stating your birth name, date of birth and your gender. (if you have had your

names changed you will need to submit additional supporting documentation.)

Requirements for spouses or partners of Australian Citizens?

You must follow the same process and satisfy the same requirements as any other applicant. Being a Partner Visa 820 holder will not entitle you to the citizenship since it is a temporary visa and not a permanent one.

For more information, or to apply for citizenship visit the Australian

Immigration website:

<https://www.auimmigration.net/>

Migrant Swimming Lessons for Men

Migrants and tourists account for a third of drownings in Australia. For this reason, since August 2016, PCLS partnered with Royal Life Saving WA to deliver swimming classes to migrants in the Pilbara.



The swimming program started off to assist women, but has now grown to offer a program specific to multicultural men.

12 men registered for the 7 week

program which started in February 2020 and ended on 22 March 2020.

Due to shift work schedules, about 6-8 men attended the classes each week. Some of the men who signed up were those who had been encouraged by their partners who had previously done the women's swimming program.

The Swim to Survive Program

classes not only give CALD communities the opportunity gain the skills and knowledge to learn how to swim, but also enables them to socialise and enjoy an activity that is an important part of Australian life.

If you would like to know more about the swimming program, please contact us

